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Analysis Of The District's Mission

Purpose

To review and update the update the requirements, guidance, and time allotment handed down by state and Federal legislative bodies and agencies and to identify gaps in information required for further planning and decision-making during preparation and execution.

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Outcomes

- Develop a preliminary problem statement.
- Develop a mission statement to guide roles, tasks, timing locations and reasons for local water management activities.
- Initial statement of management intent.

Understanding of the District's Mission

The Coon Creek Watershed District is a special purpose unit of government authorized and established by the State of Minnesota. As such the District is a creature of the state whose purpose is to implement the policies and goals of the State of Minnesota.

The Water policy and goals of Minnesota is contained in several statutes. Minnesota Statute 103A states that these statues must be considered as a whole to systematically administer water policy for the public welfare (M.S. 103A.211).

State water policy and goals that appear contradictory in a specific situation or circumstance should be discussed in a public forum where the conflict surrounding a specific public interest can be presented and, by consideration of the whole body of water law, the controlling policy can be determined, and apparent inconsistencies resolved.

For development and implementation of this plan, public forums are identified as

1. Public engagement
2. Initial planning meeting
3. Public and State Agency review
4. Board of Water and Soil Resources
5. The Board of Managers regularly scheduled meetings
6. BWSR Dispute Resolution Committee
7. Court

Legislative Goals: What We Are Supposed to be Doing

1. To conserve and use water resources in the best interests of the people, and to promote the public health, safety, and welfare (M.S.103A.201).
2. To preserve the wetlands of the state to conserve surface waters, maintain and improve water quality, preserve wildlife habitat, reduce runoff, provide for floodwater retention, reduce stream sedimentation, contribute to improved subsurface moisture, enhance the natural beauty of the landscape, and promote comprehensive and total water management planning (M.S. 103A.202).
3. To reduce flood damages through floodplain management, stressing nonstructural measures such as floodplain zoning and floodproofing, and flood warning practices (M.S. 103A.207).
4. To plan and manage groundwater and surface water resources from the perspective of aquifers and watersheds to achieve protection, preservation, enhancement, and restoration of valuable groundwater and surface water resources. (M.S. 103A.212)
5. To provide for the sustained use of our natural resources through direct and coordinated actions with other agencies and parties. (M.S. 103A)
6. To conserve the natural resources for the protection of the public health, safety, and welfare and the provident use of the natural resources. (M.S. 103D)
7. To protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation. (M.S. 114D.10)
8. To achieve and maintain water quality standards for groundwater and surface waters, including the standards required by section 303(d) of the federal Clean Water Act, United States Code, title 33, section 1313(d) (114D.10).
9. To broker requests and petitions for repair and improvement of the public ditch system (M.S. 103E).

Methods: How We Are Supposed to Achieve The Goals

To achieve the above goals, the legislature authorizes the District to:

- Tax and specially assess to fund actions to achieve those goals.
- Regulate property to guide land use actions to operate in harmony with and synchronized with their landscape and to prevent uses that would harm or damage the public health, safety or welfare or the resource's ability to provide beneficial uses now or in the future.
- To budget and invest in people, projects, programs and actions.

End States: Why We Are Pursuing the Goals

The reason the legislature has stated these goals and provided the District with taxing and regulatory authority is to:

- Protect the public health, safety, and welfare. (M.S. 103A.211, & 103D.201)
- Protect the watershed's capacity to continue to produce and provide beneficial uses. (M.S. 103D.201)
- Operate and maintain those natural and manmade structures and functions necessary for the ongoing provision of beneficial uses. (M.S. 103B, 103D & 103E)
- Restore adverse changes to the most sustainable productive capacity the resource can attain. (103B, 114D, 33 U.S.C §§ 1251 et seq.)
- Minimize capital costs associated with repair, replacement, or restoration of property and or water resources. (M.S.103B.201)

Concept of Operation: How the Legislature Envisions It Working:

To achieve the above goals, objectives, intentions and effects, the legislature prescribed a set of hierarchical plans to discover, disclose and address the needs for comprehensive water management and prevent costly problems and issues. The hierarchy is driven at the:

- 1) State level by the laws and rules identified in the reference section above.
- 2) Watershed level by Comprehensive Watershed Management plans developed to address those goals as they relate to local hydrologic conditions.
- 3) The municipal level through local water plans that further refined and operationalize the objectives of the watershed plan.

