

RESOLUTION NO. 24-060

**RILEY-PURGATORY-BLUFF CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**RESOLUTION APPOINTING DELEGATES TO MN WATERSHEDS 2024 ANNUAL BUSINESS
MEETING**

WHEREAS the Riley Purgatory Bluff Creek Watershed District is a member of Minnesota Watersheds;
and

WHEREAS all members are represented at the annual business meeting of MN Watersheds by delegates
to vote on various matters relating to watershed policies and practices.

NOW THEREFORE BE IT RESOLVED that the Board of Managers of the Riley-Purgatory-Bluff
Creek Watershed District hereby appoints the following board members to represent Riley Purgatory
Bluff Creek Watershed District as delegates at the 2024 annual business meeting of MN Watersheds and
to bring forward the two resolutions approved by the Board of Managers.

CALL FOR NOMINATIONS:

Manager _____ moved and Manager _____ seconded the motion to appoint Manager
_____ and Manager _____ as delegates and Manager _____ as an alternate
delegate.

ROLL CALL VOTE:

	YES	NO
CRAFTON		
DUEVEL		
NELSON		
PEDERSEN		
ZIEGLER		

Results of voting were ___ in the affirmative and ___ in the negative for the slate of delegates
listed below.

SELECTION OF DELEGATES

Manager _____ and Manager _____

SELECTION OF ALTERNATE DELEGATE

Manager _____

* * * * *

I, Tom Duevel, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the district and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this ____ day of _____, 2024.

Tom Duevel, Secretary

Background Information

2024 Minnesota Watersheds Resolution

Proposing Watershed: **Riley Purgatory Bluff Creek Watershed District**

Contact Name: **Terry Jeffery, Administrator**

Phone Number: **952- 607-6512**

Email Address: **tjeffery@rpbcwd.org**

Resolution Title: **Allowing alternative notice of watershed district proceedings by publication on district's website**

Background that led to the submission of this resolution:

Minnesota Statutes chapter 103D, known as the Watershed Law, requires notice by publication in a local newspaper for various watershed district proceedings, specifically publication in a legal newspaper published in the counties affected by the watershed district; such proceedings include boundary changes, changing the district's principal place of business, consideration of ordering projects, and annual budget and tax levy. Notice by publication is one notice requirement in addition to mailed notice requirements. Some watershed districts are finding it increasingly difficult to publish notice in local newspapers because many have ceased publication. In an age of search engines and electronic communications, more citizens are likely to learn about watershed district proceedings through the internet than through publication in a legal newspaper.

Ideas for how this issue could be solved:

An alternative to publication in a newspaper is publication on the watershed district's web site. For example, Minnesota Statutes section 103E.806, subdivision 3 provides that notice of a hearing on partial abandonment of a drainage system by mail to the owners of all property benefited by the drainage system, and either in a newspaper of general circulation within the affected drainage area or by publication on a website of the drainage authority.

Efforts to solve the problem:

Until there is a legal alternative, the only option is to publish in the newspapers that are still in business, often at increased prices .

Anticipated support or opposition:

This is an issue that may find growing support among other local units of government with publication requirements. Newspapers will likely not be supportive of decreased revenue from legal notice publications.

This issue: (check all that apply)

Applies only to our district Requires legislative action

Applies only to 1 or 2 regions Requires state agency advocacy

Applies to the entire state Impacts Minnesota Watersheds bylaws or MOPP (*MOPP = Manual of Policies and Procedures*)

RESOLUTION

Allowing alternative notice of watershed district proceedings by publication on district's website

WHEREAS, Minnesota Statutes chapter 103D, known as the Watershed Law, requires notice by publication in a local newspaper for various watershed district proceedings, specifically publication in a legal newspaper published in the counties affected by the watershed district; such proceedings include boundary changes, changing the district's principal place of business, consideration of ordering projects, and public hearings on the district's annual budget and tax levy;

WHEREAS, notice by publication is one notice requirement in addition to mailed notice requirements;

WHEREAS, some watershed districts are finding it increasingly difficult to publish notice in local newspapers because many have ceased publication;

WHEREAS, an alternative to publication in a newspaper is publication on the watershed district's web site; for example, Minnesota Statutes section 103E.806, subdivision 3 provides that notice of a hearing on partial abandonment of a drainage system by mail to the owners of all property benefited by the drainage system, and *either* in a newspaper of general circulation within the affected drainage area *or* by publication on a website of the drainage authority;

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports amending the Watershed Law to provide for publication on a watershed district's website as an alternative to publication in a legal newspaper.

