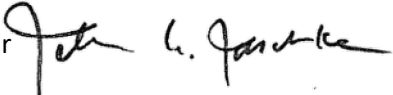




DATE: January 17, 2023

TO: Board of Water and Soil Resources' Members, Advisors, and Staff

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice – January 25, 2023

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, January 25, 2023, beginning at 9:00 a.m. The meeting will be held in the lower-level Board Room, at 520 Lafayette Road North, St. Paul and by Microsoft Teams. Individuals interested in attending the meeting through Teams should do so by either 1) logging into Teams by [clicking here to join the meeting](#) or 2) join by audio only conference call by calling telephone number: 651-395-7448 and entering the conference ID: 293 933 020#.

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Administrative Advisory Committee

1. **BWSR Diversity, Equity and Inclusion Plan** – BWSR is committed to diversity, equity and inclusion (DEI) and is working internally to improve DEI policies and practices across the organization. To effectively infuse DEI values and practices into our work, ongoing efforts must be intentional and strategic. The BWSR DEI Plan identifies five strategic priority areas for BWSR to focus over the next three years. The associated Learning and Development Framework outlines the learning approaches required to build capacity to execute BWSR's DEI strategy and plan. S&E Consultants facilitated discussions and obtained feedback from BWSR staff, the Administrative Advisory Committee, and BWSR's partners in developing the plan. The Administrative Advisory Committee has recommended approval of the DEI Plan. **DECISION ITEM**

Audit and Oversight Committee

1. **2022 Performance Review and Assistance Program Legislative Report (PRAP)** – This agenda request item is an annual request for the BWSR January meeting to approve and adopt the required PRAP report to be disseminated to the legislature during the current session. Minnesota statute 103B.102, Subdivision 3 describes BWSR's responsibility to provide this activity summary each year. BWSR staff have prepared the report, presented it to the BWSR Audit and Oversight committee, and are now presenting it to the board for their consideration. **DECISION ITEM**

Grants Program and Policy Region Committee

1. **FY23 Water Quality and Storage Pilot Grant Program** – Last year was the first year for the Water Quality and Storage Pilot Grant Program. BWSR staff would like to open the application period for FY23 this spring, but there are a few modifications to the scoring and selection criteria that we would like to present to the board. These changes will require a new board order for FY23. **DECISION ITEM**

2. **Amendment to Board Order #22-55: Clean Water Fund Competitive Grants** – Applications C23-1872 and C23-9488 referenced a plan amendment to a comprehensive watershed management plan that was anticipated to be approved prior to the BWSR Board award of the FY23 CWF Competitive grants. During the process of approving the amendment, an administrative error was discovered, and the plan amendment could not be approved as planned at no fault of the local governments seeking the amendment. The requested extension will allow for the plan amendment to go through an amendment process that can be approved. **DECISION ITEM**

Central Region Committee

1. **Snake River Comprehensive Watershed Management Plan** – The Board of Water and Soil Resources (BWSR), at their August 29, 2019 meeting, selected the Snake River Watershed Partnership (Partnership) for a planning grant as part of the One Watershed, One Plan Program. Their Policy, Advisory, and Steering Committees met for over two years to discuss priority issues, goals, and implementation actions to protect and restore natural resources in the Snake River Watershed. The Partnership developed the Snake River Comprehensive Watershed Management Plan (Plan) and submitted it to BWSR on November 30, 2022 for review and approval. The Central Region Committee met on January 5, 2023 to review the content of the Plan and recommends approval of the submitted Plan by the full Board. **DECISION ITEM**
2. **Lower Mississippi River Watershed Management Organization Watershed Management Plan** – The Lower Mississippi River Watershed Management Organization (LMRWMO) has been effectively addressing its water quality needs within the watershed through implementation that directly follows the scientific data. The proposed LMRWMO Plan will carry that forward with increased focus on stream restoration as well as through updated regulatory standards. The Plan clearly identifies their targeted efforts for the next ten years within the 58 square mile metro watershed. **DECISION ITEM**

Northern Region Committee

1. **Otter Tail River Comprehensive Watershed Management Plan** – The Otter Tail River Watershed was selected by BWSR for a One Watershed, One Plan program planning grant in August of 2020. The watershed partnership attended regularly scheduled meetings and submitted the Otter Tail River Comprehensive Watershed Management Plan to BWSR on December 15, 2022, for review and approval. The Northern Regional Committee met on January 4, 2023, to review the content of the Plan, State agency comments on the Plan, and to make a recommendation. The Committee recommends approval of the submitted Plan by the full Board. **DECISION ITEM**

NEW BUSINESS

1. **Historical Context: Tribes** – As part of continuous learning, Melissa and Craig will share a summary of historical events that have shaped and impacted tribal nations. An overview of BWSR's responsibilities under Minn. Stat. §10.65 GOVERNMENT-TO-GOVERNMENT RELATIONSHIP WITH TRIBAL GOVERNMENTS. **INFORMATION ITEM**

If you have any questions regarding the agenda, please feel free to call me at 651-539-2587. We look forward to seeing you on January 25th.

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
ST. PAUL, MN 55155
WEDNESDAY, JANUARY 25, 2023**

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF DECEMBER 15, 2022 BOARD MEETING

PUBLIC ACCESS FORUM (10-minute agenda time, two-minute limit/person)

REPORTS

- Chair & Administrative Advisory Committee – Gerald Van Amburg
- Executive Director – John Jaschke
- Audit & Oversight Committee – Joe Collins
- Dispute Resolution and Compliance Report – Travis Germundson/Rich Sve
- Grants Program & Policy Committee – Todd Holman
- RIM Reserve Committee – Jayne Hager Dee
- Water Management & Strategic Planning Committee – Joe Collins
- Wetland Conservation Committee – Jill Crafton
- Buffers, Soils & Drainage Committee – Mark Zabel
- Drainage Work Group – Neil Peterson/Tom Gile

AGENCY REPORTS

- Minnesota Department of Agriculture – Thom Petersen
- Minnesota Department of Health – Steve Robertson
- Minnesota Department of Natural Resources – Sarah Strommen
- Minnesota Extension – Joel Larson
- Minnesota Pollution Control Agency – Katrina Kessler

ADVISORY COMMENTS

- Association of Minnesota Counties – Brian Martinson
- Minnesota Association of Conservation District Employees – Nicole Bernd
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Eunice Biel
- Minnesota Association of Watershed Districts – Jan Voit
- Natural Resources Conservation Service – Troy Daniell

COMMITTEE RECOMMENDATIONS

Administrative Advisory Committee

1. BWSR Diversity, Equity and Inclusion Plan – Jenny Gieseke and Janina Artistry – ***DECISION ITEM***

Audit and Oversight Committee

1. 2022 Performance Review and Assistance Program Legislative Report – Jenny Gieseke and Jenny Mocol-Johnson – ***DECISION ITEM***

Grants Program and Policy Committee

1. FY23 Water Quality and Storage Pilot Grant Program – Rita Weaver – ***DECISION ITEM***
2. Amendment to Board Order #22-55: Clean Water Fund Competitive Grants – Marcey Westrick – ***DECISION ITEM***

Central Region Committee

1. Snake River Comprehensive Watershed Management Plan – Darren Mayers – ***DECISION ITEM***
2. Lower Mississippi River Watershed Management Organization Watershed Management Plan – Steve Christopher – ***DECISION ITEM***

Northern Region Committee

1. Otter Tail River Comprehensive Watershed Management Plan – Kurt Beckstrom, Ryan Hughes, and Pete Waller – ***DECISION ITEM***

NEW BUSINESS

1. Historical Context: Tribes – Melissa King and Craig Engwall – Melissa King and Craig Engwall – ***DECISION ITEM***

UPCOMING MEETINGS

- Southern Region Committee is scheduled for 10:00 a.m., February 23, 2023, location TBD.
- BWSR meeting is scheduled for 9:00 a.m., March 22, 2023, in St. Paul and by MS Teams.

ADJOURN

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
LOWER-LEVEL BOARD ROOM
ST. PAUL, MN 55155
THURSDAY, DECEMBER 15, 2022**

BOARD MEMBERS PRESENT:

Joe Collins, Jill Crafton, Jayne Hager Dee, Kurt Beckstrom, Neil Peterson, Rich Sve, Gerald Van Amburg, Ted Winter, LeRoy Ose, Kelly Kirkpatrick, Eunice Biel, Todd Holman, Ronald Staples, Mark Zabel, Katrina Kessler, MPCA; John Bilotta, University of Minnesota Extension; Peder Kjeseth, MDA; Steve Robertson, MDH; Katie Smith, DNR

BOARD MEMBERS ABSENT: Carly Johnson

STAFF PRESENT:

John Jaschke, Andrea Fish, Rachel Mueller, Tom Gile, Travis Germundson, Anne Sawyer, Marcey Westrick, Julie Westerlund, Annie Felix-Gerth, Karli Swenson, Bill Penning, Sharon Doucette, Jenny Gieseke, Dave Weirens

OTHERS PRESENT:

Jeff Berg, MDA; Brian Martinson, AMC; Jan Voit, MAWD, Alex Trunnell, Sheila Harmes, Jacob Rischmiller, Sarah Boser, Beau Kennedy

Chair Gerald VanAmburg called the meeting to order at 9:02 AM

PLEDGE OF ALLEGIANCE

**** 22-52** **ADOPTION OF AGENDA** - Moved by Neil Peterson, seconded by Jill Crafton, to adopt the agenda as amended. ***Motion passed on a roll call vote.***

**** 22-53** **MINUTES OF OCTOBER 26, 2022 BOARD MEETING** – Moved by Kurt Beckstrom, seconded by LeRoy Ose, to approve the minutes of October 26, 2022, as circulated. ***Motion passed on a roll call vote.***

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

INTRODUCTION OF NEW STAFF

John Jaschke introduced Andrea Fish, Assistant Director of Strategy and Operations. Marcey Westrick introduced Anne Sawyer, Central Region Board Conservationist.

CONFLICT OF INTEREST DECLARATION

Chair Van Amburg read the statement:

“A conflict of interest, whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests, and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today’s business. Any member who declares an actual conflict of interest must not vote on that agenda item. All actual, potential, and perceived conflicts of interest will be announced to the board by members or staff before any vote.”

REPORTS

Chair & Administrative Advisory Committee – Chair Gerald Van Amburg reported the Administrative Advisory Committee met on November 17 and reviewed a draft of the Diversity, Equity, and Inclusion Plan for BWSR.

Jill Crafton asked if the board would receive the report. Chair Van Amburg stated the report will be going to the board. John Jaschke stated there will be a presentation at the January board.

Chair Van Amburg stated the Environmental Quality Board met and a resolution was approved to support the Chair of EQB in replacing the July 2013 Environmental Assessment Worksheet Form with the December 2022 Environmental Assessment Worksheet Form. It will now include new questions that prompt consideration of greenhouse gas quantification along with climate adaptation and resiliency information.

Jill Crafton asked who they could engage with to learn more about this. Chair Van Amburg stated information is available on the EQB website and stated Denise Wilson could also provide additional information.

Executive Director’s Report - John Jaschke reported they spent the last few weeks attending various associations annual meetings. Awards that were presented at the meetings will be posted on the association’s websites with information.

Agencies are preparing for the Governor's budget process including climate ideas. Stated they worked with the Clean Water Council (CWC) earlier in the year and that the Clean Water Fund had a projected or required decrease. Agencies are working with the CWC to make reductions from the recommendations this summer. Stated the Outdoor Heritage Council is recommending their additional funding to be allocated across all projects that received funding.

Audit and Oversight Committee – Joe Collins reported they have not met. Next meeting is scheduled for January 12, 2023.

Dispute Resolution and Compliance Report – Rich Sve stated the committee has not met. Travis Germundson reported there are currently five appeals pending. All the appeals involve the Wetland Conservation Act (WCA). There have been two new appeals filed since the last report.

File 22-7 This is an appeal of a WCA notice of decision involving a replacement plan in Brown County. The appeal regards the approval of an after the fact replacement plan for wetland impacts associated with a road and turn around area located in a campground facility. No decision has been made on the appeal.

File 22-6 (11-16-2022) This is an appeal of a WCA Restoration Order in Wright County. The appeal regards the alleged drainage impacts to wetlands associated with the installation of new drain tile. The petition request that that the appeal be placed in abeyance to allow further investigation and submittal of an after-the-fact application. No decision has been made on the appeal. The other three appeals are still in abeyance at the request of the applicant/LGU.

Travis stated not much has changed for the overall buffer compliance. Over 400 parcels have been resolved. The annual buffer compliance reporting deadline is January 1st. In January they should have additional information on compliance and maps across the state.

Grants Program & Policy Committee – Todd Holman reported there are two action items on the agenda. There was no meeting in December, the next meeting is January 23rd.

RIM Reserve Committee – Jayne Hager Dee reported there are three action items on the agenda today.

Water Management & Strategic Planning Committee – Joe Collins reported the Water Management & Strategic Plan Committee met with the Grants Program and Policy Committee for an action item on the agenda today.

Wetland Conservation Committee – Jill Crafton reported they met and discussed where they're going with the rule making on WCA. Stated she was impressed with how transparent they're trying to make the policy.

Buffers, Soils & Drainage Committee – Mark Zabel reported the committee has not met and are planning to meet January 24th.

Drainage Work Group (DWG) – Neil Peterson and Tom Gile reported the drainage workgroup has met and are still talking about outlet adequacy. Had a conversation on the drainage registry portal concepts and are seeing what might be workable between all groups. Had a presentation at the last meeting on DNR early coordination concepts and their proposed policy language.

Neil thanked Tom Gile for his work.

AGENCY REPORTS

Minnesota Department of Agriculture – Peder Kjeseth reported they are continuing to work on their Soil Health Financial Assistance Program. Optimistic they will have it up and running in January or February 2023. Stated the deadline for the cost-share program to help upgrade irrigation systems is December 16th.

Minnesota Department of Health – Steve Robertson reported later this year or early next year the EPA is going to be releasing new draft MCLs and MCLGs for two PFAS compounds, PFOA and PFAS. The MCL is going to be an enforceable standard for a PFAS compound, while the MCLG is going to be an advisory level.

Stated they are working on a new project called the Future of Drinking Water. They'll be working with the University of Minnesota's Water Resource Center to help develop a statewide drinking water plan that incorporates input and feedback from water professionals, subject matter experts, public water system users, as well as private well users. The goal is to have a statewide drinking water plan representing the interested stakeholders by June 2024.

Mark Zabel asked if the Department of Health issues health risk limits in conjunction with the release of EPA maximum containment levels. Steve stated they are assessing it now.

Minnesota Department of Natural Resources – Katie Smith reported the DNR attended MAWD and MASWCD's annual meetings where they presented awards. The DNR Roundtable will be taking place on January 20th in Bloomington. DNR is working with BWSR on the WCA rule revision.

Stated at the October Drainage Work Group meeting DNR shared that a drainage proposal was being developed and that they plan to engage and talk with individuals and groups from the Drainage Work Group.

Joe Collins asked if the drainage proposal is just for DNR land. Katie stated it would apply to all lands.

Jill Crafton stated it sounded like there was a process in place and is glad they are open to input.

Neil Peterson stated they have good working relationships with DNR and do their best to keep everyone in the loop. Suggested to get this in front of the AMC Committees. Stated Minnesota Rural Counties Caucus would like a presentation on this and asked if DNR reps could attend northern county meetings.

LeRoy Ose stated it sounds like something we're already doing and to add something new for Northern Minnesota doesn't seem necessary.

Ron Staples asked if there is a timeline and if they are taking it to legislature this session. Katie stated they are considering taking it to the legislature this session and would like it to be a collaborative proposal.

Minnesota Extension – John Bilotta reported there is a new position open until January 15th for an Irrigation Extension Educator. The Soil Management Summit is taking place today in Waite Park. The Onsite Sewage Treatment Program's 2023 schedule of training has been launched.

They are continuing to look at ways to make their septic systems more effective. They received their second year of research funding to look at the performance of septic systems with iron enhanced sand and biochar.

John stated they hired Dan Wheeler as a new program manager for the Onsite Sewage Treatment Program.

The Stormwater Program Extension is seeking research proposals on urban stormwater ponds; proposals are due next week. Stated they appointed a new Advisory Board for 2023 through 2025 for the Storm Water Research Council.

John stated they piloted a training program for water quality education called Clean Sweep through implementation grants. It's a pilot program for training city professionals across the state on street sweeping strategies that will improve water quality.

John spoke with Jennifer Hahn, the Extension Educator in the Lower St. Croix Watershed and was impressed with the accomplishments she relayed.

Minnesota Pollution Control Agency – Katrina Kessler reported she had a meeting in Washington, DC with the Gulf of Mexico Hypoxia Task Force. She gave a presentation on the work plan that was put together to accelerate the implementation of the nutrient reduction strategy.

Commissioner Kessler stated they are working through the interagency budget development process.

Joe Collins stated this is very important work and have talked to staff about record keeping for projects for sediment reduction etc. Stated we are doing a lot and need to show what we've done.

Jill Crafton stated they are looking at their 10-year plan to figure out what they can do better.

ADVISORY COMMENTS

Association of Minnesota Counties – Brian Martinson reported they had their annual conference last week. A conservation award was presented to Dakota County for the reintroduction of bison at Spring Lake Park. Brian stated they have been engaged at the DWG meetings and is upset to hear the comments from DNR that they will be pursuing legislation this session.

Minnesota Association of Conservation District Employees – No report was provided.

Minnesota Association of Soil & Water Conservation Districts – No report was provided.

Minnesota Association of Townships – Eunice Biel reported their annual meeting normally held in October will be held in December 2023. There was a webinar in December on Culvert Installation and will have another webinar on January 12th on Traffic Best Practices and Traffic Sign Maintenance and Management. Stated scholarship applications are being accepted through June 1st. Township day at the Capitol will be February 1st and 2nd. November 22 through 2023 Minnesota Association of Township University will be free to every township for training. More information is available at www.MNtownships.org/news.

Minnesota Association of Watershed Districts – Jan Voit reported their annual conference was held December 1-3 in Alexandria. Thanked Tom Gile, Justin Hanson, and Julie Westerlund for helping with the workshops. Stated the organization will be changing their name to Minnesota Watersheds. Jan stated “acting” has been removed from her title and is now the Executive Director for Minnesota Watersheds. Jan concurs with Brian Martinson’s comments on the DNR pursuing legislation this session.

Chair Van Amburg congratulated Jan on her appointment as Executive Director. Congratulated Minnehaha Creek Watershed for the Watershed District of the Year and Bob Fossum for the Watershed District Employee of the Year and to others who received awards.

Natural Resources Conservation Service – No report was provided. John Jaschke stated Troy Daniell was at the MASWCD annual meeting and provided a summary of the Federal Inflation Reduction Act components that includes climate-related conservation acceleration.

Jill Crafton asked if she could get a copy of Troy’s summary of the presentation. John stated he could get a summary of the dollar amounts but how it will work is not yet known.

Chair Van Amburg called a recess at 10:44 a.m. and called the meeting back to order at 10:50 a.m.

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

One Watershed, One Plan Mid-Point Grants – Julie Westerlund presented One Watershed, One Plan Mid-Point Grants.

The earliest comprehensive watershed management plans have reached the mid-point of their 10-year plan life. The One Watershed-One Plan policy requires plans to include a “five-year” evaluation and to consider plan amendments at this time. BWSR learned from the One Watershed, One Plan program evaluation that partnerships were looking for guidance and financial support for this process. BWSR staff developed guidance for plan evaluations; mid-point grants are to carry out the recommendations in the “evaluation” section of that guidance and for potentially amending plans if warranted.

Mark Zabel asked if watersheds that have plans approved within seven county metro area would be able to apply for these funds? Julie stated these funds are exclusively available for groups that have Comprehensive Watershed Management Plans developed under 103B.801 so they would not apply to the plans developed only under the Metro Surface Water Management Act.

**
22-54 Moved by Jill Crafton, seconded by Neil Peterson, to approve the One Watershed, One Plan Mid-Point Grants. ***Motion passed on a roll call vote.***

CWF FY 23 competitive grant application recommendations – Annie Felix-Gerth presented CWF FY 23 competitive grant application recommendations.

The purpose of this agenda item is to allocate FY23 Clean Water Competitive Grants. On June 22, 2022 the Board adopted Board Order #22-31 which authorized staff to conduct a request for proposals from eligible local governments for Clean Water Fund projects in the following program categories: Projects and Practices, Projects and Practices Drinking Water, Soil Health and Multipurpose Drainage Management. Applications for the FY2022 Clean Water Fund Competitive Grants were accepted from June 27 through August 22, 2022. Local governments submitted 68 applications requesting \$27,018,389 in Clean Water Funds. BWSR staff conducted multiple processes to review and score applications and

involved staff from other agencies to develop the proposed recommendations for grant awards per the attached spreadsheets. On November 28, the Grants Program and Policy Committee made a recommendation to the full Board. A draft Order is attached based on that recommendation of the Grants Program and Policy Committee.

**
22-55 Moved by Jill Crafton, seconded by Ted Winter, to approve the CWF FY 23 competitive grant application recommendations. ***Motion passed on a roll call vote.***

Katie Smith responded to Brian Martinson and Jan Voit's comments on drainage policy efforts. Stated when she talked about the process moving forward and working with groups on language and collaboration, the Drainage Work Group is key, and they intend to continue conversations. Goal is to bring a bill that everyone can support, particularly the Drainage Work Group. Stated they can have more conversation on it with Brian and Jan. Neil Peterson asked that Katie include Minnesota Rural Counties Caucus along with AMC, Watershed Districts, and SWCDs.

Neil Peterson left the meeting at 11:20 a.m.

RIM Reserve Committee

Easement Alteration Request for Conservation Easement #81-04-92-01 (Hanson) – Karli Swenson presented Easement Alteration Request for Conservation Easement #81-04-92-01 (Hanson)

BWSR acquired the 47.5-acre Permanent Wetland Preserve Easement in Waseca County on November 4, 1994, and an adjacent 28.2-acre RIM Reserve Easement on the same parcel on May 5, 1997. In November of 2019, ownership of the parcel was transferred to Scott and Ashley Hanson, who are the current fee owners of the property. The Hanson's also own an additional 5-acre parcel that abuts both conservation easements.

The Hanson's are requesting to release 0.45-acres from Easement #81-04-92-01 for a building site for their future home. The 0.45-acre site sits on the edge of easement, adjacent to an existing field road for access. The proposed building site, though within the existing easement boundary, does not currently provide high quality habitat or native vegetation. The current cover is introduced grasses and legumes with poor establishment.

The landowners propose to add 1.85-acres of adjacent land to the easement, to compensate for the area released and add additional value and quality habitat to the easement. The land proposed to be added to the easement currently supports a diversity of vegetation including mature trees, existing wetland vegetation and native grasses and forbs, which buffer a wetland previously restored via the RIM program and lies adjacent to the perpetual RIM easement. The proposed added land includes hydric soils and currently supports hydrophytic vegetation. This land was cropped up to the mid-1990s.

The only alternative building site on this property would be on the same lands proposed to be added to the RIM easement. Construction of a home and septic on the presently excluded area would result in the loss of existing habitat, removal of existing trees and native vegetation, reduction of the wetland buffer zone, and make the area more vulnerable to human impacts. For this reason, the 0.45-acres proposed for release seem like a more suitable building site from a natural resource protection perspective.

The proposal would result in a 4:1 replacement ratio of added lands to released lands. The proposal meets or exceeds all requirements and conditions of BWSR's board approved Easement Alteration

Policy. Both the Waseca County SWCD and the DNR Area Wildlife Supervisor have submitted letters of support and recommend approval of the easement alteration.

The landowners have submitted the required \$500 application fee and understand that they will be responsible for additional title insurance costs and amendment recording fees, will be responsible for providing clear title, and will be responsible for restoration costs on the additional lands, if any.

Recommendation

BWSR Easement Staff recommend approval of this request. The proposal demonstrates how the State's natural resource interest will be better served as a result of the alteration. The proposal would result in a net gain of permanently protected land with existing habitat value and water quality benefits, that would alternatively be reduced or degraded.

Joe Collins stated he thought the easement alteration policy ratio was 2:1 and this a 4:1 replacement. Karli stated the 2:1 ratio would apply if the acres submitted for replacement have a crop history. Since this area is currently considered non crop land, the ratio goes up to 4:1.

**
22-56 Moved by Jayne Hager Dee, seconded by Kelly Kirkpatrick, to approve the Easement Alteration Request for Conservation Easement #81-04-92-01 (Hanson). **Motion passed on a roll call vote.**

Easement Alteration Request - RIM Easement #81-09-95-01 – Karli Swenson presented Easement Alteration Request - RIM Easement #81-09-95-01

BWSR acquired the 111.4-acre RIM Reserve Easement, adjacent to the Le Sueur River in Waseca County on October 30, 1996. The current landowners, Tom and Melissa Bauman, purchased the property in 2015.

The landowners are requesting to release 2.6 acres from the 111.4-acre easement, for the purposes of storing firewood, cooking maple sap, storing other equipment and occasionally parking vehicles. The landowner does not intend to build any structures or remove existing trees within the release area. The area requested for removal did not have crop history prior to enrollment in the RIM Easement.

The landowner has offered to add 5.2 acres to the RIM easement as replacement, which fulfills the required 2:1 replacement ratio of the Easement Alteration Policy. The replacement areas are immediately adjacent to the Le Sueur River and would add all remaining land within the parcel into the easement. The replacement areas also abut neighboring RIM easements and would fill in existing gaps between the neighboring easements and the riverbank, resulting in more contiguous protection of the wildlife habitat and water quality in the riparian area.

The landowner has demonstrated that the State's natural resource interest would be benefitted by this easement alteration. Both the Waseca SWCD and the MN DNR Area Wildlife Supervisor have submitted letters in support of this easement alteration request.

Recommendation

Staff recommend approval of this request. The request meets all conditions of BWSR's Easement Alteration Policy, and the intended use of the release area would have minimal impacts to the environment. The lands proposed for replacement have habitat and water quality benefits that exceed those of the release area and would be valuable additions to the easement.

**
22-57 Moved by Jayne Hager Dee, seconded by Kurt Beckstrom, to approve the Easement Alteration Request - RIM Easement #81-09-95-01. **Motion passed on a roll call vote.**

Resolution Authorizing the Reinvest in Minnesota (RIM) Reserve – One Watershed, One Plan Implementation – Bill Penning presented Resolution Authorizing the Reinvest in Minnesota (RIM) Reserve – One Watershed, One Plan Implementation.

ML 2022, Ch. 77, Art. 1, Sec. 2, subd. 5(b) designated funds “to acquire permanent conservation easements and restore and enhance wildlife habitat identified in One Watershed, One Plan for stacked benefit to wildlife and clean water.” This program will utilize RIM easements to protect priority parcels identified in watershed plans developed through BWSR's One Watershed, One Plan program, in which local governments strategically set priorities for clean water and habitat, target implementation, and set measurable goals. BWSR currently distributes CWF dollars to partnerships with approved plans for water quality projects. This program will provide additional value by using Outdoor Heritage Funds to implement habitat protection as identified in Comprehensive Local Watershed Management Plans. This resolution authorizes staff to utilize these funds and future funds provided to the agency for similar purposes to develop and implement this program.

Peder Kjeseth left the meeting at 11:35 a.m.

Jill Crafton asked if landowners would come to BWSR with an easement that they want to enroll. Bill stated it would need to go through the standard process where they would work with SWCDs. Stated they are asking technical work groups to provide input.

Chair Van Amburg asked how this is being promoted with SWCDs. Bill stated they’ve had some preliminary discussions with SWCDs. They will do a training and a program rollout in January or February. Stated they will advertise it to all districts, this will be a statewide program and any place that has an approved Comprehensive Watershed Management Plan will be eligible to apply. They’ll notify all the districts that this program is coming and provide them with training.

Ron Staples asked if this resolution does not change the RIM payment rates. Bill stated that was correct.

**
22-58 Moved by Jayne Hager Dee, seconded by LeRoy Ose, to approve the Resolution Authorizing the Reinvest in Minnesota (RIM) Reserve – One Watershed, One Plan Implementation. ***Motion passed on a roll call vote.***

UPCOMING MEETINGS

- Northern Region Committee is scheduled for 11:00 a.m., January 4, 2023, in Detroit Lakes.
- Central Region Committee is scheduled for 2:30 p.m. on January 5, 2023, in St. Paul.
- Audit and Oversight Committee is scheduled for 9:30 a.m. on January 12, 2023, in St. Paul and virtual.
- Administrative Advisory Committee is scheduled for 9:00 a.m. on January 24, 2022, in St. Paul and virtual.
- BWSR meeting is scheduled for 9:00 a.m., January 25, 2023, in St. Paul and virtual.

Chair VanAmburg adjourned the meeting at 11:52 AM

Respectfully submitted,

Gerald Van Amburg, Chair

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution/Compliance Report

Meeting Date: January 25, 2023

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Wetland Conservation Act Appeals/Buffer Compliance

Section/Region: Central

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)

Presented by: Rich Sve DRC Chair/Travis Germundson

Time requested: 5 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- None
- Amended Policy Requested
- New Policy Requested
- Other:
- General Fund Budget
- Capital Budget
- Outdoor Heritage Fund Budget
- Clean Water Fund Budget

ACTION REQUESTED

None

LINKS TO ADDITIONAL INFORMATION

See attached report.

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

The report provides a monthly update on the number of appeals filed with the Board of Water and Soil Resources and summary on buffer compliance/enforcement actions statewide.

Dispute Resolution and Compliance Report

January 10, 2023

By: Travis Germundson

There are presently **Seven** appeals pending. All the appeals involve the Wetland Conservation Act (WCA). There have been **two** new appeals filed since last report.

Format note: New appeals that have been filed since last report to the Board.
~~Appeals that have been decided since last report to the Board.~~

File 22-9 (12-27-2022) This is an appeal of a WCA Restoration Order in Otter Tail County. The appeal regards the placement of 34,125 sq. ft. of fill in a wetland. It involves the same landowner and wetland as Appeal File 22-8. The petition request that that the appeal be placed in abeyance for a decision on an after-the-fact application for exemption and no-loss. No decision has been made on the appeal.

File 22-8 (12-14-2022) This is an appeal of a WCA Restoration Order in Otter Tail County. The appeal regards the placement of 27,770 sq. ft. of fill in a wetland. The petition request that that the appeal be placed in abeyance for the submittal/decision of an after-the-fact application for exemption and no-loss. No decision has been made on the appeal.

File 22-7 (12-6-2022) This is an appeal of a WCA notice of decision involving a replacement plan in Brown County. The appeal regards the approval of an after-the-fact replacement plan for wetland impacts associated with a road and turnaround areas located in a campground facility. *The appeal has been remanded back to the Brown County to develop an adequate record that considers the written Technical Evaluation Panel Report.*

File 22-6 (11-16-2022) This is an appeal of a WCA Restoration Order in Wright County. The appeal regards the alleged drainage impacts to wetlands associated with the installation of new drain tile. The petition request that that the appeal be placed in abeyance to allow further investigation and submittal of an after-the-fact application. *The appeal has been placed in abeyance and the Restoration Order stayed for the submittal of a complete application.*

File 21-9 (12-17-2021) This is an appeal of a WCA notice of decision involving a no-loss determination in Pope County. The appeal regards the approval of a 36' inlet structure/tile to reduce inundation and saturated soil on agricultural fields. At issue is the elevation that was approved (to high). The petition request that the appeal be placed in abeyance until technical data can be gathered. Note, this involves the same notice of decision being appealed under File 21-07. *The appeal has been combined with file 21-7 and placed in abeyance to allow the Technical Evaluation Panel to develop written finding of fact following the submission of additional technical analyses. The appeal has been remanded back to the local unit of government for expanded technical review and a new decision because of the submission of additional technical analyses. The 60-day deadline for remand proceedings has been extended.*

File 21-8 (12-17-21) This is an appeal of a WCA Restoration Order in Rock County. The appeal regards the alleged placement of tile lines through wetlands and DNR Public Waters. The petition request that the appeal be placed in abeyance for the submittal of an after-the-fact wetland application. *The appeal was placed in abeyance and the Restoration Order stayed for further investigation and submittal of an after-the-fact wetland application. An after-the-fact application for a no-loss was approved, which allows for the installation of non-perforated tile. The restoration/placement of this tile has yet to occur do to do DNR Public Waters permitting/approval.*

File 21-7 (12-14-2021) This is an appeal of a WCA notice of decision involving a no-loss determination in Pope County. The appeal regards approval of a 36" inlet structure/tile that allegedly rout water around U.S. Fish and Wildlife Service property and impact wetlands. At issue is the elevation that was approved (to low). *The appeal has been combined with file 21-9 and placed in abeyance to allow the Technical Evaluation Panel to develop written finding of fact following the submission of additional technical analyses. The appeal has been remanded back to the local unit of government for expanded technical review and a new decision because of the submission of additional technical analyses. The 60-day deadline for remand proceedings has been extended.*

Summary Table for Appeals

Type of Decision	Total for Calendar Year 2022	Total for Calendar Year 2023
Order in favor of appellant		
Order not in favor of appellant	3	
Order Modified	1	
Order Remanded	2	
Order Place Appeal in Abeyance	3	
Negotiated Settlement		
Withdrawn/Dismissed	1	

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 96 parcels from the 12 counties BWSR is responsible for enforcement. Currently there are no active Corrective Action Notices (CANs) and 3 Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 93 of those have been resolved.

*Statewide 35 counties are fully compliant, and 48 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 526 CANs and 69 APOs actively in place. Of the actions being tracked over 2,347 of those have been resolved.

**Disclaimer: These numbers are generated monthly from BWSR's Access database. The information is obtained through notifications from LGUs on actions taken to bring about compliance and may not reflect the current status of compliance numbers.*

COMMITTEE RECOMMENDATIONS

Administrative Advisory Committee

1. BWSR Diversity, Equity and Inclusion Plan – Jenny Gieseke and Janina Aristy – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:	BWSR Diversity, Equity and Inclusion Plan		
Meeting Date:	<u>January 25, 2023</u>		
Agenda Category:	<input checked="" type="checkbox"/> Committee Recommendation	<input type="checkbox"/> New Business	<input type="checkbox"/> Old Business
Item Type:	<input checked="" type="checkbox"/> Decision	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information <input type="checkbox"/> Non-Public Data
Keywords for Electronic Searchability:	<u>Diversity, Equity, Inclusion, Plan, Culture</u>		
Section/Region:	<u>Organizational Effectiveness</u>		
Contact:	<u>Jenny Gieseke</u>		
Prepared by:	<u>Jenny Gieseke</u>		
Reviewed by:	<u>Administrative Advisory</u>	<u>Committee(s)</u>	
Presented by:	<u>Jenny Gieseke & Janina Aristy</u>		
Time requested:	<u>30-40 minutes</u>		

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Seeking approval of the Diversity, Equity and Inclusion plan for BWSR

LINKS TO ADDITIONAL INFORMATION

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

BWSR is committed to diversity, equity and inclusion (DEI) and is working internally to improve DEI policies and practices across the organization. To effectively infuse DEI values and practices into our work, ongoing efforts must be intentional and strategic. The BWSR DEI Plan identifies five strategic priority areas for BWSR to focus over the next three years. The associated Learning and Development Framework outlines the learning approaches required to build capacity to execute BWSR’s DEI strategy and plan. S&E Consultants facilitated discussions and obtained feedback from BWSR staff, the Administrative Advisory Committee, and BWSR’s partners in developing the plan. The Administrative Advisory Committee has recommended approval of the DEI Plan.

Board Resolution # 23- _____

BWSR Diversity, Equity and Inclusion Plan

WHEREAS, the Board of Water and Soil Resources recognizes the importance of diversity, equity and inclusion (DEI) and is committed to being intentional and strategic in our efforts to infuse DEI values and practices into the agency’s work; and

WHEREAS, the Board of Water and Soil Resources issued a solicitation for the development of an agency-wide Diversity, Equity and Inclusion Plan on Oct 8, 2021; and

WHEREAS, the Board of Water and Soil Resources entered into a contract with Strategy & Effectiveness for these services on December 16, 2021; and

WHEREAS, the Administrative Advisory Committee, BWSR staff members and key partners provided input through surveys and meetings during the period of February 1, 2022 through December 31, 2022; and

WHEREAS, on January 24, 2023 the Administrative Advisory Committee reviewed a final draft of the BWSR Diversity, Equity and Inclusion Plan, and recommended Board adoption.

BE IT FURTHER RESOLVED THAT, the Board of Water and Soil Resources hereby adopts the attached Diversity, Equity and Inclusion Plan 2023-2025 and directs staff to begin implementing the actions included within.

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

Attachments: BWSR DEI Plan 2023-2025



BWSR Diversity, Equity and Inclusion Plan

2023-2025

Contents

- Letter from BWSR Executive Leadership 1**
- Introduction 2**
 - About BWSR 2
 - State of Minnesota Diversity, Equity and Inclusion background 2
 - BWSR’s Commitment to Diversity, Equity and Inclusion..... 3
 - DEI Strategic Planning and Development Process..... 4
 - BWSR’s Internal DEI Workgroup..... 4
 - Situational Analysis 4
 - Internal Baseline (Current State) 4
 - Focus Groups..... 5
 - Plan Development..... 5
- BWSR DEI Plan 6**
 - Definitions 6
 - Values 6
 - Value Drivers 7
 - Strategic Themes..... 7
 - Strategic Priority Areas for DEI Implementation at BWSR 7
 - Priority Area 1: Culture 8**
 - Priority Area 2: Implementation Support..... 8**
 - Priority Area 3: Learning and Development 8**
 - Priority Area 4: Partnerships..... 8**
 - Priority Area 5: Programs, Policies and Practices..... 8**
- BWSR DEI Plan: Strategic Priorities, Goals and Actions 8**
 - Priority Area 1: Culture 8
 - Priority Area 2: Implementation Support 9
 - Priority Area 3: Learning and Development 10
 - Priority Area 4: Partnerships..... 11
 - Priority Area 5: Programs, Policies and Practices 12

Letter from BWSR Executive Leadership

Staff and partners,

Working together to build an organizational culture that values inclusivity and diversity is key to our work at the Minnesota Board of Water and Soil Resources (BWSR). We believe BWSR should be a place where everyone feels welcome and has access to equitable opportunities, whether they are internal employees or external partners.

This belief served as a catalyst for the development of our agency's first Diversity, Equity and Inclusion (DEI) Plan. Starting in 2021, we accelerated our efforts to improve DEI policies and practices by contracting with Strategy & Effectiveness (S&E) to conduct an agency-wide assessment using the Intercultural Development Inventory (IDI). The goal of this assessment was to understand BWSR's baseline intercultural competence capacities. The findings of the IDI assessment served as a jumping off point to pursue an agency Diversity, Equity, and Inclusion Plan (DEI Plan).

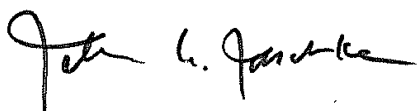
In early 2022, an RFP process selected S&E as the consultant responsible for assisting BWSR in writing its DEI Plan. An internal BWSR workgroup with representatives from our organization's three divisions formed to work collaboratively with S&E to guide the assessment and development of BWSR's DEI strategic planning process. Workgroup members participated in all aspects of the planning process, including collecting feedback from staff and internal partners to inform the plan, gathering baseline information to understand BWSR's DEI needs, analyzing this information to integrate findings into the plan, organizing the plan, and reviewing and editing the plan.

The plan serves several purposes. First, it guides our agency in implementing DEI strategies and values on an organization-wide level. This includes learning, development, ongoing training and other approaches to further integrate DEI into BWSR's work. The plan also outlines steps for launching a DEI Work Group at BWSR to oversee and implement DEI strategies in the long-term.

Our DEI work will require intentional, thoughtful actions by our staff and partners to be successful. This plan acts as a living document that assists BWSR in achieving its DEI goals. I look forward to engaging in this meaningful work with you as we strive to make BWSR a more diverse and inclusive environment for employment and partnerships.

Sincerely,

John Jaschke, BWSR Executive Director

A handwritten signature in black ink, appearing to read "John L. Jaschke". The signature is written in a cursive style with a large initial "J".

Introduction

About BWSR

The Minnesota Board of Water and Soil Resources' (BWSR) mission is to improve and protect Minnesota's water and soil resources by working in partnership with local organizations and private landowners. BWSR was created in 1987, when the Legislature combined the Soil and Water Conservation Board with two other organizations with local government and natural resource ties: the Water Resources Board (established in 1955) and the Southern Minnesota Rivers Basin Council (established in 1971).

A staff of approximately 130 people working in nine locations across Minnesota carry out core agency functions including implementing the state's soil and water conservation policy, overseeing comprehensive local water management, and implementing the Wetland Conservation Act as it relates to the 41.7 million acres of private land in Minnesota.

BWSR policies, programs and initiatives are guided by a 20-member Board. Members can be citizens, state agency staff, or local government representatives that deliver BWSR programs. The Board is the state's administrative agency for 90 soil and water conservation districts, 46 watershed districts, 23 metropolitan watershed management organizations, and 80 county water managers. The Board sets a policy agenda designed to enhance conservation delivery through local government partners. Board members, including the board chair, are appointed by the governor to staggered four-year terms.

Because 78 percent of the state's land is held in private ownership, BWSR's focus on private lands is critical to attaining the state's goals for clean water, clean air, and abundant fish and wildlife. These working lands — Minnesota's farms, forests, and urban areas — contribute greatly to the production of environmental goods and benefits including cleaner air and water, fish and wildlife habitat, and preservation of open spaces.

Agency programs to assist landowners and local governments have resulted in less sediment and nutrients entering our lakes, rivers, and streams; enhanced habitat; and the drastic slowing of wetland losses. These outcomes have been realized despite intensification of agriculture, greater demands for forest products, and rapid urbanization in many parts of the state.

State of Minnesota Diversity, Equity and Inclusion background

The state of Minnesota has been increasingly focused on DEI efforts over the past several decades.

In 1991, Governor Arne Carlson recognized the importance and responsibility of the state enterprise to have a workforce reflective of the diversity of Minnesota and through Executive Order 91-14, created an Affirmative Action Council to develop and implement a program for equal employment opportunity.

In 2003, Governor Tim Pawlenty required state agencies and employees to recognize the unique legal relationship and accord tribal governments the same respect accorded to other governments and required consideration of tribal interests when a state agency assumed administration of federal programs (Executive Order 03-05). Gov. Dayton also affirmed the government-to-government relationship between the State of Minnesota and Minnesota Tribal Nations, and in 2013 required all executive branch state agencies to recognize the unique relationship and all cabinet-level executive

branch agencies to consult with tribes and designate a trained staff person to serve as the principal point of contact for tribal nations (Executive Order 13-10).

Diversity and inclusion were core values of Gov. Dayton's administration. Through Executive Order 14-14, Dayton increased affirmative action employment goals, required training programs and improved strategies to improve the recruitment, hiring, and promotion of people with disabilities. The Dayton administration also established the state's Diversity and Inclusion Council, which continued that affirmative action and equal opportunity employment work (Executive Order 15-02) and in 2016 expanded agency membership to the Council (Executive Order 16-01).

Governor Tim Walz recognized that disparities based on race, geography, and economic status impact Minnesotans' ability to be successful and on his second day in office established the One Minnesota Council (Executive Order 16-01) — an interagency partnership charged with ensuring everyone in Minnesota has opportunity to thrive. Through Executive Order 19-24, Gov. Walz expanded the number of agencies required to develop policies and consult with Minnesota Tribal Nations and directed specific agency staff to complete the states' Tribal State Relations Training. In 2021, government-to-government relationships with Tribal Governments became law (Minnesota Statutes 10.65), which defines specific consultation responsibilities and training requirements for state agencies and agency staff, including BWSR.

Following the approval of Executive Order 16-01, state agencies increased efforts to advance equity. An enterprise Chief Inclusion Officer was appointed, and an enterprise Office of Inclusion established, housed within Minnesota Management & Budget (MMB). Cabinet-level agencies began to develop equity change plans. For fiscal year 2018, the Office of Grants Management revised grant management policies (Policy Numbers 08-02, 08-03, and 08-04) with diversity and inclusion standards in grant-making. An enterprise Office of Accessibility was established within MNIT.

The pace of recent efforts may have been impacted because of the pandemic, however, the murder of George Floyd in Minneapolis in 2020, the resulting civil unrest in Minneapolis, and those that occurred across the country (and in other nations) brought to the forefront the importance of addressing racial bias and inequities, creating a shared vision, and identifying targeted efforts to improve internal capacity for DEI work.

BWSR's Commitment to Diversity, Equity and Inclusion

BWSR is committed to diversity, equity and inclusion (DEI) and is working internally to improve DEI policies and practices across the organization. In 2019, BWSR implemented a comprehensive Affirmative Action Plan that includes policies and procedures against sexual harassment and provides for reasonable accommodations, outlines a job category analysis, and identifies areas for further monitoring, among other items. The agency established various partnerships that strive to increase the diversity of its candidate pools, given the lack of diverse staffing representation across BWSR regions. BWSR has engaged in DEI activities to support staff development through introductory trainings and the administration of the Intercultural Developmental Inventory. DEI training is also offered at BWSR Academy. These efforts are making important contributions to hiring practices, inclusion and the promotion of a baseline understanding of DEI. However, to effectively infuse DEI values and practices into our work, ongoing efforts must be intentional and strategic.

In Spring 2021, BWSR contracted with Strategy & Effectiveness (S&E) to conduct an agency-wide assessment using the Intercultural Development Inventory (IDI). The goal of this assessment was to understand BWSR's baseline intercultural competence capacities. The findings of this assessment — along with themes identified during interactions with staff and senior leadership — informed the planning process' next steps.

DEI Strategic Planning and Development Process

BWSR engaged in a second RFP in 2022 to secure an external consultant to develop the organization's DEI Plan, ultimately engaging S&E to expand IDI work from 2021. The goal of this DEI strategic planning process was to identify strategies to build both staffing and organizational capacity to work effectively across cultures.

BWSR's Internal DEI Workgroup

BWSR established an internal DEI Workgroup early in the process (in January 2022) to work collaboratively with the consultant firm and guide the assessment and development of BWSR's DEI strategic planning process. The workgroup consisted of staff members representing the organization's three divisions. Workgroup members participated in all aspects of the planning process, including:

- Engaging in facilitated discussions to identify DEI context within the organization
- Gathering baseline information to understand current DEI needs
- Collecting feedback from staff and external partners to inform the development of a strategy and the planning process
- Analyzing all information and integrating findings into the DEI plan
- Organizing the plan

The DEI workgroup engaged in an interactive, continuous learning process to inform DEI plan development. Workgroup members participated in four consultant-facilitated conversations, engaged in ongoing workgroup meetings to inform the evolution of the strategy and plan. In addition, the DEI Workgroup assisted in editing and organizing the plan in partnership with S&E.

Situational Analysis

S&E consultants conducted a situational analysis to understand BWSR's context and expand the understanding of the IDI organizational baseline and readiness for DEI implementation. This analysis included the assessment of the current state, identification of internal baseline capacity, along with internal and external focus groups findings. Together, these informed DEI strategy and plan.

Internal Baseline (Current State)

To begin the situational analysis and better understand the current state of DEI work at BWSR, S&E consultants reviewed BWSR's current strategic plan (2017-2022) to identify opportunities for DEI implementation and align DEI strategies with overarching organizational goals. Additionally, BWSR administered an organization-wide survey to gather input from internal stakeholders on current DEI

strategies at BWSR and identified priority DEI approaches to inform strategy and integrate into the organizational DEI plan.

Focus Groups

S&E conducted focus groups with BWSR staff (including employees from all three BWSR Divisions, the Senior Management Team and the Administrative Advisory Committee of the Board) and with external partners (local government units, non-profits and state agencies) to provide BWSR with specific contextual and nuanced feedback. The focus groups expanded on topics identified in the survey. All focus group input (verbal, anonymous and written) was collected and analyzed to inform common themes across the groups.

Plan Development

BWSR's DEI plan development process builds on the agency-wide assessment findings using the Intercultural Development Inventory (IDI) conducted in Spring 2021 and learnings from the situational analysis. BWSR's DEI plan aligns with the State of Minnesota's vision for inclusion and equity for state agencies (One Minnesota). Priority areas and actions reflect the state's four goals: designing for equity, intercultural competence, disaggregating data and leadership development.

IDI assessment findings, the organization's development stage along the intercultural development continuum, and the situational assessment results provide the foundation for the development of BWSR's DEI plan. This in-depth and participatory process at all organization levels aligns strategic priorities and actions with the organizational readiness level. Planned updates to BWSR's overarching Strategic Plan will provide opportunities to further align the business strategy of the organization with the DEI Plan.

DEI Workgroup members played a significant role in developing the DEI planning process. For example, the DEI Workgroup engaged in a series of facilitated dialogues and completed a small workbook with exercises to define diversity, equity and inclusion (DEI), explore their perspectives on BWSR's DEI culture and current state. The aggregate workgroup findings were used to develop the goals and areas of inquiry for the organizational survey. The survey findings led to targeted focus group questions for both internal and external focus groups. For example, in the internal BWSR focus groups, participants were presented with the survey findings and asked to reflect on them, including: BWSR's organizational values for DEI, relevance of the 2017 Strategic Impact Areas on the development of a DEI plan, identifying who is currently served by BWSR and who is not currently served, identifying the value of DEI at BWSR and prioritizing DEI areas for implementation. Data from internal BWSR focus groups were analyzed for patterns and organized into DEI strategic actions and goals.

BWSR DEI Plan

Definitions

The DEI definitions used in this DEI Plan have been adopted from the definitions used by the State of Minnesota's Office of Inclusion.

- **Diversity** is all the ways that people are different and the same at the individual and group levels. Diversity is expressed in many dimensions, including but not limited to race and ethnicity, gender and gender identity, sexual orientation, socioeconomic status, language, culture, national origin, religious beliefs, identity, age, invisible or visible disability status, political perspective, and other dimensions.
- **Equity** is ensuring everyone has what they need to be successful. It requires commitment to strategic priorities, resources, respect, and consideration, as well as ongoing action and assessment of progress toward achieving goals.
- **Accessibility** means everyone along the continuum of human ability and experience has access to the same tools and content.
- **Inclusion** is the intentional, ongoing effort to ensure that diverse individuals fully participate in all aspects of organizational work, including decision making processes.
- **Diverse Populations** include racial and ethnic communities, including American Indians, LGBTQI communities, disability status, veterans, geographic diversity within and across Minnesota, including Greater Minnesota, urban/metro.

S&E consultants also engaged workgroup members in a facilitated dialogue about value drivers in conservation and their impact on BWSR's work. The goal of this discussion was to promote an understanding of the relationship between perceptions and human interactions with the natural environment and begin to explore their impact on the effectiveness of BWSR's conservation efforts in Minnesota. The concept of cultural values in conservation was introduced as a key concept to understanding this relationship, and how distinct cultural groups value nature differently. These underpinning cultural values impact BWSR's DEI strategy and plan implementation, along with the effectiveness of conservation and climate change efforts. The following common understanding of cultural values in conservation was adopted:

Cultural Values in Conservation refers to the ways in which the norms and values of different cultural groups shape their relationship to the natural resources (air, water, soil, minerals, plants and animals) and their approaches to the protection, conservation and management of natural resources. Understanding and integrating cultural values in conservation practices contributes to the promotion of equity (including reinforcing cultural practices) and sustainability. A lack of understanding of this relationship hinders the effectiveness of conservation efforts and can have negative consequences on the norms, values and behaviors of different cultural groups.

Values

Values underpinning diversity, equity and inclusion were identified early in the process by workgroup members through facilitated conversations. A review of BWSR's current core values was conducted, and

staff, SMT and AAC Board members identified the top five values needed to be central to BWSR's work. These values are:

- Collaboration
- Partnerships
- Respect (people, communities and organizations)
- Accountability
- Innovation

Value Drivers

In addition to the organizational values outlined above, the value drivers necessary to support the development of DEI were identified through the survey. Staff, SMT and the AAC of the Board identified the following value drivers as important to DEI work at BWSR.

- Understanding cultural values in conservation
- Nature is diverse and so are people
- Committed leadership
- New ways of working together that result in greater impact

Strategic Themes

Multiple data sources and levels of analysis informed the identification of strategic themes and priorities. The organizational survey identified implementation priorities for BWSR to begin its DEI work. Further information from the analysis of focus group findings contributed to the identification of strategic themes. The themes included:

- Shared understanding of vision-mission and stakeholders for DEI implementation
- Promoting a culture of engagement and inclusion
- Creating DEI structures to execute the DEI Plan
- Expanding programs and policies
- Working with existing and new partners to reach DEI focused conservation goals
- Providing learning and development opportunities to build internal staffing and leadership capacity
- Enhancing talent practices
- Communicating internally and externally about the DEI Plan
- Using data to inform efforts, foster transparency and accountability

These strategic themes reflect the aggregate internal and external stakeholder recommendations and inform the priority areas, goals and actions.

Strategic Priority Areas for DEI Implementation at BWSR

S&E and workgroup members engaged in a review and refinement of priority areas, goals and actions. Five priority areas were identified:

Priority Area 1: Culture

Outcome: The culture at BWSR supports DEI values, promotes open communication, safety, continuous improvement and transparency.

Priority Area 2: Implementation Support

Outcome: Dedicated positions, committees and workgroups (DEI structures) work together to provide coordination, guidance, leadership and collaboration to execute the DEI strategy and plan.

Priority Area 3: Learning and Development

Outcome: Sustained organizational growth, DEI integration and dedicated learning and development results in an environment committed to the exchange of ideas and continuous learning.

Priority Area 4: Partnerships

Outcome: New partnerships and support to existing partners expand BWSR's work with diverse populations (Ex., LGU's, landowners, local partners, NGO's, Tribal governments, BIPOC communities, renters, non-traditional farmers, other underrepresented groups).

Priority Area 5: Programs, Policies and Practices

Outcome: BWSR's programs, policies, and practices provide equitable resources and opportunities in consideration of state DEI policies.

BWSR DEI Plan: Strategic Priorities, Goals and Actions

Priority Area 1: Culture

Outcome: The culture at BWSR supports DEI values, promotes open communication, safety, continuous improvement and transparency.

1. Culture of Engagement:

Establish a culture at BWSR that supports a sense of belonging, an appreciation of differences and provides opportunities for idea exchange and dialogue about DEI in a safe environment.

- 1.1. Incorporate culture change strategies and processes (change management) to promote a culture where DEI can thrive
- 1.2. Host four facilitated discussions or other sessions annually to provide opportunities for mutual learning, bridge differences and identify areas of discord and consensus regarding BWSR's DEI culture (ex., listening sessions, Café Style discussions, division and regional meetings, annual retreat)
- 1.3. Identify and implement methods and processes that encourage respectful sharing of different perspectives through dialogue and discussion with peers, supervisors and leadership
- 1.4. Embed DEI topics in ongoing meetings at all levels of the organization (Board, SMT, Teams, Staff) and provide organizational clarity on goals
- 1.5. Offer facilitated DEI strength-based conversations within and across divisions to provide opportunities for engagement, and for mutual learning

- 1.6. Provide opportunities for staff feedback on DEI Plan implementation and demonstrate appreciation by identifying collective solutions (surveys, interviews, meetings, anonymous feedback, satisfaction reviews)
- 1.7. Create and build consensus on a position statement regarding the importance of DEI within the context of BWSR's culture and work

2. Monitoring, continuous improvement and transparency:

Develop a culture of DEI accountability, transparency and continuous improvement at BWSR.

- 2.1 Assess organizational progress in implementing the DEI plan against intended outcomes at the mid-point of the plan, and at the end
- 2.2. Share DEI progress reports with staff, partners, and Board members through webpages, newsletters, dashboards, and regular communications
- 2.3. Evaluate the effectiveness of DEI activities and establish a feedback loop with organizational goals and organizational learning (document, discuss and disseminate)
- 2.4 Incorporate monitoring and evaluation findings into future DEI activities
- 2.5 Revise DEI definitions, goals and objectives in strategic plan updates as appropriate

3. Communication: Use a variety of communication tools to increase understanding internally and externally about the added value of DEI in conservation and its importance at BWSR.

- 3.1 Engage external partners in focused conversations on DEI topics of interest (ex. focus groups, listening sessions, facilitated conversations) and identify priority areas for future implementation
- 3.2 Use social media and our website to highlight success stories, cultural approaches to conservation, and innovative programs and services
- 3.3 Address DEI as a standing topic in communications
- 3.4 Share BWSR's DEI Plan with partners via BWSR's website and through direct communication methods such as presentations
- 3.5 Develop a communications strategy for reaching a more diverse audience including increased accessibility and translation to other languages

Priority Area 2: Implementation Support

Outcome: Dedicated positions, committees, and workgroups (DEI structures) work together to provide coordination, guidance, leadership and collaboration to execute the DEI plan.

1. Senior Management Team:

Provide strategic guidance, oversight, and support for DEI implementation.

- 1.1. Communicate the goals and objectives of the DEI plan internally at meetings with staff and the Board, in one-on-one conversations, and other opportunities as appropriate

- 1.2. Identify staff/positions to become certified to lead the application of the Intercultural Development Continuum (IDC) model and Intercultural Development Inventory (IDI) assessments
- 1.3. Establish a DEI Work Group with representation from across sections and areas of the state
- 1.4. Create new positions or add responsibilities to existing positions (including designation of a DEI Coordinator/Tribal Liaison) to lead and support the implementation of the DEI plan
- 1.5. Update the DEI plan as needed to adapt to BWSR's needs, and the needs of our clients, partners and collaborators
- 1.6. Provide strategic guidance, oversight and support for DEI values at all levels of the organization
- 1.7. Promote the awareness and understanding of DEI within the context of BWSR's mission and work through dialogue with staff and Board members

2. **DEI Work Group:**

Provide leadership, monitor and evaluate DEI Plan implementation.

- 2.1. Act as "Champions" of the DEI Plan by communicating about progress, gathering ideas from peers and other sources, and implementing activities
- 2.2. Solicit ideas and coordinate facilitated discussions and events for BWSR staff and leadership
- 2.3. Evaluate the effectiveness of the DEI Plan at mid-point and end of implementation, share results, and use findings to update the plan

3. **BWSR Board:**

Review and adopt DEI policies, to support DEI Plan implementation at BWSR

- 3.1. Integrate DEI considerations to existing Board Committees
- 3.2. Review and approve policy decisions related to DEI
- 3.3. Adopt the DEI plan and review progress on DEI Plan implementation

Priority Area 3: Learning and Development

Outcome: Sustained organizational growth, DEI integration and dedicated learning and development results in an environment committed to the exchange of ideas and continuous learning.

1. **Intercultural Development:**

Engage in agency-wide adoption of the intercultural development continuum as the framework for understanding differences and similarities and supporting intercultural growth at all levels of the organization.

- 1.1. Establish annual continuing education requirements for intercultural development for staff, managers and leadership.
- 1.2. Support individual intercultural development by providing opportunities for self-paced learning, one-on-one coaching and group facilitated conversations & learning

- 1.3. Offer Intercultural Development Inventory (IDI) assessments of the existing Board members and new members and deliver individual coaching
- 1.4. Offer new staff access to IDI assessment and coaching, and DEI training as part of the onboarding process
- 1.5. Conduct pre and post-coaching session evaluations to identify level of knowledge gained and attainment of session goals

2. **Organizational Learning:**

Encourage the exchange of ideas, promote learning, and use feedback to foster agency growth.

- 2.1. Review and obtain feedback from staff about DEI trainings, facilitated discussions and events, share findings with staff, and integrate lessons learned into future offerings
- 2.2. Enhance the existing DEI learning hub via BERT where information, innovative strategies and lessons learned can be documented and shared
- 2.3. Create and provide expectations and incentives for learning, sharing insights and lessons learned
- 2.4. Conduct ongoing evaluations after training events to measure effectiveness of trainings and compare across learning formats (for example, on demand, in person, remote live, small versus large groups)

3. **Development of Staff, Managers and Executive Leaders:** Increase staff and leadership capacity by offering and promoting learning and development strategies across the organization.

- 3.1. Implement the DEI Training plan (learning and development curriculum)
- 3.2. Establish ongoing continuing education expectations for employees and board members
- 3.3. Semi-annual DEI training events and activities are offered to Staff
- 3.4 SMT and Board members receive training and updates on BWSR's Affirmative Action plan annually
- 3.5 All leaders (Executive Team, Managers and Supervisors), and other staff as needed participate in the Tribal State Relations Training (TSRT)

Priority Area 4: Partnerships

Outcome: New partnerships and support to existing partners expand BWSR's work with diverse populations (Ex., LGU's, landowners, local partners, NGO's, Tribal governments, BIPOC communities, renters, non-traditional farmers, other underrepresented groups).

1. **Local Government Partners:** Support LGU partners in expanding their DEI efforts.

- 1.1. Support the development and implementation of DEI Activities by our local government clients and partners
- 1.2. Support LGUs to engage non-traditional partners/collaborators

- 1.3. Encourage partnerships between local level (LGUs) and tribal governments
- 1.4. Expand the DEI training component of the BWSR Academy and include DEI values in conservation

2. Interagency Collaborations: Explore partnerships and collaborations with other state agencies and initiatives.

- 2.1. Identify opportunities to partner with other state agencies such as the DNR, MDA, MDH, MPCA (pilot programs, outreach, education)
- 2.2. Strengthen and continue working on existing partnerships such as the Increasing Diversity in Environmental Careers (IDEC) program
- 2.3. Work with Minnesota’s Climate Action Framework and maximize opportunities for community engagement
- 2.4. Explore leadership participation in the interagency One Minnesota Council on Diversity, Equity and Inclusion
- 2.5. Participate in initiatives developed by the Office of Inclusion

3. New partnerships: Identify opportunities to establish new partnerships with diverse populations

- 3.1. Learn about Minnesota’s diverse populations and their conservation values to identify opportunities for future collaboration on mutual goals
- 3.2. Establish relationships with Tribal partners with the purpose of collaborating on mutual goals as consistent with BWSR’s mission and required by statute.
 - 3.2.1. Develop & implement a consultation policy
 - 3.2.2. Develop and build relationships with each tribe
 - 3.2.3. Consult with each individual tribe as often as required to address matters that have tribal implications or pertain to mutual goals

4. Resources: Commit to the allocation of resources to support outreach, engagement, education strategies, and innovative programming

- 4.1. Include budget line item for targeted activities (outreach, training about BWSR, mission, programs and innovative opportunities)
- 4.2. Secure and allocate financial resources to support local level DEI development and innovation

Priority Area 5: Programs, Policies and Practices

Outcome: BWSR’s programs, policies, and practices provide equitable resources and opportunities in consideration of state DEI policies.

1. **Research:** Prioritize research and data collection to understand the strengths and needs of programs, staff, constituents, and the values that drive conservation across groups, and respond with tailored capacity building approaches.
 - 1.1. Assess current BWSR programs to learn about DEI status (strengths and potential biases) impact, and opportunities
 - 1.2. Gather information from current conservation partners to understand their existing DEI approaches
 - 1.3. Obtain a better understanding of demographics across BWSR regions
 - 1.4. Host focus groups or other engagement opportunities with non-traditional groups (NGOs, Tribal nations, BIPOC communities, non-traditional and/or underrepresented groups) to learn more about their approaches to conservation
 - 1.5. Review allocation of funding by partners or collaborators and identify opportunities for DEI implementation

2. **Policies:** Engage in an assessment of programmatic policies and practices and their impact on DEI implementation.
 - 2.1 Evaluate BWSR programs, policies and processes to mitigate bias
 - 2.2 Develop metrics or indicators that can be used to review new and existing programs, policies and processes to eliminate or mitigate bias
 - 2.3 Review processes and procedures to ensure accessibility to all Minnesotans

3. **Practices:** Embed DEI practices in appropriate programs, activities and hiring practices.
 - 3.1. Work with the Office of Grants Management to identify opportunities to include DEI in BWSR's grant practices
 - 3.2. Engage in programmatic opportunities to support DEI work by our local government partners
 - 3.3 Ensure the diversity of Minnesota is reflected in our workforce and contracting partners by maintaining an updated Affirmative Action plan for BWSR that complies with state and federal Affirmative Action laws and practices including training hiring managers
 - 3.3.1 Develop recruitment strategies to reach a more diverse hiring pool
 - 3.3.2 Develop strategies to retain diverse staff
 - 3.3.3 Set and achieve goals for participation of Targeted Group Businesses and Veteran-owned small businesses on BWSR projects
 - 3.3.4 Track and report on implementation of Affirmative Action plan and associated talent practice activities

**BWSR Diversity, Equity and Inclusion (DEI)
Learning and Development Framework
2023-2025**

Contents

- Introduction 1
- L&D Framework Guiding principles 2
- Overview of DEI L&D Priorities and Plan Implementation..... 2
 - DEI Plan Priority Area 1: Creating a Culture of Engagement..... 2
 - DEI Plan Priority Area 3: Learning and Development..... 3
 - L&D Framework Implementation 3
- Fundamental L&D Attributes, Core Mindsets, Practices and Competencies 4
 - Attributes of DEI Excellence..... 4
 - Core Mindsets and Core Practices..... 5
 - Competency-based Learning 6
- Target Audiences, Modalities and Types of Training Strategies 6
 - Who should participate in the DEI training? 6
 - L&D at BWSR: Universal Experiences and Personal Growth Plans 7
 - Universal Experiences: Types of Diversity, Equity, and Inclusion Training 7
- BWSR’s DEI Learning and Development Portfolio 8
 - Table 1: Overview of Training and Development by Audience, Development Suite, Program, Activity and Forums, Implementation Vehicle 9
 - What resources are critical to the delivery of DEI training? 12

Introduction

This Learning and Development (L&D) framework is a specific action identified in the Minnesota Board of Water and Soil Resources' (BWSR) Diversity, Equity, and Inclusion (DEI) Plan. This framework was created by Strategy & Effectiveness (S&E) under contract with BWSR. It is intended to supplement BWSR's DEI Plan. It is not a self-standing document.

The L&D framework outlines the learning approaches required to build capacity to execute BWSR's DEI strategy and plan. The goal of the L&D framework is to support individual growth and development along the intercultural continuum of development, and eventual movement from monocultural mindsets (denial and polarization) and minimization as a transitional stage (BWSR's current organizational stage of development), to intercultural mindsets (acceptance and adaptation). This growth will support BWSR to work effectively across cultures and implement intercultural adequacy¹ in its approach to water and soil conservation management and practices. The L&D framework defines the skills necessary for individual and organizational DEI effectiveness, including attributes of DEI Excellence, Core Practices and Core Competencies. Collectively, these framework elements target capacity building and training for the DEI Coordinator, the DEI Work Group, Executive Leadership (BWSR Board and SMT), supervisors and managers, DEI High Potentials Cohort, and BWSR staff or individual contributors.

As an organized educational program, the framework aims to promote awareness and understanding of how people with different backgrounds, cultures, ages, races, genders, sexuality, religions, physical conditions, and beliefs can best work together harmoniously. It aims to highlight areas where people might hold bias or assumptions and provide information to help counter those biases, and overall train people to treat their fellow employees and community partners with respect and dignity.

This document includes:

- A. L&D Framework Guiding Principles
- B. Overview of DEI L&D Priorities and Implementation
- C. Fundamental L&D Attributes, Core Mindsets, Practices and Competencies
- D. Target Audiences, Modalities and Types of Training Strategies
- E. BWSR DEI Training and Development Portfolio

¹ the process of integrating place-based cultural views, discussions, and understanding into the interdisciplinary process so that individuals can work across cultural differences. Intercultural adequacy incorporates cultural contexts into natural resource research and management. The term intercultural adequacy mirrors interdisciplinary adequacy, where Cosens et al. (2011) recognize that it is highly unlikely for individuals to become experts in more than one discipline—or in the present context, for cultural learning to translate into competency (Zotzmann 2016). Trebitz, Fennema, and Hicks, *Journal of Contemporary Water Research & Education UCOWR*.

L&D Framework Guiding principles

Six guiding principles serve as the foundation to the development and implementation of BWSR's L&D Framework:

- **Developmental Approach:** L&D is implemented incrementally over a three-year period
- **Attributes of DEI Excellence, Core Practices and Competencies:** Define the necessary DEI attributes, skills, and behaviors across the organization to work effectively across cultures
- **Individualized Plan Development:** L&D is intended to be self-motivated and flexible to meet individual participants and sections where they are at developmentally
- **Diverse Modalities:** L&D incorporates a variety of delivery methods to support differing learning styles
- **Integrated Strategies:** L&D includes a combination of strategies which are mutually supportive to promote organizational growth along a continuum of development
- **Strategic Alignment:** L&D targeted and developmental training options foster the alignment of individual and organizational development to promote sustainability

Overview of DEI L&D Priorities and Plan Implementation

The L&D framework specifically supports the attainment of Priority Area 1 (Creating a Culture of Engagement) and Priority Area 3 (Learning and Development).

DEI Plan Priority Area 1: Creating a Culture of Engagement

Outcome: The culture at BWSR supports DEI values, promotes open communication, safety, continuous improvement, and transparency

Goal: Establish a culture at BWSR that supports a sense of belonging, an appreciation of differences and provides opportunities for idea exchange and dialogue about DEI in a safe environment

- Host 4 facilitated discussions or other sessions annually to provide opportunities for mutual learning, bridge differences and identify areas of discord and consensus regarding BWSR's DEI culture (ex., listening sessions, Café Style discussions, division and regional meetings, annual retreat)
- Encourage respectful sharing of different perspectives through dialogue and discussion with peers, supervisors, and leadership
- Offer facilitated DEI strength-based conversations within and across divisions to provide opportunities for engagement, and for mutual learning

DEI Plan Priority Area 3: Learning and Development

Outcome: Sustaining organizational growth, DEI integration and dedicated learning and development results in an environment committed to the exchange of ideas and continuous learning

Goal: Establish a culture at BWSR that supports a sense of belonging, an appreciation of differences and provides opportunities for idea exchange and dialogue about DEI in a safe environment

1. Intercultural Development
 - Establish annual continuing education requirements for intercultural development for staff, managers, and leadership
 - Support individual intercultural development by providing opportunities or self-paced learning, one-on-one coaching, and group conversations & learning
 - Conduct intercultural development inventory (IDI) assessments of the existing Board members and new members and deliver individual coaching
 - Offer new staff access to IDI assessment and coaching, and DEI training as part of the onboarding process
2. Organizational Learning
 - Enhance the existing DEI learning hub in BERT where information, innovative strategies and lessons learned can be documented
 - Create and provide expectations and incentives for learning, sharing insights and lessons learned
 - Conduct ongoing evaluations after training events to measure effectiveness of trainings and compare across learning formats (for example, on demand, in person, remote live, small versus large groups)
3. Development of Staff, Managers and Executive Leaders
 - Establish ongoing continuing education expectations for employees and board members
 - Semi-annual DEI training events and activities are offered to staff
 - SMT and Board members receive training and updates on BWSR's Affirmative Action plan annually
 - All leaders (Executive Team, Managers and Supervisors), and other staff as needed participate in the Tribal State Relations Training

L&D Framework Implementation

Ongoing individual, organizational assessments and strategic priorities guide implementation and determination of future learning needs. This L&D framework is not intended to be implemented in a linear fashion. Its implementation (and monitoring) is under the guidance of a DEI Coordinator and BWSR's DEI Work Group. Both the DEI Coordinator and the DEI Work Group will help determine ongoing learning and development needs along with priority topics, activities, and scope. Focusing on five key questions will add clarity to BWSR's training priorities across contributor levels and organizational areas:

1. Is the intended audience represented in the decision-making process for learning?

2. Who decides what learning matters and why?
3. Are all voices, needs and ideas taken into consideration?
4. Are the DEI Work Group members well versed in what DEI means and how it applies to BWSR?
5. Do the learning approaches contribute to the attainment of organizational goals?

Embedding DEI within an organization’s learning and development process means looking at training through a DEI lens – to better support those coming into the organization, providing transparency for those expending energy navigating the workplace, and increasing awareness and accountability for those learning leadership, managerial, and supervisory skills.

Weaving DEI concepts into existing valued onboarding and skills-based learning will facilitate learning DEI concepts within BWSR’s context. BWSR staff and leadership will be better able to connect the concepts to their day-to-day relevance and application.

Fundamental L&D Attributes, Core Mindsets, Practices and Competencies

Attributes of DEI Excellence

The learning and development focus on DEI at BWSR should be individually focused, target specific contributor levels and be self-motivated for general staff. Successful DEI learning and development starts with self-awareness and then transitions into organizational learning and change. For this to occur, learning and development must encompass individual and universal learnings. While several options for learning exist, alignment between learning opportunities and expectations should be established to guide staff as they continue to grow their own understanding of DEI in practice. The model below provides a scaling development path called the *Attributes of DEI Excellence*, where employees can start at Awareness before moving into Allyship, Advocacy and Agency. This path ensures that management and staff can identify developmentally appropriate opportunities for growth to build intercultural competence.



Awareness: Striving to create an inclusive organization starts with awareness. We must recognize what our identities are, how those identities have affected our lived experiences and what other identities experience when navigating our organization and world.

Allyship: Once we become aware, we must then learn to ally. Allyship, at its core, is how we react when discrimination or exclusion happens in front of us and how we take responsibility when our actions cause harm. By reacting in these situations, we are better able to show how our organization welcomes and affirms all individuals.

Advocacy: Beyond allyship is advocacy, the intentional and proactive work of centering the needs of historically minoritized communities and voices. By advocating, we begin to collectively create and maintain a culture which affirms and promotes the equitable achievement of all individuals.

Agency: Advocacy is furthered when it becomes institutional. This is where agency begins. BWSR is made better when systems are changed to remove barriers preventing the inclusion of equitable participation by and advancement of all our community members. By implementing systemic changes, inclusion, and justice, rather than simply diversity, is manifested.

Recommendation:

1. *Adopt the Intercultural Development Continuum and the DEI Attributes of Excellence as models for intercultural growth and development at BWSR.*

Core Mindsets and Core Practices

Mindsets:

- *Humility* – Can we recognize that dominant views, even ones we are not aware of, have influenced systems and policies?
- *Purpose* – What brings us together to do this work collectively?
- *Empathy* – Can we understand the difficulties others have in navigating systems not designed by or for them?
- *Curiosity* – Do we have a drive to constantly learn more?
- *Creativity* – Are we able to imagine new ways of doing things?
- *Bravery* – Can we push past discomfort to engage in conversations around DEI?

Core Practices:

- *Assessment* – What data are we collecting to evaluate our past actions and inform our future practices?
- *Dialogue* – Can we effectively communicate across identity, difference and lived experiences?
- *Inquiry* – Are we understanding how we can apply new learning to our current roles?
- *Accessibility* – Are we proactively ensuring our actions create accessible paths towards equity?
- *Collaboration* – What relationships have we built that move the work forward?
- *Reflection* – What time do we take to reflect on our actions and identities?

Recommendations:

1. *Embed core traits and practices across all organizational and staff levels.*
2. *Define specific core practices by organizational and staff levels.*

Competency-based Learning

As BWSR lives out these attributes, core mindsets, and core practices, DEI competencies will be built. Competency-based learning promotes individualized learning². This type of learning program accommodates multiple learning styles and levels of engagement. Since competency-based learning is outcome-based, assessment design and implementation are critical. Many competencies exist that support individual and organizational growth. Below are the identified core competencies common across all levels of the agency including individual, supervisor, management, and executive leadership identified as critical for BWSR's growth and recommended for development as part of this training plan:

- Demonstrates Self-Awareness
- Values Differences
- Manages Complexity
- Cultivates Innovation
- Drives Vision and Purpose
- Drives Engagement
- Action Oriented
- Drives Results
- Balances Stakeholders
- Collaborates

Recommendations:

1. *Under the guidance of the DEI Coordinator and the leadership of the DEI Work Group, it is recommended that BWSR engage in a facilitated process to further refine 4-5 core competencies common to all staff levels during the early stages of the implementation phase of the DEI Plan.*
2. *Under the guidance of the DEI Coordinator and leadership of the DEI Work Group, engage in a facilitated process to define level specific core competencies for the following staff levels: supervisors, managers of managers and executive leadership.*

Target Audiences, Modalities and Types of Training Strategies

Who should participate in the DEI training?

This L&D framework outlines DEI training that is recommended for the agency and various staff levels including the executive leadership, management, division, team, unit, or section, and individual levels. Every member of the agency should participate in some form of DEI training – especially those in people management and leadership positions. It's common for workplace diversity to be the lowest across leadership and senior positions, and the people in these positions are often the most influential across the organization. This makes it even more critical for leadership teams and those in management positions to participate in a set of core L&D activities and be actively involved in DEI initiatives.

Recommendations:

² Competencies are the skills, behaviors and attitudes that lead to high performance (Korn Ferry 2010).

1. *Define and implement a core DEI Curriculum (Universal Experiences-UE) across all staff levels.*
2. *Define a set of Universal Experiences (UE) and Personal Growth Plans (PGP) for each staff level of the agency that builds on the core curriculum of Universal Experiences.*

L&D at BWSR: Universal Experiences and Personal Growth Plans

The trainings and experiences listed in BWSR's Learning and Development Portfolio fall into Universal Experiences and Personal Growth Plans.

➤ *Universal Experiences (UE)*

The Universal Experiences (UE) are a set of trainings designed to guide leadership and staff through learning, reflection, and action to develop a core set of knowledge and skills for working at BWSR.

➤ *Personal Growth Plans (PGP)*

The Personal Growth Plan (PGP) is designed to help employees participate in activities that can enhance their personal goals, their role and build identified core competencies. The PGP is designed in collaboration with each employee's manager and is integrated into the employee's development plan.

Universal Experiences: Types of Diversity, Equity, and Inclusion Training

Various kinds of DEI learning and development opportunities define the universal experiences (UE) and are leveraged to different ends within an organization depending on its needs and culture. The BWSR DEI Plan outlines specific actions to build capacity and provides a solid foundation to address organizational needs and create a culture of engagement. Below is a list of eight different types of DEI Universal Experiences (UE) trainings supplementary to these actions.

- **Common ground training** is based on finding similar priorities, values, and goals to help align colleagues and get everyone on the same path forward.
- **Facilitated conversation training** creates an open space for less vocal employees to be heard, issues to be brought up, concerns voiced, and feedback given.
- **Cultural sensitivity training** helps members of the dominant group at BWSR to understand how to be better and empathize with colleagues of under-represented cultures, backgrounds or identities.
- **Unconscious bias training** aims to uncover and identify the subconscious ways in which we engage in biased or oppressive behaviors and practices.
- **Accommodation training** empowers diverse employees to advocate for how they can be better accommodated in the workplace. It allows employees with different physical, environmental or religious needs to drive the creation of spaces in which they feel comfortable and safe.
- **Inclusive management training** helps supervisors to recognize discriminatory or oppressive management practices and "dismantle biased systems" within the workplace.

- **Community engagement training** goes beyond your internal organization and encourages team members to look at how your organization can serve the greater community and identify partners through the lens of DEI.
- **Anti-oppression training** is an advanced type of training that teaches employees how to go from ally to collaborator and take an active stance in supporting and uplifting their marginalized colleagues. This type of training frequently covers subjects such as anti-racism, anti-sexism, anti-transphobia and more.

BWSR's DEI Learning and Development Portfolio

BWSR's DEI Learning and Development Portfolio outlines the Universal Experiences (UE) and Personal Growth Plans (PGP) for three contributor levels (Leadership/Executive Leadership, Managers and Supervisors, and Staff), and three targeted groups (DEI Coordinator, DEI Work Group, and DEI High Potentials Cohort) for DEI development and capacity building.

DEI Coordinator

Leadership-BWSR Board

Executive Leadership-SMT

Managers and Supervisors

DEI Work Group (staff working to support and embed the DEI plan throughout the agency)

DEI High Potentials Cohort (staff with a readiness for development of intercultural mindsets)

Staff

Table 1: Overview of Training and Development by Audience, Development Suite, Program, Activity and Forums, Implementation Vehicle

Audience	Development Suite	Programs, Activities, and Forums	Suggested Implementation Vehicle
DEI Coordinator	PGP	Technical assistance and coaching to implement the BWSR Strategic Plan and L&D Objective IDI assessment, IDP debriefing and coaching	Ongoing (8-2 per quarter)
	UE	History and current context of conservation culture – facilitated conversation	Annual All Staff Meeting (onsite)
	UE	Introduction to diversity, equity, and inclusion <ul style="list-style-type: none"> Cultural Agility and Humility 	Online or In-person
	UE	Awareness, Allyship, Advocacy, and Agency facilitated conversations <ul style="list-style-type: none"> Historic and Current Inequities Dimensions of Diversity Unconscious Bias and Micro-aggressions Engaging in Difficult Conversations Continuum on Becoming an Inclusive Organization Coming Together for Racial Understanding Collaboration Across Cultures 	1 Annual All Staff Meeting 3 Quarterly Learning Events/Experiences per year
Leadership – BWSR Board	PGP	Intercultural Development Inventory and Plans	Individually per year
		IDI assessment, IDP debriefing session	Individually per year
	UE	History and current context of conservation culture – facilitated conversation	Annual Retreat (onsite)
	UE	Introduction to diversity, equity, and inclusion <ul style="list-style-type: none"> Cultural Agility and Humility 	Annual Retreat (onsite)
	UE	History and current context of conservation culture – facilitated conversation	Annual All Staff meeting (onsite)
	UE	Introduction to diversity, equity, and inclusion <ul style="list-style-type: none"> Cultural Agility and Humility 	Online or during all staff meeting

Executive Leadership/SMT	PGP	Inclusive leadership practices – coaching session	Individually per year (2)
	UE	<p>Awareness, Allyship, Advocacy, and Agency facilitated conversations</p> <ul style="list-style-type: none"> • Historic and Current Inequities • Dimensions of Diversity • Unconscious Bias and Micro-aggressions • Engaging in Difficult Conversations • Continuum on Becoming an Inclusive Organization • Coming Together for Racial Understanding • Collaboration Across Cultures <p>BWSR DEI Strategy (2-3)</p>	<p>Annual Retreat</p> <p>3 Quarterly Learning Events per year</p> <p>SMT Retreat</p>
Managers and Supervisors	UE	History and current context of conservation culture – facilitated conversation	Annual Retreat (onsite)
	UE	<p>Introduction to diversity, equity, and inclusion</p> <ul style="list-style-type: none"> • Cultural Agility and Humility 	Online or in person
	PGP	IDI and IDP debriefing and coaching session	Individually per year (3)
	PGP	Difficult Conversations Training & Practice	SMT Retreat or Specific Training for SMT/Supervisors
	UE	<p>Awareness, Allyship, Advocacy, and Agency facilitated conversations</p> <ul style="list-style-type: none"> • Historic and Current Inequities • Dimensions of Diversity • Unconscious Bias and Micro-aggressions • Engaging in Difficult Conversations • Continuum on Becoming an Inclusive Organization • Coming Together for Racial Understanding • Collaboration Across Cultures 	<p>1 Annual All Staff Meeting</p> <p>3 Quarterly Trainings Events per year</p>

DEI Work Group	UE	History and current context of conservation culture – facilitated conversation BWSR DEI Strategy and Plan Implementation Alignment- facilitated conversation	1 Annual All Staff Meeting DEI Work Group Meetings (4 – 1 per quarter)
	UE	Introduction to diversity, equity, and inclusion <ul style="list-style-type: none"> • Cultural Agility and Humility 	Online or in person
	UE	Awareness, Allyship, Advocacy, and Agency facilitated conversations <ul style="list-style-type: none"> • Historic and Current Inequities • Dimensions of Diversity • Unconscious Bias and Micro-aggressions • Engaging in Difficult Conversations • Continuum on Becoming an Inclusive Organization • Coming Together for Racial Understanding • Collaboration Across Cultures 	1 Annual All Staff Meeting 3 Quarterly Training Events per year
	PGP	Inclusive Facilitation (Train-the-Trainer)	DEI Work Group Meeting
DEI High Potentials Learning Cohort	UE	History and current context of conservation culture – facilitated conversation	Annual All Staff Meeting (onsite)
	UE	Introduction to diversity, equity, and inclusion <ul style="list-style-type: none"> • Cultural Agility and Humility 	Online or in person
	UE	Awareness, Allyship, Advocacy, and Agency facilitated conversations <ul style="list-style-type: none"> • Historic and Current Inequities • Dimensions of Diversity • Unconscious Bias and Micro-aggressions • Engaging in Difficult Conversations • Continuum on Becoming an Inclusive Organization • Coming Together for Racial Understanding • Collaboration Across Cultures 	1 Annual All Staff Meeting 3 Quarterly Training Events per year

	PGP	IDI and IDP debriefings and coaching sessions (3)	Individually per year
	PGP	Selected learning activities and experiences with peers – Working Out Loud Series	DEI High Potentials Cohort Program
	UE	Critical Intercultural Dialogue	DEI High Potentials Cohort Program
	PGP	Inclusive Facilitation (Train-the-Trainer)	DEI High Potentials Cohort Program
Staff	UE	History and current context of conservation culture – facilitated conversation	Annual All Staff Meeting (onsite)
	UE	Introduction to diversity, equity, and inclusion <ul style="list-style-type: none"> • Cultural Agility and Humility 	Online or in person
	UE	Awareness, Allyship, Advocacy, and Agency facilitated conversations <ul style="list-style-type: none"> • Historic and Current Inequities • Dimensions of Diversity • Unconscious Bias and Micro-aggressions • Engaging in Difficult Conversations • Continuum on Becoming an Inclusive Organization • Coming Together for Racial Understanding • Collaboration Across Cultures 	1 Annual All Staff Meeting 3 Quarterly Training Events per Year
	PGP	Peer Coaching Groups – GROW Model*	Division or Section Meetings

What resources are critical to the delivery of DEI training?

As noted above, good implementation of DEI training requires experimentation, data collection and analysis, and the time and expertise to iteratively try new approaches until agreed-upon outcomes are reached. Processes like these require time, skilled people, and the resources to pay for the work and pay for people doing this work instead of other work. Senior leaders control these resources and decide where to put them – they must therefore be involved in the delivery phase of the DEI training and development to dedicate specific resources and make DEI work a high priority for BWSR.

Finally, good delivery requires collaborative long-term planning and accountability. While everyone in the BWSR organization is responsible for the change we seek, specific accountability and reporting measures should be part of the planning process. Some items to consider include: Who owns what aspects of the project? How does one leader know when their team has made progress sufficient to move forward? You should ensure the strategy involves the relevant stakeholders. This includes not only senior leaders but everyone. For example, do managers feel equipped to

measure their own progress and seek resources if they need help? Do individual staff feel empowered to help implement the program and offer feedback if they see areas for growth?

(*): The Grow Model utilizes a facilitated structured process for coaching and mentoring groups including identifying the goal, current reality, evaluation of options or obstacles, and identification of the way forward or strategies.

COMMITTEE RECOMMENDATIONS

Audit and Oversight Committee

1. 2022 Performance Review and Assistance Program Legislative Report – Jenny Gieseke and Jenny Mocol-Johnson – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2022 Performance Review and Assistance Program Legislative Report

Meeting Date: January 25, 2023

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information Non-Public Data

Keywords for Electronic Searchability: PRAP, Legislative Report, Audit and Oversight, 2022 PRAP, Audit

Section/Region: Organizational Effectiveness

Contact: Jenny Gieseke

Prepared by: Jenny Mocol-Johnson

Reviewed by: Audit and Oversight Committee Committee(s)

Presented by: Jenny Gieseke and Jenny Mocol-Johnson

Time requested: 15 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Approval

LINKS TO ADDITIONAL INFORMATION

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

BWSR is required to provide a report annually to the legislature on Performance Review and Assistance Program activities as prescribed by Minnesota Statutes Chapter 103B.102, Subdivision 3, effective February 1, 2008. BWSR staff have prepared a report that describes the program activities for 2022, including summaries of the activities of BWSRs local government partners, and goals and objectives for future PRAP activities. The report was presented to and has recommendation from the BWSR Audit and Oversight Committee for BWSR Board approval.

BOARD ORDER

Performance Review and Assistance Program 2022 Report to the Minnesota Legislature

PURPOSE

Adopt 2022 PRAP Legislative Report

FINDINGS OF FACT / RECITALS

- A. The 2007 Legislature directed the Board of Water and Soil Resources (Board) to develop and implement an ongoing program to evaluate and report on the performance of each local water management entity.
- B. In 2007 the Board developed a set of guiding principles and directed staff to implement a program for reviewing performance, offering assistance, and reporting results, now called the Performance Review and Assistance Program (PRAP), in consultation with stakeholders and consistent with the guiding principles as published on the BWSR website.
- C. According to Minnesota Statutes Chapter 103B.102, Subdivision 3, beginning February 1, 2008, and annually thereafter, the Board shall provide a report of local water management entity performance to the chairs of the House and Senate committees having jurisdiction over environment and natural resources policy.
- D. The 2022 PRAP Report to the Minnesota Legislature contains the summaries of the 17 local water management entity performance reviews conducted by BWSR staff in 2022 and a summary of findings describing the performance of local water management entities regarding compliance with plan status and basic reporting requirements.
- E. The 2022 PRAP Report to the Minnesota Legislature was reviewed by the Board's Audit and Oversight committee on January 12, 2023 and was recommended for Board adoption by the committee.

ORDER

The Board hereby:

Adopts the 2022 Performance Review and Assistance Program Report and directs staff to submit the to the Minnesota Legislature and publish it on the Board's website, with allowance for any minor editing modifications necessary for finalization.

Dated at St. Paul, Minnesota, this January 25, 2023.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____



2022 Performance Review and Assistance Program

Report to the Minnesota Legislature

January 12, 2023

Minnesota Board of Water and Soil Resources

520 Lafayette Road North

St. Paul, MN 55155

651-296-3767

www.bwsr.state.mn.us

This report has been prepared for the Minnesota State Legislature by the Minnesota Board of Water and Soil Resources (BWSR) in partial fulfillment of Minnesota Statutes Chapter 103B.102, subdivision 3.

Prepared by Jennifer Mocol-Johnson, PRAP Coordinator (jennifer.mocol-johnson@state.mn.us)

The estimated cost of preparing this report (as required by Minn. Stat. 3.197) was:

Total staff time: \$3,500

Production/duplication: \$300

Total: \$3,800

BWSR is reducing printing and mailing costs by using the Internet to distribute reports and information to wider audiences. This report is available at [PRAP Legislative Reports | MN Board of Water, Soil Resources \(state.mn.us\)](#) and available in alternative formats upon request.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES Performance Review and Assistance Program (PRAP)

Executive Summary

Since 2008, BWSR's Performance Review and Assistance Program has assessed the performance of the local units of government constituting Minnesota's local delivery system for conservation of water and related land resources. These local units of government include 88 soil and water conservation districts (SWCDs), 87 counties, 45 watershed districts (WDs) and 19 watershed management organizations (WMOs). The program goal is to assist these local government partners to be the best they can be in their management of Minnesota's land and water resources.

PRAP focuses on three aspects of Local Governmental Unit (LGU) performance:

- 1) Plan Implementation—how well an LGU's accomplishments meet planned objectives.
- 2) Compliance with performance standards—meeting administrative mandates and following best practices.
- 3) Collaboration and communication—the quality of partner and stakeholder relationships.

BWSR's PRAP uses four levels of review to assess performance ranging from statewide oversight in the statewide summary, to a focus on individual LGU performance in the Organizational Assessment, review of comprehensive watershed management plan progress in the Watershed-based Assessment, and Special Assessment for organizations needing additional assistance.

2022 Program Summary

- Trained new PRAP Coordinator
- Completed 16 Organizational Assessment performance reviews, consistent with the goal.
- Created GIS decision support tool by inputting dates of all Organizational Assessment PRAPs in eLINK. LGU information is updated on an ongoing basis and will be used to visually track dates of PRAPs completed statewide.
- Updated website and fact sheet to clarify reformatted PRAP program and review structure. The new approach incorporates new assessment types and provides a basis for comprehensive watershed management plan reviews consistent with BWSR's 1W1P program.
- Completed Watershed-based PRAP Performance Standards document and Survey questions for pilot Watershed-based PRAP process.
- Completed pilot Watershed-based PRAP of the Yellow Medicine Watershed Partnership
 - Provided partnership reflection survey.
- Presented results of the Watershed-based PRAP to Yellow Medicine staff and policy committee, internal BWSR staff, local government associations, and BWSR Academy.
- Tracked 238 LGUs' performance via statewide summary.
- Provided PRAP Assistance Grants for 5 local government units.
- Continued review of Wetland Conservation Act program implementation as part of Organizational Assessments to measure local government unit compliance.
- Stressed the importance of measuring outcomes in all 16 Organizational Assessment performance reviews conducted in 2022. Discussed ways of demonstrating resource outcomes resulting from plan implementation, and specific expectations for reporting resource outcomes by LGUs.

2022 Results of Annual Tracking of 238 LGUs' Plans and Reports (PRAP Annual Statewide Summary)

In 2022, overall compliance with LGU plan revision and reporting requirements was 92%. All drainage buffer reports were submitted on time, and WMO compliance remained at 100%, the same as 2021, compared to 72% in 2020, and 87% in 2019. The SWCD annual audit submittals greatly increased from the previous year. This was a new requirement for SWCDs in 2020. Staff efforts will continue in 2023 to identify issues with the audit submittals and improve overall LGU compliance. In 2022, reminders were sent out to improve compliance.

- **Long-range Plan Status:** the number of overdue plans is 4 in 2022 (*increased from 2 in 2021*).
 - Counties: No water plans are overdue.
 - Soil and Water Conservation Districts: Two SWCDs do not have a current resolution adopting the local water plan (West Polk SWCD and East Polk SWCD).*
 - Watershed Districts: Two watershed management plans are overdue (High Island Creek WD and Cormorant Lakes WD).**
 - Watershed Management Organizations: No watershed management plans are overdue.
- **LGUs in Full Compliance with Level I Performance Standards: 94%.**
 - Soil & Water Conservation Districts: 94% compliance (83/88).***
 - County Water Management: 99% compliance (86/87).***
 - Watershed Districts: 84% compliance (38/45).
 - Watershed Management Organizations: 100% compliance (18/18).

Selected PRAP Program Objectives for 2023

- Track 238 LGUs' performance via Statewide Summary.
- Continue efforts to improve Statewide Summary performance review reporting of all LGUs through LGU cooperation and persistent follow-up by BWSR staff and increase compliance with SWCD audit requirements.
- Complete four Watershed-based Performance Reviews.
- Evaluate PRAP Program and make changes to processes and materials based on findings.
- Emphasize the importance of measuring outcomes in PRAP Reviews, ways of demonstrating resource outcomes resulting from plan implementation, and set specific expectations for reporting resource outcomes by LGUs.
- Survey LGUs from 2020 Organizational Assessment PRAP reviews to track LGU implementation of PRAP recommendations.
- Continue monitoring and reviewing compliance with Action Items identified during an Organizational Assessment review to measure progress toward the goal of 100% compliance within 18 months for required Action Items.
- Continue the promotion and use of PRAP Assistance Grants to enhance LGU organizational effectiveness.

* Both organizations will have resolutions adopting local water plans prior to Jan 31, 2023

** Both organizations are actively implementing One Watershed One Plan and will approve the Comprehensive Watershed Management Plan with their respective partnership prior to the end of calendar year 2023.

*** Both the SWCD and County had one organization that submitted required eLINK reporting less than 24 hours after the deadline.

Table of Contents

Executive Summary.....	iii
What is the Performance Review & Assistance Program?	1
Report on PRAP Performance	4
2022 LGU Performance Review Results	6
Assistance Services to Local Governments.....	11
Reporting	12
Program Conclusions and Future Direction.....	14
PRAP Program Objectives for 2023	15
Appendix A.....	16
PRAP Authorizing Legislation	16
Subd. 1. Findings; improving accountability and oversight.	16
Subd. 2. Definitions.	16
Subd. 3. Evaluation and report.....	16
Subd. 4. Corrective actions.....	16
History:.....	16
Appendix B.....	17
Board Authorization of Delegation for PRAP Assistance Grants.....	17
Appendix C.....	18
PRAP Assistance Grant Application Information	18
Appendix D.....	20
Annual Statewide Summary: 2022 LGU Long-Range Plan Status	20
Appendix E	21
Annual Statewide Summary: Status of Annual Reports for 2021	21
Appendix F	22
Annual Statewide Summary: Status of Financial Reports and Audits for 2021 as of December 31, 2022.....	22
Appendix G.....	23
Organizational Assessment Performance Review Final Report Summaries	23
Appendix H.....	38
Performance Standards Checklists used in Organizational Assessments	38
Appendix I	42
2022 Local Government Performance Awards and Recognition	42

What is the Performance Review & Assistance Program?

Supporting Local Delivery of Conservation Services

PRAP is primarily a performance assessment activity conducted by the Minnesota Board of Water and Soil Resources (BWSR). The subjects of the assessments are the local governmental units (LGUs) that deliver BWSR's water and land conservation programs, and the process is designed to evaluate how well LGUs are implementing their long-range plans. The LGUs reviewed include soil and water conservation districts (SWCDs), watershed districts (WDs), watershed management organizations (WMOs), and the water management function of counties—a total of 238 distinct organizations. PRAP, authorized in 2007 (see Appendix A), is coordinated by one BWSR staff member, with assistance from BWSR's 18 Board Conservationists and 3 regional managers, who routinely work with these LGUs.

Guiding Principles

PRAP is based on and uses the following principles adopted by the BWSR Board.

- Pre-emptive
- Systematic
- Constructive
- Includes consequences
- Provides recognition for high performance
- Transparent
- Retains local ownership and autonomy
- Maintains proportionate expectations
- Preserves the state/local partnership
- Results in effective on-the-ground conservation

The principles set parameters for the program's purpose of helping LGUs to be the best they can be in their operational effectiveness. Of note is the principle of proportionate expectations. This means that LGUs are rated on the accomplishment of their own plan's objectives. Moreover, BWSR rates operational performance using both basic and high-performance standards specific to each type of LGU. (For more detail see <https://bwsr.state.mn.us/prap>)

Current Multi-level Structure

PRAP has three operational components:

- performance review
- assistance
- reporting

The **performance review** structure for 2022 includes an Annual Statewide Summary and three types of assessment.

Statewide Summary review is an annual tabulation of required plans and reports for all 238 LGUs. The Statewide Summary review is conducted entirely by BWSR staff and does not require additional input from LGUs.

Organizational Assessment is a routine, interactive review intended to cover all LGUs at least once every 10 years. An Organizational Assessment evaluates progress on plan implementation, operational effectiveness, and partner relationships. This review includes assessing compliance with Level II performance standards. The map is on page 3 show which LGUs have gone through an Organizational Assessment during calendar year 2022.

Watershed-based Assessment is a routine review conducted with partnerships of local governments working together to implement comprehensive watershed management plans (CWMPs) developed through the One Watershed, One Plan Program. This review occurs at roughly the five-year plan adoption point, evaluates progress on plan implementation and analyzes partners working relationships. The pilot for watershed-based assessments was initiated in 2022.

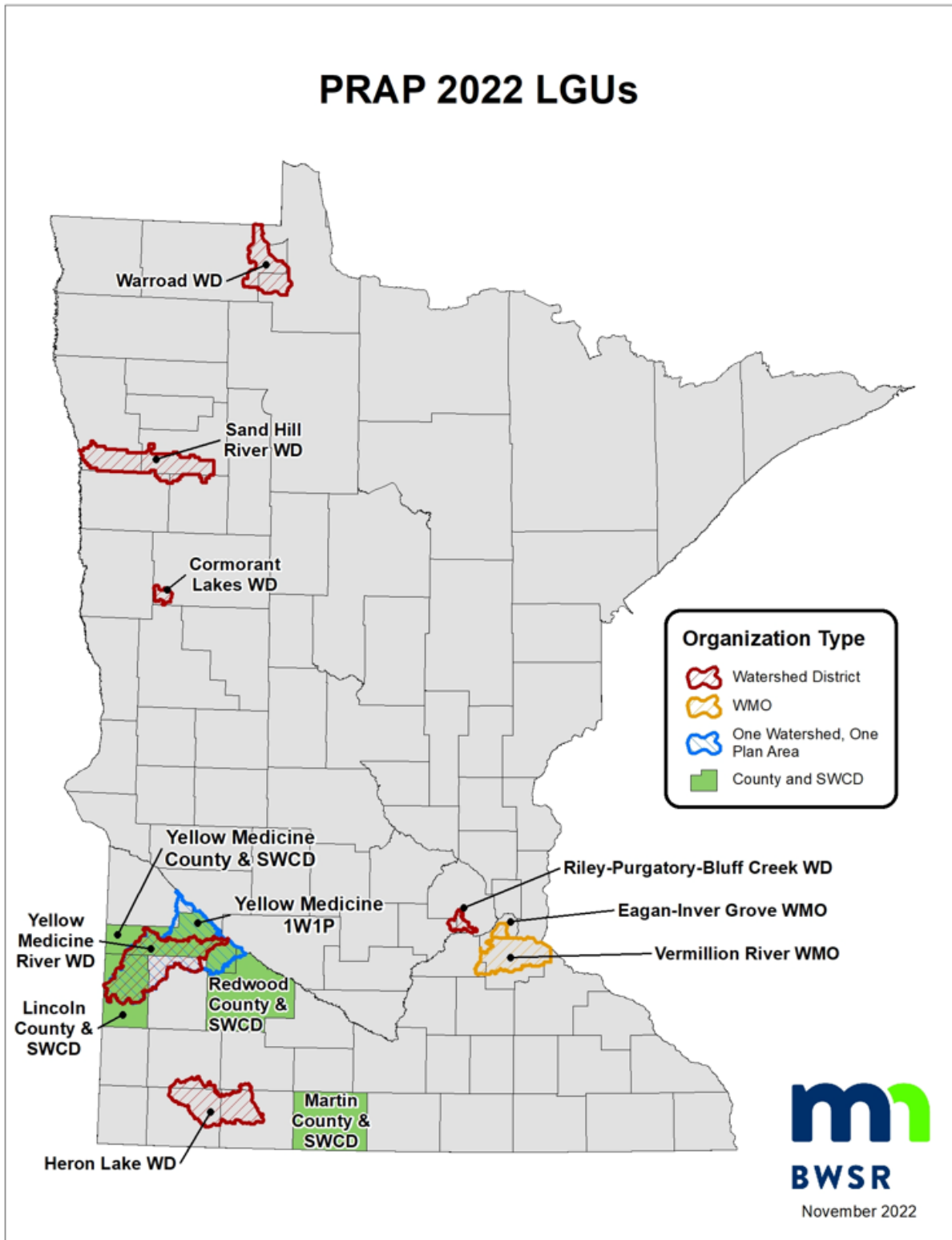
Special Assessment is an in-depth assessment of an LGU faced with performance challenges. A Special Assessment is initiated by BWSR or the LGU and usually involves targeted assistance to address specific performance needs. BWSR regularly monitors all LGUs for challenges that would necessitate a Special Assessment.

Assistance (pages 11-12). In 2012, BWSR began awarding PRAP assistance grants to assist LGUs in obtaining practical and financial assistance for organizational improvements or to address performance issues. The grants are typically used for consultant services for activities identified by the LGU or recommended by BWSR in a performance review. In 2022 BWSR awarded five PRAP assistance grants to LGUs.

Reporting (pages 13-14) makes information about LGU performance accessible to the LGUs' stakeholders and constituents. Reporting methods specific to PRAP include links to performance review summaries and this annual report to the Legislature, which can be accessed via the PRAP page on BWSR's website <https://bwsr.state.mn.us/prap-legislative-reports>. In addition, the PRAP Coordinator presents results from Organizational Assessment performance reviews to LGU boards at the completion of the review, and to additional boards/committees upon request.

Accountability: From Measuring Effort to Tracking Results

The administration of government programs necessitates a high degree of accountability. PRAP was developed, in part, to deliver on that demand by providing systematic local government performance review and then reporting results. In 2017, BWSR added review of local government units' implementation of the Wetland Conservation Act program.



Report on PRAP Performance

BWSR’s Accountability

BWSR continues to hold itself accountable for the objectives of the PRAP program. In consideration of that commitment, this section lists 2022 program activities with the corresponding objectives from the 2021 PRAP legislative report.

