

Section 2

Introduction

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2.0 Introduction

This section provides introductory information about Lower Minnesota River Watershed District (LMRWD), including the history, location, boundaries, unique characteristics and management of LMRWD.

2.1 History

In 1955, the Minnesota State Legislature enacted the initial “Minnesota Watershed Act” (previously called Minnesota Statutes Chapter 112). Pursuant to this statutory authority, five counties (Hennepin, Ramsey, Dakota, Scott and Carver) petitioned for the establishment of a Watershed District. In response to that petition, the Minnesota Water Resources Board (now the Board of Water and Soil Resources) established the Lower Minnesota River Watershed District (LMRWD) on March 23, 1960. The District was originally petitioned and established in 1957, but the establishment was later defeated in the courts. The District was repeteditioned and established in 1960 by the Water Resources Board. The LMRWD was the first watershed district to be petitioned for, although it was the second watershed district established.

Ramsey County is no longer represented on the District’s Board of Managers since no part of Ramsey County’s current population resides within the District’s boundaries, and the District contains only a small portion of the County’s land (Pike Island).

The District was principally established to be a legal entity for providing local participation to the U.S. Army Corps of Engineers (COE) to construct a navigation channel. With this purpose in mind, the 9-foot channel was developed in cooperation with the U.S. Army Corps of Engineers. The District is still actively involved in the maintenance of the channel today. LMRWD’s role encompasses more than commercial navigation. If the only purpose in establishing the LMRWD was to support commercial navigation, a much smaller and narrower district would have been defined. The original assessment for the nine foot channel covered only those benefited properties within LMRWD; it was not an ad valorem tax or assessment over the entire watershed district.

The LMRWD legal boundaries generally follow the subwatershed boundaries of the Minnesota River valley, encompassing the area that is directly tributary to the Minnesota River (that is, does not flow into other major streams first). This permits comprehensive management of the river valley in the same manner as other watershed districts manage their water resources.

The following are the listed purposes of the District given in the original petition:

1. Improving the channel of the Minnesota River within the District for water storage, navigation, and other public uses.
2. Diverting or changing, in whole or in part, the watercourse of the Minnesota River within the District.
3. Controlling or alleviating damage by flood waters.
4. Controlling or alleviating land of soil erosion and preventing siltation of watercourses.

5. Reclaiming wet and overflowed lands.
6. Providing for sanitation and public health and regulating the use of streams, ditches, and watercourses for disposing of water.
7. Also, (quoting directly from the petition):

That the formation, and establishment of the proposed District is necessary and would be conducive to the public health and public welfare in that upon its formation the District shall cooperate with, aid, and assist the State or Federal Government and all subdivisions or agencies thereof in carrying out the purposes of the District; that the timely establishment of said Watershed District will allow the immediate inception of the plans of the U.S. Army Corps of Engineers for the diversion and improvement of the watercourse of the Minnesota River within the District so as to provide water capacity for barges and heavy commercial river transportation on said river throughout the District, thus providing a water route for incoming and outgoing commodities of trade to serve the general agricultural and industrial areas adjacent to and within the trade area tributary to the District, all of which is of great benefit to a vast area of this State...

The LMRWD Managers have been very effective at responding to the needs of their constituents. The following is a list of LMRWD's past accomplishments:

- City of Mendota: LMRWD worked with the city and MnDOT to solve a stormwater drainage problem.
- City of Lilydale: LMRWD undertook a cooperative project with Lower Mississippi River WMO, the city of Lilydale, the city of Mendota Heights and MnDOT to improve stormwater drainage.
- City of Bloomington: LMRWD established a drinking water and monitoring well in Andersen Park.
- City of Eagan: LMRWD undertook a cooperative project with the MnDNR to construct Jens Caspersen landing on the Minnesota River.
- City of Bloomington: LMRWD undertook a cooperative project with the MnDNR, city of Bloomington, and the US Fish & Wildlife Service to construct the Russ Sorenson landing on the Minnesota River.
- Murphy's Landing: LMRWD is currently working on a cooperative project with Murphy's Landing to develop a boat landing.
- Fort Snelling State Park: LMRWD transferred lands and easements from LMRWD to the MnDNR for establishment of the park; the lands were originally temporary dredge material sites that were longer needed by LMRWD.
- Floodplain Regulations: LMRWD adopted the first floodplain regulations in the state of Minnesota in 1968; the regulations were revised in 1973, in cooperation with the USGS and the MnDNR. LMRWD reviewed (and continues to review) all filling within the Minnesota River floodplain and strives to prevent fill from being placed in the floodway.
- Park Improvements: LMRWD developed lake and river accesses for parks in the cities of Chaska, Carver and Shakopee.
- City of Savage: LMRWD assisted the city with improving Credit River in the lowertown area of the city.
- Eagle Creek and Boiling Springs: LMRWD acquired conservation easements adjacent to these unique resources.

