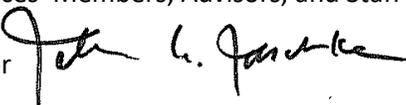


DATE: January 19, 2021

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

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice – January 27, 2021

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, January 27, 2021, 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 WebEx. Due to COVID-19, access to the MPCA/BWSR office is limited. Individuals interested in attending the meeting should do so by either 1) logging into WebEx by going to the following website: <https://minnesota.webex.com/minnesota/onstage/g.php?MTID=ed3cf6ca59bbfba966a6517d274ea88dc>, and entering the password: webex, or 2) join by audio only conference call by calling telephone number: 415-655-0003 and entering the access code: 146 502 1617.

The following information pertains to agenda items:

#### COMMITTEE RECOMMENDATIONS

##### *Northern Region Committee*

1. **Bois de Sioux - Mustinka Comprehensive Watershed Management Plan** – On June 28, 2017, the Bois de Sioux - Mustinka watershed was selected one of the six planning areas for the One Watershed, One Plan program. The watershed partnership Policy Committee and Advisory Committee members have attended regularly scheduled meetings and submitted the Bois de Sioux - Mustinka Comprehensive Watershed Management Plan on December 4, 2020, for review and approval. The Northern Regional Committee met on January 6, 2021, to review the content of the Plan, State agency comments on the Plan, and to make a recommendation for approval. The Committee recommends approval of the submitted Plan by the full Board. **DECISION ITEM**

##### *RIM Reserve Committee*

1. **Working Lands RIM Easement Pilot Program** – The Working Lands Pilot Program is a RIM easement program focused on the Pine, Crow Wing and Redeye River watersheds that allows for working lands within the traditional RIM framework with a modified payment structure. For the pilot program, “working lands” is defined as lands that are used for haying, grazing or solar. In 2017, the Board of Water and Soil Resources, in partnership with the Nature Conservancy (TNC), launched the first Clean Water Fund supported Reinvest in Minnesota (RIM) riparian forest protection program on the Pine River. Soon after the program was launched, regional watershed-based organizations asked if there was a similar tool to support grazing and working lands initiatives. Producer driven inquiries and significant land conversion pressure away from grazing lands has developed interest from SWCDs and conservation partners in west-central Minnesota. Over the last year, BWSR and TNC have developed the Working Lands Pilot Program to address this need. **DECISION ITEM**

***Audit and Oversight Committee***

1. **2020 Performance Review and Assistance Program Legislative Report** – BWSR staff have prepared the 2020 Performance Review and Assistance Program (PRAP) Legislative Report which presents a summary of PRAP reviews and activities conducted in 2020. The report also contains a list of planned program objectives including three focused items for 2021: Continue updating protocols for PRAP Level I and Level II reviews for performance-based funding for implementation of watershed-based One Watershed-One Plans and work with BWSR Water Planning Team to develop protocol for tracking, assessment, evaluation and reporting for One Watershed, One Plans. ***DECISION ITEM***

**NEW BUSINESS**

1. **BWSR's Climate Change Trends and Action Plan and State Climate Initiatives** – BWSR's programs have always supported local partners' adaptation and resilience to climate change. With new state initiatives, our climate-related activities have expanded, both internally and in partnership with other agencies, making a Board update timely. ***INFORMATION ITEM***

If you have any questions regarding the agenda, please feel free to call me at (651) 297-4290. We look forward to seeing you on January 27.

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD NORTH  
ST. PAUL, MN 55155  
WEDNESDAY, JANUARY 27, 2021**

**PRELIMINARY AGENDA**

**9:00 AM CALL MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF AGENDA**

**MINUTES OF DECEMBER 17, 2020 BOARD MEETING**

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

**REPORTS**

- Chair & Administrative Advisory Committee - Gerald Van Amburg
- Audit & Oversight Committee
- Executive Director - John Jaschke
- Dispute Resolution and Compliance Report – Travis Germundson/Gerald Van Amburg
- Grants Program & Policy Committee – Tom Schulz
- RIM Reserve Committee
- Water Management & Strategic Planning Committee
- Wetland Conservation Committee – Jill Crafton
- Buffers, Soils & Drainage Committee – Kathryn Kelly
- Drainage Work Group – Tom Gile

