



## BOARD ORDER

### Approval of revised watershed management plan

#### PURPOSE

Approve the revised Pelican River Watershed District watershed management plan pursuant to Minnesota Statutes Sections 103D.405.

#### RECITALS /FINDINGS OF FACT

1. The Pelican River Watershed District (District) filed a proposed revised watershed management plan (Plan) with the Board of Water and Soil Resources (Board) on September 20, 2019, and a final revised Plan on January 3, 2020, pursuant to Minn. Stat. § 103D.405, (Exhibit 1).
2. The District was established on May 27, 1966 and encompasses approximately 120 square miles of land. Lands within the District are located in Becker and Otter Tail Counties. The general purposes of the District are to reduce pollution of the waters of the Pelican River Chain of Lakes, slow eutrophication, regulate water levels, enhance recreational opportunities, improve needed drainage, and provide soil and water conservation practices.
3. A watershed district is required to revise their watershed management plan (Plan) at least once every ten years pursuant to Minnesota Statutes Section 103D.405, Subd. 1 (a). The current District Plan was approved by the Board in August 24, 2005. On January 28, 2015, the Board extended the Plan to December 31, 2016. Pursuant to § 103D.405 Subd. 2(a), the District submitted a revised watershed management plan outline to the Board on April 29, 2016.
4. The District sent a copy of the draft Plan to local units of government for their review pursuant to Minn. Stat. § 103D.405.
5. Department of Natural Resource Resources Review. The Department of Natural Resources, in a letter dated November 17, 2019, provided comments on the Plan recommending that the District use the Ecological Classification System to describe the ecological landscape down to the subsection level, request a NHIS database query and list and describe the rare and endangered species found within the watershed, improve on the measurability of goals and actions identified in the plan, and consider the use of Minnesota Guide for Stream Connectivity Organism Passage through Culverts design criteria, the Minnesota Public Drainage Manual, and natural stream design for future implementation. DNR comments were addresses in the Plan through subsequent meetings with District staff.
6. Minnesota Department of Health (MDH) Review. MDH had no substantive comments to offer about the Plan and found the Plan meets MDH Rule requirements and offers a high level of protection to drinking water supplies.
7. Highlight of the Plan. The Plan follows the BWSR Administrative Guidelines for Red River Basin Watershed District Revised Watershed Management Plan Content from December 1998. The Plan incorporates new

data and information that has come available since the last plan revision including a WRAPs, drainage compliance inventory, watershed monitoring data, PTMapp products for the overall Otter Tail River watershed, and other data meticulously developed for the watershed. This revision also improves on the measurability of goals, objectives, and desired outcomes for both water quality and natural resources. The District intends to work closely with the County, SWCD, and other regional, state and federal entities to achieve the policies and proposed actions outlined in the Plan paying particular attention to water quality trends, soil erosion, and natural resources within the District.

8. The proposed revised Plan is valid in accordance with Minn. Stat. § 103D.405.
9. Legal notice of the public hearing on the revised Plan, pursuant to Minn. Stat. §103D.411, was published in the Detroit Lakes Tribune (Exhibit 6). Further, a copy of the hearing notice was mailed to several addressees notifying them of the public hearing (Exhibit 4). No written comments were received during the notice period.
10. A public hearing was held on January 23, 2020 at 6:00 PM, at the Becker County Courthouse at 915 Lake Avenue Detroit Lakes, Minnesota. The proceedings were recorded. The hearing panel consisted of the following Northern Region Committee Board members: Neil Peterson, Gerald Van Amburg, Tom Schultz, Jeff Berg, Rich Sve and Roger Hemphill representing Theresa Ebbenga. Board staff in attendance were Ryan Hughes and Brett Arne. Ryan Hughes entered Exhibit 1-5 into the record. No oral or written comments were provided from interested parties at the hearing. The following list of exhibits comprises the hearing record:

Exhibit 1. Pelican River Watershed District notice for watershed plan review, dated September 20, 2019.

Exhibit 2. Pelican River Watershed District final revised watershed management plan dated January 3, 2020.

Exhibit 3. January 7, 2020 Board of Water and Soil Resources' Order for public hearing to be held on the revised watershed management plan for the Pelican River Watershed District.

Exhibit 4. Memorandum dated January 13, 2020 from Annie Felix-Gerth, Board of Water and Soil Resources to several addressees providing notice of the public hearing including legal notice, and list of addresses.

Exhibit 5. Committee meeting packet dated January 17, 2020 from Ryan Hughes, Board of Water and Soil Resources, to the Board of Water and Soil Resources' Northern Region Committee on the petition, hearing date, location and supporting documentation (Exhibits 1, 2, 4).

The following exhibit was received after the hearing:

Exhibit 6. Affidavit of Publication dated January 23, 2020, of legal notice in the Detroit Lakes Tribune on the weeks of January 15 and 22, 2020.

11. Board Staff Report. Staff participated with the District through the revision process, providing guidance, comments and recommendations. The final revised Plan does conform to the requirements of Minnesota Statute 103D and guidance developed by BWSR. Therefore, staff recommends approval of the District's Revised Plan and look forward to assisting the District in its implementation.
12. The Northern Region Committee (Committee) met on January 23, 2020 to review and discuss the Plan. Neil Peterson, Gerald Van Amburg, Tom Schultz, Jeff Berg, Rich Sve and Roger Hemphill representing

Theresa Ebbenga. Board staff in attendance were Ryan Hughes and Brett Arne. Based on the record, the Plan meets the requirements of Minn. Stat. §103D.405, and the staff recommendation to approve the Plan, the Committee unanimously recommended approval of the District's Revised Plan.

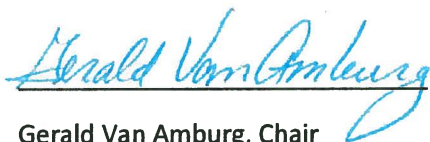
13. All relevant, substantive and procedural requirements of law have been fulfilled.
14. The Board has proper jurisdiction in the matter of prescribing a revised Plan for the District pursuant to Minn. Stat. § 103D.405.
15. The attached, revised Plan of the District received January 3, 2020 would be for the public welfare and public interest and the purpose of Minn. Stat. Chapter 103D would be served.

#### **ORDER**

The Board hereby prescribes the attached Plan received January 3, 2020 as the revised Watershed Management Plan for the Pelican River Watershed District.

Dated at St. Paul, Minnesota, this 25th day of March 2020.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**



Gerald Van Amburg, Chair

Board of Water and Soil Resources

Date: March 25, 2020