Consistency, reflection of local tastes and preferences and a broadened perspective is intended through required engagement and documentation with public and private stakeholders and is further assured through formal review and comment by those stakeholders and approval of the Watershed Management Plan by the Board of Water and Soil Resources.

Local water plans are assured consistency with watershed plans through watershed organization approval and review by the Metropolitan Council. Additional compliance and consistency is achieved by the Municipal Local water plans also being consistent with the stormwater chapters of the city Comprehensive Plans that are reviewed and approved by the Metropolitan Council. This system is intended to reflect local natural resources and their condition; and be consistent with metropolitan and state policies and priorities.

Task Organization: Objectives and Specified and Implied Tasks

Specific Legislative Objectives (M.S. 103B):

Within the Metropolitan Area, the Legislature has identified nine objectives which also address problems, issues, and concerns within the metropolitan area of the Twin Cities. The legislative objectives are:

1. To protect, preserve, and use natural surface water and groundwater storage and retention systems.
2. To minimize public capital expenditures needed to correct flooding and water quality problems.
3. To identify and plan for means to effectively protect and improve surface water and groundwater quality.
4. To establish more uniform local policies and official controls for surface water and groundwater management.
5. To prevent erosion of soil into surface water systems.
6. To promote groundwater recharge.
7. To protect and enhance fish and wildlife habitat and water recreational facilities.
8. To secure the other benefits associated with the proper management of surface water and groundwater.
9. To provide authority, direction, and resources to achieve and maintain water quality standards for groundwater and surface waters, including the standards required by section 303(d) of the federal Clean Water Act, United States Code, title 33, section 1313(d), and other applicable state and federal regulations.

Required Tasks

1. Develop a Watershed Management Plan that is prepared, adopted, and implemented in accordance with the other requirements of M.S. 103B.231.
2. Specify the period covered by the plan and must extend at least five years but no more than ten years from the date the board approves the plan.
3. Coordinated with an adopted county groundwater plan developed under M.S. 103B.255.
4. Addresses and sufficiently analyzes the following factors and offers a prescription necessary to accomplish legislative purposes.
 - 1) Describe the existing physical environment, land use, and development in the area and the environment, land use, and development proposed in existing local and metropolitan comprehensive plans.
 - 2) Present information on the hydrologic system and its components, including drainage systems previously constructed under M.S. 103Ee, and existing and potential problems related thereto.
 - 3) State objectives and policies, including management principles, alternatives and modifications, water quality, and protection of natural characteristics.
 - 4) Set forth a management plan, including the hydrologic and water quality conditions that will be sought and significant opportunities for improvement.

- 5) Describe the effect of the plan on existing drainage systems.
 - 6) Identify high priority areas for wetland preservation, enhancement, restoration, and establishment and describe any conflicts with wetlands and land use in these areas.
 - 7) Describe conflicts between the watershed plan and existing plans of local government units.
 - 8) Set forth an implementation program consistent with the management plan, which includes a Capital Improvement Program and standards and schedules for amending the comprehensive plans and official controls of local government units in the watershed to bring about conformance with the watershed plan.
 - 9) Set out procedures and timelines for amending the plan.
5. Identify priority issues (M.R. 8410.0045 Subp. 1)
 - 1) Identify priority issues in consideration of
 - 2) Water management problems, including prevention of future water management problems.
 - 3) Funding levels.
 - 4) Identified regional, county, city, state, and federal water management priorities.
 6. Contain information and a general analysis based on existing records, plans, and publications for the elements.
 - 1) Topography
 - 2) Soil
 - 3) General geology
 - 4) Precipitation
 - 5) Surface water resources including streams, lakes, wetlands, public waters, and public ditches.
 - 6) Water quality and quantity including trends of key locations and 100-year flood levels and discharges.
 - 7) Groundwater resources, including groundwater and surface water connections if defined in an approved and adopted county groundwater plan.
 - 8) Storm water systems, drainage systems, and control structures
 - 9) Regulated pollutant sources and permitted wastewater discharges.
 - 10) Fish and wildlife habitat and rare and endangered species.
 - 11) Water-based recreation areas.
 - 12) Existing land uses and proposed development in local and metropolitan comprehensive plans.
 - 13) Priority areas for wetland preservation, enhancement, restoration, and establishment.
 7. Develop specific measurable goals for the following that address identified issues and are consistent with the purpose and intent of relevant legislation.
 - 1) Groundwater
 - 2) Public Drainage
 - 3) Water Quality
 - 4) Water Quantity
 - 5) Wetlands