**AGENCY REPORTS**

- Minnesota Department of Agriculture – Thom Petersen
- Minnesota Department of Health – Chris Elvrum
- 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 – Chessa Frahm
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Nathan Redalen
- Minnesota Association of Watershed Districts – Emily Javens
- Natural Resources Conservation Service – Troy Daniell

## **COMMITTEE RECOMMENDATIONS**

### ***Northern Region Committee***

1. Bois de Sioux - Mustinka Comprehensive Watershed Management Plan – Neil Peterson, Pete Waller, and Ryan Hughes – ***DECISION ITEM***

### ***RIM Reserve Committee***

1. Working Lands RIM Easement Pilot Program – Sharon Doucette– ***DECISION ITEM***

### ***Audit and Oversight Committee***

1. 2020 Performance Review and Assistance Program Legislative Report – Dale Krystosek and Brett Arne – ***DECISION ITEM***

## **NEW BUSINESS**

1. BWSR's Climate Change Trends and Action Plan and State Climate Initiatives – Dan Shaw and Suzanne Rhees – ***INFORMATION ITEM***

## **UPCOMING MEETINGS**

- BWSR Board meeting is scheduled for March 24, 2021, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.

## **ADJOURN**

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD NORTH  
LOWER LEVEL BOARD ROOM  
ST. PAUL, MN 55155  
THURSDAY, DECEMBER 17, 2020**

**BOARD MEMBERS PRESENT:**

Jill Crafton, Kathryn Kelly, Rich Sve, Andrea Date, Todd Holman, Jayne Hager Dee, Ted Winter, Tom Loveall, Nathan Redalen, Tom Schulz, Gerald Van Amburg, Joe Collins, Harvey Kruger, Paige Winebarger, Neil Peterson, Steve Colvin, DNR; Thom Peterson, MDA; Joel Larson, University of Minnesota Extension; Steve Robertson, MDH; Katrina Kessler, MPCA

**BOARD MEMBERS ABSENT:**

**STAFF PRESENT:**

John Jaschke, Angie Becker Kudelka, Rachel Mueller, Kevin Bigalke, Tom Gile, Melissa King, Travis Germundson, Jill Sackett Eberhart, Shaina Keseley, Mark Hiles, Erin Loeffler, Ryan Hughes, Barbara Radke, Kevin Ruud, Julie Krebs, Brett Arne, Tara Perriello, Jeannette Austin, Julie Westerlund, Marcey Westrick, Jeremy Olson, Suzanne Rhees, Dan Shaw, Ed Lenz

**OTHERS PRESENT:**

Jeff Berg, MDA; Dawn Doering, Coon Creek Watershed District; Brian Martinson; AMC; Alex Trunnell, EQB; Katie Pratt, EQB; Rebeca Gutierrez, EQB; Erik Cedarleaf Dahl, EQB; Emily Javens, Minnesota Association of Watershed Districts; Valerie Grover, Lori Thronson, Andrew Graham, Frank Gross, Mary Jackson, Nicole Bernd, West Polk SWCD; Jeff Berg, MDA; Chad Hildebrand, Jill Trescott, Josi Lonetti, Tara Jensen, Glenn Skuta, MPCA; Paul Gardner, MPCA



Sarah Strommen/Steve Colvin (DNR)	X			
Joel Larson				X
Tom Loveall	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen/Jeff Berg (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	18			2

### **PUBLIC ACCESS FORUM**

No members of the public provided comments to the board.

### **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 staff before any vote.”*

### **REPORTS**

**Chair & Administrative Advisory Committee** – Chair Gerald Van Amburg reported the Administrative Advisory Committee has not met but was informed from Executive Director John Jaschke and Assistant Director Angie Becker Kudelka that they have been developing preliminary budget recommendations for the governor.

Attended EQB meeting on November 18 where the board received and approved the report on Feasibility of Solar Development on State-Managed Closed Landfills and the 2020 Minnesota State Agency Pollinator Report that will be presented later in the agenda. At the EQB Environmental Review Implementation Subcommittee meeting yesterday they discussed and took questions on the draft report about integrating climate information into the Minnesota Environmental Review Program requirements.

Chair Van Amburg attended the MAWD conference and congratulated Emily Javens and her staff for a well done conference.

