COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: March 23, 2015
AGENDA NUMBER: 5
ITEM: Public Hearing on Proposed Rule Change Concerning Survey Elevation Datum (Rule 9.2)

POLICY IMPACT: Policy
FISCAL IMPACT: Budgeted

REQUEST
Convene hearing and adopt minor amendment of District Rules 9.2 regarding the date of the datum used in submitting plans.

BACKGROUND
At the January 12, 2015 meeting the Board directed staff to seek an amendment to the existing District Rule section 9.2 changing the date of the datum used in applications and survey work within the watershed from 1929 to 1988

District staff distributed the proposed amendment language to the BWSR and MnDOT as well as all members of the Technical Advisory Committee including Anoka County. The cities and Technical Advisory Committee Members were provided 45 days to review and comment on the proposed rule (January 26 to March 12, 2015). The notice of hearing was posted in the District’s official new paper on March 13 & 20. The notice and rule change language has been posted on the District’s web site since March 11.

ISSUES/CONCERNS
Current Rule: The District’s current rule (9.2 Floodplain) requires that
The applicant must submit with its permit application the following:
   1. Site plan showing boundary lines, delineation and existing elevation contours of the work area, ordinary high water level, and 100-year critical flood elevation. All elevations shall be referenced to NGVD (1929 datum)

Need for Change: In 2014 as part of the update to the District’s XPSWMM model, the District changed survey datum from 1929 to 1988. The datum used effects the accuracy of the resulting elevations used in construction and calculating flood elevations.

Reason for Change: Staff has had the engineers for two applicants submit and argue that their submittals are consistent with the rules when they submit 1929 (regardless of the accuracy of the resulting elevations)
**Rule Change Language:** While the District is scheduled to update its rule following the approval of its Comprehensive Plan and SWPP, we are quite ready to proceed. Therefore we would like to proceed with a minor amendment or clarification if possible, as follows:

*The applicant must submit with its permit application the following:*

1. **Site plan showing boundary lines, delineation and existing elevation contours of the work area, ordinary high water level, and 100-year critical flood elevation.** All elevations shall be referenced to NGVD (1929-1988 datum)

**Comments:** Three comments on the proposed rule change were received:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Comment</th>
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<tbody>
<tr>
<td>City of Andover</td>
<td>The change makes sense.</td>
</tr>
<tr>
<td>City of Blaine</td>
<td>We do not have any issue with the proposed change. We would hope you retain some flexibility with properties that have valid or current survey’s in the 1929 datum.</td>
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<tr>
<td>City of Fridley</td>
<td>The change will be fine.</td>
</tr>
<tr>
<td>MnDOT</td>
<td>We don’t see this change as a problem. No extra time needed for review.</td>
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</tbody>
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**OPTIONS**
Options for proceeding will be presented at the Board meeting

**RECOMMENDATION**

1. Convene hearing
2. Note proposed change in rule
3. Ask for comments (3X)
4. Adjourn hearing
5. Board discussion
6. Adopt rule