COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: April 14, 2014
AGENDA NUMBER: 8
ITEM: Ham Lake Request for Boundary Amendment

POLICY IMPACT: Policy
FISCAL IMPACT: Non-Budgeted

REQUEST
Consider a request from the City of Ham Lake for an amendment to the District boundary to include the remaining portion of Ham Lake in the Coon Creek Watershed District

BACKGROUND
On March 18, 2014 the District received a letter from the City of Ham Lake requesting that the Watershed District consider a revision of its boundary in the northwest and northeast corners of Ham Lake to include an additional 3.4 square miles (2,188 acres) into its jurisdictional boundary. The letter is attached.

In 2005, the Board of Managers reviewed and discussed the different methods of pursuing a boundary change and directed staff to pursue the method outlined in Minnesota Statutes 103B.215.

The Board of Managers may petition the Board of Water and Soil Resources for an order changing the boundaries of a watershed district wholly within the metropolitan area, by adding new territory to the district or by transferring territory that is within the district to the jurisdiction of another watershed management organization.

ISSUES/CONCERNS
The petition must include the following:

Petition Requirement
1. A description, with particularity, of the change in boundary requested, the territory affected, and the reasons for the change

2. An explanation that the change is consistent with the purposes and requirements of sections 103B.205 to 103B.255

3. Identify property subject to section 103B.225

4. A written “statement of concurrence” from the governing body of each statutory or home rule charter city and town and each watershed management organization having jurisdiction over the territory proposed to be added or transferred.
Request: The City of Ham Lake requesting that the Watershed District consider a revision of its boundary in the northwest corner of Ham Lake.

Area: The areas under consideration involve two water management organizations

<table>
<thead>
<tr>
<th>Area</th>
<th>WMO</th>
<th>Size (Sq Miles)</th>
<th>Size (Acres)</th>
<th>Pct of City of Ham Lake</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northwest</td>
<td>Upper Rum River WMO</td>
<td>1.65</td>
<td>1,087</td>
<td>4.9%</td>
</tr>
<tr>
<td>Northeast</td>
<td>Sunrise River WMO</td>
<td>1.77</td>
<td>1,169</td>
<td>4.6%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>3.42</strong></td>
<td><strong>2,256</strong></td>
<td><strong>9.5%</strong></td>
</tr>
</tbody>
</table>

Location:
**Reason for the Change:** The merits of the boundary change are the following:

1. Expanding the CCWD boundary would provide better services to the tax payer at the same cost and/or at a cost savings.
2. The WMOs do not have individual taxing authority and are funded by the municipalities that make up their membership. The CCWD has the authority to assess properties for benefits received and levy taxes to finance administration.
3. The WMOs deal only with surface waters, whereas the CCWD manages surface water and groundwater.
4. The CCWD provide a more workable and rational means of financing improvements for water resources due to the City jurisdictions lacking the necessary resources to fund critical improvements designed to restore water quality or provide flood control. Assessing the costs across the entire watershed provides a more equitable and effective approach.
5. Would increase the efficiency and result in a continuity of service delivery of the CCWD in collaboration with the City. A more efficient use of resources will minimize the costs of public capital expenditures.
6. All water management activities for the City of Ham Lake would be contained within a single watershed, which would simplify planning and reporting requirements and create a uniform set of policies, standards, approaches and controls. The differing requirements between the CCWD Rules, the SRWMO Watershed Management Plan and the URRWMO Comprehensive Watershed Management Plan result in non-uniformity of the above.
7. It would consolidate the standards with regard to protection of groundwater.

**Record of Actions to Date:**

February, 2014  Ham Lake staff requests thoughts on amending the rest of Ham Lake to Coon Creek Watershed District.

March, 2014  Both City and District staff approach BWSR about possibility of amendment that is not ‘hydrologically’ based. Both staff understand that amendments that are not hydrologically based have been done before, but depend on specific circumstances and significance.

March 17, 2014  Ham Lake staff take proposal to City Council. Council directs staff to make formal request to Watershed District.

March 18, 2014  Request letter received by CCWD
OPTIONS
1. Direct staff to complete Boundary Petition for Board Action and Request for Statement of Concurrence

2. Direct staff to notify the City of Ham Lake that the District will not be revising its boundary at this time.

3. Lay over the this matter to the Tuesday May 28 Board meeting for further consideration (citing the outstanding issues or questions for consideration)

RECOMMENDATION
Direct staff to complete Boundary Petition for Board Action and distribution to the City of Ham Lake and Upper Rum River and Sunrise WMOs
March 18, 2014

Tim Kelly, Administrator
Coon Creek Watershed District
12301 Central Avenue
Blaine, Minnesota 55434

Subject: Legal District Watershed Boundary Expansion Request

Dear Mr. Kelly,

The City of Ham Lake respectfully requests consideration of the Coon Creek Watershed District (CCWD) to expand its legal boundaries to include those lands and properties within the City of Ham Lake that are currently served by the Sunrise River Watershed Management Organization (SRWMO) and the Upper Rum River Watershed Management Organization (URRWMO).

At present, 90.5% of the City is located within the CCWD. The remainder is located within the SRWMO (4.9%) and the URRWMO (4.6%). The area of Ham Lake located in the SRWMO is 1.77 square miles and in the URRWMO is 1.65 square miles. Ham Lake currently makes up 2.5% of the 71.36 square mile area of the SRWMO and 1.3 percent of the 127.24 square mile area of the URRWMO. The City of Ham Lake is the local government unit administering the Wetland Conservation Act in those portions of the City within the SRWMO and the URRWMO.

While these areas are not within the hydrologic boundary of the CCWD, a boundary shift appears to make sense to all the affected entities for the following reasons:

- Expanding the CCWD boundary would provide better services to the tax payer at the same cost and/or at a cost savings.
- The WMOs do not have individual taxing authority and are funded by the municipalities that make up their membership. The CCWD has the authority to assess properties for benefits received and levy taxes to finance administration.
- The WMOs deal only with surface waters, whereas the CCWD manages surface water and groundwater.
- The CCWD provide a more workable and rational means of financing improvements for water resources due to the City jurisdictions lacking the necessary resources to fund critical improvements designed to restore water quality or provide flood control. Assessing the costs across the entire watershed provides a more equitable and effective approach.
- Would increase the efficiency and result in a continuity of service delivery of the CCWD in collaboration with the City. A more efficient use of resources will minimize the costs of public capital expenditures.
- All water management activities for the City of Ham Lake would be contained within a single watershed, which would simplify planning and reporting requirements and create a uniform set of policies, standards, approaches and controls. The differing requirements between the CCWD Rules, the SRWMO Watershed Management Plan and the URRWMO Comprehensive Watershed Management Plan result in non-uniformity of the above.
- It would consolidate the standards with regard to protection of groundwater.
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Mr. Tim Kelly
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Please contact me if I can provide additional clarification or you have any questions related to this matter. Thank you in advance for your consideration.

Sincerely,

RFC Engineering, Inc.

[Signature]
Tom Collins, P.E.
Ham Lake City Engineer