



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, September 16, 2020

Agenda Item

Item 6. E. - Watershed Management plan

Prepared By

Linda Loomis, Administrator

Summary

The LMRWD extended the deadline for the Cities to have applied for a municipal permit from the District to September 1, 2020. Three cities have submitted applications to the District for approval of a municipal permit - Eagan, Mendota Heights, Chanhassen and Bloomington. Staff is recommending the Board approve a municipal permit for the City of Eagan. The City of Mendota Heights, City of Bloomington and City of Chanhassen are currently being reviewed and may be recommended for approval at the Board meeting. (Even though Bloomington adopted revisions to its municipal code in June, it did not submit an application until Friday.) These cities have worked with LMRWD staff to determine necessary amendments to municipal code to bring ordinances into conformity with the LMRWD standards and rules, so even though staff is not completed review of Mendota Heights, Bloomington, and Chanhassen staff is recommending approval be conditioned upon the completion of review by staff.

One city has informed the District as required by MN Statutes that it declines to act as the permitting authority and that it authorizes the LMRWD to issue permits for land alteration for areas of the City within the LMRWD. Furthermore, Eden Prairie has indicated that it will not issue permit for land alteration unless a permit is obtained from the District. (See Item 4.D. of this agenda)

Chaska has said they intend to follow the City of Eden Prairie; however, the District has not received official notice.

LMRWD staff is working with the City of Shakopee and Carver on ordinance revisions that are necessary to bring the municipal code into conformance with the LMRWD rules.

The LMRWD has not received any communications from the cities of Burnsville, Lilydale, Mendota and Savage, or from Scott County. LMRWD Staff will contact each of these cities to see what their plans are. A letter is being prepared to send to these cities informing them that approval of the Local Surface Water Management Plans (LSWMP) by the District will be rescinded unless they take action in accordance with MN Statutes §103B.211 subd. 1 as follows:

- Amend municipal code to conform to the standard of the LMRWD watershed Management Plan and apply for and receive a Municipal Permit from the LMRWD; or
- Authorize the LMRWD to require permits for the use and development of land within the boundaries of the LMRWD.

If no action is taken, LMRWD approval of the cities' LSWMP can be rescinded and the LMRWD can assume authority under chapter 103D to regulate the use and development of land within the LMRWD.

Attachments

No attachments

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Recommended Action

Motion to approve municipal permit for the City Eagan

Motion to approve municipal permits for the City of Chanhassen, the City of Mendota Heights and the City of Bloomington
subject to completion of review by LMRWD staff