- City of Chaska: LMRWD will provide funds to divert stormwater runoff from Courthouse Lake (a trout lake) through the new flood control dike to the Minnesota River.
- City of Shakopee: LMRWD conducted a study of Dean Lake to determine the nature of the lake and immediate groundwater.
- City of Burnsville: LMRWD conducted a study to determine the impact of the Burnsville Landfill on LMRWD's water resources.
- Minnesota River: LMRWD performed a hydraulic study to determine the impact of the restrictions (bridges) along the Minnesota River on flood levels.
- Minnesota River: through a grant from the U.S. Department of the Interior's Office of Water Resources Research Center, LMRWD performed a study entitled "Effectiveness of Flood Control Structures in the Lower Minnesota River Watershed District." The project was completed in 1970, in response to the 1965 and 1969 floods.
- LMRWD began suggesting to cities in the mid 1960's that they should construct ponds to reduce storm sewer pipe sizes and provide water quality treatment. Such concepts are now standard practice.
- City of Carver: LMRWD worked with the city to correct a serious erosion problem along Sixth Street.
- Stream Monitoring: LMRWD is setting up a stream monitoring station on the stream entering Dean Lake in Shakopee, as part of the Metropolitan Council's Watershed Outlet Monitoring Program. LMRWD will use the data from this station and future monitoring stations to monitor the success of upstream water quality initiatives.
- Project Reviews: LMRWD has reviewed numerous projects within LMRWD, provided comments to cities regarding needed best management practices, flooding concerns, and other water management issues, and followed up these reviews with inspections to determine if LMRWD's suggestions were implemented. LMRWD will continue this role in the future.

The statutes and rules affecting watershed districts (WDs) and water management organizations (WMOs) have changed since the inception of LMRWD. The changes have broadened the role of WDs in water management, especially in the Twin Cities metropolitan area. Other units of government and the general public expect WDs and WMOs to play a larger role in water management. The statutes affecting watershed districts and watershed management organizations (WMOs) in the metropolitan area were recodified to Minnesota Statutes 103D and 103B, respectively.

The LMRWD adopted its first Overall Plan in 1961, which was updated in 1973. The 1989 plan was not approved by BWSR because not all agencies responded in a timely manner and by the time all responses were received, the rules governing WMO plans were changing. As a result the 1989 plan was never adopted or implemented by LMRWD. This "second generation" water management plan for the LMRWD complies with Minnesota Statutes 103B and 103D and Minnesota Rules Chapter 8410. As a document, it sets forth LMRWD's plan for the near future and is based on data and experience acquired by the Managers.

The reader is referred to the Executive Summary (Section 1) and Goals and Policies (Section 5) for a detailed discussion of the current and future role of LMRWD.

2.2 Location and Boundaries

The LMRWD is located in the southwest part of the Twin Cities metropolitan area along the Minnesota River. The District boundaries, shown on Figures 2-1 and 2-2, Figure 3-5 and Figures 3-6a through 3-6g, encompass an area of 64 square miles of Carver, Hennepin, Dakota, Scott and Ramsey counties, which includes the Minnesota River valley from Fort Snelling, at the confluence of the Minnesota and Mississippi rivers, upstream to Carver, Minnesota. The width of the District includes the bluffs on both sides of the Minnesota River within this reach of the river.

The Lower Minnesota River Watershed District's boundaries adjoin those of the following Watershed Management Organizations (WMOs) and watersheds under county jurisdiction:

Lower Mississippi River WMO

Gun Lake Club WMO

Black Dog WMO

Scott County:

 Credit River Watershed

 South Shakopee Basin Watershed

Carver County:

 Carver Creek Watershed

 Chaska Creek Watershed

 Hazeltine–Bavaria Watershed

East Bloomington–Richfield WMO

Riley-Purgatory-Bluff Creek Watershed District

Nine Mile Creek Watershed District

Prior Lake-Spring Lake Watershed District

Minnehaha Creek Watershed District

The adjoining WMOs and watersheds are shown on Figure 3-5.

Portions of the communities of Mendota Heights, Mendota, Lilydale, Eagan, Bloomington, Burnsville, Savage, Shakopee, Eden Prairie, Chanhassen, Chaska, Chaska Township, Jackson Township, Louisville Township and Carver are located within the LMRWD's boundaries. The legal description of LMRWD's boundaries is available from the District Engineer/Administrator.

