



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, August 21, 2024

### Agenda Item

#### Item 9. C. – LMRWD/Minnehaha Boundary Change

#### Prepared By

Linda Loomis, Administrator

#### Summary

The LMRWD was notified that the boundary change request has been approved by the State of Minnesota. This change was requested by the Minneapolis/St. Paul Airport to better align the boundary between the two watershed districts with the actual hydrological boundaries at the MSP airport.

The approved request has been forwarded to the MN Secretary of State.

#### Attachments

- July 29, 2024, Letter informing LMRWD/Minnehaha WD of approval
- Signed BWSR Board Order dated July 29, 2024, including map and property identification table
- 2024 Memo to Office of the Secretary of State dated July 31, 2024

#### Recommended Action

No action recommended – for information only

July 29, 2024

Board of Managers  
Lower Minnesota River Watershed District  
112 E 5th St #102  
Chaska, MN 55318

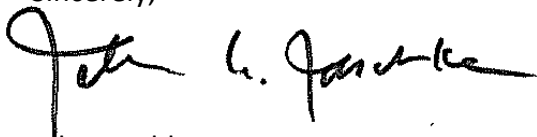
Board of Managers  
Minnehaha Creek Watershed District  
15320 Minnetonka Blvd  
Minnetonka, MN 55345

Dear Boards of Managers,

The Minnesota Board of Water and Soil Resources (Board) is pleased to inform you that the petition to change the boundaries of the Lower Minnesota River Watershed District (LMRWD) and the Minnehaha Creek Watershed District (MCWD), to correct the common boundaries of the watershed districts encompassing 6 parcels totaling approximately 579 acres of land within the jurisdictional borders of the Metropolitan Airports Commission (MAC) due to storm sewer updates which changed the drainage boundaries between the two districts was approved by the Board. This boundary change will advance the purpose of M.S. 103B.215 and is for the public welfare and public interest.

The enclosed Board Order documents the Board's decision. Please note the boundary change is effective the day the certified Board Order is filed with the Secretary of State. Please contact Board Conservationist Jen Dullum at 651-308-6956 or [jennifer.dullum@state.mn.us](mailto:jennifer.dullum@state.mn.us), with any questions regarding this matter.

Sincerely,



John Jaschke  
Executive Director  
Minnesota Board of Water and Soil Resources

Enclosed: Board Order

CC: Linda Loomis, Lower MN River WD Administrator (via email)  
James Whisker, MCWD Administrator (via email)  
Jen Dullum, BWSR (via email)  
Marcey Westrick, BWSR (via email)

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## **BOARD ORDER**

### **Boundary change for the Lower Minnesota River Watershed District and Minnehaha Creek Watershed District**

#### **PURPOSE**

Approve a boundary change between the Lower Minnesota River Watershed District and the Minnehaha Creek Watershed District.

#### **RECITALS /FINDINGS OF FACT**

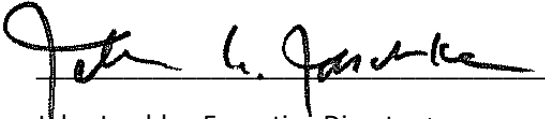
1. A joint petition (Petition) for boundary change, dated April 23, 2024, from the Lower Minnesota River Watershed District (LMRWD) and the Minnehaha Creek Watershed District (MCWD), was received by the Board of Water and Soil Resources on April 24, 2024.
2. The boundary change described in the Petition would correct the common boundaries of the watershed districts. The proposed boundary change encompasses 6 parcels totaling approximately 579 acres of land within the jurisdictional borders of the Metropolitan Airports Commission (MAC) due to storm sewer updates which changed the drainage boundaries between the Lower Minnesota River Watershed District and Minnehaha Creek Watershed District (MCWD).
3. The Board has reviewed the Petition for conformance with state law and rule and has determined that the Petition is valid in accordance with Minn. Stat. § 103D.251.
4. Legal notice of filing on the Petition, pursuant to Minn. Stat. § 103D.251, was published in the Star Tribune on June 12, 2024 and June 19, 2024. Further, a copy of the notice of filing was sent to each affected city, county, and watershed district.
5. The legal notice of filing required within 30 days of the last date of publication of the notice, that at least one written request for hearing be received by the Board before a hearing will be held. The Board did not receive any written requests for a hearing therefore no hearing was held. The Board did not receive any comments on the Petition.
6. The Board assisted the LMRWD and MCWD through the boundary change petition process, providing guidance, comments, and recommendations. All relevant, substantive, and procedural requirements of law and rule have been fulfilled. All relevant, substantive, and procedural requirements of law and rule have been fulfilled. The Board has proper jurisdiction in the matter of approving a watershed district boundary change pursuant to Minn. Stat. § 103B.215. The requested boundary change is consistent with the purpose and the requirements of Minn. Stat. § 103B.215. The boundary change, as proposed in the petition, would be for the public welfare and public interest and would advance the purpose of Minnesota Statutes Chapter 103B. The proposed LMRWD boundary change should be approved per the petition. Therefore, Board staff recommends approval of the LMRWD boundary change as petitioned.
7. On August 26, 2021, the Board amended and adopted, by Board Order, the revised Delegation of Routine Administrative Water Management Decision Policy (Board Decision #21-31), which allows the Executive Director to make a decision on the petition if no written requests for a hearing are received.

**ORDER**

The Board hereby orders that the boundaries of the Lower Minnesota River Watershed District and the Minnehaha Creek Watershed District are changed per the Petition as depicted on the maps, attached to this Order.

Dated at St. Paul, Minnesota, this July 29, 2024.