Background Information

2024 Minnesota Watersheds Resolution

Proposing Watershed: **Riley Purgatory Bluff Creek Watershed Management organization**

Contact Name: **Terry Jeffery, Administrator**

Phone Number: **952- 607-6512**

Email Address: **tjeffery@rpbcwd.org**

Resolution Title: **Providing for watershed management organization representative on Wetland Technical Evaluation Panels in seven county metropolitan area**

Background that led to the submission of this resolution:

Minnesota Statutes section 103G.2242, subdivision 2 provides for Technical Evaluation Panels to address questions concerning the public value, location, size, or type of a wetland under the Wetland Conservation Act (WCA). Pursuant to this statute, a Technical Evaluation Panel (TEP) “shall be composed of a technical professional employee of the board, a technical professional employee of the local soil and water conservation district or districts, a technical professional with expertise in water resources management appointed by the local government unit, and a technical professional employee of the Department of Natural Resources for projects affecting public waters or wetlands adjacent to public waters.” Watershed management organizations may serve as the “local government unit” under WCA, but in many cases local municipalities elect to serve as the WCA local government unit, which means there is no watershed management organization representation on the TEP.

Ideas for how this issue could be solved:

*Amend Minnesota Statutes section 103G.2242, subdivision 2 to include a watershed management organization representative on Technical Evaluation Panels that are convened within the seven-county metropolitan area. (This provision could easily be expanded to cover the entire state if watershed districts outside the metropolitan area so desire.)**

Efforts to solve the problem:

Technical Evaluation Panels will often contact the watershed management organization for comments, but they are not required to do so, and the watershed management organization is not currently a voting member of the TEP when the municipality is the WCA local government unit.

Anticipated support or opposition:

This issue: (check all that apply)

Applies only to our district Requires legislative action

Applies only to 1 or 2 regions Requires state agency advocacy

Applies to the entire state Impacts Minnesota Watersheds bylaws or MOPP (MOPP = Manual of Policies and Procedures)

RESOLUTION

Providing for watershed management organization representative on Wetland Technical Evaluation Panels in seven-county metropolitan area

WHEREAS, Minnesota Statutes section 103G.2242, subdivision 2 provides for Technical Evaluation Panels to address questions concerning the public value, location, size, or type of a wetland under the Wetland Conservation Act (WCA);

WHEREAS, pursuant to this statute, a Technical Evaluation Panel (TEP) “shall be composed of a technical professional employee of the board, a technical professional employee of the local soil and water conservation district or districts, a technical professional with expertise in water resources management appointed by the local government unit, and a technical professional employee of the Department of Natural Resources for projects affecting public waters or wetlands adjacent to public waters;”

WHEREAS, watershed management organizations may serve as the “local government unit” under WCA, but in many cases local municipalities elect to serve as the WCA local government unit (LGU), which means there is no watershed management organization representation on the TEP;

WHEREAS, watershed management organizations in the seven-county metropolitan area are required to develop watershed management plans that include an inventory of surface water resources including wetlands, establish goals for wetland management that recognize the fundamental relationship between wetland management and land use, and many metropolitan watershed management organizations have undertaken detailed wetland inventories and assessments of their function and value to develop local wetland management controls with maps or inventories of wetlands, existing comprehensive wetland protection and management plans, descriptions of existing local wetland banking programs, and procedures used in determining replacement of wetland functions and values for evaluating wetland replacement proposals;

WHEREAS, metropolitan watershed management organizations typically have technical professionals with expertise in water resources management generally and wetlands management specifically;

NOW, THEREFORE BE IT RESOLVED, that Minnesota Watersheds supports amendment of Minnesota Statutes section 103G.2242, subdivision 2 to include a watershed management organization representative on Technical Evaluation Panels that are convened within the seven-county metropolitan area in cases where the organization is not the WCA LGU.