

SECTION VI

VI. IMPACT ON LOCAL UNIT OF GOVERNMENT

As required by Minnesota Rules Part 8410.0110, this section outlines the impact that implementation of this Watershed Management Plan will have on member communities' regulatory programs, other water resource-related programs, studies, and capital improvements. A discussion of the financial impact of implementing this watershed management plan on local units of government is also included in this section.

As per Minnesota Statute 103B, once the Commission has adopted its Plan, the member cities will have two years to develop their own local plan or adopt the Commission's Plan by reference. The local plan must be at least as restrictive as the Commission's Plan. Once the local plan is reviewed and approved by the Commission, the local community can assume the local permitting authority role, if they so choose. A written agreement between the Commission and the local community outlining each organization's responsibilities will be developed if the local community wishes to assume this role.

A. **REGULATORY PROGRAMS**

The implementation of the Commission's Watershed Management Plan requires the adoption and enforcement of several regulatory programs by the member communities. The regulatory programs, which the Commission will require from member communities, are as follows:

1. Development and adoption of an approved Surface Water Management Plan. The member communities may decide to adopt all or part of this Plan by reference.
2. The local community will be responsible for addressing stormwater management needs and problems provided that the impact of the problem and source of the impact are wholly contained within a given community and the community is in conformance with the Watershed Management Plan.
3. Adoption and enforcement of floodplain management ordinance in conformance with Commission standards.
4. Adoption of the Minnesota Pollution Control Agency's Best Management Practices and the Metropolitan Council's Minnesota Urban Small Sites BMP Manual.
5. Adoption of a shoreland ordinance in compliance with the Minnesota Department of Natural Resources.
6. Adoption of erosion and sedimentation control policies in conformance with Commission policies and standards.
7. Adoption and approval of a stormwater system maintenance plan that meets or exceeds the requirements as described in the policies and standards of this Plan. A sample plan is included in **Appendix I**.

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8. Acceptance of the local government unit role in the implementation of the 1991 Wetland Conservation Act, if a member community so chooses. Member communities can choose to have the Commission act as the local government unit for the Wetland Conservation Act.
9. Adoption and approval of a Wetland Management Plan.
10. Development and adoption of a well head protection and spill prevention program (this item is encouraged, but not required)
11. Require major stormwater storage facilities to accommodate the 100-year event critical duration event.
12. Member communities are required to cooperate with the Minnesota Department of Health to ensure abandoned or unsealed wells are properly sealed.
13. Member communities are required to sweep paved curb-and-gutter streets once annually. Sweeping streets in encourage more often for areas around sensitive downstream water bodies.
14. Require that rate control structures and stormwater drainage ways are included in a drainage, utility, or flowage easement.
15. Maintain existing discharge rates during 2-, 10-, and 100-year storm events.
16. Maintain pre-development flow rates within Pioneer Creek and Sarah Creek stream channels for the 2-, 10-, and 100-year events through Low Impact Development, infiltration, and/or by providing additional rate control and volume control where practical and reasonable.
17. Policy that states that development shall not alter the timing of runoff resulting from a 100-year event of the critical duration for a subwatershed.
18. Pretreatment of stormwater runoff to the Nationwide Urban Runoff Program (NURP) recommendations or Minnesota Pollution Control Agency guidelines in the design and construction of new or modifications to existing stormwater conveyance systems wherever possible and feasible.
19. Removal of floating debris for a 2-year event for new or redeveloped treatment pond outlets.
20. Develop a policy and/or method to address private drainage systems such as private ditches or draintile.
21. Policy requiring no net increase in pollutant loads allowed as a result of development. This standard can be achieved through the use of ponding, Low Impact Development techniques, reduction in impervious surfaces, or other Best Management Practices deemed reasonable by the Commission.

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A variance or flexibility to this standard could be granted if impacts to other natural resources would occur meet this standard.

22. The local community shall be responsible for implementing buffer widths and policies for development around wetlands. An average buffer width of 20' is required around wetlands, lakes, and streams for all new development. The buffer shall be designed with the intent to treat runoff from a site and/or to provide habitat. A variance to this requirement could be granted for a just cause. The local permitting authority can allow access to the water body provided that the dock, access, or beach area is no more than 30 feet wide along the shoreline or one-half the width of the lot, whichever is less.
23. Communities will be required to implement to the extent defined in this Plan the capital improvement projects, programs, and studies to achieve the goals of the Commission. Funding of these projects, programs, and studies will be to the extent defined in the Joint Powers Agreement and/or as determined by the member communities. These plan, programs, and studies will be administered at the local level and funding for these items is unknown at this time. The local communities can implement a storm water utility or trunk fee, if they so choose. General information about these funding sources is contained in **Appendix N**.

Appendix L shows the current status of member city regulatory programs for conformance with requirements as established in this Watershed Management Plan.