This is the last board meeting of the year. Chair Van Amburg thanked BWSR staff for all the work they’ve done during this unusual time. He also thanked the retiring board members, Paige Winebarger, Tom Loveall, and Todd Holman for serving on the board.

**Audit and Oversight Committee** – Paige Winebarger reported that the committee has not met.

**Executive Director's Report** - John Jaschke reported the budget process is underway and that the Governor's budget usually gets released at the end of January.

Thanked the three board members that will be retiring from the board. New appointments will be made after January.

State has been in a hiring freeze since March. An exemption was approved for hiring for two Easement Processing Specialists and the Central Region Manager position.

Reviewed the day-of packet that included the Minnesota Campaign Finance Board letter, supplemental materials, Org chart, updated phone list, and an expense form.

**Dispute Resolution and Compliance Report** – Travis Germundson reported there are presently seven appeals pending. All but one of the appeals involve the Wetland Conservation Act (WCA). There have been three new appeal filed since the last Board Meeting (October 28, 2020).

The three new appeals include the following:

File 20-12 This is an appeal of an Administrative Penalty Order (APO) issued under the Buffer Law in Pennington County. The APO requires the placement of a 16.5 foot vegetative buffer along a public drainage system. No decision has been made on the appeal.

File 20-11 This is an appeal of a restoration order in Pine County. The appeal regards the construction of an access road through wetlands. Appeal was submitted outside of the appropriate timeframe to file the appeal. The restoration order is final and appeal has been denied.

File 20-10 (11-12-2020) This is an appeal of duplicated WCA restoration orders in St. Louis County. The appeal regards the placement of approximately 5,000 sq. ft. of fill in a wetland associated an ATV Club trial crossing project that allegedly was approved by the LGU. No decision has been made on the appeal.

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 98 parcels from the 12 counties BWSR is responsible for enforcement. Staff continue to actively reach out to landowners to resolve any noncompliance on a voluntary basis prior initiating enforcement action through the issuance of Correction Action Notices (CANs). Currently there are 34 CANs and 13 Administrative Penalty Orders (APO) issued by BWSR that are still active. Of the actions being tracked over 50 of those have been resolved.

\*Statewide 28 counties are fully compliant, and 47 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 968 CANs and 28 APOs actively in place. Of the actions being tracked over 1188 of those have been resolved.

**Grants Program & Policy Committee** – Tom Schulz reported Committee met November 23 and have two items on the agenda.

**RIM Reserve Committee** – Tom Loveall reported they met on December 16 to consider a resolution for Working Lands Easement Pilot Program with the allowance of haying and grazing.

Jill Crafton mentioned the DNR has a program where they are doing haying and grazing. There is some good guidance and criteria for performance and how it can be handled. If it's not done well there can be negative impacts.

Tom Loveall Stated the DNR was not at the meeting to provide context. Stated it would be built into the management plan.

Tom Schulz commented that Sharon Doucette stated each easement requires a conservation plan and includes a haying and grazing plan to be established by the SWCD and will be intact for the duration of the easement.

Jill asked if the vegetation will be diverse. Tom Loveall stated it was not discussed.

Neil Peterson stated this is an all-around good plan.

**Water Management & Strategic Planning Committee** – Todd Holman reported that the committee has not met.

**Wetland Conservation Committee** – Jill Crafton reported that the committee has not met. Jill asked if the 404 Assumption would be discussed today.

John Jaschke stated the 404 Assumption legislative directive includes an analysis that BWSR, MPCA and DNR are undertaking. The agencies are seeking a 1 year extension to complete the work because of COVID delays.

**Buffers, Soils & Drainage Committee** - Kathryn Kelly reported that the committee has not met.

**Drainage Work Group (DWG)** - Tom Loveall and Tom Gile reported they met on December 10. Reviewed the Drainage Work Group Report dated December 17, 2020 included in the day of packet.

Tom Gile thanked Tom Loveall for his work on the Drainage Work Group.

Harvey Kruger thanked Tom Loveall, Tom Gile and the entire drainage workgroup for the work they've been doing.

#### **AGENCY REPORTS**

**Minnesota Department of Agriculture** – Thom Petersen thanked Tom Loveall for all his work on the Drainage workgroup.

On January 14 the US Forest Service will be taking action on Emerald Ash Borer. Minnesota will continue to regulate it, 25 of 87 counties are infested with it.

