

II. Role of the Various Units of Government

A. Watershed Districts

Watershed Districts (WDs) are special purpose units of government formed to address water resources as well as natural resources issues. The issues that WDs are designed to address are flooding, water quality, groundwater in conjunction with the counties, and other natural resources especially when they directly affect waterbodies.

The formation of WDs and the boundaries by which they are defined reflect the reality that water flows with gravity downhill and does not recognize political boundaries. Accordingly, the local units of government such as cities, townships, or even counties often do not have the political framework in which to comprehensively address water resources issues and problems when they involve multiple jurisdictions. Watershed Districts were formed based on hydrologic boundaries so that they would be empowered to address and resolve water related issues and thus protect the communities and residents from unnecessary damage due to poor or uncoordinated water resources management.

The general philosophy of the SWWD is to coordinate the management of resources with others to the greatest extent possible, and to ensure the most efficient and cost-effective protection of the environment. Water resources issues that fall under the jurisdiction of a single municipality should be addressed by the municipality. The SWWD intends to only be involved in issues that encompass more than one jurisdiction and to ensure that local controls are being implemented.

~~A joint meeting of the SWWD and a number of regulatory agencies was held early on in the watershed planning process. A summary of this meeting is contained in Appendix A. The SWWD~~

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~~also met individually with the staffs and City Councils of each of the cities in the watershed on various occasions. Letters and minutes summarizing these meetings are also in Appendix A.~~

B. Other Units of Government

A number of other units of government in addition to the SWWD have a role in managing the water and natural resources in the watershed. A summary of the other units of government and their role in the watershed is presented below.

Cities

The ~~five-seven~~ cities and one Township in the watershed (Afton, Cottage Grove, Lake Elmo, Newport, Oakdale, St. Pual Park, ~~and~~ Woodbury and Grey Cloud Island Township) are responsible for implementing the majority of the improvements affecting the water and natural resources of the watershed. These improvements include water quantity and quality ponds, storm sewers and open channels, pumping stations, and best management practices (e.g., silt fences) associated with construction projects. The cities also regulate land uses, which have a significant impact on the environmental resources of the watershed.

The cities in the watershed have either adopted the Wetlands Conservation Act and act as LGU or have delegated their LGU responsibilities to adjoining watershed districts.

Within two years of the adoption of this Watershed Management Plan, the cities will be required to adopt local water management plans which address the regulations and performance standards set forth in this plan.

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Washington County

Washington County is responsible for developing a plan to manage the groundwater resources of the county (including the SWWD). ~~At this time, the county has a draft The Washington County Groundwater Plan was adopted December 16, 2003. plan which has not yet been approved for adoption. The Washington Ceounty is also responsible for managing the Cottage Grove Ravine Regional Park, which contains a wetland lake near the southern (downstream) end of the Park and is the route of the SWWD Central Draw Overflow.~~

The County Board is responsible for appointing the Watershed District Board Members at the end of each term.

Washington ~~County Soil and Water~~ Conservation District

The Washington ~~County Soil and Water~~ Conservation District (SWCD) manages the soil and water resources in Washington County, primarily on agricultural land. The SWCD performs water quality monitoring, inspects erosion control and best management practices, and assists in the technical aspects of the Wetland Conservation Act. The WCD has provided contract surface and groundwater monitoring services for the SWWD since 2000.

Metropolitan Council

The Metropolitan Council is charged with reducing non-point source pollution loadings from the Metropolitan area into the Minnesota and Mississippi Rivers. The Council administers the Citizen Assisted Monitoring Program as well as an outfall monitoring program. The Council also administers the Twin Cities Water Quality Initiative, a grant program for reducing non-point source loadings to the rivers. The Council also regulates regional facilities, which includes the Cottage Grove Ravine Regional Park and the Cottage Grove Wastewater Treatment Plant.

Minnesota Department of Natural Resources

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The Minnesota Department of Natural Resources (DNR) is responsible for managing and regulating activities within the ordinary high water levels of Protected Wetlands and Waterbodies of the state. Within this jurisdiction, the DNR manages activities that affect the course, current or cross-section of the waterbodies. The DNR also manages lake fisheries and provides guidelines for shoreland impacts adjacent to protected waters. The DNR regulates water appropriations from surface waters and groundwater.

Minnesota Pollution Control Agency

The Minnesota Pollution Control Agency (MPCA) has developed water quality standards for all types of waters in the state, including wetlands. The MPCA has collected considerable water quality data, both for surface waters and groundwater in the region and the state as a whole, but not at the local level. The MPCA also is involved in wetland permitting, through the issuance of Section 401 Water Quality Certifications associated with Section 404 wetland permits.

Minnesota Department of Health

The Minnesota Department of Health (MDH) is concerned with groundwater quality, primarily from the perspective of maintaining a safe drinking water supply. The MDH issues permits for all new wells to be installed. Water quality monitoring oversight for all public water supply systems is also the responsibility of the MDH. The MDH also is involved in the new wellhead protection requirements implemented on a state-wide level.

The MDH protects and regulates well construction and water supply by:

- ⊖ developing, maintaining, and consistent enforcement of state-wide rules and policies (e.g., the Well Code)
- ⊖ licensing all water well contractors and drilling equipment
- ⊖ data management, including well sealing records
- ⊖ operating the state well disclosure program

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- ∃ providing technical support to the local programs

Minnesota Board of Water and Soil Resources

The Minnesota Board of Water and Soil Resources (BWSR) is the state agency which coordinates and regulates the watershed districts and watershed management organizations in the state. The BWSR is responsible for coordinating the review of and ultimately approving all watershed management plans. The BWSR is also the lead state agency responsible for implementing the Wetland Conservation Act.

U.S. Army Corps of Engineers

The Corps of Engineers (COE) is responsible for regulating impacts to wetlands and navigable water at a federal level. The COE must issue a permit for all wetland filling or excavating, under Section 404 of the Clean Water Act.

C. Consistency With Other Policies

As part of the planning process, the SWWD has obtained the goals and policies of other units of government related to managing the natural resources of the watershed. It is the intent of the SWWD to be consistent with the goals and policies of the review agencies and cities. There may be some overlapping jurisdiction, and in some cases either the SWWD or one or more of the other units of government with regulatory authority may have stricter requirements. However, it is the goal of the SWWD to be generally consistent with the cities and regulatory agencies involved in managing the water and natural resources of the watershed.