



# Brown's Creek Watershed District

Preserving the integrity of the watershed for future generations



2/12/2016

Ms. Julie Johnson  
City Clerk  
City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

Dear Ms. Johnson,

Minnesota Statutes Chapters 103B and 103D promote water resource management on a watershed basis, and state that legal boundaries of watershed management organizations should conform as closely as is practicable to hydrologic boundaries. In accordance with the statutes and to ensure equitable funding, the Valley Branch Watershed District (VBWD), Brown's Creek Watershed District (BCWD), and South Washington Watershed District (SWWD) are updating their common legal boundary to better match the hydrologic boundary. This letter provides information on the process used to better align the legal and hydrologic boundaries and includes a request that the City of Lake Elmo formally concur with the proposed legal boundary change.

## Background

Watershed district legal boundaries must follow property boundaries, but should also match the hydrologic boundaries as closely as possible. In undeveloped or less-developed areas with large individual parcels, this can be difficult because a single property cannot be divided into more than one watershed district. However, as development occurs and properties are split into smaller pieces, the legal boundary can be updated to more closely match the hydrologic boundary.

## Evaluation Process

As a first step in the evaluation process, the VBWD's consultant, Barr Engineering Co. (Barr), used the Minnesota Department of Natural Resource's LiDAR and storm sewer data to help identify the outer hydrologic boundary of the VBWD. LiDAR data was used because it provides much better topographic information than historically available. Barr then sent the results of its evaluation to the BCWD and SWWD for feedback, making adjustments until the three watershed districts reached an agreement on the new hydrologic boundary. Finally, Barr determined which parcels would need to be moved in or out of the VBWD so that the majority of the parcel would be within the boundaries of the proper organization. Attached are two maps of the results for the City of Lake Elmo.

## Legal Process to Change Boundary

A watershed district's legal boundaries can be changed under Minnesota Statutes (MS) 103D.251 or MS 103B.215. VBWD, BCWD, and SWWD will follow MS 103B.215. This requires the VBWD to petition the Minnesota Board of Water and Soil Resources (BWSR) to change the boundary. In addition to the petition, the VBWD must provide BWSR with a written statement of concurrence "from the governing body of each statutory or home rule charter city and town and each watershed management organization having jurisdiction over the territory proposed to be added or transferred."

VBWD, BCWD and SWWD respectfully request that the City of Lake Elmo send a written statement of concurrence to the VBWD at P.O. Box 838, Lake Elmo, MN 55042. Attached is an example of a resolution which may be used to solicit the required approvals from your Council.

If you have questions or concerns, feel free to contact one of the following watershed district representatives:

**Valley Branch Watershed District**

Contact: John Hanson, District Engineer  
952-832-2622 or [jhanson@barr.com](mailto:jhanson@barr.com)

**Brown's Creek Watershed District**

Contact: Karen Kill, Administrator  
651-275-1136 x26 or [karen.kill@mnwcd.org](mailto:karen.kill@mnwcd.org)

**South Washington Watershed District**

Contact: Matt Moore, Administrator  
651-714-3729 or [mmoore@ci.woodbury.mn.us](mailto:mmoore@ci.woodbury.mn.us)

Sincerely,



John P. Hanson, P.E., District Engineer  
Valley Branch Watershed District

Enclosures (3)

c: Karen Kill, BCWD  
Matt Moore, SWWD  
Dan Fabian, BWSR  
Jim Haertel, BWSR  
Stephanie Souter, Washington County

**CITY OF LAKE ELMO**  
**WASHINGTON COUNTY, MINNESOTA**  
**RESOLUTION NO. 2016 - \_\_\_\_**

**A RESOLUTION SUPPORTING THE PETITION FROM VALLEY BRANCH WATERSHED DISTRICT TO THE BOARD OF WATER AND SOIL RESOURCES, REQUESTING A BOUNDARY CHANGE FOR THE TRANSFER OF TERRITORY BETWEEN IT AND ITS ADJACENT WATERSHED MANAGEMENT ORGANIZATIONS.**

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**WHEREAS**, the City of Lake Elmo received map figures showing the proposed changes to the Valley Branch Watershed District, Brown’s Creek Watershed District, and South Washington Watershed District (“the Districts”) boundaries.

**WHEREAS**, these boundary changes will make the legal boundaries of the Districts better aligned with the hydrologic boundaries that exist between the Districts within the City of Lake Elmo.

**NOW THEREFORE BE IT RESOLVED** that the City of Lake Elmo City Council concurs with the proposed legal boundary changes to the Districts.

