

# E Environment Committee

Meeting date: ~~October 23~~ November 13, 2007

For the Metropolitan Council Meeting of November 14~~28~~, 2007

## ADVISORY INFORMATION

**Date:** October 8, 2007

**Subject:** Amendment to Resolution No. 2007-33, of Supporting for the Comfort Lake-Forest Lake Watershed District in Seeking Legislative Designation as a Metropolitan Watershed Management Organization, ~~Resolution No. 2007-\_\_\_\_\_~~

**District(s), Member(s):** All

**Policy/Legal Reference:** Water Resources Management Policy Plan

**Staff Prepared/Presented:** Judy Sventek, 651-602-1156

**Division/Department:** MCES c/o William G. Moore, 651-602-1162

### Proposed Action/Motion

That the Metropolitan Council approve the attached resolution supporting the Comfort Lake – Forest Lake Watershed District in seeking legislative designation as a metropolitan watershed management organization.

### Issue(s)

The resolution has been revised to reflect the discussion at the previous Committee meeting in regards to whether or not any other watershed districts were partially within the metropolitan area. Buffalo Creek Watershed District is partially in Carver County while the majority of the district is in McLeod, Renville, Sibley and Kandiyohi counties, therefore the last whereas has been removed from the resolution.

### Overview and Funding

When the Comfort Lake Forest Lake Watershed District (CLFLWD) was formed it was formed under Minnesota Statutes 103D because part of the District is outside the metro area. The CLFLWD is trying to change its watershed status to be under Minnesota Statutes 103B requirements and not 103D. The District has asked the Metropolitan Council to provide a resolution in support for this change.

Minnesota Statutes 103B would need to be modified to change the definition of a watershed management organization in the metro area to include watershed districts wholly or partially within the metropolitan area. This change would allow the Council to review the CLFLWD's plan consistently with other Districts in the area. It will provide greater direction and detail for what needs to be in a watershed plan and allow the District to expand its financial resource options needed to complete projects aimed at improving water quality in the District.

The resolution supports the change in Minnesota Statutes 103B to change the definition of watershed management organization to include watershed districts wholly or partially within the metro area so that the Comfort Lake Forest Lake Watershed District can function under Minnesota Statutes 103B.

**Metropolitan Council**

**RESOLUTION OF SUPPORT FOR COMFORT LAKE - FOREST LAKE WATERSHED DISTRICT SEEKING LEGISLATIVE DESIGNATION AS A METROPOLITAN WATERSHED MANAGEMENT ORGANIZATION**

**WHEREAS** the Metropolitan Surface Water Management Act, Minnesota Statutes Sections 103B.205 to 103B.255, recognizes and provides authority for watershed management organizations, including watershed districts to plan for and address the particular challenges affecting water resources in the Twin Cities metropolitan area, in collaboration with municipalities and counties;

**WHEREAS** the majority of the Comfort Lake – Forest Lake watershed is within the seven-county metropolitan area to which the Metropolitan Surface Water Act applies;

**WHEREAS** increasingly rapid urbanization continues to burden the resources and capacities of the municipalities and counties with which the Comfort Lake – Forest Lake Watershed District shares responsibility for water resource management;

**WHEREAS** water resources in the Comfort Lake – Forest Lake Watershed District have been identified as impaired or threatened with impairment from, among other stressors, the impacts of urbanization; and

**WHEREAS** the Metropolitan Surface Water Management Act currently applies to joint powers watershed organizations that include portions both within and outside the seven-county metropolitan area, but not to watershed districts in such circumstances; ~~and~~

~~**WHEREAS** the Comfort Lake—Forest Lake Watershed District is the only watershed district in the state that is located in both metropolitan and non-metro counties;~~

**THEREFORE BE IT RESOLVED** that the Metropolitan Council supports the efforts of Comfort Lake – Forest Lake Watershed District in seeking legislation to amend the definition of “watershed management organization” in Minnesota Statutes Section 103B.205, subdivision 13, so as to include the Comfort Lake – Forest Lake Watershed District.

Adopted this ~~14~~28<sup>th</sup> day of November, 2007

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary