

RESOLUTION #2017-03

**LYNDEN TOWNSHIP
Stearns County, Minnesota**

**A RESOLUTION
REGARDING MPCA PERMIT EXTENSION
FOR
CLEARWATER HARBOR & HIDDEN RIVER SANITARY SEWER SYSTEMS**

WHEREAS, Minnesota Statute § 365.10 Subd. 17 provides in pertinent part that the town board has the authority to promote the health, safety, order, convenience, and the general welfare of the township; and,

WHEREAS, The Clearwater River Watershed District (“CRWD”) is a local unit of government operating under the authority given by Minnesota Statutes §103D and was established by citizen petition on April 9, 1975, by the Minnesota Water Resource Board; and,

WHEREAS, The Clearwater River Watershed District (“CRWD”) owns and operates the communal sanitary sewer systems of Clearwater Harbor Sanitary Sewer System and Hidden River Sanitary Sewer System, serving 112 properties in a manner to protect groundwater and nearby surface waters from sewage pollution; and,

WHEREAS, Clearwater Harbor Sewer System is located along Grass Lake and Beachwood Road along Clearwater Lake and Hidden River Sewer System is located adjacent to the northern end of Clearwater Harbor along the Clearwater River, both within Lynden Township, Stearns County, Minnesota; and,

WHEREAS, Clearwater Harbor Sanitary Sewer System and Hidden River Sanitary Sewer System are both permitted by the Minnesota Pollution Control Agency (“MPCA”) and have a robust set of requirements which include groundwater monitoring for nitrogen levels as was done by wells under the original permit; and,

WHEREAS, the MPCA amended the permit in 2014 to require no more than 10mg/liter of nitrogen in the water consistent with its policy and a single monitoring well near the drain field revealed > 20mg/liter nitrogen concentration when tested; and,

WHEREAS, the MPCA has now mandated that the CRWD address these levels and develop a nitrogen mitigation and analysis plan (“NMAP”) further requiring that CRWD demonstrate to the MPCA by May 30, 2019, that the nitrogen policy standards are being met in order to comply with the permit; and,

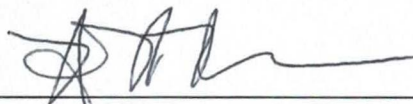
WHEREAS, The CRWD has preliminary costs estimates of upgrades to the systems to comply range from \$1.16 to \$1.62 million with individual benefited assessments ranging from \$6,000 to \$9,000 at 50% funding using the state’s Point Source Implementation Grant Program (“PSIG”) which is significant given that these properties paid for one permitted system already; and,

WHEREAS, The CRWD and the systems’ benefited property owners are working with the MN Legislature to increase the grant match to a minimum ratio of 80% state share and 20% end user share of the PSIG.

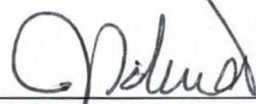
NOW, THEREFORE, BE IT RESOLVED, that the Lynden Township Board on behalf of its residents served by Clearwater Harbor and Hidden River Sanitary Sewer Systems, CRWD, and all users of the natural resources associated with the Clearwater River and under the oversight of the CRWD, hereby implores the Minnesota Pollution Control Agency to stay any enforcement action regarding this existing permit until acceptable funding ratio can be achieved.

	<u>Yes</u>	<u>No</u>	<u>Other</u>
Supervisor Anne Ackerman	<u>X</u>	_____	_____
Supervisor Jerry Finch	<u>X</u>	_____	_____
Supervisor Dave Johnson	<u>X</u>	_____	_____

Adopted this 3rd day of April, 2017.



/s/ Anne Ackerman, Town Chair

Attest: 

/s/ Jenny Schmidt, Town Clerk

