COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: January 13, 2014
AGENDA NUMBER: 13
ITEM: Accepting WCA Authority from the City of Coon Rapids

POLICY IMPACT: Extends District administration of the Wetland Conservation Act over the City of Coon Rapids
FISCAL IMPACT: There are no direct District budget implications with respect to this delegation of WCA administration.

REQUEST
Staff is seeking Board approval to accept administrative responsibility for the Wetland Conservation Act (WCA) activities from the City of Coon Rapids.

BACKGROUND
In 1991 all of the Cities, except Coon Rapids, requested the District to administer the Wetland Conservation Act (WCA). The District recognized the City of Coon Rapids as the local government unit (LGU) administering the Wetland Conservation Act in that portion of the District but indicated that it would continue to administer its own wetland rules and provide oversight and assistance to the City when needed.

With the retirement of Dave Full, WCA administrator, at the end of 2013 Coon Rapids will be without a qualified staff person to officially administer wetland applications. With this and other changes in the City and the District the two staffs believe it would be beneficial to delegate City WCA authority to the CCWD. This delegation of authority has already been discussed with both the City of Coon Rapids and the Minnesota Board of Water and Soil Resources (BWSR), and they are in agreement with the City’s proposal.

At their December 17, 2013 meeting the Coon Rapids City Council unanimously adopted resolution 13-115 authorizing the Coon Creek Watershed District to serve as the City’s legal authority on wetland issues.

The Board is being asked to adopt the attached resolution regarding the Administration of the Minnesota Wetland Conservation Act. If the Board agrees and adopts the resolution both the District’s and City’s actions will be forwarded to BWSR for concurrence.
ISSUES/CONCERNS

Changes, Roles and Goals: Not much really changes’ other than roles.

District staff will continue as we have for the past 20 years; project review, inspections, enforcement, escrow collection, close out, etc.. City staff will still be actively involved in all wetland application processes in the City from a supporting role.

With the boundary change shift, which will place the entire City within the jurisdiction of the CCWD, staff believes this transfer of authority will be a good fit for both entities as we continue to foster a cooperative relationship on all stormwater management issues.

RECOMMENDATION

Staff recommends that the Board of Managers approve the attached resolution accepting Wetland Conservation Act responsibility from the City of Coon Rapids

RESOLUTION 14-03

A RESOLUTION REGARDING THE ADMINISTRATION OF THE MINNESOTA WETLAND CONSERVATION ACT

WHEREAS, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local government units (LGUs) to implement the rules and regulations promulgated by the Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation; and

WHEREAS, Minnesota Rules, chapter 8420 have been adopted by BWSR in accordance with the rulemaking provisions of Minnesota Statutes, chapter 14, for the purpose of implementing WCA; and

WHEREAS, the Coon Creek Watershed District agrees to provide knowledgeable and trained staff with expertise in water resource management to manage the program as required by Minnesota Rule 8420.0200, Subpart 2, Item B; and

WHEREAS, Minnesota Rule 8420.0200, Subpart 2, Item A requires that each LGU of the State send a written acknowledgement, including a copy of the adopting resolution, to BWSR that it is assuming its responsibilities under chapter 8420 and the act.

THEREFORE, BE IT RESOLVED that the Coon Creek Watershed District hereby accepts the authority and administrative responsibility to implement WCA as the LGU within the legal boundaries of City of Coon Rapids as of January 13, 2014 in accordance with Minnesota Rules, Chapter 8420.