

m BOARD OF WATER
AND SOIL RESOURCES

November 13, 2018

Lyon County Commissioners
c/o John Biren, Planning and Zoning Administrator
1424 E College Drive, Suite 600
Marshall, MN 56258

RE: Approval of the Lyon County Comprehensive Local Water Management Plan Extension

Dear Lyon County Commissioners,

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Lyon County Comprehensive Local Water Management Plan extension was approved on November 13, 2018. Attached is the signed Board Order that documents approval of the Extension and indicates the Plan meets all relevant requirements of law and rule.

Please contact your Board Conservationist, Jason Beckler at 507-537-6615 or Jason.Beckler@state.mn.us for further assistance on this matter.

Sincerely,



John Jaschke, Executive Director
Minnesota Board of Water and Soil Resources

Enclosure: BWSR Board Order

CC: Jeff Berg, MDA (via email)
Amanda Strommer, MDH (via email)
Barbara Weisman and Rob Collett, DNR (via email)
Juline Holleran, MPCA (via email)
Ed Lenz, BWSR Regional Manager (via email)
Jason Beckler, BWSR Board Conservationist (via email)
Annie Felix-Gerth, BWSR Water Programs Coordinator (via email)

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the matter of Extending the Comprehensive Local Water Management Plan for Lyon County pursuant to Minnesota Statutes, Section 103B.3367.

**ORDER
EXTENDING COMPREHENSIVE LOCAL
WATER MANAGEMENT PLAN**

Whereas, on December 17, 2008, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Lyon County (County) Comprehensive Local Water Management Plan (Plan) that is effective until December 18, 2018; and

Whereas, the Board has authorization to grant extensions pursuant to Minnesota Statutes Section 103B.3367; and

Whereas, the Board adopted Resolution #16-54 *Local Water Plan Extension and Amendment Policy* on June 22, 2016;

Now Therefore, the Board hereby makes the following Findings of Fact, Conclusions, and Order:

FINDINGS OF FACT

1. The December 17, 2008 Board Order required an update to the implementation section to be completed by December 17, 2018.
2. On October 5, 2018, the Board received a petition from the County requesting an extension of their Plan. The following are the reasons for the request.
 - A. The County requests this waiver in order to transition to Comprehensive Watershed Management Planning consistent with Minnesota Statutes 103B.801 for the Redwood River, Cottonwood River, and Des Moines River watersheds for watershed-scale planning efforts. The County intends to enter into a Memorandum of Agreement with the Counties and Soil and Water Conservation Districts within these watersheds when development of the Comprehensive Watershed Management Plan consistent with Minnesota Statutes 103B.801 begins.
 - B. The County intends to participate in and more effectively utilize the Minnesota Pollution Control Agency's ten-year approach for monitoring, assessing, and developing Watershed Restoration and Protection Strategies (WRAPS). The following table shows the WRAPS schedules for the County.

Major Watershed	% of County	Scheduled WRAPS Completion Date
Redwood River	50%	2021
Cottonwood River	30%	2022
Yellow Medicine	17%	2017
Des Moines River	3%	2019

- c. The County passed a resolution of intent to participate in watershed-based planning under the One Watershed, One Plan program on October 2, 2018.
- d. The County was selected as a participant in the pilot One Watershed, One Plan (1W1P) program for the Yellow Medicine watershed planning area, which was completed and approved by the MN Board of Water and Soil Resources at the December 14, 2016 board meeting. The 1W1P plan area includes 17% of the county . The Yellow Medicine 1W1P Plan is substituting for the current County (County) Comprehensive Local Water Management Plan (Plan) . The County is currently working through the Redwood River, Cottonwood River, and Des Moines River WRAPS. Once completed the County intends to move forward with the 1W1P for all of these watersheds. The 1W1P planning areas will include 50% of the county for the Redwood River, 30% for the Cottonwood River, and 3% for the Des Moines River 1W1P plan boundary. The 1W1P Plan may substitute for the current County (County) Comprehensive Local Water Management Plan (Plan) when completed and adopted by the County Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of extending Comprehensive Local Water Management Plans, pursuant to Minnesota Statutes, Section 103B.3367.
3. The Lyon County Comprehensive Local Water Management Plan extension request is in conformance with the requirements of Minnesota Statutes, Section 103B.3367 and the Board's Local Water Plan Extension and Amendment Policy dated June 22, 2016.

ORDER

The Board hereby approves the waiver of the requirement to complete the five year amendment to of the Lyon County Comprehensive Local Water Management Plan until December 18, 2023.

Dated at Saint Paul, Minnesota, on November 13, 2018.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES



BY: John Jaschke, Executive Director