**BY ROLL CALL VOTE OF THE CITY OF LAKE ELMO CITY COUNCIL:**

**THIS RESOLUTION IS ADOPTED / NOT ADOPTED**

**THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

\_\_\_\_\_  
Attest: Clerk, City of Lake Elmo

\_\_\_\_\_  
Mayor, City of Lake Elmo





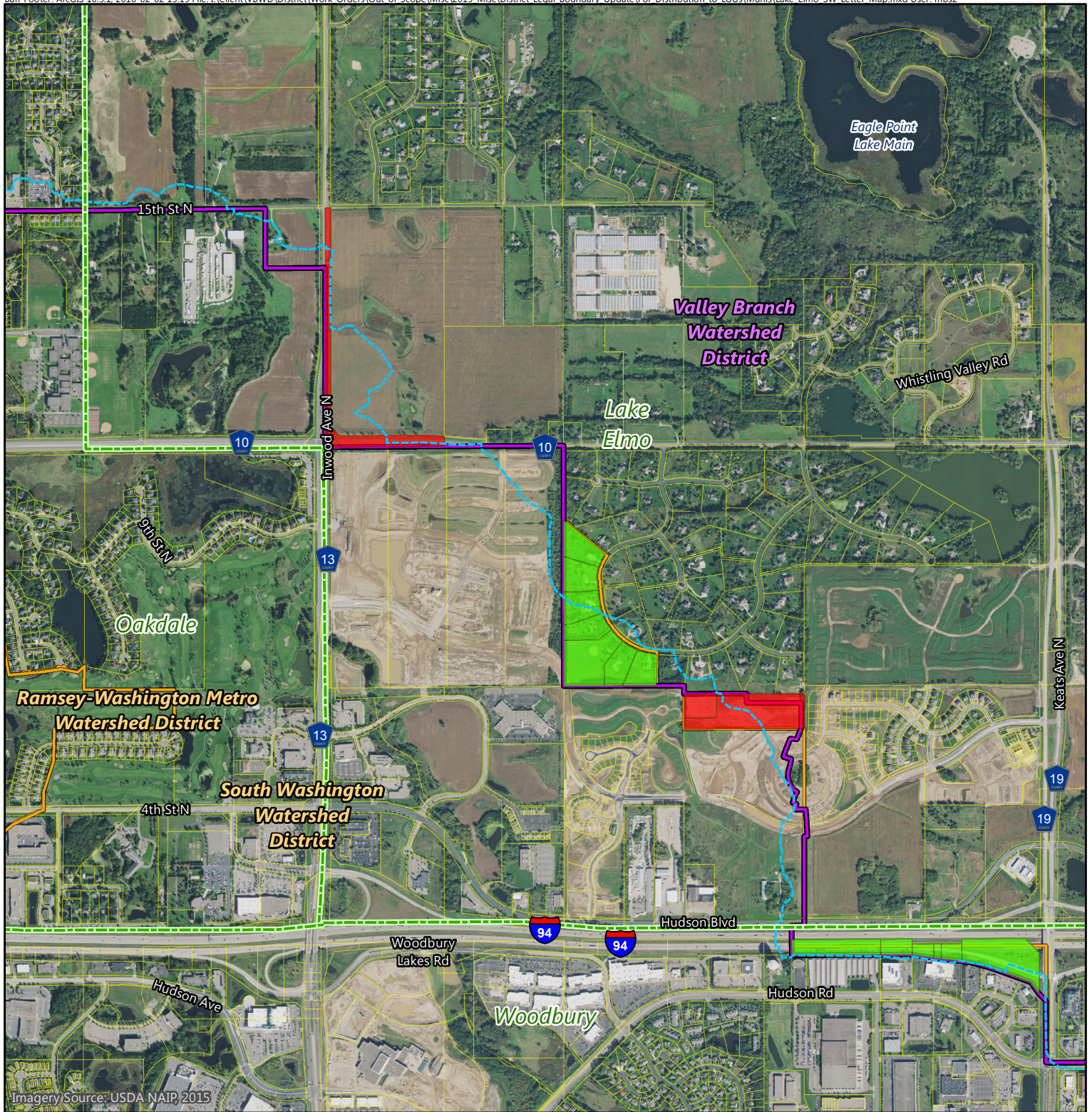












Figure 1

PROPOSED PARCEL CHANGES  
 BETWEEN VALLEY BRANCH  
 WATERSHED DISTRICT AND  
 SURROUNDING DISTRICTS  
 City of Lake Elmo  
 Washington County, Minnesota

	Proposed District Legal Boundary		Municipal Boundary
	Current District Legal Boundary		Parcel Boundary
	Revised Hydrologic Boundary		
Proposed Parcel Change			
	Proposed Parcel into VBWD		
	No Change		
	Proposed Parcel out of VBWD		