PERFORMANCE REVIEW OBJECTIVES

What We Proposed	What We Did
Track 238 LGUs’ performance via Statewide Summary	All LGUs were tracked for basic plan and reporting compliance. Overall, Level I performance increased in 2022 to 94% compliance. This was an increase from 88% in 2021. Overdue long-range water management plans totaled 2 in 2022. 2 SWCDs also did not have updated resolutions adopting the water plans.
Continue efforts to improve Statewide Summary performance review reporting of all LGUs through cooperation and persistent follow up by BWSR staff.	WD compliance remained at 84% in 2022, the same rate as 2021. In 2022, 100% of Watershed Management Organizations met reporting or auditing requirements, the same rate as in 2021.
Set Target of 16 Organizational Assessments in 2022.	In 2022, 16 Organizational Assessment performance reviews were completed.
Set Target of One Watershed-Based Pilot PRAP	Completed the Yellow Medicine Watershed Partnership PRAP, the draft version was presented to the Yellow Medicine Policy Committee August 2022.
Complete up to 2 Special Assessments, if needed, in 2022.	Discussed need for Special Assessment with BWSR Regional Managers and Organizational Effectiveness Manager and concluded that no Special Assessments were needed in 2022.
Survey LGUs from 2018 and 2019 Organizational Assessment PRAP reviews to track LGU implementation of PRAP recommendations.	In 2018, six organizations received a total of six action items, each of which were implemented within 18 months. In 2019, nine organizations received a total of 12 action items, each of which was implemented within 18 months.
Continue monitoring and reviewing compliance with Action Items identified during an Organizational Assessment review. This will allow us to determine if we are meeting the goal of 100% compliance within 18 months established for required Action Items.	All Action Items identified during 2022 Organizational Assessment PRAP reviews were assigned an 18-month timeline for completion.

<p>Continue evaluating and updating protocol for PRAP Statewide Summary and Organizational Assessment reviews for performance-based funding for implementation of watershed based One Watershed-One Plans.</p>	<p>PRAP Coordinator utilized PRAP Assessment material in the Pilot Watershed-based PRAP for the Yellow Medicine Watershed Partnership. The Watershed-based PRAP Assessment includes one part devoted to Watershed Based Implementation Funding/assessment and is completed with assistance from the Board Conservationist.</p>
<p>Work with BWSR Water Planning Team to develop protocol for tracking, assessment, evaluation and reporting for One Watershed, One Plans.</p>	<p>Maintained membership on Water Planning Team. This effort will continue as the Team evaluates protocol on an ongoing basis.</p>

ASSISTANCE OBJECTIVES

What We Proposed	What We Did
<p>Continue the promotion and use of PRAP Assistance Grants to enhance LGU organizational effectiveness.</p>	<p>The PRAP assistance grant program was updated in 2021 to acknowledge the need for partnerships, newly formed or existing to access adequate assistance funding for their development. Beginning in 2021 partnerships are eligible for up to \$20,000 in assistance funds, while individual LGUs remain eligible for up to \$10,000. LGUs funded in 2022 include Crow Wing SWCD (review of personnel policy, job descriptions and pay scale), Wright SWCD (strategic assessment and review of mission, vision and staff capacity), Technical Service Area 8 (strategic workload analysis/organizational plan to review current structure), Technical Service Area 1: Red River Valley Conservation Service Area (CSA)- Phase II (determine governance and structure options) and TSA 1: Red River Valley Conservation Service Area (CSA) in partnership with MASWCD (update the 2014 essential services analysis). Total grant funds awarded in 2022: \$55,675.</p>

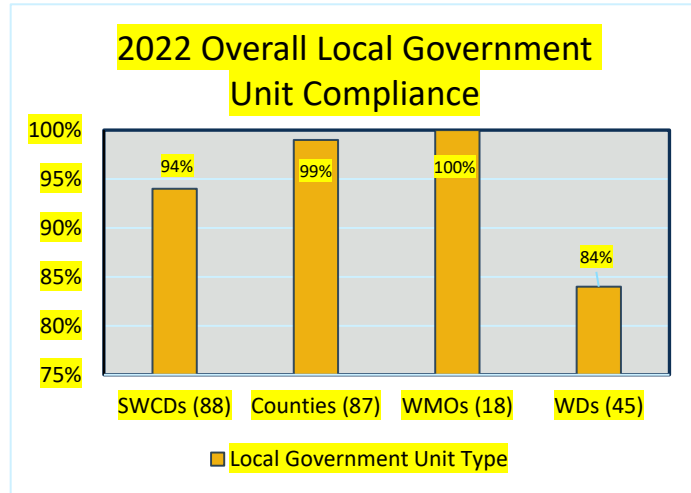
REPORTING OBJECTIVES

What We Proposed	What We Did
<p>Provide leadership in communicating the importance of measuring outcomes in Organizational Assessment performance reviews, ways of demonstrating resource outcomes resulting from plan implementation, and set specific expectations for reporting resource outcomes by LGUs.</p>	<p>For the 16 local governments, a total of five water plans were reviewed in 2022 as part of the Organizational Assessment. The review analyzed targets or objectives for resource outcomes and if outcomes are being reported. There were only a few plans in 2022 that had resource outcomes listed in their plans, and many of them had no reference at all to resource issues or measurable outcomes. In those instances, recommendations were made. Outcomes will continue to be a requirement of the comprehensive watershed management plans developed via the One Watershed One Plan program.</p>

2022 LGU Performance Review Results

Statewide Summary Results

The Annual Statewide Summary monitors and tabulates all 238 LGUs' long-range plan updates and their annual reporting of activities, ditch buffer reports, grants, and finances. BWSR tracks these performance measures each year to provide oversight of legal and policy mandates, but also to screen LGUs for indications of potential problems. Chronic lateness in financial or grant reporting, for example, may be a symptom of operational issues that require BWSR assistance.

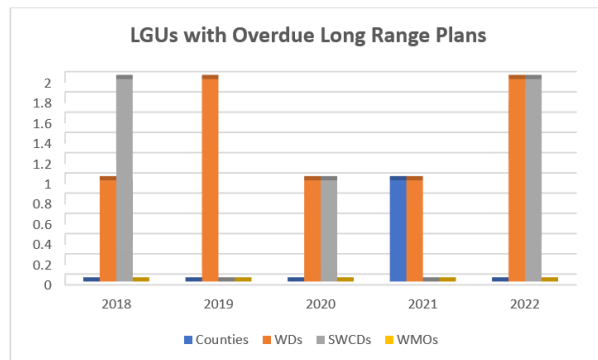


Overall, LGU compliance with Level I standards increased to 94% in 2022. BWSR began tightening Level I compliance tracking in 2013, and compliance percentages have remained high from 2018-2022, as seen above.

Long-range plans

BWSR's legislative mandate for PRAP includes a specific emphasis on evaluating progress in LGU plan implementation. Therefore, helping LGUs keep their plans current is basic to that review.

Annual Statewide Summary tracks whether LGUs are meeting their plan revision due dates. For this review, LGUs that have been granted an extension for their plan revision are not considered to have an overdue plan.



Many Local Water Management plans were operating under extensions granted by the BWSR as LGUs continue transitioning to development of One Watershed One Plans.

The number of overdue plans is 4 in 2022, increased from 2021. Two Watershed District water management plans are overdue at the end of 2022 and two SWCDs are in the process of approving resolutions to adopt. It should be noted that both SWCDs will have approved resolutions in January of 2023. No county local water plan and watershed management organization plans have expired as of December 31, 2022. Local government units without an approved water management plan are not eligible for Clean Water grant funds awarded by BWSR.

Appendix D (page 21) lists the LGUs whose plans are overdue for a plan revision.

Annual activity and grant report

LGU annual reports are an important means of providing citizens and BWSR with information about LGU activities and grants expenditures. The Annual Statewide Summary review tracks both missing and late reports.

In 2022, there was complete on-time submittal of drainage system buffer strip reports by both County and WD drainage authorities. Of the 96 LGUs that must submit annual buffer reports, 100% met the February 1, 2022 deadline, maintaining the 100% reporting compliance achieved from 2015 through 2021. This continued compliance is attributed to persistent efforts by BWSR staff to contact LGUs with missing reports before the due date.

SWCDs and counties maintained a high level of compliance for on-time submittal of grant status reports via BWSR's on-line eLINK system. Both 2022 and 2021 had 99% of LGUs meeting the deadline compared with 98% in 2020, 98% in 2019, and 97% in 2018.

Watershed district compliance with the annual activity report requirement dropped slightly in 2022 with 89% compliance, this compared to 91% in 2021, 89% in 2020, and 87% in 2019. Continued improvement in reporting will continue to be an objective of BWSR staff in 2023, with a goal of reaching 100% compliance.

Appendix E (page 22) contains more details about reporting.

Annual financial reports and audits

Starting in 2020, all SWCDs were required to prepare annual audits of their financial record and submit audited financial statements to BWSR. A reminder was sent out to SWCDs regarding the due date for audit report submissions to BWSR.

Watershed Districts and WMOs are also required to prepare annual audits. In 2022, 89% of WDs met the audit performance standard, compared to 93% in 2021 and 2020, and 89% in 2019. In 2022, 100% of WMOs met this standard, the same as 2021, and a significant increase from 72% in 2020. See Appendix F (page 23) for financial report and audit details.

BWSR does not track county audits because counties are accountable to the Office of the State Auditor.

Organizational Assessment Performance Review Results

The Organizational Assessment performance review process is designed to give both BWSR and the individual LGUs an overall assessment of the LGU's effectiveness in both the delivery and the effects of their efforts in conservation. The review looks at the LGU's implementation of their plan's action items and their compliance with BWSR's operational performance standards. If actively implementing a Comprehensive Watershed Management Plan, this part may be omitted and completed through the Watershed-based PRAP process. Organizational Assessments also include surveys of board members, staff, and partners to assess the LGU's effectiveness and existing relationships with other organizations. If the organization is the delegated Wetland Conservation Act (WCA) authority, the process may include a WCA review as well.

BWSR conducted Organizational Assessment reviews of 16 LGUs in 2022: **Cormorant Lakes WD, Eagan-Inver Grove WMO, Heron Lake WD, Lincoln County, Lincoln SWCD, Martin County, Martin SWCD, Redwood County, Redwood SWCD, Riley-Purgatory Bluff Creek WD, Sand Hill River WD, Vermillion River WMO, Warroad WD, Yellow Medicine County, Yellow Medicine SWCD, and Yellow Medicine WD.**

BWSR also initiated and completed the pilot Watershed-based PRAP for the Yellow Medicine Partnership.

In the instances where the County and the SWCD share the same local water plan the reviews were conducted jointly. The remaining LGUs received individual reviews. Appendix G (pages 24-38) contains summaries of the performance review reports. Full reports are available from BWSR by request.

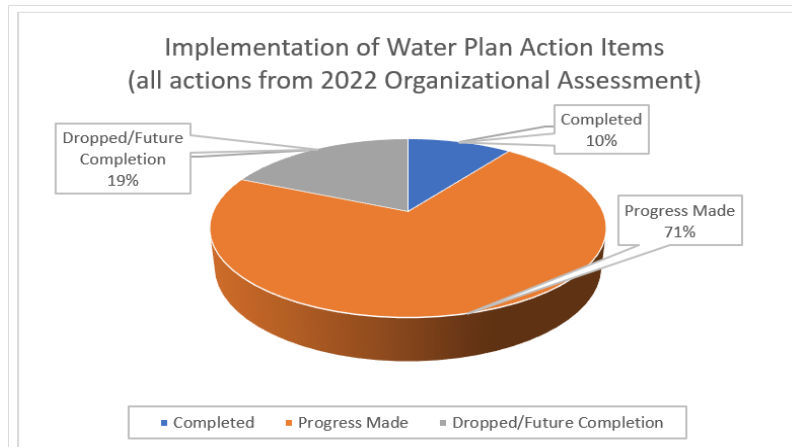
Implementation of Water Plan Action Items

Each year BWSR regional and program staff meet to discuss which LGUs should be selected for PRAP reviews. Some of the factors considered include the expiration date of water plans, whether the LGU has had a review in the past and other factors such as recent LGU staff turnover.

For the 16 local

governments, a total of five

water plans were reviewed in 2022 as part of the Organizational Assessment. Those plans identified a combined 503 action items. Of those action items, 359 had at least some progress made, with 51 actions being completed. 93 action items were not started or dropped. Eighty one percent of the total actions were implemented to some extent (either completed or ongoing). That is a slightly lower percent than in the previous year, however most of the plans reviewed still had several years remaining in the 10-year plan to initiate additional projects.



Common Recommendations in 2022

While none of the findings or conclusions from these reviews apply to all LGUs, there were general observations and commonly used recommendations to improve LGU performance worth noting.

- 1. Communicate Progress on Water Plan Goals.** Organizational PRAPs have shown that LGUs are doing a great job. Based off the survey responses and review of water plan accomplishments, Counties and SWCDs are active and quantifiable differences. Providing communication that articulates progress towards water plan goals is important not only for an external audience to show how important the work the local governments do is, but also internally to provide measurement of what has been accomplished and how close LGUs are to meeting goals. Working on this effort in partnership will improve communication, marketing, and add to LGU partnerships.
- 2. Create/Distribute customer service survey to landowners.** Providing landowners within the county/watershed an opportunity to evaluate the assistance they were provided is a great opportunity for self-reflection and adaptation as necessary. This recommendation was given to LGUs when survey responses indicated communication and customer service were areas of potential improvement. One of the greatest benefits to this recommendation is the low initial level of effort, with distribution options as simple as providing a link to landowners within an email or mailing a post card requesting input after assistance was provided.
- 3. Develop orientation and continuing education plan for board members and staff and keep records of trainings attended.** This recommendation was primarily given to SWCDs. The intent is to provide a simple training plan to ensure that board and staff members can build the knowledge and

skills necessary to carry out their respective duties and stay informed on current best practices. Included within this is the recommendation to add training opportunities to the end of monthly board meeting agendas to give an opportunity for staff and board members to articulate potential opportunities that exist.

4. Continue to Seek Additional Opportunities for Coordination with Partners. This recommendation focuses on coordinating efforts with partners. Realizing that each person brings specialized skills and consider partnerships with those that the LGU has not historically worked with. As partners continue to work together to develop Comprehensive Watershed Management Plans through the One Watershed One Plan program, this recommendation will become increasingly important.

5. Recommendation to conduct a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are enough to meet the demands for conservation services in the district. This recommendation focused on the increasing expectations and SWCD responsibilities in recent years. To meet new conservation challenges and to manage the workload associated with an increase in watershed-dedicated funding the SWCDs were encouraged to consider conducting a strategic assessment of the to determine whether existing mission, goals and staff capacity are enough to meet the conservation needs in their respective jurisdictions. This recommendation recognizes that even the most competent organizations will need to determine if higher expectations and dollar amounts will cause workloads to exceed staffing resources over an extended period and offers assistance through the PRAP assistance grants to help identify those potential needs.

6. Evaluate, maintain, or improve implementation of the Wetland Conservation Act. 2022 was the sixth year that Organizational Assessments included an evaluation of the LGU's performance in implementing the Wetland Conservation Act. In general, most local government units were doing a good job implementing the program. However, the Organizational Assessment reviews did identify several weaknesses in LGU implementation of the program. Examples of Wetland Conservation Act recommendations provided to LGUs in 2022 included update LGU resolutions clarifying decision making authority, appoint qualified member to the Technical Evaluation Panel, and clarify wetland appeal processes.

Action Items

During an Organizational Assessment, the LGU's compliance with performance standards is reviewed. Action items are based on the LGU's lack of compliance with BWSR's basic practice performance standards. LGU's are given an Action Item in the PRAP Report to address lack of compliance with one or more basic standards.

All Action Items identified during 2022 Organizational Assessment PRAP reviews are verified within 18 months to ensure completion. The PRAP follow-up survey demonstrated that all 18 of the action items assigned for 2018 and 2019 LGUs were implemented within 18 months.

Special Assessment Results

No Special Assessment reviews were completed in 2022 as there was no expressed desire by BCs or regional supervisors to conduct this level of review on any LGUs.

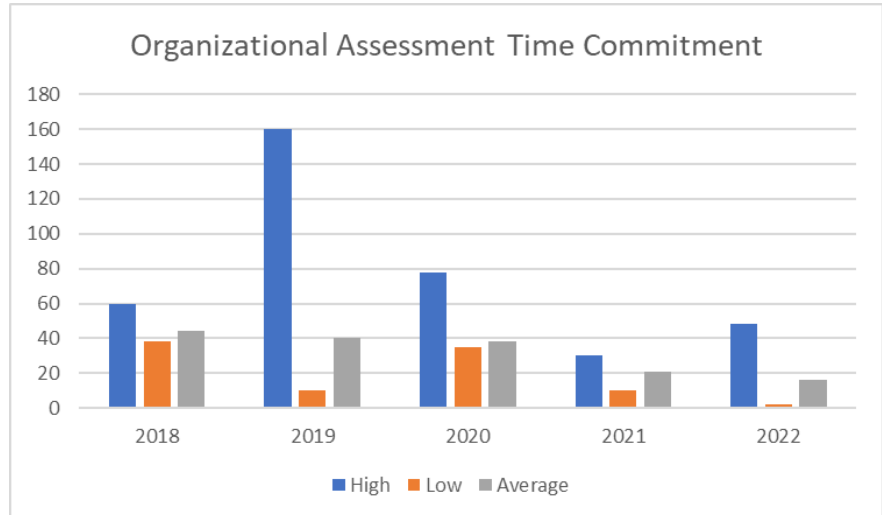
Special Assessment Results

No Special Assessment actions were conducted in 2022.

Performance Review Time

BWSR tracks the time spent by LGUs in a performance review as a substitute for accounting their financial costs. Factors affecting an LGU’s time include the number of action items in their long-range plan, the number of staff who help with data collection, and the ready availability of performance data.

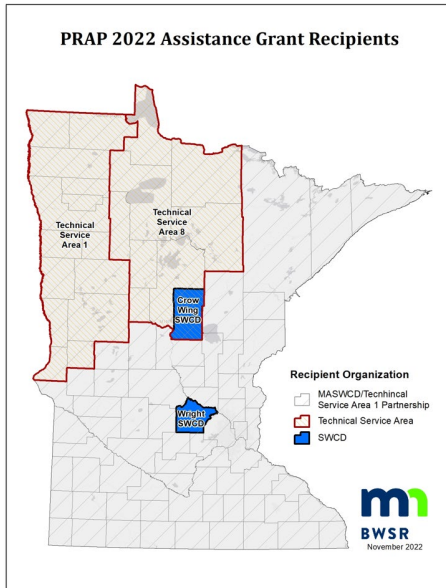
In 2022 LGU staff spent an average of about 16 hours on their Organizational Assessment, lower than the previous years. Not including overall performance review administration and process development, BWSR staff spent an average of 65 hours for each Organizational Assessment, slightly lower than calendar year 2021 (82).



While BWSR seeks to maintain a balance between getting good information and minimizing the LGU time required to provide it. Our goal is to gather as much pertinent information as needed to assess the performance of the LGU and offer realistic and useful recommendations for improving performance.

Assistance Services to Local Governments

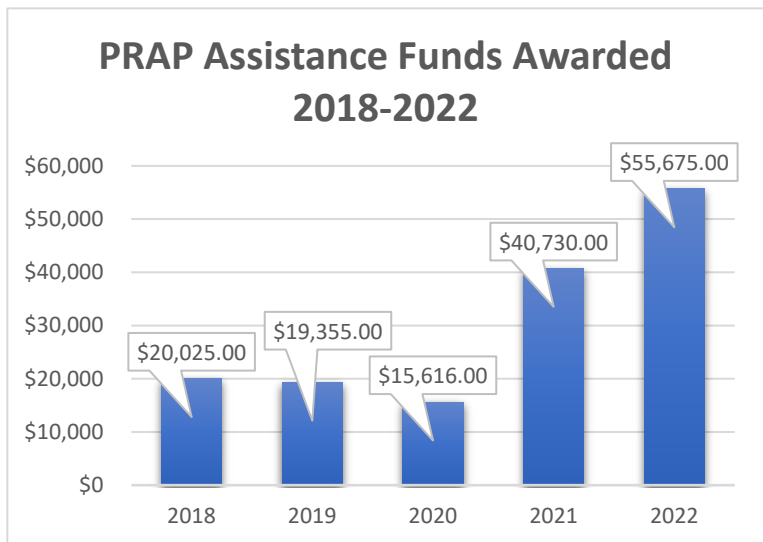
PRAP Assistance Program



In 2012, BWSR developed the PRAP Assistance program to provide financial assistance to LGUs for improving operating performance and executing planned goals and objectives. Since the program started, more than \$245,000 has been awarded to LGUs around Minnesota. Priority is given to applicants submitting projects related to eligible PRAP Organizational Assessment or Special Assessment recommendations, but other organizations are also eligible. The grants are made on a cost-share, reimbursement basis with a cap of \$10,000 per single LGU or \$20,000 for partnerships applying as a group. The application process requires basic information about the need, the proposed use of funds, a timeline, and the source of match dollars. BWSR staff assess the LGU need as part of the application review process, and grants are awarded on a first-come, first-serve basis if funds are available.

In 2015, the BWSR Board delegated authority to the Executive Director to award grants or contracts for the purpose of assisting LGUs in making organizational improvements (see resolution in Appendix B). The Executive Director regularly informs Board members of assistance grant status.

In calendar year 2022, PRAP Assistance Grants were provided for Crow Wing SWCD, Wright SWCD, Technical Service Area 8, Technical Service Area 1: Red River Valley Conservation Service Area (CSA)- Phase II, and Technical Service Area 1: Red River Valley Conservation Service Area (CSA), in partnership with MASWCD. Board Conservationists were encouraged to work with LGUs who could benefit from PRAP Assistance grants. LGUs undergoing an Organizational Assessment were also notified of PRAP assistance funding when recommendations were made for activities that would be eligible for PRAP funds.



The awarded funds will be used for the development of operating policies, organizational assessments, strategic planning, and goal setting.

The application information for PRAP assistance grants can be found in Appendix C (pg. 19-20).

Potential applicants can find information on the BWSR website <http://www.bwsr.state.mn.us/PRAP/index.html>.

Reporting

Purpose of Reporting

BWSR reports on LGU performance to:

- meet the legislative mandate to provide the public with information about the performance of their local water management entities, and
- provide information that will encourage LGUs to learn from one another about methods and programs that produce the most effective results.

Report Types

PRAP either relies on or generates different types of reports to achieve the purposes listed above.

LGU-Generated

These include information posted on the LGU websites and the required or voluntary reports submitted to BWSR, other units of government, and the public about fiscal status, plans, programs, and activities. These all serve as a means of communicating what each LGU is achieving and allow stakeholders to make their own evaluations of LGU performance. PRAP tracks submittal of required, self-generated LGU reports in the Statewide Summary review process.

BWSR Website

The BWSR website contains a webpage devoted to PRAP information. The site provides background information on the program including:

- Guiding principles for the program
- a description of the three types of assessments (Organization, Watershed-Based and Special Assessment)
- Application information for PRAP grants
- Background on the PRAP Legislative Report
- Description of the Annual Statewide Summary

For more information see: <https://bwsr.state.mn.us/prap>

The BWSR website also includes regularly updated maps of long-range plan status by LGU type. Visitors to the PRAP webpage can find general program information, tables of current performance standards by LGU type, summaries of Organizational Assessment performance review reports, and copies of annual legislative reports.

Performance Review Reports

BWSR prepares a report containing findings, conclusions, and recommendations for each LGU subject of an Organizational Assessment performance review. The LGU lead staff and board, or water plan task force members receive a draft of the report to which they are invited to submit comments. BWSR then sends a final report to the LGU. A one-page summary from each review is included in the annual legislative report (see Appendices G and H).

Annual Legislative Report

As required by statute, BWSR prepares an annual report for the legislature containing the results of the previous year's program activities and a general assessment of the performance of the LGUs providing land and water conservation services and programs. These reports are reviewed and approved by the BWSR board and then sent to the chairpersons of the senate and house environmental policy committees, to statewide LGU associations and to the office of the legislative auditor.

Recognition for Exemplary Performance

The PRAP Guiding Principles include a provision for recognizing exemplary LGU performance. Each year this legislative report highlights those LGUs that are recognized by their peers or other organizations for their contribution to Minnesota's resource management and protection, as well as service to their local clientele. (See Appendix I, page 43).

For those LGUs that undergo an Organizational Assessment, their report lists "commendations" for compliance with each high-performance standard, demonstrating practices over and above basic requirements. All 2022 LGUs that completed Organizational Assessments received such commendations.

Program Conclusions and Future Direction

Conclusions from 2022 Reviews

All Action Items identified during 2022 Organizational Assessment PRAP were assigned an 18-month timeline for completion. In 2022, BWSR completed follow up of all Organizational Assessment (previously Level II review) PRAPs for the years of 2018 and 2019.

Action Items from previous Organizational Assessment PRAP are being implemented.

In 2018, six organizations received a total of six action items, each of which were implemented within 18 months. In 2019, nine organizations received a total of 12 action items, each of which was implemented within 18 months.

A common recommendation for several local government units in 2022 was to conduct a strategic assessment of the organization to determine whether existing mission, goals and staff capacity are sufficient to meet the demands and need for conservation services. This recommendation was used where there appeared to be underperformance of the LGU due to shortage of staff or lack of focus on targeted land treatment and resource improvement.

Evaluate, maintain, or improve implementation of the Wetland Conservation Act.

2022 was the sixth year that Organizational Assessment included an evaluation of the LGU's performance in implementing the Wetland Conservation Act. In general, most local government units were doing a good job implementing the program. However, the Organizational Assessment reviews did identify several weaknesses in LGU implementation of the program. Examples of Wetland Conservation Act recommendations provided to LGUs in 2022, included:

- To pass a new clarifying resolution for delegation of responsibilities for the Wetland Conservation Act,
- Enhancing the record and administrative requirements of WCA- Decisions and Determinations made in conformance with requirements (per file review), and
- Technical professional appointed and serving on WCA TEP

Reminders and incentives contribute significantly to on-time reporting by LGUs. Overall LGU reporting performance and non-expired plans maintained strong in 2022. Buffer strip reporting was maintained at full LGU compliance after reaching 100% compliance in 2015 through 2022 which can be attributed to close attention from BWSR staff. In the last year WMO overall compliance remained at 100%, the same rate as 2021 compared to just 72% in 2020. WD overall compliance remained 84% in 2022 the same as in 2021.

New Structure – for implementation starting in 2022

In 2021, BWSR staff redesigned the existing structure of the PRAP program to better accommodate the ongoing statewide transition from county-based water planning to watershed-based planning and partnerships. The new structure was implemented in 2022 and is summarized below:

The **Statewide Summary** takes the place of the "Level I" annual tabulation of required plans and reports for 238 LGUs. This summary will continue to be collected solely by BWSR staff and will be updated annually for this report.

Organizational Assessment, which takes the place of the “Level II” assessments. Many of our individual LGUs will be implementing a comprehensive watershed management plan, and in those cases plan progress will be removed from the assessment. Additionally, as done prior, the Wetland Conservation Act (WCA) review is only for those entities that are the delegated WCA authority. These assessments will continue as previously designed, on a 10-year rotation for all 238 LGUs.

Watershed-based Assessment is the newest addition to PRAP and was developed to accommodate the transition of local county water planning to watershed-based comprehensive plans via LGU partnerships. This assessment type will be used when groups have implemented their approved watershed-based plans for 5-7 years and is designed to closely follow our current Organizational Assessment process, but on a much larger, more comprehensive scale.

Special Assessment, which is conducted on an as needed basis and include an in-depth assessment of an LGU’s performance in response to identified issues. Special Assessments are used to provide targeted assistance to an LGU to address specific performance needs. In situations where an LGU has significant performance deficiencies, penalties as authorized by statute may be assigned. A Special Assessment can be initiated by BWSR, or the LGU. Special Assessments replaced the “Level III” and “Level IV” reviews in 2022.

PRAP Program Objectives for 2023

- Track 238 LGUs’ performance via Statewide Summary (previously identified as Level I).
- Continue efforts to improve Statewide Summary performance review reporting of all LGUs through LGU cooperation and persistent follow-up by BWSR staff and increase compliance with SWCD audit requirements.
- Complete four Watershed-based Performance Reviews.
- Evaluate PRAP Program and make changes to processes and materials based on findings.
- Emphasize the importance of measuring outcomes in PRAP Reviews, ways of demonstrating resource outcomes resulting from plan implementation, and set specific expectations for reporting resource outcomes by LGUs.
- Survey LGUs from 2020 Organizational Assessment PRAP reviews to track LGU implementation of PRAP recommendations.
- Continue monitoring and reviewing compliance with Action Items identified during an Organizational Assessment review to measure progress toward the goal of 100% compliance within 18 months for required Action Items.
- Continue the promotion and use of PRAP Assistance Grants to enhance LGU organizational effectiveness.

Appendix A

PRAP Authorizing Legislation

103B.102, Minnesota Statutes 2013

Copyright © 2013 by the Office of Revisor of Statutes, State of Minnesota.

103B.102 LOCAL WATER MANAGEMENT ACCOUNTABILITY AND OVERSIGHT.

Subd. 1. Findings; improving accountability and oversight.

The legislature finds that a process is needed to monitor the performance and activities of local water management entities. The process should be preemptive so that problems can be identified early and systematically. Underperforming entities should be provided assistance and direction for improving performance in a reasonable time frame.

Subd. 2. Definitions.

For the purposes of this section, "local water management entities" means watershed districts, soil and water conservation districts, metropolitan water management organizations, and counties operating separately or jointly in their role as local water management authorities under chapter 103B, 103C, 103D, or 103G and chapter 114D.

Subd. 3. Evaluation and report.

The Board of Water and Soil Resources shall evaluate performance, financial, and activity information for each local water management entity. The board shall evaluate the entities' progress in accomplishing their adopted plans on a regular basis as determined by the board based on budget and operations of the local water management entity, but not less than once every ten years. The board shall maintain a summary of local water management entity performance on the board's Web site. Beginning February 1, 2008, and annually thereafter, the board shall provide an analysis of local water management entity performance to the chairs of the house of representatives and senate committees having jurisdiction over environment and natural resources policy.

Subd. 4. Corrective actions.

(a) In addition to other authorities, the Board of Water and Soil Resources may, based on its evaluation in subdivision 3, reduce, withhold, or redirect grants and other funding if the local water management entity has not corrected deficiencies as prescribed in a notice from the board within one year from the date of the notice.

(b) The board may defer a decision on a termination petition filed under section [103B.221](#), [103C.225](#), or [103D.271](#) for up to one year to conduct or update the evaluation under subdivision 3 or to communicate the results of the evaluation to petitioners or to local and state government agencies.

History:

[2007 c 57 art 1 s 104](#); [2013 c 143 art 4 s 1](#)

Appendix B

Board Authorization of Delegation for PRAP Assistance Grants



BOARD DECISION # 21-22

BOARD ORDER

Performance Review and Assistance Program (PRAP) Assistance Service Grants

PURPOSE

Authorize PRAP Assistance services and delegate approval of payment to the Executive Director.

FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) regularly monitors and evaluates the performance and activities of local water management entities and provides assistance in improving performance under the authorities and requirements of Minnesota Statutes §103B.102.
2. In December 2018, the Board through Resolution #18-71 "approved the allocation of designated or available funds to eligible local water management entities and reconfirmed the delegation of authority to the Executive Director to approve individual PRAP Assistance grants up to \$10,000 requires that program awards are reported to the Board at least once per year."
3. The Board continues to receive requests for PRAP assistance services to address operational or service delivery needs identified through a PRAP assessment or specialized assistance request noting an increase in requests from multiple entities or partnerships.
4. The Board has authorities under Minnesota Statutes §103B.3369 and 103B.101 to award grants and contracts to accomplish water and related land resources management.
5. The Grants Program and Policy Committee, at their August 11, 2021 meeting, reviewed this request and recommended the Board approve this order.

ORDER

The Board hereby:

1. Approves the allocation of designated or available funds, consistent with the appropriation of the designated or available funds, to eligible local government water management entities for fulfilling the provisions of Minnesota Statutes §103B.102.
2. Confirms the delegation of authority to the Executive Director to approve PRAP Assistance grants or contracts up to \$10,000 per contract for single entity requests and \$20,000 for projects that involve multiple entities or partnerships and requires that program awards are reported to the Board at least once per year.
3. Establishes that all PRAP Assistance awards be cost shared by the grantee at a percentage determined by the Executive Director.
4. Authorizes staff to enter into grant agreements or contracts for these purposes.
5. Establishes that this order replaces previous Board resolution #18-71.

Dated at Austin, Minnesota, this August 26, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: August 26, 2021

Appendix C

PRAP Assistance Grant Application Information

The PRAP Assistance program provides financial assistance to LGUs to improve operating performance and execution of planned goals and objectives. Funding priority is given to activities recommended as part of an Organizational Assessment, Watershed-based Assessment or Special Assessment.

Examples of eligible activities: facilitation, mediation or consulting services related to organizational improvement such as reorganizations/mergers, strategic planning, organizational development, assessments for shared services, benchmarking, non-routine audits, and staff and board capacity assessments.

Activities that are not eligible for grant funds, or to be used as LGU match: Technology upgrades (computer equipment, software, smartphones, etc.), infrastructure improvements (vehicles, office remodel, furniture), staff performance incentives (bonuses, rewards program), basic staff training (BWSR Academy fees and expenses; Wetland Delineator Certification, subjects offered at BWSR Academy, training for promotion, basic computer training), water planning, conservation practices design or installation, publication or publicity materials, food & refreshments, (other than costs associated with meetings and conferences where the primary purpose is an approved, eligible grant activity) lodging, staff salaries, and regular board member per diems.

Note: Board member per diems and associated expenses outside of regular meetings, and associated with an approved, eligible activity are eligible for grant funds or can be used as match.

Grant Limit: \$10,000 for individual LGUs, \$20,000 for LGU partnerships. In most cases a 50 percent cash match will be required.

Who May Apply: County water management/environmental services; SWCDs; watershed districts; watershed management organizations. In some cases, LGU joint powers associations or boards, or other types of LGU water management partnerships will be eligible for grants. Priority is given to applicants submitting projects related to eligible Organizational Assessment, Watershed-based Assessment, or Special Assessment recommendations.

Terms: BWSR pays its share of the LGU's eligible expenditures as reimbursement for expenses incurred by the LGU after the execution date of the grant agreement. Reporting and reimbursement requirements are also described in the agreement. Grant agreements are processed through BWSR's eLINK system.

How to Apply: Submit an email request to the PRAP Coordinator with the following information:

- 1) Description, purpose, and scope of work for the proposed activity (If the activity or services will be contracted, do you have a contracting procedure in by-laws or operating guidelines?)
- 2) Expected products or deliverables

- 3) Desired outcome or result
- 4) Does this activity address any recommendations associated with a recent Level II, III or IV PRAP Assessment? If so, describe how.
- 5) How has your Board indicated support for this project? How will they be kept involved?
- 6) Duration of activity: proposed start and end dates
- 7) Itemized Project Budget including
 - a. Amount of request
 - b. Source of funds to be used for match (cannot be state money nor in-kind)
 - c. Total project budget
- 8) Have you submitted other funding requests for this activity? If yes, to whom and when?
- 9) Provide name and contact information for the person who will be managing the grant agreement and providing evidence of expenditures for reimbursement.

