



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: August 4, 2021

Subject: Rice Creek Watershed District Boundary Change/Adjustment

Watershed districts are local, special purpose units of government established to manage water resources based on the understanding that water resources do not follow political boundaries. Two watershed organizations have jurisdiction in Spring Lake Park: Coon Creek Watershed District (CCWD) and Rice Creek Watershed District (RCWD). The jurisdictional boundaries of these organizations are established based on the hydrologic boundaries of their assigned water resources. Over time, the models that determine the hydrologic boundaries of a water resource are updated with improved information, which necessitates realigning the jurisdictional boundary of the watershed organization.

RCWD's Engineer, Houston Engineering, recently analyzed RCWD's hydrologic boundary within Anoka County using new model data and identified parcels in which the jurisdictional boundary no longer matched the new hydrologic boundary. RCWD is proposing to update their jurisdictional boundary to address these discrepancies by a petition to the Board of Water and Soil Resources (BWSR) under a process outlined in Minnesota Statutes. RCWD identified a total of 62 parcels in the city, as well as portions of public right-of-way, that would be impacted by this update. Of these parcels, six (6) would be switched from CCWD to RCWD and fifty six (56) would be switched from RCWD to CCWD.

The revision follows along parcel boundaries, so each individual parcel will be in one watershed district.

Property owners that are switched from one watershed organization to another may experience the following impacts:

1. *Differences in land use regulation.* RCWD and CCWD have regulatory programs to protect water resources through land use planning. Impacts to residential properties in the boundary change area are not expected. Non-residential property owners may be impacted by small differences between the organizations' approach to erosion control and storm water management. All properties will still need to meet the City's stormwater regulations required by our MS4 permit, regardless of watershed organization.
2. *Differences in program opportunities.* CCWD and RCWD have different program opportunities, so properties within the boundary change area may gain or lose access to

grants. RCWD offers grants for all types of landowners while CCWD's grants are targeted to public partners and educational initiatives.

3. *Tax rate.* Each watershed organization establishes their own levy. In 2021, both organizations' levies resulted in comparable tax rates, so financial impacts are not expected to be significant.

The City of Spring Lake Park has received project and program support and obtains permits from both RCWD and CCWD. Changes from the proposed revision are not expected to be significant to the City.

Under M.S. 103B.215, a statutory city having jurisdiction over the territory proposed to be added or transferred must issue a letter of concurrence as part of a watershed organization's petition for a boundary change. RCWD has provided the City the mapped properties and justification to support their petition and is requesting the City's concurrence. Once RCWD has obtained all petition materials, including the concurrences, they will submit their petition to BWSR for review. This is followed by a public notice period allowing for comment and requests for a public hearing. During this time, the City will work with BWSR to directly notify impacted residents of the proposed boundary change in addition to the legal newspaper publication required by M.S. 103B.215. After the end of the public comment period and any requested public hearings, BWSR will make a determination on the petition.

There is no expected financial impact on the City as a result of this request.

City Engineer Gravel has reviewed the materials submitted by RCWD and has raised no objections or questions regarding the proposed boundary change.

Staff recommends approval of Resolution 2021-30.

If you have any questions, please don't hesitate to contact me at 763-784-6491.