

**STATE OF MINNESOTA
SAUK RIVER WATERSHED DISTRICT**

The Matter of the Adoption of Administrative
Rules of the Sauk River Watershed District

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**FINDINGS OF THE BOARD OF MANAGERS AND
ORDER ADOPTING ADMINISTRATIVE RULES**

The Board of Managers of the Sauk River Watershed District held a Public Hearing on Tuesday, January 26, 2010 at 7:00 p.m. in the Conference Room at the Melrose City Hall. The meeting was continued to 7:15 p.m. on February 16, 2010 at the District's offices in Sauk Centre. Having reviewed the proposed administrative rules of the District, given notice of the hearing as required by law and provided affected persons an opportunity to be heard on the matter, Manager Coughlin moved a resolution to adopt the following:

FINDINGS

1. The Watershed District is required under Minnesota Statutes Section 103D.341 to adopt rules to accomplish the purposes of the watershed law, to implement the powers of the managers, and further the goals and objectives of the District as articulated in the watershed management plan.
2. The District's existing rules do not meet the requirements of the law and do not adequately address water quality and quantity management needs within the District.
3. The District has undertaken since 2005 to revise its rules to better define and address key management challenges and issues within the District.
4. The proposed rules are limited in scope and attempt to reduce redundant regulatory processes within the District.
5. The proposed rules attempt to promote coordination between the District and other regulatory authorities regarding water quality and quantity management issues.
6. The proposed rules attempt to balance and reconcile the range of regulator standards found in the existing regulatory controls of the District's constituent units of government.

7. Over the course of 2009, the proposed rules have been extensively reviewed by the District's constituent units of government, citizens and state and federal regulatory agencies.
8. Comments received during the review process have been used to refine the rules.
9. During the public hearing on the proposed rules, written comments were received from the following:
 - a. Short Elliott Hendrickson, Inc.
 - b. Minnesota Board of Water and Soil Resources
 - c. Westwood Professional Services
 - d. Stearns County Environmental Services
 - e. Stearns County Soil and Water Conservation District
 - f. Central Minnesota Builders Association
 - g. Kay Cook
10. Minutes have been prepared of the January 26, 2010 hearing and the February 16, 2010 continued hearing, which reflect those present and those providing verbal comments to the Board regarding the rules.
11. Written comments and the District's responses to those comments were placed on the District's website.
12. The issues raised in the comments have either been addressed by modifications to the rules or in a statement of need and reasonableness for the proposed rules which is adopted and incorporated into these findings by reference.
13. The proposed rules are necessary and reasonable to accomplish the statutory requirements of the District.

ORDER

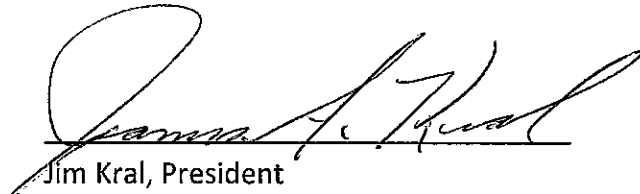
- A. The proposed rules, as modified by the written comments received prior to the public hearing or comments received at the public hearing, are hereby adopted by the Board of Managers.
- B. The Board Secretary and President are directed to sign the rules.

- C. District staff is directed to affect final adoption of the rules by (1) publishing a summary of the rules in the newspapers designated within each county affected by the watershed district; (2) providing written notice to public transportation authorities that have jurisdiction within the watershed district; (3) filing the adopted rules with the county recorder of each county affected by the watershed district and the Board of Water and Soil Resources; and (4) mailing a copy of the rules to the governing body of each municipality affected by the watershed district.
- D. The District shall undertake to review implementation of the rules six months after adoption and annually thereafter.


The motion to adopt the findings and order was seconded by Manager Rothstein. After discussion and upon a vote, the motion passed/failed and the findings and order were adopted/rejected by the following vote:

	YES	NO	Abstain	Absent
Dan Coughlin	<u>X</u>			
Jim Kral	<u>X</u>			
Larry Kuseske	<u>X</u>			
Bob Mostad	<u>X</u>			
Richard Raeker				<u>X</u>
Virgil Rettig	<u>X</u>			
Jim Rothstein	<u>X</u>			
Jason Sherping		<u>X</u>		
Vern Vangsness	<u>X</u>			

The above resolution was adopted at the continued Public Hearing of the Board of Managers of the Sauk River Watershed District on Tuesday, February 16, 2010 at 7:15 p.m. at the District's offices in Sauk Centre.


Jim Kral, President
Board of Managers

Attest:


Virgil Rettig, Secretary