B. LOCAL STORMWATER MANAGEMENT PLAN DEVELOPMENT

As required by Minnesota Statute 103B.235 and Minnesota Rules 8410.0160, the local communities shall develop and adopt a local Stormwater Management Plan in conformance with the Commission's Plan and State Statute and Rules within two years. As allowed in **Section VI.A.1B** of the Commission's Plan, the local community may decide to adopt a part or all of the Commission's Plan by reference.

Upon development of a draft local plan, the plan must be submitted to the following agencies for review:

- Metropolitan Council (45-day review)
- Hennepin County (45-day review)
- Commission (60-day review)

Upon review of the plan, the Commission can approve the local community's plan or provide comments for revisions to the plan. After approval of the plan by the Commission, the local community has 120 days to adopt and begin implementation of the plan. Each local community must notify affected organizations within 30 days of adoption of the plan

C. CAPITAL IMPROVEMENT PROGRAM

Table V-1 in Section V lists capital improvement programs that the Commission proposes to undertake in the next 5 to 10 years. The cost associated with implementing this program is estimated at \$245,500 to \$1,120,200. The primary source of funding to implement these capital improvements is the member cities dues and grant funding sources. Funding of these projects will be to the extent defined in the Joint Powers Agreement and/or as determined by the member communities. The lead role for undertaking these projects can be the member communities, the Commission, or other appropriate organizations and these roles are outlined in the Capital Improvement Plan in **Section V**. The membership dues are determined by the Joint Powers Agreement.

The Commission's role in the implementation of the capital improvements, programs, and studies will be limited to that of securing and allocating grant funding, as well as overseeing projects which may impact more than one local city in the Watershed Management Commission.

The water resource issues and concerns outlined within this Plan must be identified in the affected community's local Stormwater Management Plan.

D. WATER RESOURCES RELATED PROGRAMS

Section V, Table V-2, outlines anticipated water resource-related programs that the Commission will implement in the next 5 to 10 years. The cost associated with implementing these programs is estimated at \$537,400 to \$687,400 and is anticipated to come from membership dues and grant funding. The membership dues are determined by the Joint Powers Agreement.

E. WATER RESOURCE MANAGEMENT STUDIES

The Commission anticipates undertaking water resource management studies as outlined in **Section V, Table V-3**. The cost associated with implementing these studies is estimated at \$191,700 to \$271,700. The principal funding source for these studies is grant funding. The lead role in completing these proposed studies may also be deferred to the member communities. The Commission will also undertake studies at the request of the local cities, provided funding is available.

F. FINANCIAL CONSIDERATIONS

Implementation of the proposed regulatory controls, programs, and improvements that are identified in this plan will have a financial impact on the Commission and member communities. To establish how significant this impact will be, a review of the means to fund these controls, programs, and improvements is necessary. Toward this end, a listing of various resources of revenue to implement this Plan is outlined below.

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<u>DESCRIPTION OF FUNDING SOURCE</u>	<u>REVENUE GENERATED</u>
1. Revenue from member communities	\$30,800
2. Special assessments made by member communities for capital improvement projects	Variable depending on activities
3. Grant monies from various local, regional, County, State, or Federal agencies.	Variable depending on activities undertaken

The ability for the Commission to implement these projects, programs, and studies is dependent on member community support as outlined in the Joint Powers Agreement, the willingness for the member communities to implement these items, and the ability of the Commission to secure grant funds. The costs to implement the projects, programs, and studies outlined in this Plan exceed the funds currently available to the Commission. The Commission will work with member communities to implement this Plan and will work to secure grant funding to assist in its implementation. However, if funding is not secured, it is anticipated that the projects, programs, and studies will be delayed.

The greatest ability of the Commission to protect water resources within the watershed is through policy development and implementation. The member communities are required to adopt policies that are at least as restrictive as the policies outlined in the Commission's Plan. The amount of effort and cost for each city to implement these policies varies from city to city. For cities that are already implementing many of these policies, the cost to implement the Plan will be minimal. For cities that have very few of these policies in place, implementation could be more costly.

Member cities can choose to develop their own local plan or adopt the Commission's Plan by reference. Once a local plan is developed and approved by the Commission, the city may take over the local permitting and plan review authority. These choices will also result in differing costs associated with implementing the Commission's Plan that each city will need to evaluate.

The local communities also have the ability through Minnesota Chapter 444.075 to implement a stormwater utility fee and a stormwater trunk fee. The utility fee program can be used to fund maintenance projects and address stormwater problem areas within the city. The utility fee is designed to be charged to existing residents and commercial/industrial development based on their use of the existing storm sewer system. The trunk fee is charged to newly developing property based on its proposed land use and size of property and can be used to fund improvements and construction of a trunk conveyance and ponding system. Additional information regarding stormwater utility and trunk fees is included in

Appendix N.