Appendix D

Annual Statewide Summary: 2022 LGU Long-Range Plan Status as of December 31, 2022

Soil and Water Conservation Districts

(Districts have a choice of option A or B)

A. Current Resolution Adopting County Local Water Management Plan

East Polk SWCD resolution was not current on December 31, 2022

West Polk SWCD resolution was not current on December 31, 2022

(both adopting at January 2023 board meeting)

B. Current District Comprehensive Plan

All comprehensive plans are current

Counties

Local Water Management Plan Revision Overdue: Plan Revision in Progress

- All plans are current

Watershed Districts

10-Year Watershed Management Plan Revision Overdue: Plan Revision in Progress

- High Island Creek Watershed District is overdue
 - Cormorant Lakes Watershed District is overdue
- (Both organizations participating in One Watershed One Plan, and will have an approved Comprehensive Watershed Management Plan prior to the end of 2023)

Watershed Management Organizations

- All plans are current

Appendix E

Annual Statewide Summary: Status of Annual Reports for 2021 as of December 31, 2022

Soil and Water Conservation Districts

eLINK Status Reports of Grant Expenditures

- Rock SWCD

(Reports submitted less than 24 hours after deadline)

Counties

Drainage Authority Buffer Strip Reports

All reports submitted on time.

eLINK Status Reports of Grant Expenditures

Late Reports:

- Rock County

(Reports submitted less than 24 hours after deadline)

Watershed Districts

Drainage Authority Buffer Strip Reports

All reports submitted on time.

Annual Activity Reports Not Submitted (or submitted late):

- Joe River WD
- Heron Lake WD
- Crooked Creek WD
- Lower Minnesota River WD
- Ramsey-Washington Metro WD

Metro Joint Powers Watershed Management Organizations

Annual Activity Reports not submitted (or submitted late):

All reports submitted on time.

Appendix F

Annual Statewide Summary: Status of Financial Reports and Audits for 2021 as of December 31, 2022

Soil and Water Conservation Districts

Annual Audits

Annual Audits Not Submitted (or submitted late)

- Aitkin SWCD
- West Otter Tail SWCD
- Pipestone SWCD
- Itasca SWCD

Watershed Districts

Annual Audits Not Completed (or submitted late):

- Stockton Rollingstone – Minnesota City WD
- Lower Minnesota River WD
- Heron Lake WD
- Joe River WD
- Coon Creek WD

Metro Joint Powers Watershed Management Organizations

Annual Audits Not Submitted (or submitted late):

All audits submitted on time

Appendix G

Organizational Assessment Performance Review Final Report Summaries

Cormorant Lakes Watershed District



Key Findings and Conclusions

The Cormorant Lakes Watershed District should be commended for participating in the Otter Tail River One Watershed One Plan watershed planning effort. Partners have provided favorable scores related to the Watershed District's quality of work, and timelines/follow through.

Existing challenges include remembering to be present and available to building relationships with partners. Assessing staffing needs and workload would benefit the Watershed District, and partners, and assist in determining what is necessary to meet the goals of the watershed as well as organizational goals.

The Cormorant Lakes Watershed District is commended for meeting 10 of 12 basic performance standards including completing and submitting financial audits on time, submitting engineer reports for DNR/BWSR review, and having manager appointments current/reported. They are also commended for meeting 13 of 14 high-performance standards.

Resource Outcomes

The Cormorant Lakes Watershed District intends to adopt the Otter Tail Comprehensive Watershed Management Plan, which will be reviewed as part of the Watershed-Based PRAP Assessment process.

Commendations:

The Cormorant Lakes WD is commended for meeting 13 of 14 High Performance Standards for Greater Minnesota Watershed Districts.

Recommendations:

Recommendation 1 – Establish new and Improve working relationships with partners

Recommendation 2 – Evaluate Opportunities for Shared Services

Recommendation 3 – Attend Watershed District's Manager's Orientation/Refresher Session

Action Items:

Cormorant Lakes WD had two action items to address. The WD did not have a data practice policy or personnel policy. Cormorant Lakes was given eighteen months to address both action items with follow-up assistance from BWSR staff.

Eagan-Inver Grove Heights Watershed Management Organization



Key Findings and Conclusions

The Eagan- Inver Grove Heights Watershed Management Organization (E-IGHWMO) is commended for their work in providing education and outreach within the watershed. The board and staff are viewed favorably by their partners and have made progress in working towards the goals within their watershed management plan.

Ongoing water management challenges in the metro area have created the necessity to forge stronger working relationships among partners to improve local water management within the watershed.

The E-IGHWMO is commended for meeting all required applicable basic performance standards including completing required annual reports, maintaining an updated management plan, and keeping a dedicated website up to-date on projects and programs. They are also commended for meeting 6 of 12 high-performance standards, including tracking water quality trends for key water bodies and maintaining cooperative partnerships.

Resource Outcomes:

The Eagan- Inver Grove Heights WMO adopted the 2016-2025 Eagan- Inver Grove Heights WMO Watershed Management Plan which was reviewed in this process. Plan goals tend to be broad high level. The actions within the plan are fairly high level, making it difficult to ascertain progress towards larger goals. Of the total 13 actions within the plan, all are listed as ongoing activities.

Commendations:

E-IGHWMO is commended for meeting 6 of 12 applicable High-Performance Standards for Metro Watershed Management Organizations.

Recommendations:

Recommendation 1 – Reestablish Advisory Committee

Recommendation 2 – Develop clear, measurable goals and actions for future plan implementation

Recommendation 3 – Conduct strategic assessment to evaluate short-term priorities

Action Items:

E-IGHWMO had no action items to address at the time of this report.

Heron Lake Watershed District



Key Findings and Conclusions

Heron Lake Watershed District should be commended for their assistance and participation in watershed implementation efforts. Over the past two years, the WD has seen staffing changes. Partner survey responses indicated a desire to reconnect and reestablish working relationships.

Ongoing water management challenges have created the necessity to forge new working relationships among partners to collaborate to address local water management issues and improve conservation delivery in the watershed. The opportunity for participation in the development of the Des Moines River Comprehensive Watershed Management Plan, developed through the One

Watershed One Plan program, has provided the organization additional collaboration opportunities.

Heron Lake WD is commended for meeting all of their basic performance standards including maintaining a website that contains appropriate information, completing and submitting the drainage authority buffer strip report on time, and having an updated watershed management plan. They are also commended for meeting several high-performance standards, a testament to the efforts of the organization during evolving and changing organizational times.

Resource Outcomes:

The Heron Lake WD intends to adopt the Des Moines River Comprehensive Watershed Management Plan, which will be reviewed as part of the Watershed-Based PRAP Assessment process.

Commendations:

The Heron Lake Watershed District is commended for meeting 9 of 15 High Performance Standards for Greater Minnesota Watershed Districts.

Recommendations:

Recommendation 1 – Develop orientation and continuing education plan for board members and staff and keep records of trainings attended

Recommendation 2 – Complete Modernization of Public Drainage Records

Recommendation 3 – Establish new and improve existing relationships with partners

Recommendation 4 – Create/Distribute customer service survey to landowners

Recommendation 5 – Conduct a strategic assessment to evaluate the mission, vision, and establish goals and priorities for the future

Recommendation 6 – Complete Rule Revision Review

Action Items:

Heron Lake WD did not have any action items to address at the time of this report.

Lincoln County and Lincoln Soil and Water Conservation District



Key Findings and Conclusions

Lincoln SWCD and Lincoln County should be commended for their work in implementing core programs, the Wetlands Conservation Act, and planning and implementation efforts. The board and staff of both local governments are viewed favorably by their partners and multiple responses in the survey alluded to always having shovel-ready projects in high priority locations.

In recent years, the SWCD has weathered staffing changes, but has worked to hire and fill positions as they become vacant. This type of proactive thinking has helped the SWCD in managing and improving conservation delivery in Lincoln County. The opportunity for participation in the development of comprehensive

watershed management plans through the One Watershed, One Plan program and implementation funding has provided additional collaboration opportunities for Lincoln SWCD, County, and partners to focus on specific problems and priorities for the local waterbodies.

Lincoln County is commended for meeting all nine basic performance standards, including completion of eLINK reporting and buffer strip reporting on time, as well as having a delegation resolution for WCA responsibility. Lincoln SWCD is commended for meeting 18 of 19 basic standards, including reviewing of personnel policy within the last 5 years, completion of eLINK reporting on time, and having a technical professional appointed and serving on the WCA TEP.

Resource Outcomes:

Lincoln County contains four watersheds: Yellow Medicine River Watershed, Missouri River Watershed, Lac Qui Parle River Watershed, and Redwood River Watershed. Both the Yellow Medicine River Watershed and Missouri River have Approved Comprehensive Watershed Management Plans, while the Lac Qui Parle River Watershed initiated the planning to develop a Comprehensive Watershed Management Plan in 2020, and the Redwood River has not started the planning process. The Pilot Watershed-Based PRAP will occur for the Yellow Medicine River Watershed in conjunction to this process.

Commendations:

Lincoln SWCD is commended for meeting 11 of 21 high-performance standards

Lincoln County is commended for meeting 12 of 14 high-performance standards

Recommendations:

Recommendation 1 – SWCD Recommendation: Develop orientation and continuing education plan for board members and keep records of trainings attended

Recommendation 2 – SWCD Recommendation: Develop a strategy to manage the Lincoln SWCD reserve fund balance

Recommendation 3 – SWCD Recommendation: Review existing operational guidelines and policies and establish new guidelines and policies as necessary

Recommendation 4 – Joint Recommendation: Continue to communicate and collaborate in partners

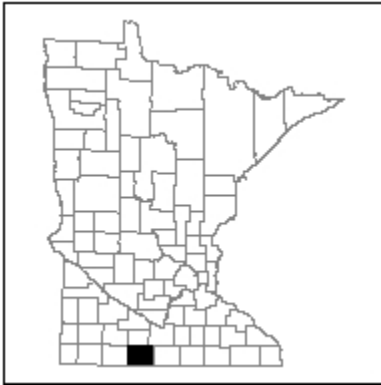
Recommendation 5 – WCA Recommendation: TEP Member Attend WCA Specific Training

Action Items:

Lincoln County did not have any action items to address at the time of this report.

Lincoln SWCD had one action item to address. The SWCD did not have a current data practice policy. The SWCD was given eighteen months to address the issue with follow-up assistance from BWSR staff.

Martin County and Martin Soil and Water Conservation District



Key Findings and Conclusions

Martin SWCD and Martin County should be commended for their work in implementing core programs, the Wetlands Conservation Act, and planning and implementation efforts. The board and staff of both local governments are viewed favorably by their partners and have made significant progress toward implementing the Martin County Local Water Management Plan.

Developing strong working relationships/communication with partners will help in weathering challenges, and further assist in addressing local water management issues and improve conservation delivery in Martin County. The opportunity for participation in the development of comprehensive watershed management plans through the One Watershed, One Plan program provides

additional collaboration opportunities for Martin SWCD, County, and partners to focus on specific problems and priorities for the local waterbodies.

Martin County is commended for meeting all basic performance standards, including completion of eLINK reporting and buffer strip reporting on time, as well as having a delegation resolution for WCA responsibility. Martin SWCD is commended for meeting 18 of 19 basic standards, including reviewing of personnel policy within the last 5 years, completion of eLINK reporting on time, and having a knowledgeable/trained staff member manage the WCA program. Both are commended for their effective administration of the Wetlands Conservation Act, and also for meeting several high-performance standards, a testament to the quality of work they are recognized for by their partners.

Resource Outcomes

The Martin County local water management plan is fairly broad in scope, with most items identifying some numeric result. The plan contained 79 total action items: 51 having some progress or ongoing, nine completed, and nineteen dropped or not yet started.

Commendations

The Martin SWCD is commended for achieving 18 of 22 high-performance standards, and Martin County is commended for achieving 14 out of 14 applicable high-performance standards.

Recommendations:

Recommendation 1 – SWCD Recommendation: Develop orientation and continuing education plan for board members and staff and keep records of trainings attended

Recommendation 2 – Joint Recommendation: Communicate Progress on Water Plan Goals

Recommendation 3 – Joint Recommendation: Continue to Seek Additional Opportunities for Coordination with Partners

Recommendation 4 – WCA Recommendation: Revise the Service Agreement to clarify the types of decisions the SWCD has authority to make

Recommendation 5 – WCA Recommendation: New Technical Evaluation Panel (TEP) member be appointed who is knowledgeable and trained in technical aspects of WCA

Recommendation 6 – WCA Recommendation: District staff ask the TEP to produce TEP Findings and Recommendations for complex decisions, violations, and/or disagreements

Action Items:

Martin County did not have any action items to address at the time of this report.

Martin SWCD had one action item to address. The SWCD did not have a current data practice policy. The SWCD was given eighteen months to address the issue with follow-up assistance from BWSR staff.

Redwood County and Redwood Soil and Water Conservation District



Key Findings and Conclusions

Redwood Soil and Water Conservation District (SWCD) and Redwood County should be commended for their work in implementing core programs, the Wetlands Conservation Act, and implementing activities identified within the county water plan. The board and staff of both local governments are viewed favorably by their partners and have strong technical capacity, which aids in the implementation of activities identified within the Redwood County Local Water Plan.

Developing strong working relationships/communication with partners will help in weathering challenges, and further assist in address local water management issues and improve conservation delivery in Redwood County. Opportunities exist for participation in the development of comprehensive watershed management plans through the One Watershed, One Plan program, which will provide additional collaboration opportunities for Redwood SWCD, County, and future partners to focus on specific problems and priorities for the local waterbodies.

Redwood County reported compliance with 4 of 5 applicable basic standards. Examples of items in compliance with include: eLINK grant reporting submitted on time, drainage authority buffer strip report submitted on time, and current local water management plan. The SWCD reported compliance with 16 of 19 basic performance standards, including reviewing of personnel policy within the last 5 years, completion of eLINK reporting on time, and completing WCA reporting on time. The three basic performance items identified by the LGU include not having a technical representative appointed to the WCA TEP, not having a knowledgeable and trained WCA staff member managing the WCA program.

Resource Outcomes

The Redwood County local water management plan contained 103 action items; 98 of which had some progress made and/or ongoing work, three actions listed as complete or goal met, and two have been dropped or not yet started. The plan is fairly broad in scope, with many items having a clear numeric goal as related to number of projects, number of events, or number of acres of cover crops. Because it is an older plan, the overall results do not necessarily tie back to an overall plan, water quality goal, or strategy for addressing resource issues or concerns.

Commendations

The Redwood SWCD is commended for achieving 14 of 22 high-performance standards and Redwood County is commended for achieving nine of 15 applicable high-performance standards.

Recommendations:

Recommendation 1 – Joint Recommendation: Continue to Seek Additional Opportunities for Coordination with Partners

Recommendation 2 – Joint Recommendation: Communicate Progress on Water Plan Goals

Recommendation 3 – SWCD Recommendation: Develop orientation and continuing education plan for board members and staff and keep records of trainings attended

Recommendation 4 – SWCD Recommendation: Conduct a Strategic Assessment of the SWCD to Evaluate Long Range Priorities

Recommendation 5 – County Recommendation: Complete Modernization of Public Drainage Records

Recommendation 6 – WCA-Recommendation: Improve Replacement Plan Decision Making

Recommendation 7 – WCA-Recommendation: New Staff Attend the 5-day MWPCP Training

Recommendation 8 – WCA-Recommendation: Include the TEP/DNR in future Enforcement Review

Recommendation 9 – WCA-Recommendation: Enhance Record Keeping

Action Items:

Redwood SWCD had no action items to be address at the time of this report.

Redwood County had one action item. The County did not have BWSR grant reports posted on the county website. The SWCD was given eighteen months to address the issue with follow-up assistance from BWSR staff.

Riley-Purgatory Bluff Creek Watershed District



Key Findings and Conclusions

The Riley-Purgatory Bluff Creek Watershed District (RPBCWD) should be commended for building partnerships, implementing projects, and investing in staff and programs to increase community engagement and monitoring efforts.

Ongoing water management challenges in the metro area have created the necessity to forge stronger working relationships among partners to improve local water management within the watershed.

The RPBCWD is commended for meeting all applicable basic performance standards including completing required annual reports, maintaining an updated management plan, and keeping a dedicated website up to-date on

projects and programs. They are also commended for meeting most high-performance standards, including monitoring hydrologic trends and maintaining cooperative partnerships.

Resource Outcomes

The Riley Purgatory Bluff Creek WD adopted the 2018-2027 Riley-Purgatory-Bluff Creek Watershed District Management Plan. The plan contains 69 action items; 65 of which are ongoing, one not started, and three completed.

Commendations:

The Riley-Purgatory Bluff Creek WD is commended for achieving 10 of 12 applicable high-performance standards.

Recommendations:

Recommendation 1 – Engage in Mediated Discussions with Third Party to Ensure both the Board and Staff address issues that Adversely Affect the Organization

Recommendation 2 – Evaluate Options for Increased Efficiencies at Board Meetings

Recommendation 3 – Conduct a Strategic Assessment to Evaluate the Mission, Vision and Establish goals and priorities for the future

Recommendation 4 – Establish new and improve existing working relationships with partners

Action Items: Riley-Purgatory Bluff Creek WD did not have any action items to address at the time of this report.

Sand Hill River Watershed District



Key Findings and Conclusions

Sand Hill River Watershed District should be commended for their assistance and participation in watershed planning efforts. Partner survey responses indicated both the board and staff are viewed favorably.

Existing challenges include building relationships with partners whose purpose may not necessarily align. Communication with partners and involvement in watershed planning efforts will assist in this concern and aid in board/staff survey comments related to funding as a limitation to accomplishing goals.

Sand Hill River WD reports compliance with 13 of 14 applicable basic performance standards, and 13 of 15 high-performance standards. The Sand Hill River WD has demonstrated a desire to work in partnership with MnDOT, MN DNR, and BWSR. The WD should continue building and enhancing those relationships, and work to strengthen the organization via partnerships in comprehensive watershed management efforts, and project implementation.

Resource Outcomes:

The Sand Hill River WD intends to adopt the Sand Hill River Comprehensive Management Plan, which will be reviewed as part of the Watershed-Based PRAP Assessment process.

Commendations:

The Sand Hill River Watershed District is commended for meeting 13 of 15 High Performance Standards.

Recommendations:

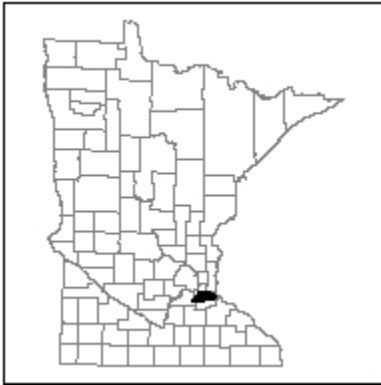
Recommendation 1 – Develop orientation and continuing education plans for board members and staff and keep records of trainings attended

Recommendation 2 – Continue to seek additional opportunities for coordination and collaboration amongst partners

Action Items:

Sand Hill River Watershed District has one action item to address. The WD has not updated/reviewed their data practice policy in the past five years. Sand Hill River WD was given eighteen months to address the action item with follow-up assistance from BWSR staff.

Vermillion River Watershed Joint Powers Organization



Key Findings and Conclusions

Vermillion River Watershed Joint Powers Organization (VRWJPO) should be commended for their education/outreach efforts, having strong technical capacity, and implementing projects within their Comprehensive Watershed Management Plan. The board and staff are viewed favorably by their partners and have made significant progress toward implementing their local water management plan.

Ongoing water management challenges in the metro area have created the necessity to forge stronger working relationships among partners to improve local water management within the watershed. The VRWJPO is commended for meeting all applicable basic performance standards including completing required annual reports, maintaining an updated management plan, and keeping a dedicated website up to date on projects and programs. They are also commended for meeting most high-performance standards, including monitoring hydrologic trends and maintaining cooperative partnerships.

Resource Outcomes:

The Watershed Management Plan for the VRWJPO contains a total of 239 action items. A total of seven goals forms the foundation of actions within the plan. Plan goals tend to be broad high level, and the specific actions and objectives to address larger goals provide more specific clarity. Of the total 239 action items, 71 were identified as to be completed/worked on in the future, 36 action items had been completed, and 132 items were ongoing. The VRWJPO has demonstrated clear progress toward their plan goals and actions, effectiveness in implementation of projects, and a strong, reliable partner.

Commendations:

The VRWJPO is commended for meeting 10 of 12 high-performance standards.

Recommendations:

Recommendation 1: Create/Distribute Customer Service survey to implementers

Recommendation 2: Develop orientation and continuing education plan for board members and staff and keep records of trainings attended

Recommendation 3: Evaluate Needs of Partner Municipalities

Action Items:

Vermillion River Watershed JPO had no action items to address at the time of this report.

Warroad Watershed District



Key Findings and Conclusions

The Warroad Watershed District should be commended for their work in adding capacity, participating in watershed efforts, and building relationships. Partners have provided favorable comments related to the watershed districts effort to organizationally improve and grow in response to increased opportunities.

Existing challenges include assessing staffing needs and determining what skill sets and growth is necessary to meet the goals of the watershed as well as organizational goals. Working with partners and discussing the watershed districts' possible contribution(s) will continue to benefit the organization.

The Warroad WD is commended for meeting 8 of 9 of the basic performance standards including maintaining a website that contains appropriate information, completing and submitting financial audits and elink reporting on time, and having an updated watershed management plan. They are also commended for meeting 7 of 13 high-performance standards.

Resource Outcomes:

The Warroad WD has locally adopted the Lake of the Woods Comprehensive Watershed Management Plan. Evaluation of plan implementation progress will occur during the Watershed-Based Assessment. For this reason, the local water plan review was omitted from the assessment.

Commendations:

The Warroad WD is commended for achieving 7 of 13 high performance standards.

Recommendations:

- Recommendation 1 – Develop orientation and continuing education plan for board members and staff and keep records of trainings attended
- Recommendation 2 – Finalize workload assessment and formalize roles and responsibilities
- Recommendation 3 – Review existing operation guidelines and establish new guidelines and policies as necessary
- Recommendation 4 – Work with partners to track water quality trends and accomplishments

Action Items:

The Warroad WD had one action item to address at the time of this report. The WD did not have a data practice policy. The WD was given eighteen months to address the issue with follow-up assistance from BWSR staff.

Yellow Medicine County and Yellow Medicine Soil and Water Conservation District



Key Findings and Conclusions

Yellow Medicine SWCD and Yellow Medicine County should be commended for their work in implementing core programs, the Wetlands Conservation Act, and planning and implementation efforts. The board and staff of both local governments are viewed favorably by their partners and have made significant progress toward implementing the Yellow Medicine Comprehensive Watershed Management Plan.

Developing strong working relationships/communication with partners will help in weathering challenges and assist in address local water management issues and improve conservation delivery in Yellow Medicine County. Partner survey responses indicated the value of being proactive, thinking outside the box, and remembering the importance of outreach and communication.

Yellow Medicine County is commended for meeting all basic performance standards, including completion of eLINK reporting and buffer strip reporting on time, as well as making a delegation resolution for WCA responsibility. Yellow Medicine SWCD is commended for meeting 19 of 19 basic standards, including reviewing of personnel policy within the last 5 years, completion of eLINK reporting on time, and having a technical professional appointed and serving on the WCA TEP.

Both the SWCD and County are commended for their effective administration of the Wetlands Conservation Act, and also for meeting several high-performance standards, a testament to the quality of work they are recognized for by their partners.

Resource Outcomes:

The Yellow Medicine Comprehensive Watershed Management Plan was reviewed as part of the Watershed-Based PRAP Assessment process.

Commendations:

The Yellow Medicine SWCD is commended for achieving 17 of 22 high-performance standards and Yellow Medicine County is commended for achieving four of 13 applicable high-performance standards.

Recommendations:

Recommendation 1 – SWCD Recommendation: Develop orientation and continuing education plan for board members and keep records of trainings attended

Recommendation 2 – County Recommendation: Complete Modernization of Public Drainage Records

Recommendation 3 – County Recommendation: Develop or enhance communication and outreach strategies to connect with partners

Recommendation 4 – SWCD Recommendation: Continue to seek additional opportunities for coordination and collaboration amongst partners

Action Items:

Yellow Medicine County had no action items to be address at the time of this report.

Yellow Medicine SWCD had no action items to be address at the time of this report.

Yellow Medicine Watershed District



Key Findings and Conclusions

The Yellow Medicine Watershed District is commended for their assistance in both participating and leading watershed implementation efforts. Partners have provided favorable scores related to the watershed districts quality of work, and initiative.

Existing challenges include building relationships with partners, with primary concerns related to communication, lack of delegation, and follow through. Assessing staffing needs and workload would benefit the watershed district, and partners, and assist in determining what is necessary to meet the goals of the watershed as well as organizational goals.

The Yellow Medicine WD is commended for meeting 13 of 13 basic performance standards including maintaining a website that contains appropriate information, completing and submitting financial audits and elink reporting on time, and having an updated watershed management plan. They are also commended for meeting 9 of 15 high-performance standards.

Resource Outcomes:

The Yellow Medicine Comprehensive Watershed Management Plan was reviewed as part of the Watershed-Based PRAP Assessment process.

Commendations:

The Yellow Medicine WD is commended for achieving 9 of 15 high performance standards.

Recommendations:

Recommendation 1 – Develop orientation and continuing education plan for board members and staff and keep records of trainings attended

Recommendation 2 – Determine Office Staffing Needs

Recommendation 3 – Utilize a Third Party to complete a Workload Assessment

Recommendation 4 – Review existing operational guidelines and establish new guidelines and policies as necessary

Recommendation 5 – Establish new and Improve working relationships with partners

Action Items:

The Yellow Medicine WD had no action items to address at the time of this report.

Yellow Medicine Partnership (Watershed Based PRAP Pilot)



Key Findings and Conclusions

The Yellow Medicine Partnership is commended for their work in implementing activities identified within their Comprehensive Watershed Management Plan. Partner’s view both the policy committee members and staff favorably.

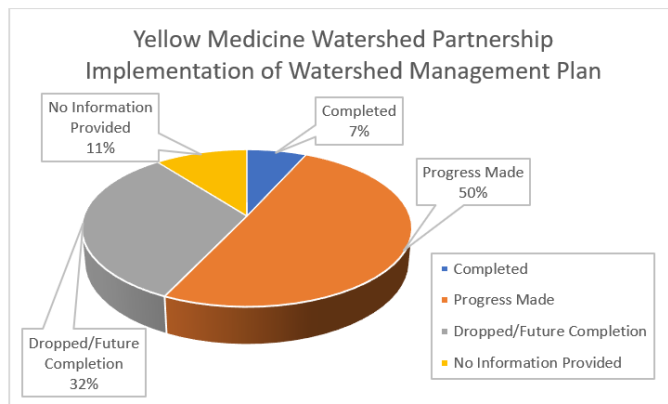
The Partnership has done a great job in implementing practices and appears to highly focus on the priority areas as defined in the plan. Both Communication/Coordination and Timelines/Follow-through are areas of improvement with the partnership needing to formally define roles, processes, and sufficient response time for accomplishing tasks. Further, establishing and utilizing a tracking mechanism will assist the partnership in receiving proper

credit for the implementation work.

In brief review, the Yellow Medicine Partnership reports achieving 18 of the 22 best standards or practices (those items that the partnership should be doing to remain effective), and 8 of 11 high performance standards. The Yellow Medicine Partnership has clearly demonstrated effectiveness in implementation of best management practices in priority areas within the landscape. As found in the survey checklist, the partnership would benefit from targeting outreach to priority areas vs watershed wide. This will become increasingly important throughout the duration of the plan.

Resource Outcomes:

The Yellow Medicine Comprehensive Watershed Management Plan contains 133 action items that were reviewed. Progress on individual plan goals appears to be appropriate, with 67 activities identified as in progress, 43 identified as not started yet, 9 have been completed with goals met and even exceeded in some cases, and 14 had no information provided in order to make sufficient determination.



The Yellow Medicine Partnership is commended for making progress on over half of the action items/activities identified within the implementation section of the plan. Within the Stormwater Storage goal, roughly 13% of the goal was met by the partnership. Additionally, six activities within the Best Management Practice (Objective 1) contained goals that were either met or exceeded.

Commendations:

The Yellow Medicine Watershed Partnership is commended for achieving 8 of 11 high performance standards.

Recommendations:

- Recommendation 1 – Partnership Recommendation: Improve Plan Progress Tracking
- Recommendation 2 – Partnership Recommendation: Review of Internal Processes and Workflow
- Recommendation 3 – Partnership Recommendation: Increase engagement with Advisory Committee (including stakeholders)
- Recommendation 4 – Partnership Recommendation: Complete Assessment identified in Section 6.7
- Recommendation 5 – Partnership Recommendation: Public Education with Watershed Focus
- Recommendation 6 – Partnership Recommendation: Clearly Communicate Availability and Establish Expectations for Turnaround Time

Recommendation 7 – Partnership Recommendation: Increase transparency on progress towards goals (community outreach)

Action Items:

The Yellow Medicine Watershed Partnership had no action items to address at the time of this report.

Appendix H

Performance Standards Checklists used in Organizational Assessments

Organizational Assessment- PRAP		Performance Standards		2022		
COUNTY LOCAL WATER MANAGEMENT PERFORMANCE STANDARDS						
LGU Name: _____						
Performance Area	Performance Standard		Level of Review	Rating		
	<ul style="list-style-type: none"> ■ Basic practice or statutory requirement ★ High Performance standard (see instructions for explanation of standards)		<ul style="list-style-type: none"> I Annual Compliance II BWSR Staff Review & Assessment (1/10 yrs.) 	Yes, No, or Value	YES	NO
Administration	■	eLINK Grant Report(s): submitted on time	I			
	■	County has resolution assuming WCA responsibilities and delegation resolutions (if needed).	II			
	■	County has knowledgeable and trained staff to manage WCA program or secured a qualified delegate.	II			
	■	WCA Annual Reporting requirements met (if WCA LGU)	II			
	■	Drainage authority buffer strip report submitted on time	I			
	★	Public drainage records: meet modernization guidelines	II			
Planning	■	Local water mgmt. plan: current	I			
	★	Metro counties: groundwater plan up-to-date	I			
	★	Prioritized, Targeted & Measurable criteria are used for Goals, Objectives and Actions in local water management plan	II			
	★	Water quality trend data used for short- and long-range plan priorities	II			
Execution	■	WCA decisions and determinations are made in conformance with WCA requirements.	II			
	■	WCA TEP reviews and recommendations are appropriately coordinated.	II			
	★	Certified wetland delineator on staff or retainer	II			
	★	WCA Communication and Coordination	II			
	★	Water quality data collected to track outcomes for each priority concern	II			
	★	Water quality trends tracked for priority water bodies and/or groundwater	II			
Communication & Coordination	■	BWSR grant report(s) posted on county website	I			
	★	Communication piece sent within last 12 months: indicate target audience below	II			
	Communication Target Audience:					
	★	Obtain stakeholder input: within last 12 months	II			
	★	Partnerships: liaison with SWCDs/WDs and cooperative projects/tasks done (in addition to 1W1P)	II			
	★	Annual report to water plan advisory committee on plan progress	II			
	★	Track progress for I & E objectives in Plan	II			
	★	Coordination with state watershed-based initiatives	II			
	★	County local water plan on county website	II			
★	Water management ordinances on county website	II				

SOIL AND WATER CONSERVATION DISTRICT PERFORMANCE STANDARDS

LGU Name:

Performance Area	Performance Standard	Level of Review	Rating	
			YES	NO
Administration	■ Basic Practice or Statutory requirement	I Annual Compliance	Yes, No, or Value	
	★ High Performance standard (See instructions for explanation of standards)	II BWSR Staff Review & Assessment (1/10 yrs.)		
	■ Financial statement: annual, on-time and complete	I		
	■ Financial audit: completed as required by statute (see guidance) or as per BWSR correspondence	I		
	■ eLINK Grant Report(s) submitted on-time	I		
	■ Data practices policy: exists and reviewed/updated within last 5 years	II		
	■ Personnel policy: exists and reviewed/updated within last 5 years	II		
	■ Technical professional appointed and serving on WCA TEP	II		
	■ SWCD has an adopting resolution assuming WCA responsibilities and appropriate decision delegation resolutions as warranted (If WCA LGU)	II		
	■ SWCD has knowledgeable and trained staff to manage WCA program (if WCA LGU)	II		
	■ WCA Annual Reporting requirements met (if WCA LGU)	II		
	★ Job approval authorities: reviewed and reported annually	II		
	★ Operational guidelines and policies exist and are current	II		
	★ Board training: orientation and continuing education plan and record for each board member	II		
★ Staff training: orientation and cont. ed. plan/record for each staff	II			
Planning	■ Comprehensive Plan: updated within 5 years or current resolution adopting unexpired county Local Water Management Plan (LWMP)	I		
	★ Prioritized, Targeted and Measurable criteria used for Goals and Objectives in the LWMP as appropriate	II		
	★ Annual Plan of Work: based on comp plan, strategic plan priorities	II		
	★ SWCD is currently actively involved in at least one 1W1P	II		
	★ SWCD has received a competitive CWF grant in past 2 years	II		
	★ Strategic Plan or Self-Assessment completed within last 5 years	II		
Execution	■ Are state grant funds spent in high priority problem areas	II		
	■ Total expenditures per year (over past 10 years)	II	see below	
	■ Months of operating funds in reserve	II		
	■ Replacement and restoration orders are prepared in conformance with WCA rules and requirements	II		
	■ WCA TEP member knowledgeable/trained in WCA technical aspects	II		
	■ WCA TEP member contributes to reviews, findings & recommendations	II		
	■ WCA decisions and determinations are made in conformance with all WCA requirements (if LGU)	II		
	■ WCA TEP reviews/recommendations appropriately coordinated (if LGU)	II		
	★ Certified wetland delineator: on staff or retainer	II		
	★ Effective WCA Coordination and Communication with other agencies and the public	II		
★ Water quality data collected to track outcomes for each pr. concern	II			
★ Water quality trends tracked for priority water bodies	II			
Communication & Coordination	■ Website contains all required content elements	I		
	★ Website contains additional content beyond minimum required	II		
	★ Coordination with state watershed-based initiatives	II		
	★ Communication piece sent within last 12 months, indicate target	II		
	Communication Target Audience			
	★ Outcome trends monitored and reported for key resources	II		
	★ Track progress on Information and Education objectives in Plan	II		
	★ Obtain stakeholder input: within last 12 months	II		
	★ Annual report communicates progress on water plan goals	II		
	★ Partnerships: cooperative projects/tasks with neighboring districts, counties, watershed districts, NGOs, or private businesses	II		
★ Coordination with County Board by supervisors or staff	II			
Year				
Expenditure				

METRO WATERSHED DISTRICT and WMO PERFORMANCE STANDARDS

LGU Name: _____

Performance Area	Performance Standard	Level of Review	Rating	
			YES	NO
	★ High Performance standard	I Annual Compliance	Yes, No, or Value	
	■ Basic practice or statutory requirement (see instructions for explanation of standards)	II BWSR Staff Review & Assessment (1/10 yrs.)		
Administration	■ Activity report: annual, on-time	I		
	■ Financial report & audit completed on time	I		
	■ Drainage authority buffer strip report submitted on time	I		
	■ eLINK Grant Report(s): submitted on time	I		
	■ Rules: date of last revision or review – Please enter month/year (i.e., 01/20)	II		
	■ Personnel policy: exists and reviewed/updated within last 5 years	II		
	■ Data practices policy: exists and reviewed/updated within last 5 years	II		
	■ Manager appointments: current and reported	II		
	■ Consultant RFP: within 2 yrs. for professional services	II		
	■ WD/WMO has resolution assuming WCA responsibilities and appropriate delegation resolutions as warranted (N/A if not LGU)	II		
	■ WD/WMO has knowledgeable & trained staff that manages WCA program or has secured qualified delegate. (N/A if not LGU)	II		
	★ Administrator on staff	II		
	★ Board training: orientation and continuing education plan, record for each board member	II		
	★ Staff training: orientation and continuing education plan and record for each staff	II		
	★ Operational guidelines for fiscal procedures and conflicts of interest exist and current	II		
★ Public drainage records: meet modernization guidelines	II			
Planning	■ Watershed management plan: up-to-date	I		
	■ City/twp. local water plans not yet approved	II		
	■ Capital Improvement Program: reviewed every 2 years	II		
	★ Strategic plan or self-assessment completed in last 5 years	II		
	★ Strategic plan identifies short-term priorities	II		
Execution	■ Engineer Reports: submitted for DNR & BWSR review	II		
	■ WCA decisions and determinations are made in conformance with all WCA requirements. (if delegated WCA LGU)	II		
	■ WCA TEP reviews & recommendations appropriately coordinated. (if delegated WCA LGU)	II		
	★ Certified wetland delineator on staff or retainer	II		
	■ Total expenditures per year (past 10 yrs.)	II	see below	
	★ Water quality trends tracked for key water bodies	II		
	★ Watershed hydrologic trends monitored / reported	II		
Communication & Coordination	■ Website: contains information as required by MR 8410.0150 Subpart 3a, i.e. as board meeting, contact information, water plan, etc.	II		
	■ Functioning advisory committee(s): recommendations on projects, reports, 2-way communication with Board	II		
	■ Communication piece: sent within last 12 months	II		
	Communication Target Audience:			
	★ Track progress for Information and Education objectives in Plan	II		
	★ Coordination with County Board, SWCD Board, City/Township officials	II		
★ Partnerships: cooperative projects/tasks with neighboring organizations, such as counties, SWCDs, WDs, tribal governments, Non-Government Organizations	II			
Year				
Expenditures				

GREATER MN WATERSHED DISTRICT PERFORMANCE STANDARDS

LGU Name: _____

Performance Area	Performance Standard	Level of Review	Rating	
			YES	NO
	★ High Performance standard	I Annual Compliance	Yes, No, or Value	
	■ Basic practice or Statutory requirement <i>(see instructions for explanation of standards)</i>	II BWSR Staff Review & Assessment (1/10 yrs.)		
Administration	■ Annual report: submitted on time	I		
	■ Financial audit: completed on time	I		
	■ Drainage authority buffer strip report submitted on time	I		
	■ eLINK Grant Report(s): submitted on time	I		
	■ Rules: date of last revision or review – Please enter month/year (i.e., 01/20)	II		
	■ Personnel policy: exists and reviewed/updated within last 5 years	II		
	■ Data practices policy: exists and reviewed/updated within last 5 years	II		
	■ Manager appointments: current and reported	II		
	■ WD has resolution assuming WCA responsibilities & appropriate delegation resolutions as warranted. <i>(N/A if not LGU)</i>	II		
	■ WD has knowledgeable & trained staff that manages WCA program or has secured a qualified delegate. <i>(N/A if not WCA LGU)</i>	II		
	★ Administrator on staff	II		
	★ Board training: orientation and continuing education plan and record for board members	II		
	★ Staff training: orientation and continuing education plan/record for each staff	II		
	★ Operational guidelines exist and current	II		
★ Public drainage records: meet modernization guidelines	II			
Planning	■ Watershed management plan: up-to-date	I		
	★ Prioritized, Targeted, Measurable criteria used in WD Plan	II		
	★ Strategic plan identifies short-term activities & budgets based on state and local watershed priorities	II		
	★ Member of County Water Plan Advisory Committee(s)	II		
Execution	■ Engineer Reports: submitted for DNR & BWSR review	II		
	■ WCA decisions and determinations made in conformance with all WCA requirements. <i>(N/A if not LGU)</i>	II		
	■ WCA TEP reviews/recommendations coordinated <i>(N/A if not LGU)</i>	II		
	★ Certified wetland delineator on staff or retainer	II		
	■ Total expenditures per year for past 10 years	II		attach
	★ Water quality trends tracked for key water bodies	II		
Communication & Coordination	★ Watershed hydrologic trends monitored / reported	II		
	■ Functioning advisory committee: recommendations on projects, reports, maintains 2-way communication with Board	II		
	■ Communication piece sent within last 12 months	II		
	■ Website: contains annual report, financial statement, board members, contact info, grant report(s), watershed management plan, meeting notices, agendas & minutes, updated after each board meeting	II		
	★ Obtain stakeholder input: within last 12 months	II		
	★ Coordination with watershed based initiatives	II		
	★ Track progress for I & E objectives in Plan	II		
	★ Coordination with County Board, SWCD Board, City/Township officials	II		
★ Partnerships: cooperative projects/tasks with neighboring districts, counties, soil and water districts, non-governmental organizations	II			

Year										
Expenditures										

Appendix I

2022 Local Government Performance Awards and Recognition*

(Awarding agency listed in parentheses.)