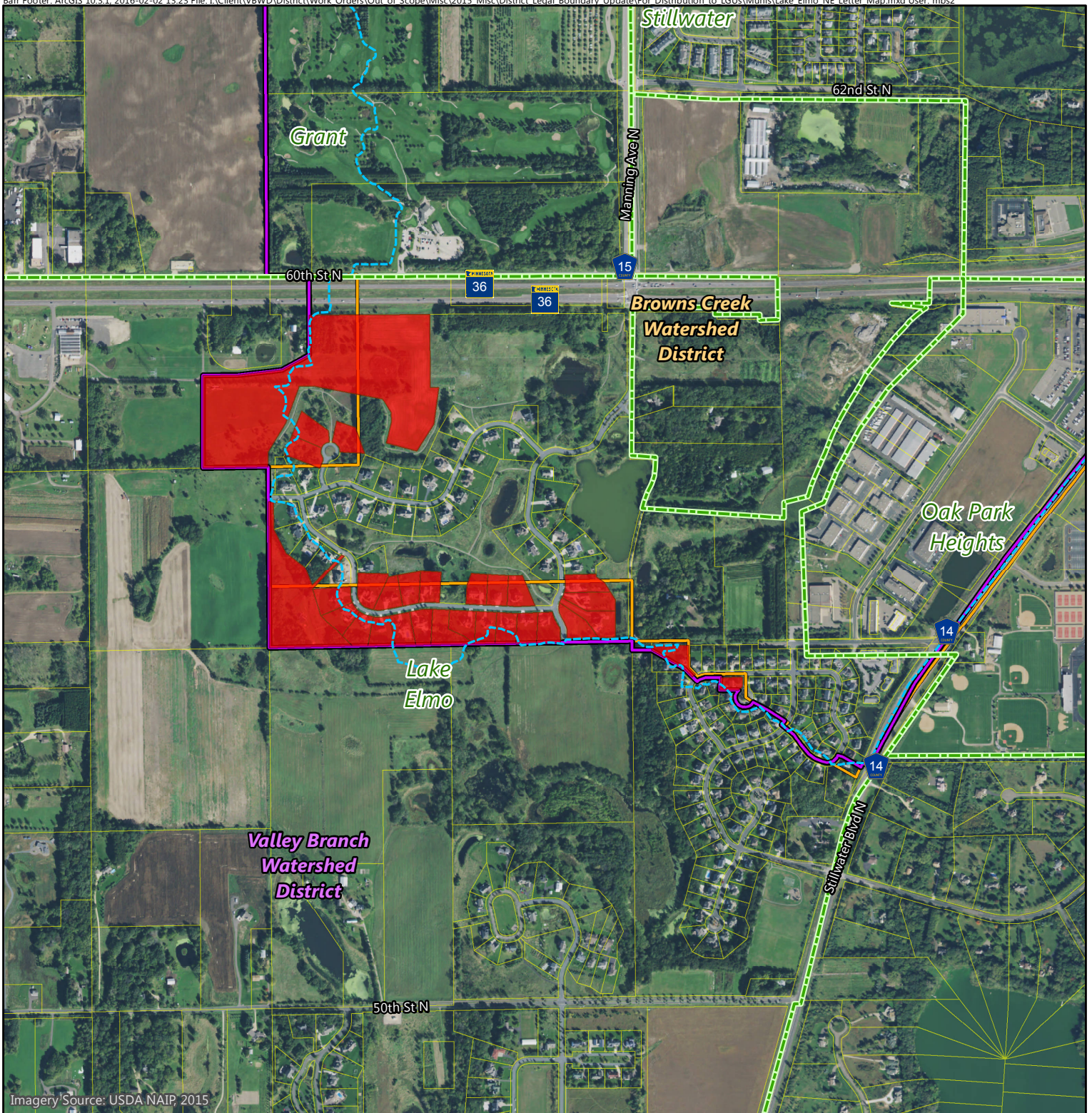
Feet











Imagery Source: USDA NAIP, 2015

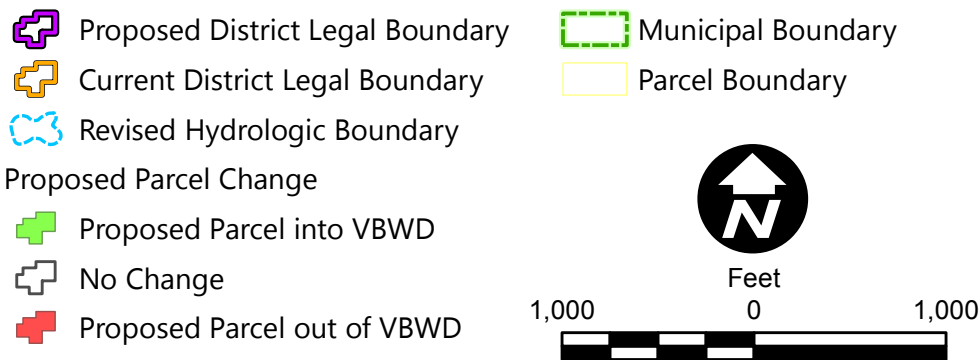


Figure 2

PROPOSED PARCEL CHANGES  
 BETWEEN VALLEY BRANCH  
 WATERSHED DISTRICT AND  
 SURROUNDING DISTRICTS  
 City of Lake Elmo  
 Washington County, Minnesota