



Le Sueur County, MN

Tuesday, September 6, 2016

Board Meeting

Item 4

9:15 a.m. Joshua Mankowski (15 min)

Request gravel tax assistance for a shoreline project, resolution to adopt County Water Plan

Staff Contact: Joshua Mankowski



August 25, 2016

Le Sueur County Board of Commissioners
c/o Kathy Brockway
88 South Park Avenue
Le Center, MN 56057-1644

RE: Approval of the Le Sueur County Comprehensive Local Water Management Plan Amendment

Dear Le Sueur County Commissioners:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Le Sueur amended Comprehensive Local Water Management Plan (Plan) was approved at its regular meeting held on August 25, 2016. Attached is the signed Board Order that documents approval of the Plan amendment and indicates the Plan meets all relevant requirements of law and rule.

Please be advised, the County must adopt and begin implementing the plan within 120 days of the date of the Order in accordance with Minnesota Statutes §103B.315, Subd. 6. BWSR looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Board Conservationist Jennifer Mocol-Johnson of our staff at 507-344-2820 or jennifer.mocol-johnson@state.mn.us for further assistance in this matter.

Sincerely,

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

Enclosure: BWSR Board Order

cc: Rob Sip, MDA (via email)
Pat Bailey, MDH (via email)
Cathi Fouchi, DNR (via email)
Juline Holleran, MPCA (via email)
Ed Lenz, BWSR Regional Manager (via email)
Jennifer Mocol-Johnson, BWSR Board Conservationist (via email)
Mary Jo Anderson, BWSR (file copy)

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Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of the review of the Comprehensive Local Water Management Plan Amendment for Le Sueur County, pursuant to Minnesota Statutes Section 103B.315, Subdivision 6.

**ORDER
APPROVING
COMPREHENSIVE
LOCAL WATER
MANAGEMENT PLAN
AMENDMENT**

Whereas, on December 15, 2010, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Le Sueur County 2010-2015 Comprehensive Local Water Management Plan (Plan); and

Whereas, the Board of Commissioners of Le Sueur County (County) submitted a Comprehensive Local Water Management Plan Amendment (Amendment) to the Board on March 22, 2016 pursuant to Minnesota Statutes Section 103B.314, Subdivision 6; 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. On January 6, 2015, the Board received a petition from Le Sueur County stating its intent to amend its current Plan, pursuant to M.S. Section 103B.314, Subd. 6.
2. On March 23, 2015, Le Sueur County provided proper notice to local units of government and state agencies of the county's intent to amend its current Plan and invited all recipients to participate in the amendment process.
3. Le Sueur County received written comments from the Board on May 18, 2016.
4. The following summarizes state review agencies' written comments provided to Le Sueur County.
 - A. Minnesota Department of Agriculture (MDA): Provided a link to the MDA website. Also requested additional efforts related to drainage water management (DWM) and focusing on encouraging landowners and farmers to implement DWM practices and management plans. Regarding water storage, MDA recommended considering to develop water storage plans for both public drainage systems and private on-farm water storage. Regarding wind and water erosion, MDA recommended focusing and renewing efforts to reduce wind and water erosion and continuing to implement conservation practices. MDA also recommended a process being developed to prioritize lake management and protection efforts.

- B. Minnesota Department of Health: Provided clarifying language regarding aquifers that exist within the County, as well as requested to be added as a partner on Action Item 48, and suggested clarifying Action Item 58. No major comments were received.
 - C. Minnesota Department of Natural Resources: No comments were received.
 - D. Minnesota Pollution Control Agency: No comments were received.
 - E. Minnesota Environmental Quality Board: No comments were received.
- 5. Le Sueur County received written and verbal comments from a series of local partners during the Local Water Plan Task force meetings held on August 17th, 2015 and February 18th, 2016. Those comments were incorporated into the implementation section and shared with task force members on February 16, 2016 and March 12, 2016 and utilized for the final copy, which underwent the public hearing.
 - 6. No other local government unit provided written comments to Le Sueur County.
 - 7. **Southern Region Committee.** On July 27, 2016 the Southern Region Committee (Committee) of the Board reviewed the Amendment. Those in attendance from the Board's Committee were Chair Kathryn Kelly, Chris Elvrum, Douglas Erickson, Rob Sip, Steve Sunderland, and Tom Loveall. Board staff in attendance were Assistant Director for Regional Operations Doug Thomas, Southern Region Manager Ed Lenz, Board Conservationist Jason Beckler, and Board Conservationist Jennifer Mocol-Johnson. The representative from the County was Joshua Mankowski. Board regional staff provided its recommendation of approval to the Committee contingent upon a properly noticed public hearing. After discussion, the Committee's decision was to present a recommendation of approval of the Amendment to the full Board contingent upon the completion of the properly noticed public hearing on August 2, 2016 with no major changes made as a result.
 - 8. This Plan will be in effect until December 31, 2021.

CONCLUSIONS

- 1. All relevant substantive and procedural requirements of law have been fulfilled.
- 2. The Board has proper jurisdiction in the matter of approving a Comprehensive Local Water Management Plan Amendment pursuant to Minnesota Statutes, 103B.315, Subd. 6.
- 3. The Amendment attached to this Order is in conformance with the requirements of Minnesota Statutes, Section 103B.301.

ORDER

The Board hereby approves the attached Amendment of the Le Sueur County Comprehensive Local Water Management Plan 2016-2021. The Plan will be in effect until December 31, 2021.

Dated at East Grand Forks, Minnesota, this twenty-fifth of August, 2016.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES



BY: Brian Napstad, Chair

Resolution

Resolution for the Adoption and Implementation of the Le Sueur County Comprehensive Local Water Management Plan Amendment

WHEREAS, on December 15, 2010, the Minnesota Board of Water and Soil Resources (BWSR) approved the Le Sueur County 2010-2015 Comprehensive Local Water Management Plan; and

WHEREAS, the BWSR approval did stipulate that Le Sueur County was required to update the goals, objectives and action items of the Plan through amendment by December 31, 2015; and

WHEREAS, on January 6, 2015, The Le Sueur County Board of Commissioners requested an extension to conduct an update to the Comprehensive Local Water Management Plan to June 30, 2016 in order to better align said plan with the One Watershed, One Plan process; and

WHEREAS, on March 25, 2015, the BWSR granted the extension to Le Sueur County to conduct an amendment to the Le Sueur County Comprehensive Local Water Management Plan by June 30, 2016; and

WHEREAS, on August 2, 2016, The Le Sueur County Board of Commissioners held a Public Meeting to take public comments on the proposed amendment to the Le Sueur County Comprehensive Local Water Management Plan. No comments were received; and

WHEREAS, on August 31, 2016, the Le Sueur County Board of Commissioners has been notified by the BWSR that the Amendment to the Le Sueur 2016-2021 County Comprehensive Local Water Management Plan has been approved according to Minnesota Statutes Chapter 103B.301.

NOW, THEREFORE BE IT RESOLVED, the Le Sueur County Board Commissioners hereby adopts and will begin implementation of its amended Comprehensive Local Water Management Plan.

BE IT FURTHER RESOLVED, the amended Comprehensive Local Water Management Plan shall be in effect until December 31st, 2021.

BE IT FURTHER RESOLVED, after adoption of the amended Comprehensive Local Water Management Plan, Le Sueur County shall notify local government units within the County of the adoption of this amendment to the plan.

Adopted 09/06/2016

Chairman of County Board

Attest: _____
County Administrator