

RESOLUTION NO. 11-03-01

**COMFORT LAKE - FOREST LAKE WATERSHED DISTRICT
BOARD OF MANAGERS**

**AMENDING WATERSHED DISTRICT RULES
UNDER MINNESOTA STATUTES §103D.341**

Manager Moe offered the following resolution and moved its adoption, seconded by Manager Spence.

WHEREAS the Comfort Lake - Forest Lake Watershed District ("District"), a governmental subdivision with powers set forth in Minnesota Statutes Chapters 103B and 103D, is authorized to act to achieve the purposes set forth in those chapters for the protection, conservation and beneficial use of the waters and resources of the watershed;

WHEREAS on December 18, 2008, the District Board of Managers ("Board") adopted rules under Minnesota Statutes §103D.341 to accomplish the District's statutory purposes;

WHEREAS on January 17, 2011, the District distributed for public comment a proposed amendment to clarify the definition of "new primary use" as that term is used in Rule 4.0 to trigger the requirement to create and maintain a vegetated buffer;

WHEREAS the proposed amendment was mailed to the Minnesota Board of Water and Soil Resources (BWSR), Washington and Chisago Counties, public transportation authorities with jurisdiction within the watershed, cities and townships within the watershed, and other interested parties, and a public hearing to receive comments was held on February 25, 2011, and no public comments were received; and

WHEREAS the District finds the proposed rule amendment to be sound, reasonable and fair; to be appropriate for the protection of the District's water resources; and generally to promote the public welfare;

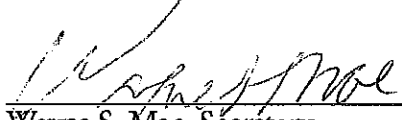
THEREFORE BE IT RESOLVED that the Board adopts the attached amendment to District Rule 4.0; amends the District Rules accordingly; and declares that this amendment is effective immediately and applies to any permit application submitted and determined complete after this date;

BE IT FURTHER RESOLVED that the District Administrator shall publish notice of the adoption of the rule amendment; mail a copy of the amendment to the governing body of each city and township affected by the rules, public transportation authorities with jurisdiction in the watershed, and BWSR; and file a copy of the rule amendment with the Washington and Chisago County Offices of the Recorder, as specified by statute.

The question was on the adoption of the Resolution and there were 5 yeas and 0 nays as follows:

	<u>AYE</u>	<u>NAY</u>
Jackie A. Anderson	X	
Richard P. Damchik	X	
John T. Lynch	X	
Wayne S. Moe	X	
Jon W. Spence	X	

Upon vote, the Chair declared the Resolution adopted.



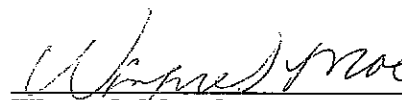
Wayne S. Moe, Secretary

Dated: March 24, 2011

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I, Wayne S. Moe, Secretary of the Comfort Lake - Forest Lake Watershed District Board of Managers, do hereby certify that I have compared the above resolution with the original thereof as the same appears on record and on file in the District's offices and find the same to be a true and correct copy thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 24th day of March, 2011.



Wayne S. Moe, Secretary