8. Develop prioritized implementation actions through the year the plan extends to, that will consist of administrative processes and programs to address the resource management goals. Those implementation actions must be organized around:
 - 1) Capital Improvement Plan
 - 2) Data Collection
 - 3) Incentives
 - 4) Information and Engagement
 - 5) Local Water Planning
 - 6) Operations and Maintenance
 - 7) Regulation
 - 8) Water Restoration and Protection

9. A Federal National Pollutant Discharge Elimination System (NPDES) storm water permit is required for MS4's located in an urbanized area in whole or in part, that are regulated in accordance with Code of Federal Regulations, title 40, section 122.26(a)(1)(iii) and (iv), and (a)(9)(i)(A)

10. MR 7090.1040 MS4's must have a storm water pollution prevention program to address environmental concerns related to storm water discharge. The program must address the following minimum measures in accordance with Code of Federal Regulations, title 40, section 122.34(b):
 - A. Public education and outreach
 - B. Public participation/involvement
 - C. Illicit discharge detection and elimination
 - D. Construction site runoff control
 - E. Postconstruction runoff control
 - F. Pollution prevention/good housekeeping

Implied Tasks

1. Develop a statement of the current and desired 2033 condition of the resource.
2. Define the problem set.
3. Develop specific measurable goals for wildlife that address identified issues and are consistent with the purpose and intent of relevant legislation.
4. Facilitate consensus on the broad collaborative operational approach.
5. Assess centers of gravity catalyzing both problems and response capacity.
6. Articulate assumptions and limitations.
7. Identify critical information requirements.
8. Develop prioritized implementation actions through the year the plan extends to, that consists of administrative processes and programs to address the resource management goals for:
 - a. Program positioning, response, and intervention
 - b. Stability and sustainment that address:
 - i. Collaboration and support

- ii. Coordinating
- iii. Civil Engagement and Affairs
- c. Assessment and Evaluation of Measures of Effectiveness to assess progress and end state conditions
- d. Coordinating instructions
- e. Administrative support and sustainment
- f. Leadership, liaison, and ongoing communication

Proposed Revised Mission Statement

All the statutes cited above emphasize a comprehensive approach to the wise use, preservation, and protection of water and related land resources for the public health, safety, and welfare. While the statutes address almost all water resource features, they emphasize flood control and water quality. To this end, the District’s most basic responsibilities are:

1. To develop and manage a uniform program of water use within the Coon Creek Watershed.
2. To protect the health, safety and welfare of the present and future people that live, and will live, within the watershed.
3. To provide for opportunities and uses of the water and related natural resources of the watershed which are demanded and appropriate for the area. Appropriate refers to the natural ability of the water and related resources to continue to perform and function on their own or with a minimum subsidy or cost to the public at large.
4. To prevent unacceptable damage to the water and related natural resources of the watershed. Unacceptable means decreasing or diminishing the ability of the water and related resources to continue to perform and function on its own in perpetuity.

To focus these broad mandates to the Coon Creek Watershed and provide more direction to this charge, the mission of the District is:

“To manage groundwater and the surface water drainage system to prevent property damage, maintain hydrologic balance and protect water quality for the safety and enjoyment of citizens, and the preservation and enhancement of wildlife habitat.”

The District intends to do this by using the natural drainage system to provide for conveyance and disposal of storm water runoff without degrading the natural system.

Initial Statement of Management Intent

To sustain the beneficial use of water resources and protect the public interest will require:

- A multi-agency collaborative approach at the local and state levels.
- Prudent but aggressive investment of public funds to maintain, improve, and restore hydrologic function.

- An agile and adaptive regulatory approach that respects and defends property rights but aggressively restrains and/or mitigates those consequences that adversely affect resource function and/or the health, safety, or welfare of adjacent properties.
- Access to talented and capable staff expertise who are able to continually adapt, are persistent, technically current, creatively problem solve, practical, continually learn and adapt and are resilient.

We will know we have been successful when waters are no longer impaired, life and property are protected, land is used and developed in a manner that supports sustainment of the water resource and public costs reflect what is required to prevent, mitigate and sustain the healthy and safe water resource conditions.

Initial Planning Guidance

In May 2022, the District published its “Notice of Intent to Amend Plan (NOI)”. The NOI noted the following planning process. This document addresses the second step: Mission and Problem Analysis.



Guidance

