

elm creek Watershed Management Commission

ADMINISTRATIVE OFFICE
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December 7, 2022

Representatives

and

Technical Advisory Committee Members
Elm Creek Watershed Management Commission
Hennepin County, Minnesota

The meeting packet for this meeting may be found on the Commission's website:
<http://www.elmcreekwatershed.org/minutes-meeting-packets.html>

Dear Representatives and Members:

A regular meeting of the Elm Creek Watershed Management Commission will be held on **Wednesday, December 14, 2022, at 11:30 a.m.** in the Aspen Room at Plymouth Community Center, 14800 34th Avenue North, Plymouth, MN.

The Technical Advisory Committee (TAC) will meet on Tuesday, December 13, 2022, at 3:00 p.m., via zoom. To join the TAC meeting, click <https://zoom.us/j/990970201> or go to www.zoom.us and click Join A Meeting. The meeting ID is **990-970-201**. The password is **water**.

Please email me at judie@jass.biz to confirm whether you or your Alternate will be attending the regular meeting.

Thank you.



Judie A. Anderson
Administrator

JAA:tim

Encls: Meeting Packet

cc:	Alternates	Erik Megow	James Kujawa	Rebecca Carlson	Ed Matthiesen
	TAC Members	Karen Galles	Kris Guentzel	Kevin Ellis	Diane Spector
	City Clerks	Brian Vlach	BWSR	Met Council	MPCA
	Official Newspaper		DNR		

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To: Elm Creek WMO Commissioners
Elm Creek TAC

From: Erik Megow

Date: December 7, 2022

Subject: Legal Boundary Update and Recommendation

Recommended Commission Action	Adopt the resolution accepting the proposed change to the shared legal boundary with Shingle Creek and West Mississippi WMOs.
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The Elm Creek WMO Commission have been requested by the Shingle Creek and West Mississippi (SCWM) WMOs to review and consider revisions to the legal boundary between the three joint powers WMOs. Those legal boundaries were established more than 35 years ago. Like Elm Creek, Shingle Creek has recently updated its HUC8 hydrologic and hydraulic modeling, which revealed some potentially significant discrepancies between the existing legal boundary and the updated hydrologic boundaries.

As a part of its Fourth Generation Plan process, both Shingle Creek and West Mississippi are reviewing and updating their legal boundaries to conform more closely to the recently updated hydrologic boundaries. Your Technical Advisory Committee (TAC) and the boundary cities have been working with the SCWM's Engineer to review and revise those boundaries as necessary. Those parties have come to an agreement on the recommended legal boundary between the three watersheds.

The TAC will consider the proposed revised boundary and make a recommendation to the Commission for consideration at the December 14, 2022 meeting. A resolution accepting that boundary revision is attached for Commission review and consideration, and staff recommends is adoption. Following acceptance of the revised legal boundaries (Bassett Creek has already accepted the revisions and the Mississippi WMO will accept the revised boundary at its January meeting), the proposed new legal boundary will be presented to the affected cities, who will each review and adopt a new official map. Once all the affected cities have adopted the new map, the new boundaries will be forwarded to BWSR and to Hennepin County, which will update the tax rolls to reflect the changes. At that point later in 2023 we will be able to evaluate what the impacts to the division of taxable market value might be between the cities of Elm Creek and between the various WMOs as parcels move between watersheds.

Note that at this time staff is not recommending revisions to the hydrologic boundary with SCWM, or revisions between the legal and hydrologic boundaries adjacent to Pioneer-Sarah, Minnehaha, or Bassett Creek WMOs. We recommend that the Commission wait until the Fourth Generation Plan completion in a few years to start that process.

ELM CREEK WATERSHED MANAGEMENT ORGANIZATION

Resolution No. _____

RESOLUTION CONCURRING WITH PROPOSED BOUNDARY CHANGES

WHEREAS, the Shingle Creek Watershed Management Commission and the West Mississippi Watershed Management Commission (collectively, the “Requesting WMOs”) have jointly undertaken a process to review and amend as needed their boundaries with neighboring watersheds in accordance with the requirements of Minnesota Statutes, section 103B.215 (“Act”);

WHEREAS, the Act requires the Requesting WMO’s to include with their petition for a boundary change to the Minnesota Board of Water and Soil Resources “a written statement of concurrence in the petition from the governing body of each statutory or home rule charter city and town and each watershed management organization having jurisdiction over the territory proposed to be added or transferred.”;

WHEREAS, the Requesting WMOs prepared and provided maps showing the proposed boundary changes (“Boundary Change Maps”), which are incorporated herein by reference; and

WHEREAS, the Boundary Changes identified in the Boundary Change Maps were developed using updated hydrologic information, they more accurately reflect the hydrologic boundaries, and so it is appropriate to issue a written statement of concurrence to change the boundaries as reflected in the Boundary Change Maps submitted by the Requesting WMOs.

NOW, THEREFORE, BE IT RESOLVED, by the Elm Creek Board of Commissioners (“Board”) as follows:

1. The Board concurs with the boundary changes proposed by the Requesting WMO’s and reflected in the Boundary Change Maps.
2. The Board Chair and Secretary are authorized and directed to execute and provide a letter of concurrence to the Requesting WMOs together with a copy of this Resolution

Adopted this ____ day of _____, 2022.

Chair

Attest: _____
Secretary