Outstanding Soil and Water Conservation District (SWCD) Employee

(Board of Water and Soil Resources)

Bryan Malone, Administrator, Becker Soil and Water Conservation District

Soil and Water Conservation District of the Year

(Minnesota Association of Soil and Water Conservation Districts)

Mille Lacs Soil and Water Conservation District

Outstanding Administrator of the Year

(Minnesota Association of Watershed District Administrators)

Mark Doneux – Administrator, Capitol Region Watershed District

Outstanding Watershed District Employee

(Board of Water and Soil Resources)

Bob Fossum – Monitoring and Research Division Manager, Capitol Region Watershed District

Program of the Year Award

(Minnesota Association of Watershed Districts)

Hennepin County – Chloride Initiative

WD Project of the Year

(Minnesota Association of Watershed Districts)

Lac qui Parle- Yellow Bank Watershed District – Protecting Del Clarke Lake and Restoring Canby Creek

County Conservation Awards

(Association of Minnesota Counties and Board of Water and Soil Resources)

Dakota County- Reintroduction of Bison at Spring Lake Park Reserve

COMMITTEE RECOMMENDATIONS

Grants Program & Policy Committee

1. FY23 Water Quality and Storage Pilot Grant Program – Rita Weaver – ***DECISION ITEM***
2. Amendment to Board Order #22-55:Clean Water Fund Competitive Grants – Marcey Westrick – ***DECISION ITEM***

BOARD ORDER

Fiscal Year 2023 Water Quality and Storage Pilot Grant Program Policy

PURPOSE

Authorize a fiscal year 2023 Water Quality and Storage Pilot Grant Program and adopt the updated Water Quality and Storage Pilot Grant Program Policy.

RECITALS /FINDINGS OF FACT

- A. Laws of Minnesota 2021, 1st Special Session, Chapter 6, Article 1, Sec. 4(l), appropriated \$1 million in Fiscal Year 2023 to a water quality and storage program.
- B. Laws of Minnesota 2021, 1st Special Session, Chapter 6, Article 2, Sec. 80 provides the statutory authority for the Water Quality and Storage Program (Minn. Stat. 103F.05), and includes the purposes of the Program that are “to control water volume and rates to protect infrastructure, improve water quality and related public benefits, and mitigate climate change impacts”, identifies eligible practices, and establishes that the priority areas for the program are the Minnesota River basin and the lower Mississippi River basin.
- C. Based on board order #22-06, staff opened the application period for the initial Water Quality and Storage Pilot Grant Program in early 2022. In the summer of 2022 staff scored and selected projects to receive funding. Grant agreements were developed, and work plans were submitted to BWSR staff in the summer and fall of 2022.
- D. Experience with the FY22 applications and scoring lead the team at BWSR to make a few modifications to the FY23 RFP and scoring matrix.
- E. The program policy, request for proposals, and frequently asked questions documents have been reviewed for application to the fiscal year 2023 Water Quality and Storage Pilot Grant Program and subsequent activities conducted with these funds.
- F. The Grants Program and Policy Committee, at their January 23, 2023 meeting, reviewed the proposed Water Quality and Storage Pilot Grant Program Policy and associated documents and recommended approval to the Board.

ORDER

The Board hereby:

- 1. Adopts the attached FY23 *Water Quality and Storage Pilot Program Policy*.
- 2. Authorizes staff to issue the Request for Proposals and score and rank the responses for future consideration by the board.

Dated at St. Paul, Minnesota, January 25, 2023.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Water Quality and Storage Pilot Program Policy

From the Office of Board of Water and Soil Resources, State of Minnesota

Version: 1.1
Effective Date: TBD
Approval: Board Order #

Policy Statement

The Water Quality and Storage Program was established to provide financial assistance to local units of government to control water volume and rates to protect infrastructure, improve water quality and related public benefits, and mitigate climate change impacts. This program is authorized by Minnesota Session Laws 2021, Article 3, Section 3, Sub 2.

Reason for the policy

The purpose of this policy is to provide clear expectations for the implementation of grants delivered through this program. More specific requirements or criteria may apply when specified by statute, rule, funding sources, or appropriation language.

Grantees are responsible for the administration and decisions concerning the use of these funds in accordance with applicable Minnesota Statutes, state agency policies, and other applicable laws. BWSR will use grant agreements as contracts for assurance of deliverables and compliance with applicable laws and program policies.

The BWSR Grants Administration Manual provides the primary framework for management of these funds.

Applicant Eligibility

Eligible applicants include municipalities, towns, counties, soil and water conservation districts, watershed districts, or organizations formed for the joint exercise of powers, as defined under section 103B.305, subdivision 5, and includes tribal governments. Applicant must have a State or tribal approved and locally adopted local water management plan, comprehensive watershed management plan, watershed district plan, or soil and water conservation district (SWCD) comprehensive plan.

Applicant must have calculated the reduction in peak runoff flow or volume due to the project at a downstream area of interest (to be determined by the applicant).

Match Requirements

A minimum 25% match is required from non-state funds. The anticipated source(s) for the match shall be identified in the grant proposal. Activities listed as ineligible (see below) may not be counted towards match. Match can be provided by a landowner, land occupier, local government or other non-State source and can be in the form of cash or the cash value of services or materials contributed to the accomplishment of grant objectives.

Eligible Activities

Eligible activities must result in a reduction to peak flow rates and/or volumes to demonstrate a decrease in downstream flooding, improvement of water quality or related public benefits, or to mitigate climate change impacts. Grants may include any number of practices, but the practices cumulatively must reduce the peak runoff flow and/or volume at an area of interest (to be determined by the applicant). The area of interest must be identified at the time of application and an explanation provided of the flooding, water quality, or climate vulnerabilities at that location. A feasibility study must already be completed that shows the effect of the storage practice on the runoff hydrograph.

Examples of eligible practices include, but are not limited to:

- Ponds without permanent pools (Dry detention ponds)
- Ponds with permanent pools (Wet detention ponds)
- WASCOBs
- Wetland Construction or Restorations
- Improvements or retrofits of existing storage areas to increase storage capacity or retention time

Project lifespan must be at least 25-years and the applicant must develop an Operation and Maintenance plan that includes an inspection schedule, expectations for routine maintenance, and a financing system to ensure the design function of the project.

Eligible activities also include construction costs, project development, grant management, and administration. Technical and engineering assistance necessary for design of these practices is essential and may be included in the project cost.

Payments for land protection including easement payment (temporary, perpetual, or flowage), pre-title acquisition payments, property acquisition costs, survey, title, and recording fees are eligible expenses under this grant. If a perpetual easement is acquired, it must be approved by the Board of Water and Soil Resources (BWSR) for entire contiguous storage practice. Total state easement payment rates, shall not exceed regular 2018 Reinvest in Minnesota (RIM) rates if the easement will be used as match.

Ineligible Expenses

- Activities that do not demonstrate a reduction in the hydrograph peak at an area of interest.

- Activities that are multi-phase, multi-year storage systems (i.e. – the project must not rely on components that will be constructed at a later time in order to get the reduction in peak flow rates and/or volumes)
- Maintenance or repair of existing structures/storage projects.
- Activities that would negatively affect drinking water.
- Meeting the minimum requirements of Chapter 103E or MS4 plans.
- Feasibility studies and/or hydrology and hydraulic modeling are not eligible during the pilot phase of this program.
- Activities that are constructed as part of 103E proceedings will not be eligible during the pilot phase of this program until criteria can be developed to evaluate the project separately from the drainage improvement activities.

Technical Quality Assurance

Grantees must identify the technical assistance provider(s) for the practice or project and their credentials for providing this assistance. The technical assistance provider(s) must have appropriate credentials for practice investigation, design, and construction. Credentials can include conservation partnership Job Approval Authority (JAA), also known as technical approval authority; applicable professional licensure; reputable vendor with applicable expertise and liability coverage; or other applicable credentials, training, and/or experience.

BWSR reserves the right to review the qualifications of all persons providing technical assistance and review the technical project design if a recognized standard is not available. See also the Technical Quality Assurances section of the Grants Administration Manual.

Grant Work Plan and Reporting Requirements

To ensure the success of the program, development of grant work plans, regular reporting of expenditures, and technical assistance and accomplishments are required.

- a. **Grant Execution.** Grant agreement must be executed before work can begin on this grant and all work must occur within the grant period.
- b. **Grant Work Plan.** Work plans shall be developed in eLINK and must be approved before work can begin on this grant. Work plans shall reflect each eligible activity, a description of the anticipated activity accomplishments, and grant and match funding amounts to accomplish each of the activities.
- c. **Grant Reporting.** Descriptions of actual results and financial expenditures for each work plan activity must be reported in eLINK by February 1 of each year.
- d. **Grant Closeout.** Within thirty (30) calendar days of the expiration of each grant agreement or expenditure of all grant funds, whichever occurs first, grantees are required to:

- a. Provide a summary of all work plan accomplishments with grant funding in eLINK; and
- b. Submit a signed eLINK Financial Report to BWSR.

BWSR Grant Administration Requirements

BWSR staff is authorized to review grant applicant’s financial records to establish capacity to successfully manage state grant funds, develop grant agreements, including requirements and processes for work plans, project outcomes reporting, closeouts, and fiscal reconciliations. All grantees must follow the grant agreement and other applicable sections of the Grants Administration Manual.

In the event there is a violation of the terms of the grant agreement, BWSR will enforce the grant agreement and evaluate appropriate actions, up to and including repayment of grant funds at a rate up to 100% of the grant agreement.

History

Version	Description	Date
1.0	Water Quality and Storage Program Policy - new	1/26/22
1.1	Revised to remove the requirement of reduction of peak flow or volume at the HUC12 scale.	TBD



FY ~~2022~~2023

**Water Quality and Storage
Pilot Program**

Competitive Grants Request for Proposal (RFP)

Table of Contents

Table of Contents	2
Purpose and Application Information	3
Proposal Requirements	3
A. Applicant Eligibility	3
B. Match.....	3
C. Project Period	3
D. Payment Schedule	3
E. Reporting and Administration Requirements	4
F. Incomplete Applications.....	4
Application Guidelines.....	4
A. Deadline and Timeline.....	4
B. Permitting	5
C. Applications	5
D. Eligible Activities.....	6
E. Ineligible Activities.....	7
F. Technical Expertise	7
Funding Priorities and Ranking.....	7
FY 2023 Water Quality and Storage Pilot Program Questions	9
General Information	10
A. Grants and Public Information	10
B. Prevailing Wage.....	10
C. Conflict of Interest.....	10
D. Questions.....	10

Purpose and Application Information

The Water Quality and Storage Program grants will establish storage practices in the Minnesota River basin and the Lower Mississippi River basin in Minnesota. Eligible practices must control water rates and/or volumes to protect infrastructure, improve water quality and related public benefits, and mitigate climate change impacts. Given the current funding levels, this program is being established as a pilot that will provide funds for design and construction of storage projects. Based on the outcomes and feedback of this pilot program, adjustments to the program may be made once future funding is in place.

Proposal Requirements

A. Applicant Eligibility

Eligible applicants include municipalities, towns, counties, soil and water conservation districts, watershed districts, or organizations formed for the joint exercise of powers, as defined under section 103B.305, subdivision 5, and includes tribal governments. Applicant must have a State or tribally approved and locally adopted local water management plan, comprehensive watershed management plan, watershed district plan, or soil and water conservation district (SWCD) comprehensive plan.

Applicant must have calculated the reduction in runoff [rate or volume](#) due to the project at a downstream area of interest (to be determined by the applicant) ~~and at the HUC12 outlet downstream of the project.~~

B. Match

A minimum 25% match is required from non-state funds. The anticipated source(s) for the match shall be identified in the grant proposal. The match must be cash or in-kind cash value of goods, materials, and services directly attributed to project accomplishments.

Activities listed as ineligible under Section E (Ineligible Activities) may not be counted towards match. Match can be provided by a landowner, land occupier, local government or other non-State source and can be in the form of cash or the cash value of services or materials contributed to the accomplishment of grant objectives.

C. Project Period

The project period starts when the grant agreement is executed, meaning all required signatures have been obtained. Work that occurs before this date is not eligible for reimbursement with grant funds and cannot be used as match. All grants must be completed by December 31, 2024.

D. Payment Schedule

Grant payments will be distributed in three installments to the grantee. The first payment of 50% of the grant amount will be paid after work plan approval and execution of the grant agreement provided the grant applicant is in compliance with all BWSR website and eLINK reporting requirements for previously awarded BWSR grants. The second payment of 40% of the grant amount will be paid once the grantee has provided BWSR with notification and BWSR has reconciled expenditures of the initial payment. The last 10% will be paid after all final

reporting requirements are met, the grantee has provided BWSR with a final financial report, and BWSR has reconciled these expenditures.

E. Reporting and Administration Requirements

- All BWSR funded grants are managed through eLINK. All applications will be submitted electronically through eLINK. Successful applicants will be required to complete a work plan in eLINK. All required reporting will be completed through eLINK. For more information go to <https://bwsr.state.mn.us/elink>.
- Water Quality and Storage Pilot Program grants will be administered via a standard grant agreement. BWSR will use grant agreements as contracts for assurance of deliverables and compliance with appropriate statutes, rules and established policies. Willful or negligent disregard of relevant statutes, rules and policies may lead to imposition of financial penalties on the grant recipient.
- All grantees receiving funds for BWSR programs must follow the BWSR Grants Administration Manual, which can be found at <https://bwsr.state.mn.us/grants/manual/>

F. Incomplete Applications

Applications that do not comply with all application requirements will not be considered for funding, as provided below.

- Components of the application are incomplete or missing, including information on the reduction in the hydrograph peak flow or volume;
- Any required documentation is missing including uploading required feasibility study;
- The match amount does not meet grant requirements;

Application Guidelines

A. Deadline and Timeline

No late submissions or incomplete applications will be considered for funding.

- | | |
|---|--|
| ■ January 31, 2022 <u>March 2023</u> — | _____—Application period begins |
| ■ April-May 4, 2022 <u>2023</u> | Application deadline at 4:30 p.m.* |
| ■ June 22, 2022 <u>2023</u> | BWSR Board authorizes grant awards |
| ■ July/August, 2022 <u>2023</u> | BWSR grant agreements sent to recipients |
| ■ September 19, 2022 <u>2023</u> | Work plan submittal deadline |
| ■ October 17, 2022 <u>2023</u> | Grant execution deadline |

*The application must be submitted by 4:30 PM. Late responses will not be considered. The grant applicant is responsible for proving timely submittal.

B. Permitting

The applicant is responsible for obtaining and complying with all permits necessary to execute the project. If applicable, successful applicants will be required to provide sufficient documentation prior to work plan approval that the project expects to receive or has received all necessary federal, state and local permits and meets all water quality rules, including those that apply to the utilization of an existing water body as a water quality treatment device. **Applicants are strongly encouraged to contact the appropriate regulatory agencies early in the grant application development process to ensure potential projects can meet all applicable regulatory requirements.**

For information regarding MPCA storm water permitting requirements, please go to:

Construction stormwater permit overview

<http://www.pca.state.mn.us/index.php/view-document.html?gid=7386>

Common Plan of Development

<http://www.pca.state.mn.us/index.php/view-document.html?gid=7396>

Untreated Stormwater Runoff to Lakes, Streams, and Wetlands

<http://www.pca.state.mn.us/index.php/view-document.html?gid=11864>

For information regarding DNR public waters permitting requirements, please go to:

Public Waters Work Permit Program

https://www.dnr.state.mn.us/waters/watermgmt_section/pwpermits/index.html

C. Applications

1. Applications need to be submitted via **eLINK**. Eligible applicants without a current eLINK user account must submit a request to establish an eLINK account **no later than 7 days prior to the application** deadline. As part of the application, eLINK will require applicants to map the location of the proposed project area.
2. Proposals may include one image files to be submitted within their eLINK application. If your feasibility study does not include a hydrograph image please use the Application Image feature to upload this item. **Only .jpg, .tiff, or .png file types are allowed.** All other file types of images are not accessible to reviewers.
3. Proposals should clearly articulate the applicant's "area of interest" and ~~the location of the next downstream HUC12 outlet. Proposals~~ must include pre-project and post-project runoff ~~or stage~~ hydrographs at ~~these two~~ this locations for the critical 100-year event and the critical 10-year event. ~~These h~~Hydrographs may be attached as an image file if they are not included in the attached feasibility study.
4. A feasibility study that provides more detail on the project evaluation and development must be included as an attachment with the proposal. Questions in the application should be thoroughly answered and not refer to the feasibility study.

5. Proposed projects must be of long-lasting public benefit. LGUs must provide assurances that the landowner or land occupier will keep the project in place for a minimum of 25 years.
6. Proposals must have plans for long-term maintenance and inspection for the duration of the life of a project as part of their project files. Work plans developed for funded applications will rely on this information for operation, maintenance and inspection requirements after the project is completed.
7. Applicants should evaluate the impacts that climate change (such as fluctuating precipitation patterns and drought) may have on the ability of the proposed project to meet objectives and whether the proposed project increases landscape resiliency.
8. Applications may receive partial funding for the following reasons: 1) an absence of or limited identification of specific project locations, 2) budgeted items that were not discussed in the application or have no connection to the central purpose of the application were included by an applicant; 3) to address budget categories out of balance with the project scope and 4) insufficient funds remaining in a grant category to fully fund a project. Prior to final selection, the Board may engage applicants to resolve questions or to discuss modifications to the project or funding request.
9. Applicant will need to demonstrate organizational capacity to design and construct, or work with a contractor to design and construct, the proposed project within the grant timeline.

D. Eligible Activities

Eligible activities must result in a reduction to peak flow rates and/or volumes to demonstrate a decrease in downstream flooding, improvement of water quality or related public benefits, or to mitigate climate change impacts. Grants may include any number of practices, but the practices cumulatively must reduce the hydrograph peak at an area of interest (to be determined by the applicant). The area of interest must be identified at the time of application and an explanation provided of the flooding, water quality, or climate vulnerabilities at that location. Pre-project and post-project runoff hydrographs must be provided to quantify the reduction in peak flow rate and/or volume.

Examples of eligible practices include, but are not limited to:

- Ponds without permanent pools (Dry detention ponds)
- Ponds with permanent pools (Wet detention ponds)
- WASCObS
- Wetland Construction or Restorations
- Improvements or retrofits of existing storage areas to increase storage capacity or retention time

Project lifespan must be at least 25-years and the applicant must develop an Operation and Maintenance plan that includes and inspection schedule, expectations for routine maintenance, and a financing system to ensure the design function of the project.

Eligible activities include construction costs, project development, grant management, and administration. Technical and engineering assistance necessary for design of these practices is essential and may be included in the project cost.

Payments for land protection including easement payment (temporary, perpetual, or flowage), pre-title acquisition payments, property acquisition costs, survey, title, and recording fees are eligible expenses under this grant. If a perpetual easement is acquired, it must be approved by the Board of Water and Soil Resources (BWSR) for entire contiguous storage practice. If the easement will be used as match, match amount will be capped at the regular 2018 Reinvest in Minnesota (RIM) easement payment rates.

E. Ineligible Activities

- Proposed activities that do not demonstrate a reduction in the hydrograph peak at an area of interest.
- Activities that are multi-phase, multi-year storage systems (i.e. – the project must not rely on components that will be constructed at a later time in order to get the reduction in peak flow rates and/or volumes).
- Maintenance or repair of existing structures/storage projects.
- Activities that would negatively affect drinking water.
- Activities needed to meet the minimum requirements of Chapter 103E or MS4 plans. [If there are activities proposed within an MS4, applicant must show that the activity would not be required during future construction within the MS4 \(i.e. – a stormwater pond that would be required once an area is redeveloped\).](#)
- Feasibility studies and/or hydrology and hydraulic modeling are not eligible during the pilot phase of this program.
- Activities that are constructed as part of 103E proceedings will not be eligible during the pilot phase of this program.

F. Technical Expertise

Grantees must identify the technical assistance provider(s) for the practice or project and their credentials for providing this assistance. The technical assistance provider(s) must have appropriate credentials for practice investigation, design, and construction. Credentials can include conservation partnership Job Approval Authority (JAA), also known as technical approval authority; applicable professional licensure; reputable vendor with applicable expertise and liability coverage; or other applicable credentials, training, and/or experience.

BWSR reserves the right to review the qualifications of all persons providing technical assistance and review the technical project design if a recognized standard is not available. See also the Technical Quality Assurances section of the Grants Administration Manual.

Funding Priorities and Ranking

Priority for funding will be given to projects that meet the following criteria (in order of priority):

1. Project is located in the Minnesota River basin or the Lower Mississippi River basin in Minnesota (as required by Mn Statute 103F.05 Subd.2 (b)).
2. The applicant shows they are taking a comprehensive approach to flow reduction in the watershed, by implementing soil health or other conservation practices.
3. Practices that show higher levels of flood protection, improvement of water quality, etc.

4. Practices that demonstrate reduction in flood potential, improvement of water quality, AND mitigation for climate change.
5. Evidence of project installment readiness, which may include local letters of intent from government partners, evidence of support from willing landowners, and permitting agencies have been consulted regarding project permitability.

Water Quality and Storage Program Ranking Criteria	
Ranking Criteria	Maximum Points Possible
<u>Project Description:</u> The project description succinctly describes the project purpose, the results the applicant is trying to achieve, and how they intend to achieve those results.	5
<u>Priority Location:</u> <u>Projects located in the priority areas of the Minnesota River Basin and the Lower Mississippi River Basin in Minnesota (as stated in MN Statute 103F.05 Subd. 2 (b)) will be awarded the maximum points in this category. Projects outside of this priority area will receive zero points in this category.</u>	<u>10</u>
<u>Prioritization:</u> The project is referenced within a watershed management plan locally adopted and approved by the state or tribal government. The feasibility study demonstrates that a comprehensive approach is being taken to water management and the placement of the practice will support that management. Other measures or actions are being taken in the watershed to reduce peak flooding or improve water quality, such as soil health practices or other structural practices and a variety of funding sources is being used to implement these practices.	20
<u>Targeting:</u> The applicant describes how the peak flow or volume reduction will reduce flooding, improve water quality, or mitigate climate change impacts at a local point of interest. Applicant also describes how the project location will affect flow rates and/or volumes <u>at the HUC12 outlet and/or</u> at other areas downstream of the project.	15
<u>Measurable Outcomes:</u> The proposed project peak flow rate or volume reduction has been quantified and directly addresses flooding, water quality, or climate change issues.	20
<u>Project Readiness:</u> The proposed project has a set of specific activities that can be implemented soon after grant award. Project locations have been identified and coordination with landowners has begun. Permitting and environmental review requirements have been identified and early coordination with permitting agencies has taken place.	20
<u>Cost Effectiveness:</u> The application identifies a cost-effective solution to address the issue at the area of concern. The cost per acre-foot of storage is reasonable and the cost for the resulting flow reduction is reasonable.	<u>20</u>
Total Points Available	100

FY 2023~~2~~ Water Quality and Storage Pilot Program Questions

FY 2023~~2~~ Water Quality and Storage Pilot Program Competitive Grants

(Answers to each question are limited to 2000 characters.)

Note that the following questions need to be answered in eLINK. The character limit in eLINK is NOT the same as Microsoft Word.

Project Abstract: Succinctly describe what you are trying to achieve and how you intend to achieve those results, including describing the area of concern and anticipated outcomes based on your project.

Technical Capacity: Explain your organization's capacity (including available FTEs or contracted resources) to effectively implement the proposed project(s). Identify the technical assistance provider(s) for the project and provide credentials for providing this assistance. The technical assistance provider(s) must have appropriate credentials for practice investigation, design, and construction.

Project Impact: Identify the area of interest ~~and the next downstream HUC12 outlet~~ and provide pre-project and post-project hydrographs at ~~these~~this locations for the critical 100-year and 10-year storm events.

Project Description 1. (5 points): Describe the purpose and outcomes of the proposed project, including: 1) the flooding, water quality, or climate vulnerabilities at the area of interest, 2) the eligible activities that would be implemented, and 3) the public benefits of the project. Also include the acre-feet of live storage (storage above the normal outlet elevation) that the practice or project will create. Other volumes totals of storage created can be included if the applicant feels they are significant.

Project Location 2. (10 points): Provide the location of the project: 1) Minnesota River Basin, 2) the Lower Mississippi River Basin in Minnesota, or 3) not in a priority area.

Prioritization 2-3. (20 points): For the proposed project, what is/are the specific, applicable state approved and locally adopted water management plan reference(s) by plan organization, plan title, section and page number? Briefly describe the feasibility study that was completed for this project and how the project fits into a broader plan for the watershed (if applicable). Make sure to include other practices, such as soil health or other conservation practices, being implemented in the watershed and include their funding source.

Targeting 34. (15 points): How much does the proposed practices or combination of practices reduce peak flows or volumes downstream? Explain how the reduction in peak flows or volumes will reduce flooding, improve water quality, or mitigate climate change at an area of interest. Describe the effect of the proposed practices at ~~the outlet of the HUC12~~other locations within the watershed, for example, will there be project effects at the next downstream HUC12 or how far downstream will there be project effects (either measured or expected). Does the project consider how storage can negatively impact downstream areas by changing the timing of the peak flow or shifting the hydrograph volume?

Measurable Outcomes 45. (20 points): This section should quantify the benefits of the project. What is the expected reduction in downstream flooding? What is the estimated annual reduction in pollutant(s) being delivered to the water resource(s) of concern by this project? If there have been specific pollutant reduction goals set for the pollutant(s) and resource(s) of concern, please indicate the goals and the process used to set them. How is this project expected to make the watershed more resilient to climate change?

Project Readiness 56. (20 points): What steps and actions have been taken to ensure that project implementation can begin soon after grant award, such as partner coordination, preliminary identification of potential conservation practice/activity locations, coordination with landowners, and preliminary discussions with permitting authorities, including the DNR Area Hydrologist.

Cost Effectiveness 67. (20-10 points): Describe why the proposed practices/activities or combination of practices/activities are considered to be the most cost effective and reasonable means to attain water quality improvement or protection benefits. Consider factors such as, but not limited to, BMP effectiveness, timing, site feasibility, practicality, property owner willingness, and public acceptance.

General Information

A. Grants and Public Information

Under Minnesota Statute 13.599, responses to an RFP are nonpublic until the application deadline is reached. At that time, the name and address of the grantee, and the amount requested becomes public. All other data is nonpublic until the negotiation of the grant agreement with the selected grantee is completed. After the application evaluation process is completed, all data (except trade secret data) becomes public. Data created during the evaluation process is nonpublic until the negotiation of the grant agreement with the selected grantee(s) is completed.

B. Prevailing Wage

It is the responsibility of the grant recipient or contractor to pay prevailing wages on construction projects to which state prevailing wage laws apply (Minn. Stat. 177.42 – 177.44). All laborers and mechanics employed by grant recipients and subcontractors funded in whole or in part with state funds included in this RFP shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality. Additional information on prevailing wage requirements is available on the Department of Labor and Industry (DOLI) website <https://www.dli.mn.gov/business/employment-practices/prevailing-wage-information>. Questions about the application of prevailing wage rates should be directed to DOLI at 651-284-5091.

C. Conflict of Interest

State Grant Policy 08-01, (see <https://mn.gov/admin/government/grants/policies-statutes-forms/>) Conflict of Interest for State Grant-Making, also applies to BWSR grantees. Grantees' conflicts of interest are generally considered organizational conflicts of interest. Organizational conflicts of interest occur when:

1. A grantee is unable or potentially unable to render impartial assistance or advice due to competing duties or loyalties,
2. A grantee's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties, or
3. A grantee or potential grantee has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors.

D. Questions

This RFP, the ~~FY2022~~ Water Quality and Storage Program Grant Policy adopted by the BWSR, and the Grants Administration Manual (<https://bwsr.state.mn.us/grants/manual/>) provide the framework for funding and administration of the FY202~~2~~³ Water Quality and Storage Pilot Grant Program ([link when available](#)).

Questions regarding grant applications should be directed to your area Board Conservationist, or Clean Water Specialist; a map of work areas and contact information is available at [BWSR Maps and Apps Gallery](#). Responses

will be posted on the BWSR website as a “Frequently Asked Questions” (FAQ) document and updated weekly throughout the RFP. The final update will be posted on ~~March 18, 2022~~April 18, 2023.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:	Amendment to Board Order #22-55: Clean Water Fund Competitive Grants		
Meeting Date:	January 25, 2023		
Agenda Category:	<input checked="" type="checkbox"/> Committee Recommendation	<input type="checkbox"/> New Business	<input type="checkbox"/> Old Business
Item Type:	<input checked="" type="checkbox"/> Decision	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Keywords for Electronic Searchability:	Clean Water Fund, Grants		
Section/Region:	_____		
Contact:	Marcey Westrick, Annie Felix-Gerth		
Prepared by:	Marcey Westrick		
Reviewed by:	Grants Program and Policy	Committee(s)	
Presented by:	Marcey Westrick		
Time requested:	5 minutes		

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

The Board is requested to approve the amendment to Board Order #22-55 to extend the pending date for applications C23-1872 and C23-9488 .

LINKS TO ADDITIONAL INFORMATION

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

Applications C23-1872 and C23-9488 referenced a plan amendment to a comprehensive watershed management plan that was anticipated to be approved prior to the BWSR Board award of the FY23 CWF Competitive grants. During the process of approving the amendment, an administrative error was discovered, and the plan amendment could not be approved as planned at no fault of the local governments seeking the amendment. The requested extension will allow for the plan amendment to go through an amendment process that can be approved.



DRAFT BOARD ORDER

Amendment to Board Order #22-55: Clean Water Fund Competitive Grants

PURPOSE

Authorize staff to extend pending status of projects C23-1872 and C23-9488

FINDINGS OF FACT / RECITALS

- A. The Board adopted Order #22-55 on December 15, 2022.
- B. Board Order #22-55 authorized staff to place applications C23-1872 and C23-9488 in a pending status until March 1, 2023 contingent on the approval of a related amendment to the North Fork Crow River Comprehensive Watershed Management Plan.
- C. The amendment procedure for Comprehensive Watershed Management Plans will not be established by the Board prior to March 1, 2023.

