



Item 5A.
BCWMC 6-18-15

May 27, 2015

Board of Commissioners
Bassett Creek Watershed Management Commission
c/o Laura Jester, Administrator
16145 Hillcrest Lane
Eden Prairie, MN 55346

Dear Chair and Managers:

I am pleased to forward the enclosed Order dated May 27, 2015 of the Board of Water and Soil Resources (Board) that approves the amendment to the Watershed Management Plan for the Bassett Creek Watershed Management Commission (Commission). Please be advised that, in accordance with MN Rule part 8410.0140, Subpart 5, within 30 days of adoption the Commission must distribute copies of the Amendment to all agencies and individuals who have received a copy of the Watershed Management Plan. BWSR looks forward to continuing to work with the Commission as you implement the Plan and document its outcomes.

Please contact Steve Christopher of our staff at 651-296-2633, or at the central office address for further assistance in this matter.

Sincerely,

Brian Napstad
Chair

Enclosure

cc: Randy Anhorn, Hennepin County (via email)
Jeanne Daniels, DNR (via email)
John Freitag, MDH (via email)
Rob Sip, MDA (via email)
Judy Sventek, Metropolitan Council (via email)
Juline Holleran, MPCA (via email)
Beth Neuendorf, MNDOT (via email)
Jim Haertel, BWSR (via email)
Steve Christopher, BWSR (via email)
File Copy

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Minnesota Board of Water and Soil Resources

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Saint Paul, Minnesota 55155

In the Matter of the review of the
Amendment to the Watershed Management
Plan for the **Bassett Creek Watershed
Management Commission**, pursuant to
Minnesota Statutes Section 103B.231,
Subdivision 11.

**ORDER
APPROVING
AMENDMENT TO
WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Commissioners of the Bassett Creek Watershed Management Commission (Commission) submitted a Watershed Management Plan Amendment (Amendment) dated February 2015 to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, subd. 11, and;

Whereas, the Board has completed its review of the Amendment;

Now Therefore, the Board hereby makes the following Findings of Fact, Conclusions and Order:

FINDINGS OF FACT

1. **WMO Establishment.** The Bassett Creek Flood Control Commission was formed in 1968 primarily to study flooding issues in the watershed and adopted a watershed management plan in 1972. In 1984, the Bassett Creek Watershed Management Commission was created after revising the Flood Control Commission's joint powers agreement. The Commission prepared its first generation watershed management plan that the Board approved in July 1989.
2. **Authority to Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251. The watershed management plan may be amended according to Minnesota Statutes Section 103B.231, subd. 11. The second generation plan was approved by the Board in August 2004. Subsequently, the Commission completed four major and four minor amendments between 2005 and 2014.
3. **Nature of the Watershed.** The Commission is located in the heart of Hennepin County. It is bound by the Mississippi River WMO to the east, on the south and west by the Minnehaha Creek Watershed District, on the northwest by the Elm Creek WMO, and on the north by Shingle Creek WMO. The watershed encompasses all or part of the following nine cities: Plymouth, Medicine Lake, Golden Valley, Robbinsdale, Crystal,

New Hope, Minnetonka, St. Louis Park, and Minneapolis. Bassett Creek discharges into the Mississippi River in downtown Minneapolis below St. Anthony Falls. The watershed contains five major lakes and three creek branches. The Bassett Creek watershed covers 39.6 square miles and is predominantly fully developed.

4. **Amendment Development and Review.** The draft Amendment was submitted to the Board, the plan review agencies, and local governments for the required 60-day review on December 1, 2014. The Commission held a public hearing on March 19, 2015. The only comment received at the public hearing was from a resident supporting the Northwood Lake project. The final draft Amendment was submitted to the Board and plan review agencies on April 3, 2015, for final review and approval.
4. **Local Review.** The Commission circulated a copy of the draft Amendment to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, subd. 7. Hennepin County stated that there are no comments on the Amendment.
5. **Metropolitan Council Review.** The Metropolitan Council stated that the Amendment is consistent with Council policies, the 2030 Water Resources Management Policy Plan and the draft 2040 Water Resources Policy Plan.
6. **Department of Agriculture Review.** The MDA stated that there were no comments on the Amendment.
7. **Department of Health Review.** The MDH did not comment on the Amendment.
9. **Department of Natural Resources Review.** The DNR stated that there were no comments on the Amendment.
10. **Pollution Control Agency Review.** The PCA stated that there were no comments on the Amendment.
11. **Department of Transportation Review.** The DOT did not comment on the Amendment.
12. **Board Review.** Board staff commended the Commission for maintaining a current Plan and had no other comments.
13. **Amendment Summary.** The Amendment includes adding a project to the Commission's Capital Improvement Project list to expand an existing pond for additional treatment as well as a revision to the Northwood Lake project that will incorporate a stormwater reuse system.
14. **Metro Region Committee Meeting.** On May 12, 2015, the Board's Metro Region Committee and staff met in St. Paul to review and discuss the Amendment. Those in attendance from the Board's Committee were Jack Ditmore, Jill Crafton, Faye Sleeper and Joe Collins, chair. Board staff in attendance were Metro Region Supervisor Jim

Haertel and Board Conservationist Steve Christopher. Board staff recommended approval of the Amendment. After discussion, the Committee unanimously voted to recommend approval of the Amendment to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving an Amendment to the Watershed Management Plan for the Bassett Creek Watershed Management Commission pursuant to Minnesota Statutes Section 103B.231, subd. 11.
3. The Bassett Creek Watershed Management Commission Amendment attached to this Order defines the need and purpose of the Watershed Management Plan changes and the methods of financing.
4. The attached Amendment is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Amendment dated February 2015 to the Bassett Creek Watershed Management Commission Watershed Management Plan.

Dated at Saint Paul, Minnesota this 27th day of May 2015.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


BY: Brian Napstad, Chair