



August 26, 2011

Board of Commissioners
Bassett Creek Watershed Management Commission
c/o Barr Engineering Company
4700 West 77th Street
Minneapolis, MN 55435

RE: Order, 2011 Amendment to the Watershed Management Plan

Dear Chair and Commissioners:

I am pleased to forward the enclosed Order dated August 25, 2011, of the Board of Water and Soil Resources (Board) that approves the amendment to the Watershed Management Plan (Plan) for the Bassett Creek Watershed Management Commission. On behalf of the Board, I wish to commend the Commissioners, the technical advisory committee, consultants, and all others associated with development of the amendment and for maintaining an updated Watershed Management Plan. Please be advised per MN Rule 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 in the form of replacement pages for the Plan. BWSR looks forward to continue working with you as you implement your Plan and document its outcomes.

Please feel free to contact Brad Wozney, Board Conservationist at (651) 296-6068, or at the central office address, for further assistance in this matter.

Sincerely,

Brian Napstad
Chair

Enclosure

cc: Hennepin County Board of Commissioners
Joel Settles, Hennepin County Environmental Services (via email)

cc's continued on next page

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>Mankato</i>	<i>New Ulm</i>	<i>Rochester</i>
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August 26, 2011

Page Two

Becky Balk, MDA (via email)

Nick Proulx, DNR (via email)

Art Persons, MDH (via email)

Judy Sventek, Metropolitan Council (via email)

Nick Tiedeken, MNDOT (via email)

David L. Johnson, MPCA (via email)

Geoff Nash, WMO Administrator (via email)

Len Kremer, Barr Engineering Company (via email)

Jim Haertel, BWSR (via email)

Brad Wozney, BWSR

Mary Jo Anderson, BWSR (file copy)

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

In the Matter of the review of the
Amendment to the Watershed Management
Plan for the **Bassett Creek Watershed
Management Organization**, 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 Organization (Commission) submitted a Watershed Management Plan Amendment (Amendment) dated August 2011, 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 (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. The second generation plan was approved by the Board in August 2004. Subsequently, the Commission completed one major and three minor amendments between years 2005 and 2010.
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.
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. Scattered areas of redevelopment throughout the watershed are proposed.

4. **Amendment Development and Review.** The draft Amendment was submitted to the Board, other state agencies, and local governments for the required 60-day review on March 1, 2011. The Amendment adds three capital projects to the Commission's Capital Improvement Program. The Commission held a public hearing on June 16, 2011. No new suggested changes were offered during the comment period or at the hearing. The final draft Amendment was submitted to the Board and plan review agencies on August 3, 2011, for final review and approval.
5. **Metropolitan Council Review.** The Metropolitan Council was supportive of the amendment stating it is consistent with the Council's *Water Resources Management Policy Plan*.
6. **Department of Agriculture Review.** The MDA did not comment on the Amendment.
7. **Department of Health Review.** The MDH did not comment on the Amendment.
8. **Department of Natural Resources Review.** The DNR did not comment on the Amendment.
9. **Pollution Control Agency Review.** The PCA did not comment on the Amendment.
10. **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, and received no comments.
11. **Board Review.** Board staff had no comments on the amendment and commended the Commission for maintaining a current capital improvement program.
12. **Highlights of the Plan Amendment.** The plan Amendment proposes to add three capital improvement projects to the Watershed Management Plan. The Amendment reflects the Commission's willingness to regularly review their implementation program and to amend the Plan as project opportunities arise.
13. **Metro Water Planning Committee Meeting.** The Board's Metro Water Planning Committee met on August 8, 2011, to review and discuss the Amendment. Those in attendance from the Board's Committee were Rebecca Flood, Faye Sleeper, Louise Smallidge, LuAnn Tolliver, and Robert Burandt as chair. Geoff Nash, Administrator of the Bassett Creek WMO, attended and summarized the capital projects included in the Amendment. Board staff in attendance were Metro Region Supervisor Jim Haertel and Board Conservationist Brad Wozney. 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 Organization pursuant to Minnesota Statutes Section 103B.231, Subd. 11.
3. The Bassett Creek Watershed Management Organization's Amendment attached to this Order defines the need and purpose of the 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 August 2011 to the Bassett Creek Watershed Management Organization Watershed Management Plan.

Dated at Saint Paul, Minnesota this 25th day of August 2011.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES



BY: Brian Napstad, Chair