ORDER

The Board hereby:

- 1. Amends Board Order 22-55 and authorizes staff to place applications C23-1872 and C23-9488 in a pending status until June 30, 2023 contingent on the approval of a related amendment to the North Fork Crow River Comprehensive Watershed Management Plan.

Dated at St. Paul, Minnesota, this January 25, 2023.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

COMMITTEE RECOMMENDATIONS

Central Region Committee

1. Snake River Comprehensive Watershed Management Plan – Darren Mayers – ***DECISION ITEM***
2. Lower Mississippi River Watershed Management Organization Watershed Management Plan – Steve Christopher – ***DECISION ITEM***

10-year estimated cost of Plan implementation is \$19,794,500 of which 51% will be used to improve and protect lakes, streams, and rivers, 17% will focus on groundwater issues, 11% on land use and cover activities with the remaining used for the other priority issue areas.

The Partnership held a 60-day review process that ended on September 5, 2022 and held two public hearings on September 20, 2022 in different watershed locations. The final draft of the Plan, all written public comments and responses, and public hearing comments and responses were submitted on November 30, 2022 to the state review agencies and BWSR for the final 90-day review and approval of the Plan. The Partnership has incorporated the majority of agency and public comments received throughout the Plan review process.

On January 5, 2023, the Central Region Committee met to review and discuss the Plan. The committee's decision was to recommend approval of the Snake River Comprehensive Watershed Management Plan as submitted to the full board per the attached draft Order.

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

In the Matter of the review of the Comprehensive Watershed Management Plan for the Snake River Watershed, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801.

**ORDER
APPROVING
COMPREHENSIVE
WATERSHED
MANAGEMENT PLAN**

Whereas the Policy Committee of the Snake River Watershed Partnership submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on November 30, 2022 pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Decision #18-14, and;

Whereas the Board has completed its review of the Plan.

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

FINDINGS OF FACT

- A. **Partnership Establishment.** The Snake River Watershed Partnership was established on February 18 of 2020 through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Aitkin County, Aitkin SWCD, Kanabec County, Kanabec SWCD, Mille Lacs County, Mille Lacs SWCD, Pine County, and Pine SWCD. Isanti and Chisago Counties and SWCDs opted not to participate in the planning process because of the small proportion of those county areas that fell within the watershed boundaries.
- B. **Authority to Plan.** Minnesota Statutes, Sections 103B.101, Subdivision 14 allows the Board to adopt resolutions, policies or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan. Minnesota Statutes, Sections 103B.801 established the Comprehensive Watershed Management Planning Program; also known as One Watershed, One Plan. On March 28, 2018, Board Decision #18-14 adopted Version 2.0 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- C. **Nature of the Watershed.** The Snake River Watershed planning area is in east-central Minnesota and is often referred to as “the Gateway to the North”. The Snake River meanders over 100 miles from its headwaters in Southeast Aitkin County through Kanabec County and east through Pine County to its confluence with the St. Croix River. From north to south the watershed transitions from forested areas with abundant wetlands through interspersed hay lands to more developed and agricultural

lands. The Snake River Watershed is home to outstanding quality forest, lake, wetland, and river resources that offer many opportunities for enjoyment and appreciation.

- D. **Plan Development.** The Plan was developed as a single, concise, coordinated approach to watershed management. The Plan consolidates policies, programs, and implementation strategies from existing data, studies, and plans, and incorporates input from multiple planning partners and stakeholders to provide a single plan for management of the watershed. The Plan focuses on prioritized, targeted, and measurable implementation efforts and lays out specific actions to manage surface water quality and quantity; protect drinking water and groundwater; manage erosion, soil health and soil loss; protect and restore habitat, educate on the effects of extreme weather, and manage natural resources under changing land cover and use in the watershed.
- E. **Plan Review.** On November 30, 2022, the Board received the Plan, a record of the public hearing, and copies of all written comments and responses pertaining to the Plan for final State review pursuant to Board Decision #18-14. State agency representatives attended and provided input at advisory committee meetings during development of the Plan. The following state review comments were received during the comment period.
1. Minnesota Department of Agriculture (MDA): After revisiting responses to the comments submitted during the 60-day plan review and looking at the planning group response to them, MDA is happy to sign off on this plan.
 2. Minnesota Department of Health (MDH): The Minnesota Department of Health (MDH) Source Water Protection Unit appreciates the opportunity to review the draft Snake River Watershed One Watershed One Plan. MDH commends the plan partners for including drinking water as a priority concern. MDH was thankful for the opportunity to be part of the Advisory Committee and for incorporating their suggestions and recommendations into the draft plan. MDH has no substantive comments to offer regarding this draft plan and they find it meets their Rule requirements and offers a high level of protection to groundwater drinking water supplies. MDH commends the planning team for their work in developing the draft plan.
 3. Minnesota Department of Natural Resources (DNR): After reviewing responses to the comments submitted during the 60-day plan review, the Department of Natural Resources does not have additional comments. The Department of Natural Resources recommends that the Board of Soil and Water Resources approve the Snake River One Watershed, One Plan. DNR appreciates the opportunity to participate in this planning process and looks forward to working together on plan implementation.
 4. Minnesota Pollution Control Agency (MPCA): The MPCA has appreciated the opportunity to participate and provide input throughout the Plan development process. Overall, the Plan is very well written, concise, and thorough. We have no comments as part of the official 90-day Review and Comment Period and recommend it for approval.
 5. Minnesota Environmental Quality Board (EQB): Policy requires that EQB be notified of the final draft document. EQB confirmed they did not provide comments on the 90-day final draft Plan.
 6. Minnesota Board of Water and Soil Resources regional staff: BWSR staff provided comments throughout the planning process and were pleased that the Partnership used sound science for prioritizing implementation areas and setting goals, included protection activities for healthy areas of the watershed, and that the Partnership openly discussed local capacity issues. In response to our Plan comments, we recognize that the Plan now includes language acknowledging Tribal Land ownership within the watershed. BWSR staff recommend approval of the Plan and look forward to working with the Partnership during implementation.

F. **Plan Summary and Highlights.** The highlights of the plan include:

- The Policy and Advisory Committees sought extensive community engagement during the early stages of the planning process including public input from two public kick-off meetings, three topic group meeting (agriculture, forestry and lakes) and two community engagement meetings. The comments were used during plan development to inform issues, goals and actions and provided an opportunity for public input on the implementation actions.
- The Advisory Committee identified 19 original resource concerns, which were narrowed down to seven with the direction of the Policy Committee including:
 1. Surface Water Quality
 2. Land Cover and Use
 3. Surface Water Quantity
 4. Drinking Water and Groundwater
 5. Erosion, Soil Health and Soil Loss
 6. Habitat
 7. Extreme Weather
- The Partnership developed a framework for each priority issue that includes a resource description, the issue statement, a desired future condition, measurable goals, priority areas, and actions to address the goal.
- For ease of future action of issues, separate targeted implementation tables and maps were created for each priority issue. The tables detail a unique action ID number, the specific priority area for the action, the measurable outcome, who will lead and support the action, timing and estimated costs.

G. **Central Regional Committee.** On January 5, 2023, the Central Regional Committee met to review and discuss the Plan. Those in attendance from the Board's Committee were Joe Collins, Jill Crafton, Jayne Hager Dee, Mark Zabel, Heather Johnson, Steve Robertson and Grant Wilson. Board staff in attendance were Central Regional Manager Marcey Westrick, Board Conservationist Darren Mayers, and Clean Water Specialist Barb Peichel. The representatives from the Partnership were Deanna Pomije (Kanabec SWC), Kurt Beckstrom (Mille Lacs SWCD), Terry Lovgren (Pine County), Susan Shaw (Mille Lacs SWCD) and Zach Van Orsdel (Pine SWCD). Board regional staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee's decision was to present a recommendation of approval of the Plan to the full Board.

H. This Plan will be in effect for a ten-year period until January 25, 2033.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Comprehensive Watershed Management Plan for the Snake River Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.

3. The Snake River Comprehensive Watershed Management Plan attached to this Order states priority water and natural resource issues within the planning area and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.
5. The attached plan, when adopted through local resolution by the members of the Partnership, will serve as a replacement for the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Snake River Watershed Partnership, dated November 2, 2022.

Dated in Saint Paul, Minnesota, this twenty-fifth of January 2023

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair

January 25, 2023

Snake River Watershed Policy Committee
c/o Deanna Pomije, Kanabec SWCD
2008 Mahogany St. Suite #3
Mora, MN 55051

RE: Approval of the Snake River Watershed Comprehensive Watershed Management Plan

Dear Snake River Watershed Policy Committee:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Snake River Watershed Comprehensive Watershed Management Plan (Plan) was approved at its regular meeting held on January 25, 2023. Attached is the signed Board Order that documents approval of the Plan and indicates the Plan meets all relevant requirements of law, rule, and policy.

This Plan is effective for a ten-year period until January 25, 2033. Please be advised, the partners must adopt and begin implementing the plan within 120 days of the date of the Order in accordance with Minnesota Statutes §103B.101, Subd. 14 and 103B.801, and the One Watershed, One Plan Operating Procedures.

The members of the partnership and participants in the plan development process are to be commended for writing a plan that clearly presents water management goals, actions, and priorities of the Partnership, and for participating in the One Watershed, One Plan program. BWSR looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Board Conservationist Darren Mayers of our staff at 218-290-8384 or darren.mayers@state.mn.us for further assistance in this matter.

Sincerely,

Gerald Van Amburg, Chair
Minnesota Board of Water and Soil Resources

Enclosure: BWSR Board Order

CC: Listed on next page.

Bemidji	Brainerd	Detroit Lakes	Duluth	Mankato	Marshall	Rochester	St Cloud
403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	1601 Minnesota Drive Brainerd, MN 56401 (218) 203-4470	26624 N. Tower Road Detroit Lakes, MN 56501 (218) 846-8400	394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	11 Civic Center Plaza Suite 300 Mankato, MN 56001 (507) 344-2826	1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	3555 9 th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889	110 Second St. South Suite 307 Waite Park, MN 56387

Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

www.bwsr.state.mn.us TTY: (800) 627-3529 An equal opportunity employer

CC: Margaret Wagner, MDA (via email)
Aicam Laacouri, MDA (via email)
Carrie Raber, MDH (via email)
Chris Parthun, MDH (via email)
Dan Lais, DNR (via email)
Jeffrey Weiss, DNR (via email)
Barbara Weisman, DNR (via email)
Eric Alms, MPCA (via email)
Jeff Risberg, MPCA (via email)
Erik Dahl, EQB (via email)
Marcey Westrick, BWSR Central Region Manager (via email)
Darren Mayers, BWSR Board Conservationist (via email)
Rachel Mueller, BWSR (file copy)
Julie Westerlund, BWSR 1W1P Coordinator (via email)

Equal Opportunity Employer

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Lower Mississippi River Watershed Management Organization Watershed Management Plan

Meeting Date: January 25, 2023

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Region

Contact: Steve Christopher

Prepared by: Steve Christopher

Reviewed by: Central Region Committee(s)

Presented by: Steve Christopher

Time requested: 5 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Clean Water Fund Budget |
-

ACTION REQUESTED

Approval of the Lower Mississippi River Watershed Management Organization Watershed Management Plan

LINKS TO ADDITIONAL INFORMATION

Full Plan Link as follows:

https://lmrwmo.org/wp-content/uploads/2022/11/LMRWMO_Plan_90day_11172022c.pdf

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

Background:

The Lower Mississippi River Watershed Management Organization (LMRWMO) was established in 1985. The vision of the LMRWMO is to manage water resources and related ecosystems to sustain their long-term health and integrity through member city collaboration and partnerships with other with other water management organizations with member city citizen support and participation. The current plan was approved by the Board in September 2011.

The LMRWMO is located in the southeast part of the Twin Cities Metropolitan Area, in northern Dakota County and southern Ramsey County. It encompasses approximately 58 square miles, abutting the south and west sides of the Mississippi River from the confluence of the Mississippi and the Minnesota Rivers to Rosemount. Adjoining watershed management entities include the Lower Minnesota River Watershed District, the Eagan-Inver Grove Heights WMO, and the Vermillion River Watershed Joint Powers Organization. The LMRWMO is composed of seven cities wholly or partially within the boundary including Inver Grove Heights, Lilydale, Mendota, Mendota Heights, St. Paul, South St. Paul, Sunfish Lake, and West St. Paul.

Plan Process and Highlights:

The LMRWMO initiated the process on updating its Watershed Management Plan (Plan) in mid-2020 soliciting input from its stakeholders, conducting a survey, convening a Technical Advisory Committee, as well as holding a virtual public kickoff meeting. The LMRWMO Board held a workshop to discuss the input submitted and develop a list of priorities and goals for their next ten years of implementation.

Through the process identified above, the LMRWMO identified the following as their highest priority issues:

- Water quality
 - Stormwater runoff management
 - In-lake and in-stream water quality
 - Impaired waters
 - Chloride management
 - Mississippi River Outfalls and bluff erosion
- Education and engagement
- Partner collaboration
 - Grant and cost-share projects
 - Regulatory framework

The LMRWMO developed three levels for its priority waterbodies with the Mississippi River, Interstate Valley Creek, Ivy Falls Creek, Kaposia Creek, Thompson Lake, Rogers Lake, and Seidls Lake designated within the highest level.

The LMRWMO's implementation will focus on non-degradation goals for priority waterbody water quality and the draft Plan has an increased focus on streams through studies and restoration activities. The LMRWMO will continue its strong education and outreach program which includes workshops for project design of small-scale stormwater best management practices. Overall, this Plan continues to position the LMRWMO well to continue its implementation benefitting the most important surface waters within the watershed through its staff and partners.

Attachments:

1. Draft order for approval of the Lower Mississippi River Watershed Management Organization (LMRWMO) Watershed Management Plan.
2. LMRWMO Plan Executive Summary.

Minnesota Board of Water and Soil Resources

520 Lafayette Road North
Saint Paul, Minnesota 55155

In the Matter of the review of the Watershed Management Plan for the Lower Mississippi River Watershed Management Organization, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.

**ORDER
APPROVING
A WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Managers of the Lower Mississippi River Watershed Management Organization (LMRWMO) submitted a Watershed Management Plan (Plan) dated November 2022 to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 9, and;

Whereas, the Board has completed its review of the Plan;

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

FINDINGS OF FACT

- A. **Watershed Management Organization Establishment.** The LMRWMO was established in 1985. The vision of the LMRWMO is to manage water resources and related ecosystems to sustain their long-term health and integrity through member city collaboration and partnerships with other water management organizations with member city citizen support and participation. The current plan was approved by the Board in September 2011 and extended in September 2021.
- B. **Authority of Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.
- C. **Nature of the Watershed.** The LMRWMO is located in the southeast part of the Twin Cities Metropolitan Area, in northern Dakota County and southern Ramsey County. It encompasses approximately 58 square miles, abutting the south and west sides of the Mississippi River from the confluence of the Mississippi and the Minnesota Rivers to Rosemount. Adjoining watershed management entities include the Lower Minnesota River Watershed District, the Eagan-Inver Grove Heights WMO, and the Vermillion River Watershed Joint Powers Organization. The LMRWMO is composed of seven cities wholly or partially within the boundary including Inver Grove Heights, Lilydale, Mendota, Mendota Heights, St. Paul, South St. Paul, Sunfish Lake, and West St. Paul.
- D. **Plan Development and Review.** The LMRWMO initiated the planning process for the 2023-2033 Plan in mid-2020. As required by Minnesota Rules (MR) 8410, a specific process was followed to identify and assess priority issues. Stakeholders were identified, notices were sent to municipal, regional, and state agencies to solicit input for the upcoming Plan. The LMRWMO hosted an online survey to gather input on priorities and issues and a Technical Advisory Committee meeting was held on June 3, 2021. A public kickoff meeting was virtually hosted due to the

COVID pandemic on June 9, 2021. The LMRWMO Board participated in a workshop on September 16, 2021 to review the issues raised in the preliminary input letters, survey and kickoff meeting. The Plan was submitted for formal 60-day review on August 5, 2022. The LMRWMO received 30 comments on the 60-day draft Plan. All comments on the draft Plan were addressed in writing. After formal review of the Plan, the LMRWMO held a public hearing on the draft Plan on November 9, 2022. The final draft Plan and all required materials were submitted and officially received by the Board on November 17, 2022.

- E. **Local Review.** The LMRWMO distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B132, Subd. 7. Responses were received from the Dakota Soil and Water Conservation District, Dakota County, City of St. Paul, City of Sunfish Lake, City of West St. Paul, and the City of South St. Paul. Dakota Soil and Water Conservation District reviewed the draft and recommended to be included as a partner. Dakota County supported many of the efforts in the Plan and offered its assistance on groundwater protection activities. The cities provided letters including support of the Plan as well as requested activities to be targeted to surface waters within their municipalities. Additionally, the cities commented on regulatory references. The LMRWMO accepted the comments and made the suggested changes and additions to the Plan.
- F. **Metropolitan Council Review.** During the 60-day review, the Council suggested better definition of the regulatory waterbodies and regulatory watersheds. The LMRWMO revised the Plan to clarify the differences based on priority of the waterbodies as listed within the Plan.
- G. **Department of Agriculture (MDA) Review.** The MDA did not have any comments.
- H. **Department of Health (MDH) Review.** No comments were received by the MDH on the Plan.
- I. **Department of Natural Resources (DNR) Review.** The DNR did not have any comments.
- J. **Pollution Control Agency (PCA) Review.** PCA provided a letter that included reference links for various sections of the Plan. The LMRWMO updated the Plan as appropriate.
- K. **Department of Transportation (DOT) Review.** DOT commented on specific references and roadways within the Plan. They also provided clarification of storm sewer system data availability to the LMRWMO. The LMRWMO updated its references for these items.
- L. **Board Review.** Board staff recommended regular review of the LMRWMO's Joint Powers Agreement to be included. The Board requested interim goals when overall resource goals are not achievable within the Plan duration. Board staff requested clarification on the measurement of ecological health goals. The LMRWMO made revisions to the Plan and provided responses to all items.
- M. **Plan Summary.** The LMRWMO has identified water quality, education & engagement and partner collaboration as its highest priorities. Other priority issues include flooding and water levels, groundwater management and ecological health. The LMRWMO has also included factors such as public access and impairment level to determine its priorities for its major surface water resources resulting in three classifications: Priority 1A, Priority 1B and Priority 2. Targeted surface water improvements will be largely focused on Thompson Lake and Lake Augusta which are both included on the 303d list for excess nutrients.
- N. **Central Region Committee Meeting.** On January 5, 2023, the Board's Central Region Committee and staff met in St. Paul and via teleconference to review and discuss the final Plan. Those in attendance from the Board's committee were Joe Collins (chair), Jill Crafton, Jayne Hager Dee, Mark Zabel, Heather Johnson, Steve Robertson, and Grant Wilson. Board staff in attendance were Marcey Westrick, Cecelia Rost, Barb Peichel, Darren Mayers, and Steve Christopher. LMRWMO Administrator Joe Barten and LMRWMO Plan Consultant Greg Williams were

also in attendance. Greg Williams and Joe Barten provided highlights of the Plan and process. Board staff recommended approval of the Plan. After presentation and discussion, the committee unanimously voted to recommend the approval of the Plan to the full board with Board member Hager Dee abstaining.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving the Watershed Management Plan for the Lower Mississippi River Watershed Management Organization (LMRWMO) pursuant to Minnesota Statutes Section 103B.231, Subd. 9.
3. The LMRWMO Watershed Management Plan, attached to this Order, defines the water and water-related problems within the LMRWMO's boundaries, possible solutions thereto, and an implementation program through 2033.
4. The LMRWMO Watershed Management Plan will be effective January 25, 2023, through January 25, 2033.
5. The attached Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Lower Mississippi River Watershed Management Organization Watershed Management Plan dated August 2022.

Dated at Saint Paul, Minnesota this 25th day of January 2023.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: _____
Gerald Van Amburg, Chair

January 25, 2023

Lower Mississippi River Watershed Management Organization
c/o Joe Barten
Dakota County SWCD
4100 220th St. West, Suite 102
Farmington, MN 55024

RE: Approval of the Lower Mississippi River Watershed Management Organization Revised Watershed Management Plan

Dear Chair and Board Members:

I am pleased to inform you that the Minnesota Board of Water and Soil Resources (Board) has approved the Lower Mississippi River Watershed Management Organization (LMRWMO) revised Watershed Management Plan (Plan) at its regular meeting held on January 25, 2023. For your records, I have enclosed a copy of the signed Board Order that documents approval of the Plan. Please be advised that the LMRWMO must adopt and implement the Plan within 120 days of the date of the Order, in accordance with MN Statutes 103B.231, Subd. 10.

The board members, staff, consultants, advisory committee members, and all others involved in the planning process are to be commended for developing a plan that clearly presents water management goals, actions, and priorities of the watershed. With continued implementation of your Plan, the protection and management of the water resources within the watershed will be greatly enhanced to the benefit of the residents. The Board looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Anne Sawyer of our staff at 651-296-3767, or at the central office address for further assistance in this matter.

Sincerely,

Gerald Van Amburg
Chair

Enclosure

CC: Megan Moore, DNR (via email)
Jeff Risberg, MPCA (via email)
John Freitag, MDH (via email)
Jeff Berg, MDA (via email)
Judy Sventek, Met Council (via email)
Jason Swenson, MN DOT (via email)
Marcey Westrick, BWSR (via email)
Steve Christopher, BWSR (via email)
File Copy

COMMITTEE RECOMMENDATIONS

Northern Region Committee

1. Otter Tail River Comprehensive Watershed Management Plan – Kurt Beckstrom, Ryan Hughes, and Pete Waller – ***DECISION ITEM***

BWSR staff completed its review and subsequently found the Plan meets the requirements of Minnesota Statutes and BWSR Policy.

On January 4, 2023, the Northern Regional Committee met to review and discuss the Plan. The Committee's decision was to recommend approval of the Otter Tail River Watershed Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

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

In the Matter of the review of the Comprehensive Watershed Management Plan for the Otter Tail River Watershed, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801.

**ORDER
 APPROVING
 COMPREHENSIVE
 WATERSHED
 MANAGEMENT PLAN**

Whereas, the Policy Committee of the Otter Tail River (OTR) Watershed submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on December 15, 2022, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14; 103B.801 and Board Resolution #21-08, and;

Whereas, the Board has completed its review of the Plan;

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

FINDINGS OF FACT

- A. **Partnership Establishment.** The OTR Watershed Partnership (Partnership) was established in 2019, through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Becker Soil and Water Conservation District (SWCD), Becker County, East Otter Tail SWCD, West Otter Tail SWCD, Otter Tail County, Cormorant Lakes Watershed District, and Pelican River Watershed District.
- B. **Authority to Plan.** Minnesota Statutes, Sections 103B.101, Subdivision 14 allows the Board to adopt resolutions, policies or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan. Minnesota Statutes, Sections 103B.801, established the Comprehensive Watershed Management Planning Program; also known as One Watershed, One Plan (1W1P) program. On March 24, 2021, Board Resolution #21-08 adopted Version 2.1 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- C. **Nature of the Watershed.** The watershed includes approximately 1,725 square miles and has three ecoregions: forests populate the north, 996 lakes populate the heart of the watershed, and the southwest contains fertile prairie farmlands. The planning area is primarily in Becker and Otter Tail counties, with small portions in Clay, Clearwater and Mahnommen counties. The White Earth Nation and Tamarac National Wildlife Refuge are in the headwaters portion of the watershed. Major towns include Detroit Lakes, Fergus Falls, Perham, Pelican Rapids, Battle Lake and Ottertail. The planning area ends at Orwell Dam on the Otter Tail River southwest of Fergus Falls.

- D. **Plan Development.** The Plan was developed as a single, concise, and coordinated approach to watershed management. The Plan consolidates policies, programs, and implementation strategies from existing data, studies and plans, and incorporates input from multiple planning partners to provide a single plan for management of the watershed. The Plan focuses on prioritized, targeted, and measurable implementation efforts and lays out specific actions to manage water quantity, protect and restore water quality, natural habitat, recreational uses and drinking water sources in the watershed.
- E. **Plan Review.** On December 15, 2022, the Board received the Plan, a recording of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Board Resolution #21-08. During the development of the Plan State agency representatives attended and provided input at advisory committee meetings. The following state review comments were received during the comment period.
1. Minnesota Department of Agriculture (MDA): MDA appreciated the opportunity to work on the development of this Plan, believes it sufficiently addresses the resource concerns present in the watershed. MDA recommends approval of the Plan.
 2. Minnesota Department of Health (MDH): MDH thanked the local governments for including MDH's priorities and inputs during the planning and review process. MDH looks forward to continued implementation partnerships. MDH recommends approval of the Plan.
 3. Minnesota Department of Natural Resources (DNR): DNR appreciated the opportunity to work on the development of this Plan, has no further comments to the Plan, and looks forward to coordinated implementation across the watershed. The DNR recommends approval of the Plan.
 4. Minnesota Pollution Control Agency (MPCA): MPCA appreciated the opportunity to participate and provide input throughout the Plan development process. The Plan is well written, concise and thorough. MPCA has no further comments and recommends approval of the Plan.
 5. Minnesota Environmental Quality Board (EQB): EQB did not reply to requests for confirmation of receipt and did not provide comments for the final review.
 6. Minnesota Board of Water and Soil Resources regional staff: BWSR staff provided comments throughout the planning process and had no suggested or required changes to the Plan submitted for the 60-day review. We commend the partners for their trust level and commitment to the resources of the Plan area. BWSR staff recommends approval of the Plan and looks forward to working with the Partnership during implementation.
- F. **Plan Summary and Highlights.** The highlights of the Plan include:
- A thorough description of the land and water resources features that shape the planning area and inform the broad priorities within the Plan.
 - A collection of twelve priority issues split between two distinct levels as selected by the Partnership to focus efforts and define measurable goals.
 - Focused priorities for the eleven (11) planning regions to ensure issue prioritization is specific to the needs of each geographical area.
 - The Prioritize, Target, and Measure Application was used to identify, prioritize, and target possible locations of agricultural upland structural projects and field management conservation practices in each specific planning region and inputs were informed directly by local staff.

- High quality resource protection was an issue addressed in this Plan, with thorough measurable goals established using an RAQ (Riparian, Adjacency, Quality) index identifying high scores for the most valued protection areas.
- MDA's well testing, the Groundwater Restoration and Protection Strategies report and a nitrogen infiltration risk analysis completed during the Watershed Restoration and Protection Strategies report were used by the Partnership to determine the focus areas of groundwater concern.
- Each planning region has unique short-term and long-term goals and implementation schedules.
- A thorough discussion of watershed district capital improvement projects within the watersheds, including eleven (11) identified for implementation.
- Water Management Districts (WMD) for the two watershed districts are described and creates eight WMDs within the Pelican River Watershed District and one covering the entire Cormorant Lakes Watershed District allowing the collection of fees to be initiated pursuant to 103D.729 when a project is established by either of the watershed districts.
- A thorough discussion of regulatory and enforcement measures to meet the needs of county and watershed district obligations including shoreland management, public drainage, buffers, and land use planning to name a few.

Northern Regional Committee. On January 4, 2023, the Northern Regional Committee met to review and discuss the Plan. Those in attendance from the Board's Committee were LeRoy Ose, Ron Staples, Gerald Van Amburg, Neil Peterson, Theresa Ebbenga, Jeff Breg, Todd Holman, Rich Sve and Kurt Beckstrom. BWSR staff in attendance were Northern Region Manager Ryan Hughes, Board Conservationist Pete Waller and Clean Water Specialist Henry VanOffelen. The representatives from the Partnership were Don Bajumpaa, East Otter Tail SWCD; Michelle Anderson, Becker SWCD; Tera Guetter, Pelican River Watershed District; Dennis Kral, Pelican River Watershed District; Chris LeClair, Otter Tail County; Kyle Westergard, Otter Tail County; Rick Drevlow, West Otter Tail SWCD; John Okeson, Becker County; Darren Newville, East Otter Tail SWCD; Bryan Malone, Becker SWCD; and Moriya Rufer, Houston Engineering Inc. Board regional staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee's decision was to present a recommendation of approval of the Plan to the full Board.

G. This Plan will be in effect for a ten-year period until January 25, 2033.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Comprehensive Watershed Management Plan for the Otter Tail River Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Resolution #21-08.
3. The Otter Tail River Watershed Comprehensive Watershed Management Plan attached to this Order states water and water-related problems within the planning area; priority resource issues and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Resolution #21-08.

5. The attached Plan when adopted through local resolution by the members of the Partnership will replace the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan and consistent with the One Watershed, One Plan Suggested Boundary Map.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Otter Tail River Watershed, submitted December 15, 2022.

Dated at St. Paul, Minnesota, this twenty-fifth of January, 2023.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair

January 25, 2023

Otter Tail Watershed Policy Committee
c/o Don Bajumpaa, East Otter Tail SWCD
801 Jenny Ave SW, Suite #2
Perham, MN 56573

RE: Approval of the Otter Tail River Watershed Comprehensive Watershed Management Plan

Dear Otter Tail River Watershed Policy Committee:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Otter Tail River Watershed Comprehensive Watershed Management Plan (Plan) was approved at its regular meeting held on January 25, 2023. Attached is the signed Board Order that documents approval of the Plan and indicates the Plan meets all relevant requirements of law, rule, and policy.

This Plan is effective for a ten-year period until January 25, 2033. Please be advised, the partners must adopt and begin implementing the plan within 120 days of the date of the Order in accordance with Minnesota Statutes §103B.101, Subd. 14; 103B.801, and the One Watershed, One Plan Operating Procedures.

The members of the partnership and participants in the plan development process are to be commended for writing a plan that clearly presents water management goals, actions, and priorities of the Partnership, and for participating in the One Watershed, One Plan program. The BWSR looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Board Conservationist Pete Waller of our staff at 218-770-3802 or pete.waller@state.mn.us for further assistance in this matter.

Sincerely,

Gerald Van Amburg, Chair
Minnesota Board of Water and Soil Resources

Enclosure: BWSR Board Order

CC: Listed on next page.

Bemidji 403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	Brainerd 1601 Minnesota Drive Brainerd, MN 56401 (218) 203-4470	Detroit Lakes 26624 N. Tower Road Detroit Lakes, MN 56501 (218) 846-8400	Duluth 394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	Mankato 11 Civic Center Plaza Suite 300 Mankato, MN 56001 (507) 344-2826	Marshall 1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	Rochester 3555 9 th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889	St Cloud 110 Second St. South Suite 307 Waite Park, MN 56387
--	---	--	--	---	--	--	--

Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

www.bwsr.state.mn.us TTY: (800) 627-3529 An equal opportunity employer

CC: Jeff Berg, MDA (via email)
Luke Stuewe, MDA (via email)
Carrie Raber, MDH (via email)
Dan Disrud, MDH (via email)
Julie Aadland, DNR (via email)
Nathan Kestner, DNR (via email)
Barbara Weisman, DNR (via email)
Scott Schroeder, MPCA (via email)
Jeff Risberg, MPCA (via email)
Erik Dahl, EQB (via email)
Ryan Hughes, BWSR (via email)
Pete Waller, BWSR (via email)
Julie Westerlund, BWSR (via email)
Rachel Mueller, BWSR (file copy)

Equal Opportunity Employer



Otter Tail River

ONE WATERSHED
ONE PLAN



Acknowledgements

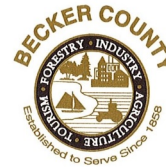
Project Partners

East Otter Tail SWCD
West Otter Tail SWCD
Otter Tail County
Becker SWCD
Becker County
Pelican River Watershed District
Cormorant Lakes Watershed District



Steering Committee

Darren Newville, East Otter Tail SWCD
Don Bajumpaa, East Otter Tail SWCD
Bryan Malone, Becker SWCD
Tera Guetter, Pelican River Watershed District
Pete Waller, Board of Water and Soil Resources
Henry Van Offelen, Board of Water and Soil Resources
Moriya Rufer, Houston Engineering



Contributors

Mary Steinlicht, Red River Valley Conservation Service
Mitch Brinks, Technical Service Area 8
Mark Kaelke, West Central Initiative

Prepared by

Moriya Rufer
Houston Engineering
7550 Meridian Circle North, Suite 120
Maple Grove, MN 55369

Funding by



Funding provided from the Clean Water Fund as part of the Clean Water, Land, and Legacy Amendment.