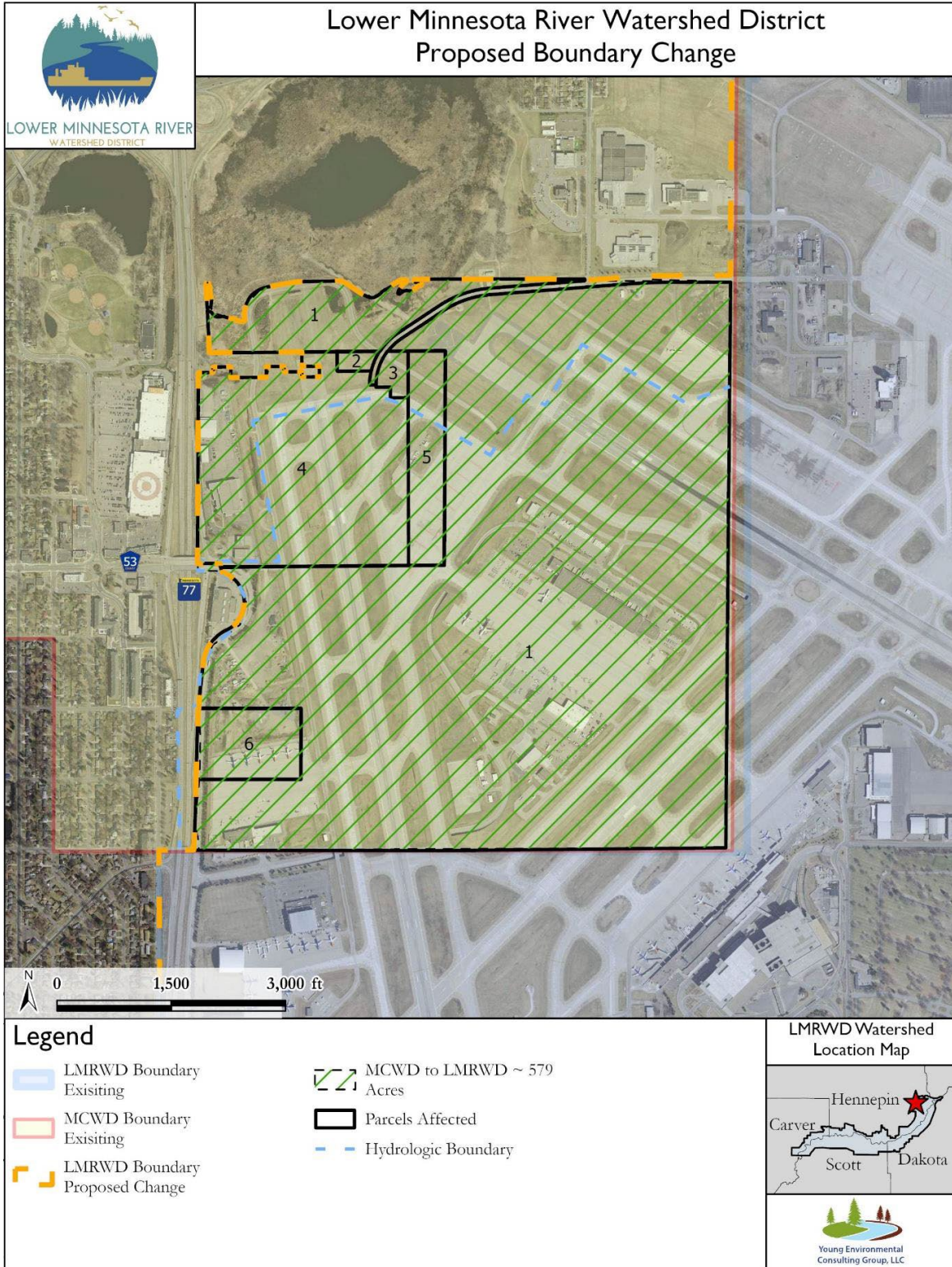
**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

A handwritten signature in black ink, appearing to read "John H. Jaschke", written over a horizontal line.

John Jaschke, Executive Director  
Board of Water and Soil Resources

Date: July 29, 2024

Attachment 1:



*Portions of parcels reassigned from MCWD to LMRWD*

<i>Map ID</i>	<i>Property Identification Number</i>	<i>Property Owner</i>	<i>Area (acres)</i>
1	2502824110002	Metropolitan Airports Commission	464.3
2	2502824210015	Metropolitan Airports Commission	1.5
3	2502824210030	Metropolitan Airports Commission	2.4
4	2502824230153	Metropolitan Airports Commission	80.6
5	2502824240057	Metropolitan Airports Commission	15.5
6	2502824330070	Metropolitan Airports Commission	14.6
		<b>Total Acres</b>	<b>578.9</b>



**Date:** July 31, 2024

**To:** Steve Simon, Secretary of State

**From:** Marcey Westrick, Central Region Manager

## **RE: Order, Lower Minnesota River Watershed District Boundary Change**

Pursuant to Minn. Stat. § 103B.205 to 103B.255, hereby enclosed for filing is a certified copy of the Minnesota Board of Water and Soil Resources Findings of Fact, Conclusions, and Order dated 7/29/2024, including attachment of map incorporated in the Order, and property identification table, 4 pages total, changing the boundary of the Lower Minnesota River Watershed District.

Please contact me at 612-284-4153 if you have any questions.

Enclosures (to all listed)

c: Jennifer Dillum, Board of Water and Soil Resources  
Linda Loomis, Lower Minnesota River Watershed District Administrator  
James Whisker, Minnehaha Creek Watershed District Administrator  
Brian Ryks, Metropolitan Airports Commission  
Daniel Rogan, Hennepin County Auditor  
David Hough, Hennepin County Administrator