

**RESOLUTION 18-09**

**NINE MILE CREEK WATERSHED DISTRICT  
BOARD OF MANAGERS**

**Conditionally approving City of Richfield local water management plan**

Manager \_\_\_\_\_ offered the following resolution and moved its adoption, seconded by Manager \_\_\_\_\_:

**WHEREAS** on October 18, 2017, in accordance with Minnesota Statutes section 103B.231, Nine Mile Creek Watershed District (NMCWD) adopted its fifth-generation Water Management Plan (WMP), which details the existing physical environment, land use and development in the watershed and establishes a plan to manage water resources and improve water quality, prevent flooding and otherwise achieve the purposes of Minnesota Statutes chapters 103B and 103D;

**WHEREAS** the WMP incorporates the rules adopted by the NMCWD under Minnesota Statutes section 103D.341 to improve water quality, protect high-quality water resources, prevent flooding and otherwise achieve the goals of Minnesota Statutes chapters 103B and 103D;

**WHEREAS** on June 18, 2018, the City of Richfield submitted its draft local water management plan – titled Richfield Local Surface Water Management Plan (Richfield Plan) – for NMCWD review and approval pursuant Minnesota Statutes section 103B.235, subdivision 3;

**WHEREAS** section 103B.235 requires NMCWD to consider the comments of the Metropolitan Council on the draft Richfield Plan, and NMCWD has received and duly considered Met Council's August 1, 2018, comments in reviewing the Richfield Plan;

**WHEREAS** NMCWD has determined that the Richfield Plan must be revised as outlined and specified in the March 12, 2018 memo attached to and incorporated into this resolution (the Memo), to meet the requirements for approval set forth in the Minnesota Rules 8410 and the WMP; and

**WHEREAS** the Richfield Plan articulates the City of Richfield's decision to continue to defer exercise of regulatory authority over the use and development of land within the territorial limits of the City of Richfield within NMCWD's jurisdiction pursuant to Minnesota Statutes section 103B.211, subdivision 1(a)(3)(iii).

**NOW THEREFORE BE IT RESOLVED** that the Board of Managers of the Nine Mile Creek Watershed District hereby approves the Richfield Plan conditioned on Richfield's

consideration of changes to and revision of the Richfield Plan in accordance with findings and comments in the Memo, and provision of a copy of the Richfield Plan as revised to NMCWD, along with a record documenting consideration of comments in the Memo not requiring revision of the Richfield Plan and the city's determination thereon; and

**BE IT FURTHER RESOLVED** that the Board of Managers directs the NMCWD administrator to provide such assistance, at NMCWD's sole expense, to the City of Richfield to facilitate satisfaction of the condition of approval herein.

The question was on the adoption of the resolution and there were \_\_ yeas and \_\_ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
HUNKER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KLOIBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PETERSON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHEELY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TWELE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the chair declared the resolution adopted.

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Grace Sheely, Secretary

Dated: August 15, 2018

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I, Grace Sheely, secretary of the Nine Mile 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 transcript thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 15<sup>th</sup> day of August, 2018.

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Grace Sheely, Secretary