Policy Committee

Wayne Johnson, Otter Tail County (Chair)
Wayne Enger, East Otter Tail SWCD
Rick Drevlow, West Otter Tail SWCD
John Okeson, Becker County
Michelle Andresen, Becker SWCD
Dennis Kral, Pelican River Watershed District
Jeff Moritz, Cormorant Lakes Watershed District

Advisory Committee

Darren Newville, East Otter Tail SWCD
Don Bajumpaa, East Otter Tail SWCD
Chris LeClair, Otter Tail County
Kyle Westergard, Otter Tail County
Brad Mergens, West Otter Tail SWCD
Aaron Larsen, West Otter Tail SWCD
Bryan Malone, Becker SWCD
Kyle Vareberg, Becker County
Tera Guetter, Pelican River Watershed District
Gina Kemper, Pelican River Watershed District
Liz Larson, Cormorant Lakes Watershed District
Julie Aadland, DNR
Scott Schroeder, MPCA
Dan Disrud, MDH
Luke Stuewe, MDA
Pete Waller, BWSR
Henry Van Offelen, BWSR
Bob Guetter, NRCS
Wayne Bringer, Tamarac National Wildlife Refuge



Acronyms and Abbreviations

1W1P	One Watershed, One Plan
AIS	Aquatic Invasive Species
BMP	Best Management Practice
BWSR	Board of Water and Soil Resources
CEC	Contaminants of Emerging Concern
COLA	Coalition of Lake Associations
CRP	Conservation Reserve Program
DNR	Minnesota Department of Natural Resources
DO	Dissolved Oxygen
DWSMA	Drinking Water Supply Management Area
EQIP	Environmental Quality Incentives Program
FSA	Farm Service Agency
GRAPS	Groundwater Restoration and Protection Strategy
HEI	Houston Engineering, Inc.
HUC	Hydrologic Unit Code
LGU	Local Government Unit
LSP	Landscape Stewardship Plan
MAWQCP	Minnesota Agriculture Water Quality Certification Program
MDA	Minnesota Department of Agriculture
MDH	Minnesota Department of Health
MGLP	Midwest Glacial Lakes Partnership
MnDOT	Minnesota Department of Transportation
MOA	Memorandum of Agreement
MPARS	Minnesota DNR Permitting and Regulatory System
MPCA	Minnesota Pollution Control Agency
MRWA	Minnesota Rural Water Association
MS4	Municipal Separate Storm Sewer System
NLCD	National Land Cover Dataset
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
OTW	Otter Tail Watershed
OTCWMP	Otter Tail Comprehensive Watershed Management Plan
PC	Policy Committee
PFAS	Perfluoroalkyl Substances
PFC	Perfluorochemicals
PFOA	Perfluorooctanoic Acid
PFOS	Perfluorooctanoic Sulfonic Acid
RAQ	Risk Adjacency Quality

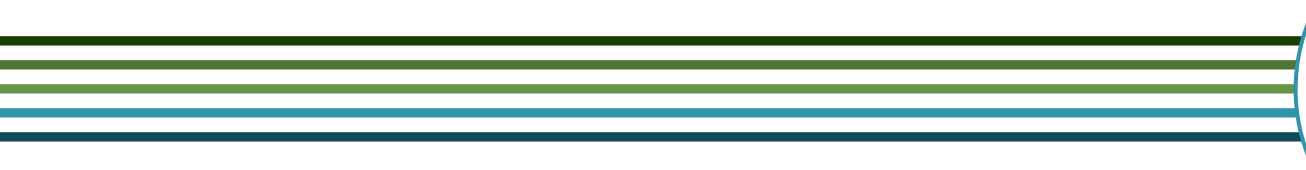


RRVCSA	Red River Valley Conservation Service Area
SCORE	Select Committee on Recycling and the Environment
SFIA	Sustainable Forest Incentive Act
SSTS	Subsurface Sewage Treatment Systems
SWCD	Soil and Water Conservation District
TNWR	Tamarac National Wildlife Refuge
TAC	Technical Advisory Committee
TMDL	Total Maximum Daily Load
TP	Total Phosphorus
TSS	Total Suspended Solids
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
W:L	Watershed to Lake Ratio
WBIF	Watershed-Based Implementation Funding
WCA	Wetland Conservation Act
WHAF	Watershed Health Assessment Framework
WMA	Wildlife Management Areas
WPLMN	Watershed Pollutant Load Monitoring Network
WRAPS	Watershed Restoration and Protection Strategy
WRP	Wetland Reserve Program



Table of Contents

Section 1. Executive Summary	1
Section 2. Land & Water Resources Narrative	11
Section 3. Focus Issues	25
Section 4. Focus Resources	57
Section 5. Measurable Goals	69
Section 6. Targeted Implementation Schedule	90
Section 7. Resiliency	104
Section 8. Plan Implementation Programs	112
Section 9. Plan Administration	135
Section 10. Appendices	154
A. Plan Summary	
B. Public Input Summary	
C. Citizen Advisory Committee Summary	
D. PRWD Supporting Information	
E. Lake Targeting Maps	
F. PRWD Rules	
G. CLWD Rules	
H. Local Funding Authorities	
I. Regulatory Comparisons	
J. Memorandum of Agreement	
K. BWSR Board Order <i>(to add after approved)</i>	
L. Local Resolutions to Adopt <i>(to add after adopted)</i>	
M. References	





1. Executive Summary



Section 1. Executive Summary

In 2021-2022, the Otter Tail Watershed (OTW) planning partners embarked on the development of an Otter Tail Comprehensive Watershed Management Plan (OTCWMP) through the One Watershed One Plan (1W1P) program administered by the Board of Water and Soil Resources (BWSR), Minnesota Statutes §103B.801. This effort marks a **watershed moment** for management of the natural resources in this area. Previously, each local government had its own water management plan; now, all the local governments in the planning area collaborated on a joint plan to guide the management of the diverse and valuable natural resources in the watershed.

The OTW, located in northwest Minnesota, has a wide diversity of natural resources from lakes and streams to forests, prairies, and wetlands. It is at the headwaters of the Red River Basin (RRB) but looks much different than the rest of the RRB because of its many lakes, intact wetlands, and forested uplands. Most of these natural resources are in good condition, so this plan focuses on prevention of future degradation and protection of outstanding resources, as evidenced in the watershed vision statement below.

The natural beauty and diversity of water and land in the Otter Tail Watershed is attractive to residents and tourists because of its recreational opportunities, farming, forests, and wildlife. We strive to sustain this diversity of riches for future generations to enjoy.

Plan Area

The plan area spans parts of five counties, but most of the plan area is in Becker and Otter Tail (Figure 1.1). There are also two watershed districts that are completely within the plan area: Pelican River Watershed District and Cormorant Lakes Watershed District. The White Earth Nation and Tamarac National Wildlife Refuge cover the headwaters portion of the watershed. Major towns include Detroit Lakes, Fergus Falls, Perham, and Pelican Rapids.

The plan area border varies slightly from the major watershed border because it lines up with other neighboring plan borders to not leave any orphan areas without a plan. In addition, the plan area ends at Orwell Dam because the

watershed

wá·ter·shed

noun

1. An area or region drained by a river or river system.
// The Otter Tail Watershed.
2. An event or period marking a turning point in a course of action or state of affairs.
// This plan marks a watershed moment in the management of the Otter Tail Watershed.

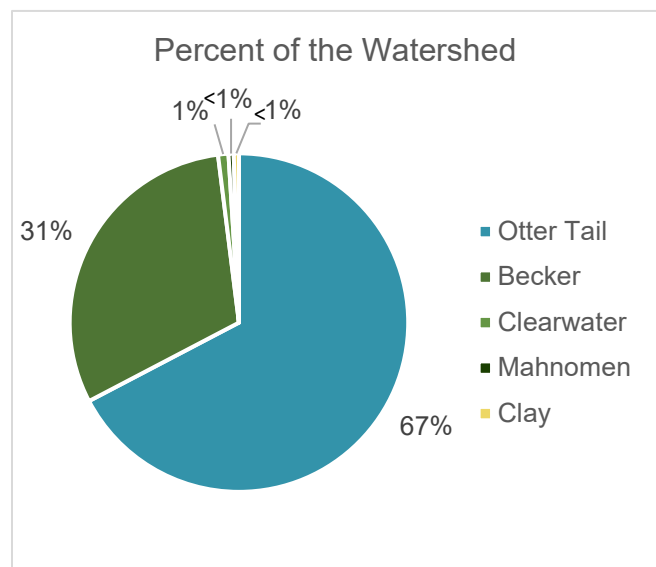


Figure 1.1. Plan area per county.

Lower Otter Tail River is in the Buffalo Red River Watershed District and is therefore a part of the Buffalo Red Comprehensive Watershed Management Plan (Figure 1.2).

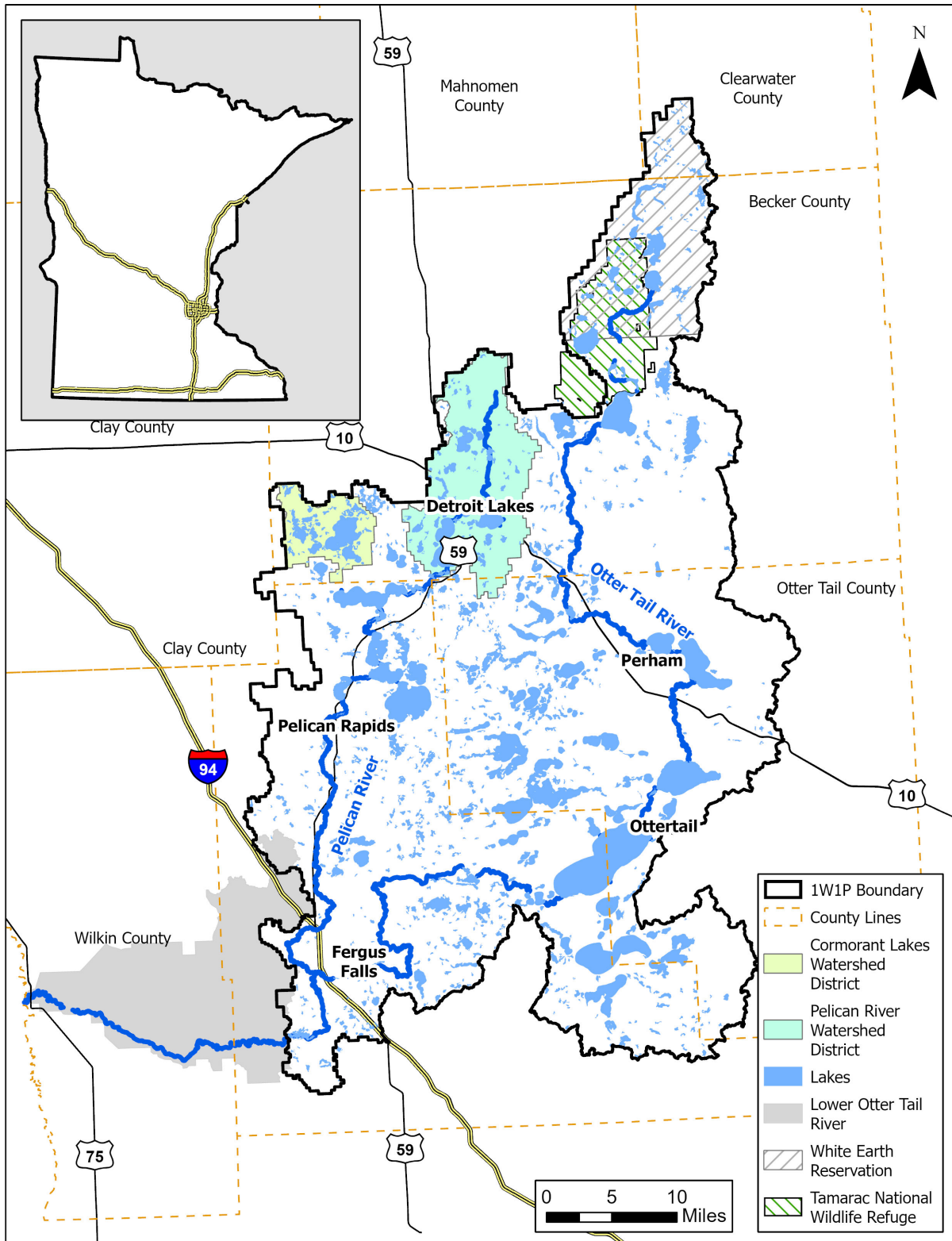


Figure 1.2. The Otter Tail Watershed Planning Area.

Roles and Responsibilities

The OTCWMP planning effort began with a Memorandum of Agreement (MOA) between Otter Tail County, East Otter Tail Soil and Water Conservation District (SWCD), West Otter Tail SWCD, Becker County, Becker SWCD, Pelican River Watershed District, and Cormorant Lakes Watershed District. All entities with a portion of the planning area within their jurisdiction were invited to participate but Clearwater (<1%), Clay (<1%), Mahnomen (<1%) counties and the White Earth Nation declined.

The 1W1P process uses existing authorities, and therefore a representative from each MOA governmental unit was appointed by each local board to serve on the Policy Committee, which is the decision-making body for this plan (Figure 1.3). The East Otter Tail SWCD was the fiscal agent and plan coordinator for this project.

The plan content was developed by the Technical Advisory Committee, which consisted of the staff from the MOA governmental units, state agencies, the United States Fish and Wildlife Service (USFWS), and the Natural Resource Conservation Service (NRCS). The Citizen Advisory Committee, made up of local stakeholders including lake groups, agricultural producers, and local business owners, provided input on the plan priorities and content. The Steering Committee guided the planning process and timeline and produced the final plan.

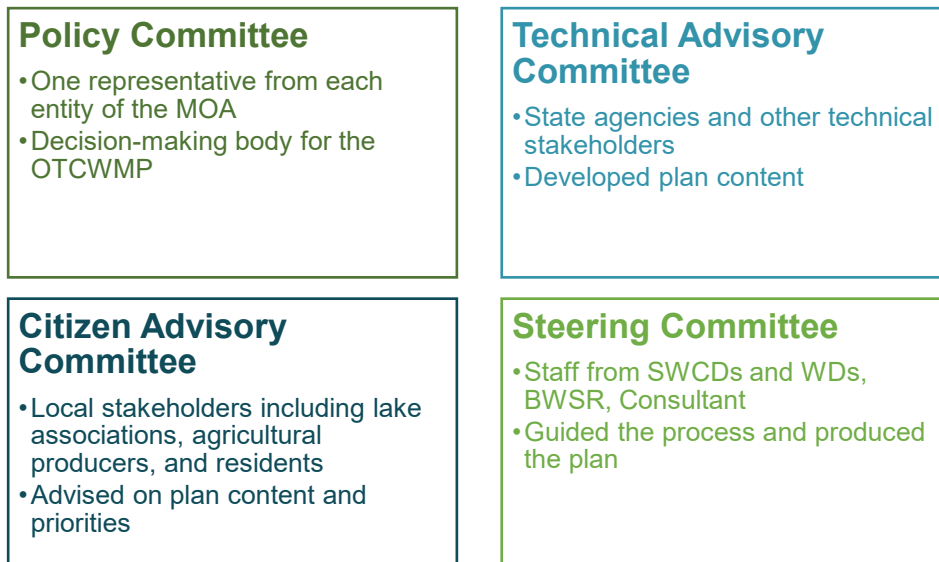


Figure 1.3. Committees and roles in the OTCWMP planning effort.

Public Participation

Public input was gathered in numerous ways throughout the planning process. At the start of the plan in the summer of 2021, an online survey and two public open house events were held in Detroit Lakes and Fergus Falls. The survey received 260 responses, and over 60 people attended the open houses, which garnered great feedback for plan development (Figure 1.4).

Top three watershed concerns in the public survey:

1. Lake and stream water quality
2. Increased development on lakes
3. Groundwater quality

Flourishing wildlife
Better
Clean
Protected
Healthy
Balanced
Beautiful
natural shorelines
access
fish
vibrant
pristine
less crowded
same

Figure 1.4. A) Top three watershed concerns in the public survey; B) Response to the public survey question: what do you want the Otter Tail Watershed to look like in 50 years?

The Citizen Advisory Committee met in January 2022 to discuss watershed issues, develop a watershed vision, and provide input on what they felt should be included in the plan. The citizens' responses were consistent with issues identified in existing studies and plans and by the Technical Advisory Committee (Figure 1.5). This public response validated that the plan was on the right track. Most citizen concerns can be addressed with actions that would be implemented by planning partners.

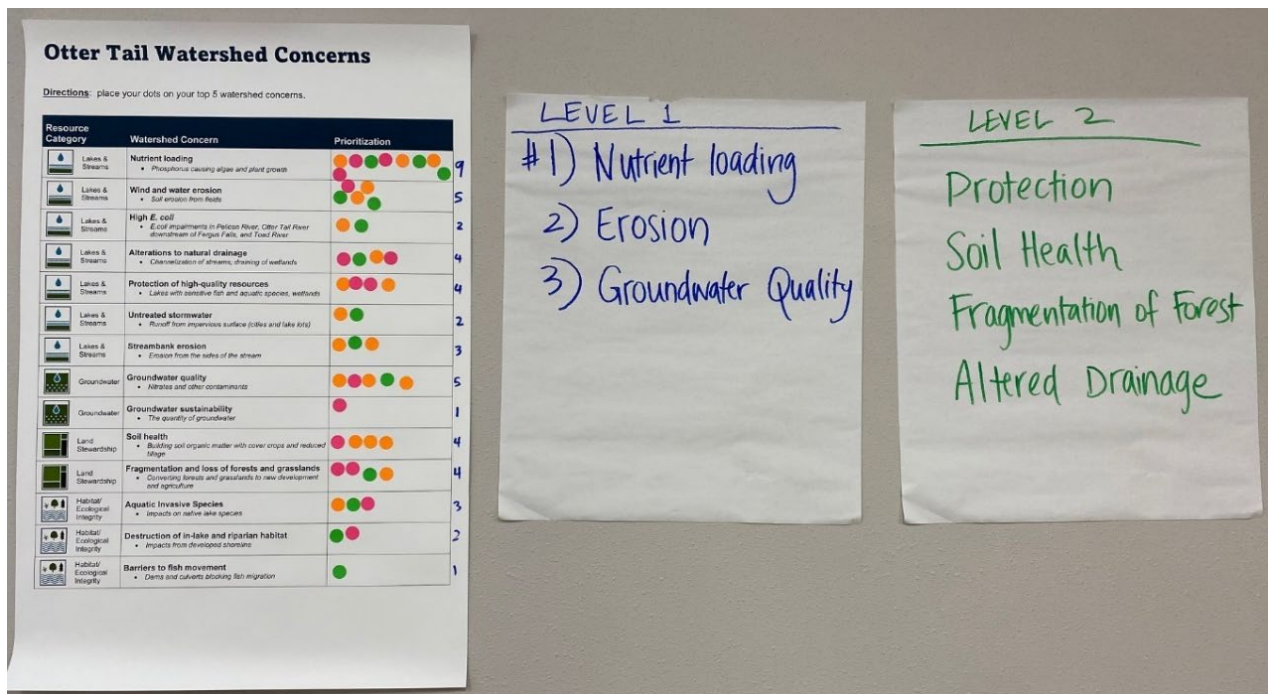


Figure 1.5. Issue prioritization at the Citizen Advisory Committee meeting in January 2022.

Focus Issues

Using input from the public, the Citizen Advisory Committee, and existing plans and studies in the watershed, the Technical Advisory Committee developed issue statements. They then determined which issues to focus on during plan implementation using existing data. These focus issues were reviewed and approved by the Policy Committee in January 2022. The issues and process are described in detail in Section 3.

Primary issues are the most important issues that will be the focus of implementation efforts in the 10-year plan (Table 1.1). They had a “high” ranking in the watershed. The main theme of the issue statement is shown in **bold** text.

Table 1.1. Primary Issues.

Resources Affected	Issue Statement
Lakes, Streams, Drinking Water	Nutrient loading causes algal blooms and eutrophication.
Lakes, Streams	Wind and water erosion impact water clarity, dissolved oxygen levels, and aquatic habitat.
Lakes, Streams, Wetlands, Forests, Prairies	Sufficient protection is needed for outstanding resources and sensitive species to maintain water and habitat quality.
Lakes, Streams, Wetlands	Untreated stormwater , including chloride, impacts water quality.
Aquifer, Drinking Water	Groundwater quality is vulnerable to contamination.
Soil, Lakes, Streams, Wetlands	Soil health is important for agricultural productivity and climate change resilience.
Forests, Prairies	Fragmentation and loss of forests and grasslands by land use change impacts land resilience, habitat, and surface and groundwater quality.
Lakes, Streams	Aquatic Invasive Species impact the aquatic ecosystem, water quality, recreation, and economic development.

Secondary issues will be addressed during the 10-year plan, likely with additional funding and/or with partners (Table 1.2). The main theme of the issue statement is shown in **bold** text.

Table 1.2. Secondary Issues.

Resources Affected	Issue Statement
Streams, Lakes	Barriers to fish movement impact fish communities and stream geomorphology.
Lakes, Streams, Wetlands, Ditches	Altered hydrology increases the flow of water, increases streambank erosion, and impacts aquatic life.
Streams, Lakes, Ditches	Unstable stream channels contribute to sediment loading and reduced habitat quality.
Streams	High <i>Escherichia coli</i> (<i>E. coli</i>) makes waterbodies unsafe for recreation.
Lakes, Streams	Destruction of in-lake and riparian habitat impacts water quality, lake and stream health, and fish and macroinvertebrate communities.
Aquifer	Groundwater sustainability is vulnerable to overuse and loss of recharge.

Focus Resources

In order to make measurable change in 10 years, it is important to narrow the focus to specific lakes, streams, and groundwater areas (resources). Three different management focus categories were identified for the OTW: Protect, Enhance, and Restore (Table 1.3). These are common management strategies used in protection-focused watersheds in the northern half of Minnesota. There are relatively few impairments in the OTW, so the focus of this plan is preventing future impairments and protecting the good quality resources in the watershed.

The Technical Advisory Committee used the Watershed Restoration and Protection Strategy (WRAPS) Report and associated watershed studies (MPCA 2021), data, and local information to determine which resources to focus outreach and funding on in the next 10 years. These resources are mapped and explained in detail in Section 4. Resources that are not a focus of this plan can still be a local priority. The Technical Advisory and Policy Committees outlined some of the actions that could still be implemented for non-focus resources including continuing monitoring, offering technical assistance, and reassessment in the future (Section 4).

Table 1.3. Management focus categories used in this plan.

Management Focus	Definition	Focus Resources
Protect	The resource is in good condition. Maintain good condition and protect against future risks. Reduce inputs of phosphorous, sediment, and bacteria, and protect the natural landscape and hydrological features around the resource.	<p><u>Lakes</u>: Big Cormorant, Floyd Lakes, Big Pine, Cotton, Dead, Little McDonald, Little Pine, Long (Vergas), North & South Lida, North & South Lizzie, Otter Tail, Pelican, Rose, Seven, Six, Star, Sybil, West Battle, Hoot, Wright</p> <p><u>Streams</u>: Otter Tail River (east of Fergus Falls), Brandborg Creek, Solid Bottom Creek, Egg River, Reed Creek</p> <p><u>Groundwater</u>: nonvulnerable Drinking Water Supply Management Areas</p>
Enhance	The resource is at risk, but not impaired. Factors for lakes and streams include degrading trends, nearly impaired for phosphorus, total suspended solids, dissolved oxygen, or <i>E.coli</i> , or a eutrophication stressor in Lake IBI report (DNR and MPCA 2019). Factors for groundwater include nitrogen infiltration risk and vulnerable Drinking Water Supply Management Areas. Focus on high quality resources that are nearly impaired or vulnerable. Reduce pollutant loading through stormwater and agricultural best management practices.	<p><u>Lakes</u>: Big & Little Detroit, Leif, Little Cormorant, Paul, Pickerel (Maine), Sallie, Upper Cormorant, Walker</p> <p><u>Streams</u>: Otter Tail River (west of Fergus Falls), County Ditch 14, Pelican River (north of Detroit Lakes and south of Pelican Rapids), Dead Horse Creek</p> <p><u>Groundwater</u>: vulnerable Drinking Water Supply Management Areas and areas at risk for nitrogen infiltration to groundwater.</p>
Restore	The resource is impaired (phosphorus, dissolved oxygen, total suspended solids, or <i>E.coli</i>). Focus on resources that are barely impaired. Reduce pollutant loading through stormwater and agricultural best management practices.	<p><u>Lakes</u>: St. Clair</p> <p><u>Streams</u>: Toad River, Unnamed Creek (Silver Leaf Township), Otter Tail River (west of Fergus Falls), Campbell Creek, Pelican River (within Detroit Lakes and north of Fergus Falls)</p>

Measurable Goals

Measurable goals identify the desired change in the resource and indicate how progress will be measured. Goals are developed to address the priority issues, and models and data are used to quantify milestones for progress. The measurable goals were developed over the course of three Technical Advisory Committee meetings and approved by the Policy Committee. They are described in detail in Section 5.

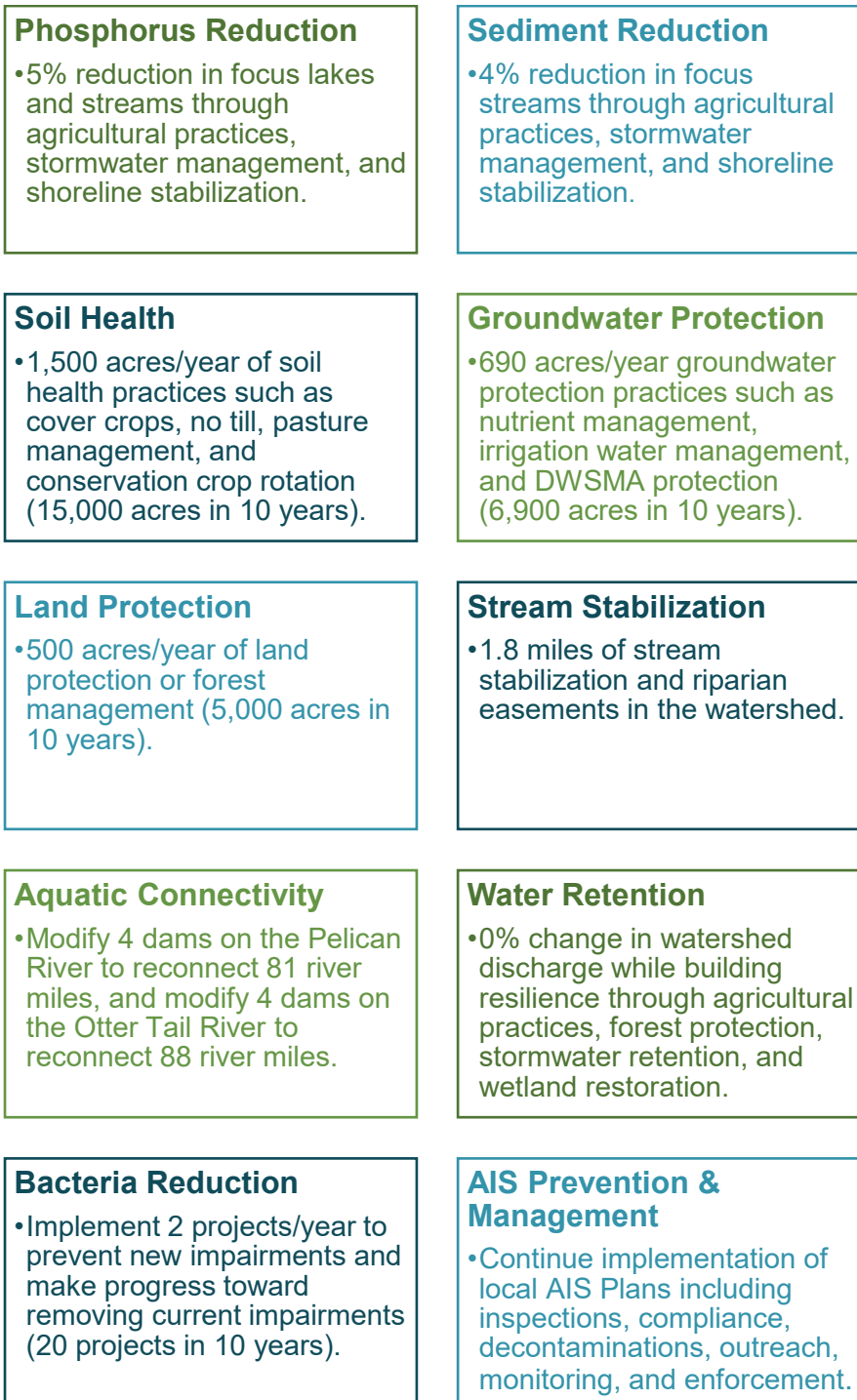


Figure 1.6. Measurable goals for the Otter Tail Watershed.

Implementation

Implementation activities and costs are presented in Section 6 of this plan. The implementation focus of the OTCWMP is to encourage additional best management practices in priority areas to reach the goals (Figure 1.6). Plan practices are voluntary on private lands and will be implemented through a variety of cost-share programs, grants, and state and federal funding programs.

To implement the full extent of this plan, additional state or federal funding and capacity over current levels will be necessary. The implementation tables label implementation actions as funding Level 1, 2, or 3 (Table 1.4). Level 1 is the current amount of baseline funding (noncompetitive) being spent on protection, enhancement, and restoration practices and programs in the watershed. After the plan is complete, watershed partners will be eligible for Watershed-Based Implementation Funding (WBIF) administered through BWSR. This funding is noncompetitive and can be requested biennially by watershed partners to implement this plan. Level 2 includes Level 1 funding plus the WBIF and is the new operating level of the watershed after this plan is completed. Level 3 describes partner-sponsored projects that will help achieve plan goals.

Table 1.4. Funding levels in the OTCWMP.

Funding Level	Description	Estimated Plan Total (10 years)	Estimated Annual Average
1	Current Baseline Funding	\$20,000,000	\$2,000,000
2	Baseline + WBIF (WBIF = \$632,500/yr)	\$26,330,000	\$2,633,000
3	Partner and Other funding (CRP, SFIA, NRCS, MPCA, etc.)	\$44,000,000	\$4,400,000

Existing programs will be utilized for implementing plan actions and are organized into four categories: Planned Landscape Management (“Manage It”), Protected Lands Maintenance (“Protect It”), Constructed Environmental Enhancements (“Fix It”), and Data Collection and Outreach (“Know It”).



Landscape in the OTW north of Fergus Falls.

Plan Administration and Coordination

This plan will be implemented by the Otter Tail Watershed Partnership, of which members include Otter Tail County, East Otter Tail SWCD, West Otter Tail SWCD, Becker County, Becker SWCD, Pelican River Watershed District, and Cormorant Lakes Watershed District (Figure 1.7). These entities previously entered into an MOA to develop this plan and will enter a similar agreement to implement this plan. The Policy Committee is advisory to the individual county, SWCD, and watershed district boards, and to the fiscal agent, under the umbrella of the MOA.

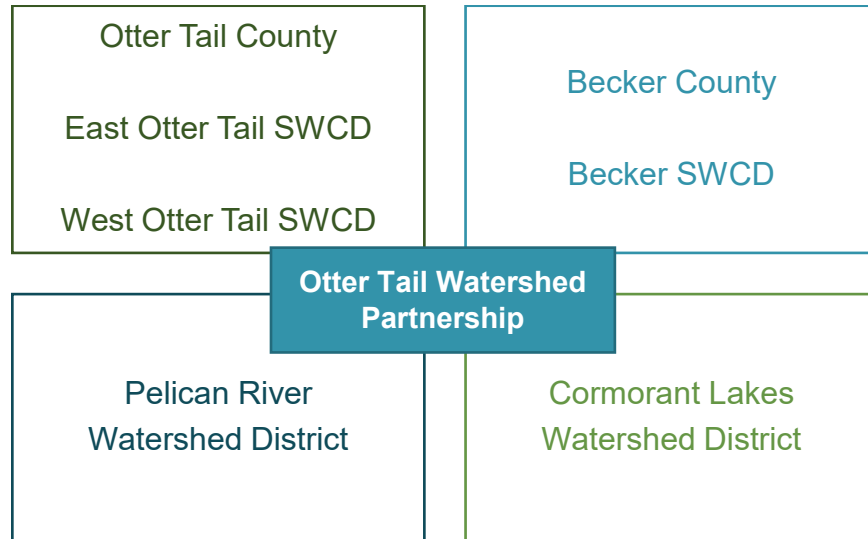


Figure 1.7. Members of the Otter Tail Watershed Partnership.

Plan progress and accomplishments will be recorded by watershed partners in a tracking system and summarized biennially. In addition, committees that convened for planning will continue into implementation in the same roles (Figure 1.3).



Maple Beach Resort on Lake Lida.

Partnership Successes

Watershed partners have a strong track record of successful projects and partnerships in the OTW. At the beginning of the planning process, the Technical Advisory Committee was led through an exercise to build common ground and learn about each other. First, the participants were asked to discuss and write **success stories of natural resource improvement in the watershed**. The answers were put on a white board and discussed.

Next, the group was asked to write answers to the question – **“Why was this project successful?”** Answers were again put on the white board.

Then in the last step, the participants grouped the “Why” responses into themes. Common themes included people, funding mechanisms, scale, timeline of project, values behind the work/approach, goals and priority vs opportunity, and partnerships. These themes can be carried forward in the future to guide successful implementation.

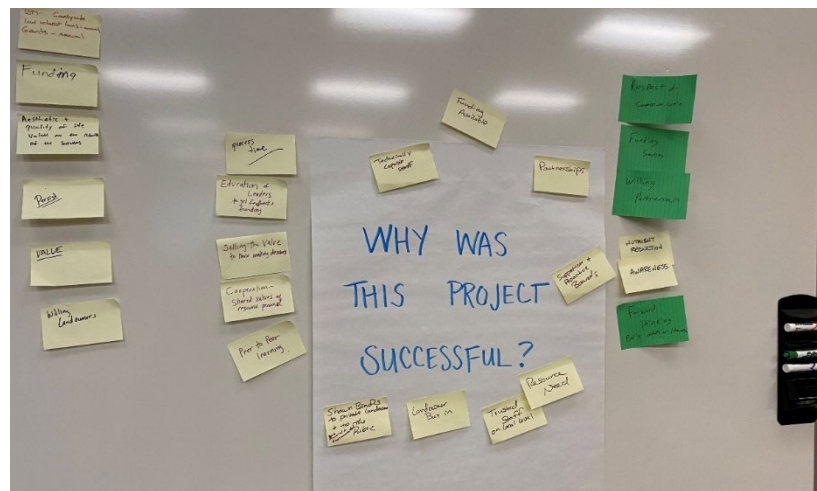
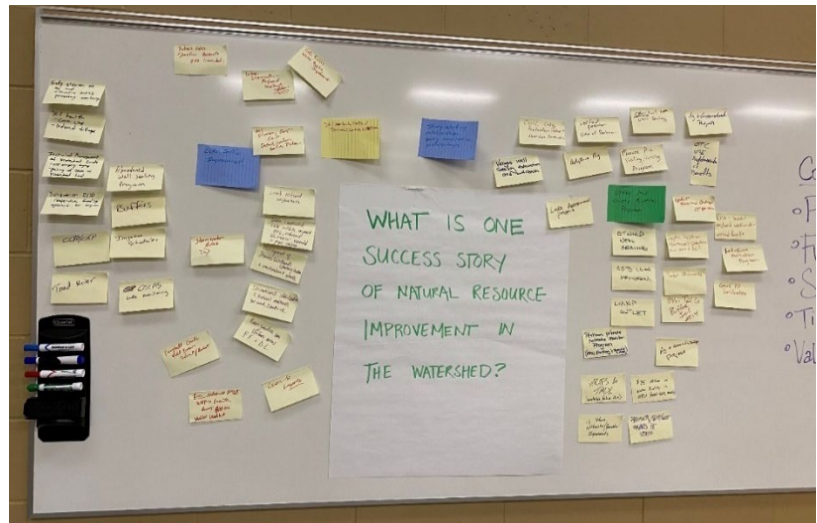


Figure 1.8. Brainstorming activity with the Technical Advisory Committee (8/30/2021).

Reasons behind the success in the watershed:

- **People:** *capable staff, willing landowners, trust, persistence*
- **Partnerships:** *cooperation, supportive and proactive boards, shared values*
- **Funding Mechanisms:** *funding sources are increasing*
- **Values behind the work/approach:** *respect, communication, selling the projects to the decision-makers, landowner buy-in, quality of life values on the results of the successes, shown benefits to landowners and to the public*
- **Priority vs Opportunity:** *resource need, willing landowners*

NEW BUSINESS

1. Historical Context: Tribes – Melissa King – ***INFORMATION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Historical Context: Tribes

Meeting Date: January 25, 2023

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information Non-Public Data

Keywords for Electronic Searchability: Tribal Nations, Sovereignty, History

Section/Region: Regional Operations, Central

Contact: Melissa King

Prepared by: Melissa King

Reviewed by: None Committee(s)

Presented by: Melissa King, Craig Engwall

Time requested: 30 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- None General Fund Budget
- Amended Policy Requested Capital Budget
- New Policy Requested Outdoor Heritage Fund Budget
- Other: Clean Water Fund Budget

ACTION REQUESTED

LINKS TO ADDITIONAL INFORMATION

[Minn. Stat. §10.65](#)

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

As part of continuous learning, Melissa and Craig will share a summary of historical events that have shaped and impacted tribal nations. An overview of BWSR’s responsibilities under Minn. Stat. §10.65 GOVERNMENT-TO-GOVERNMENT RELATIONSHIP WITH TRIBAL GOVERNMENTS.