The boundaries of the District, according to the 1957 Order which initially established LMRWD, were based partially on the contour line 800 feet above sea level, 4th general adjustment, 1929. Recognizing the difficulty in levying assessments with such indistinct limits, the Water Resources Board, as a result of another petition and hearing, reestablished the limits of the District in an Order dated March 23, 1960.

LMRWD, in cooperation with Nine Mile Creek and Riley-Purgatory-Bluff Creek Watershed Districts, adjusted its boundaries to best reflect LMRWD's focus on the Minnesota River valley watershed.

The Dakota County Board petitioned the Board of Water and Soil Resources (BWSR) to annex to LMRWD an area including parts of Lilydale, Mendota, and Mendota Heights. On October 26, 1988, BWSR ordered that this area be annexed to the LMRWD.

On May 24, 2000, BWSR ordered that 3,346 acres of the Minneapolis-St.Paul International Airport and surrounding areas be annexed to the LMRWD. The “2000 Boundary Change Area” description is included in the appendix.

2.3 LMRWD Characteristics

The goals, policies, implementation program and capital improvements program set forth in this plan reflect the specific characteristics of LMRWD. The features of LMRWD include the following:

- Definition of District boundary generally follows the Minnesota River watershed up to the bluff line.
- Both the quantity and quality of surface water resources are very closely tied to groundwater.
- Unique and rare water resources, including floodplain wetlands, calcareous fens and trout waters.
- Major river within the boundaries of LMRWD (other WMO and watershed district boundaries stop at major rivers).
- District’s role in commercial navigation, as given by Order creating the District. The District contains the upper reaches of the navigation pools created by Lock and Dam No. 2 on the Mississippi River at Hastings.

Throughout the plan, the reader will see what effect these features have on LMRWD decisions.

2.4 LMRWD Management

The affairs of the LMRWD are managed by the Board of Managers (Board). Since the establishment of the LMRWD, the Board has been comprised of five Managers, each of whom is appointed by the County Commissioners from the county in which the designated Manager resides.

Presently, two Managers are appointed by Hennepin County, and one Manager each is appointed by Carver, Dakota and Scott counties. Ramsey County is no longer represented due to no population of Ramsey County present in the District. These appointments are for staggered three-year terms and each Manager is eligible for reappointment. Table 2-1 lists every Manager who has served on the LMRWD Board and the Manager’s term of office and county of residence.

Since 1960, the Managers have met on a regular monthly basis. The Board currently meets on the third Wednesday of each month. All meetings are open to the public and held in the evening in order to be more convenient for citizens to attend.

Financial records are provided on a monthly basis to the Managers. Each year, the Managers authorize and obtain a financial audit of LMRWD’s books and records. Annually, the Managers review and propose a budget, initially prepared by the treasurer, for the following year. After a public hearing, the budget is approved for implementation.

In addition to the Board's regular monthly meetings, the Managers meet frequently to conduct inspections (for compliance with LMRWD standards and criteria) and tours throughout LMRWD to keep informed of all developments affecting the water resources of LMRWD.

Table 2-1
Managers of the District

	Manager	Term of Office	County Represented
1.	Alfred W. Hubbard	1960 – 1972	Hennepin
2.	Jens A. Caspersen	1960 – 1984	Dakota
3.	Kenneth W. Westerberg	1960 – 1966	Scott
4.	Casimir A. Lubansky	1960 – 1981	Carver
5.	Charles H. Bingham	1960 – 1968	Ramsey
6.	Merrill M. Madsen, Jr.	1966 – 1978 1984 – 1994	Scott Dakota
7.	William J. Jaeger, Jr.	1968 – 1977 1983 – 1994	Ramsey, Hennepin Hennepin
8.	Paul G. Fallquist	1972 – 1983	Hennepin
9.	Russell A. Sorenson	1977 – 1992	Hennepin
10.	J. William Kennedy	1978 – 1981	Scott
11.	Russell K. Heltne	1981 – 1987	Scott
12.	Cyril B. Ess	1981 – 1996	Carver
13.	Jim A. Kephart	1988 – 1999	Scott
14.	Edward A. Schlampp	1992 – Present	Hennepin
15.	Wallace E. Neal	1994 – Present	Hennepin
16.	Eugene A. DePalma	1995 – 1999	Dakota
17.	Terry L. Schwalbe	1996 – Present	Carver
18.	Glenda Spiotta	1999 – Present	Scott