

City of Minneapolis

Request for Committee Action

To: Transportation & Public Works
Date: 8/8/2016
Referral: N/A
From: Public Works Department
Lead Staff: Elizabeth Stout, PE, Water Resources Regulatory Coordinator, Surface Water and Sewers
Presented by: Elizabeth Stout, PE, Water Resources Regulatory Coordinator, Surface Water and Sewers
File Type: Resolution
Subcategory: Designation

Subject:

Wetland Conservation Act (WCA) Implementation Delegation to City of Minneapolis Staff

Description:

Passage of Resolution authorizing the Director of Public Works or their designee to act as the decision-making authority for the WCA within the portions of the City of Minneapolis included in the Bassett Creek, Shingle Creek, and Mississippi River watershed management organization areas.

Previous Actions:

None

Ward/Address:

Not Applicable

Background/Analysis:

In 1991 the state legislature approved and Governor Carlson signed the Wetland Conservation Act (WCA) to maintain and protect wetlands and the benefits they provide. Consistent with the WCA anyone proposing to drain, fill, or excavate a wetland must first look to avoid wetland disturbance, minimize unavoidable impacts, and replace any lost wetland acres.

Local government units (LGUs) including cities, counties, and watershed management organizations implement the act locally. The Minnesota Board of Water and Soil Resources (BWSR) administers the act statewide.

The Minnehaha Creek Watershed District (MCWD) has accepted the authority and administrative responsibility to implement the WCA within its boundaries. For the portion of Minneapolis outside of the MCWD, the City as an LGU has accepted responsibility for implementation. The BWSR requires a resolution from the Minneapolis City Council in order for the City to officially accept local oversight.

The City has knowledgeable and trained staff with expertise in water resource management to oversee work related to the WCA. The City is authorized by Minnesota Administrative Rules Part 8420.0200, Subpart 2, Item C, to delegate certain functions with regards to implementation of the WCA, including the authority to make decisions on applications, to its staff.

Decision-making authority for WCA related work resides with the Public Works Director or their designee. This works includes determinations related to WCA exemption, no-loss, wetland boundary and type, sequencing, replacement planning, and wetland banking applications. All variance requests to the WCA will be administered by the City of Minneapolis City Council.

Financial Review:

No financial impact.