Ag Water Quality Certification Program will be announcing a goal of 1 million acres by 2022. Program is continuing to grow and endorsements are continuing to increase in numbers.

Thanked our teams and agencies for the work and engagement they've had with Tribal Governments especially on One Watershed One Plan.

Chair Van Amburg stated there is an Emerald Ash Borer report available through EQB.

**Minnesota Department of Health** – Steve Robertson reported COVID cases are declining but they still remain high. Program operations are being significantly affected with 70% of staff in reassignments with COVID activities. The situation continues to evolve and develop, vaccines are being made available.

CDC stated water borne disease are a burden in our country. Estimated that 1 in 44 people get sick from water borne diseases every year in the US. Information is available on their website or you can contact Steve Robertson for more information.

They are supporting some of the Regional Conservation Partnership Program projects that were recently submitted to NRCS. A couple of the projects they are participating in are Minnesota River Watershed Partnership Wetland and Soil Health Program and a proposal that is led by Department of Agriculture to work with 18 or 19 counties in central Minnesota on implementing innovative irrigation practices to protect groundwater quality and quantity.

Their Environmental Surveillance Assessment Unit has been significantly affected by reassignments. Some of their activities have been moving slowly.

Nathan Redalen asked why training for the vaccine wasn't better planned for. Steve Robertson stated he does not have the answer and that many factors make it complicated.

**Minnesota Department of Natural Resources** – Steve Colvin reported in November they issued all the permits, licenses, and other approvals for Enbridge Line 3. Continue to work with MPCA on the 3M settlement.

Jill Crafton congratulated Steve on his retirement and thanked him for helping serve on the board.

**Minnesota Extension** – Joel Larson thanked the board members that will be retiring and for their work on the board. Soil Management Summit will be on Tuesday and Wednesday, also known as the Conservation Tillage Conference.

January 20 is the next Climate Adaptation Conference and will be held virtual.

**Minnesota Pollution Control Agency** – Glenn Skuta reported the MPCA issued Air Hydrostatic Testing Discharge and Construction Stormwater Permits and the 401 Certification for the Line 3 Project in November.

December 16 there was an Ag-Urban Partnership Forum that was developed by MPCA, BWSR, Dept of Agriculture, MSU Mankato, and the city of Mankato.

MCPA is working with Les Lemm at BWSR on a report to Legislature on State Assumption of 404 Permit Program. This includes an evaluation to make sure water quality standards are considered if and when the program transitions to the State. If more details are needed contact Katrina Kessler or Glenn Skuta.

Gave an update on WRAPS projects. There are 64 watersheds out of 80 that are finalized or public noticed. At this point they are ahead of schedule for meeting the statutory deadlines to have them completed by mid-calendar 2023.

#### **ADVISORY COMMENTS**

**Association of Minnesota Counties** – Brian Martinson reported they recently held their annual business meeting where they adopted new priorities and platforms among the environment related issues of water and conservation issues.

AMC shared that because of the impacts of COVID they are going to continue the service terms of their officers and board members, which means their president and BWSR board member Rich Sve will continue to serve as president in the next year.

Local Government Water Round Table met yesterday, which includes MAWD, MASWCD, AMC, and board member Neil Peterson. They reviewed their shared platforms. Received updates on clean water fund, SWCD capacity funding and coordinated watershed management. Heard from BWSR staff with an update around One Watershed One Plan. Meeting also included a wrap up discussion about vision and plans for the Round Table heading into the next year. Focusing efforts on clean water fund and making sure that One Watershed One Plan and other local government conservation efforts are adequately addressed moving into the future.

Thanked John Jaschke and his staff in facilitating and supporting the work of the Round Table.

Thanked Commissioner Loveall for his service on the BWSR Board.

**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** – No report was provided.

**Minnesota Association of Watershed Districts** – Emily Javens reported they met with Commissioners of Agencies that participate in Clean Water Fund. The goal is working towards keeping these programs sustainable and to provide services both on a state and local level.

Local Government Roundtable met. They've only met once in the past year and decided they need to meet more frequently.

MAWD annual conference presentations are available on demand and will publicly release one presentation per week.

Neil Peterson thanked Emily Javens and Brian Martinson for their work on the Local Government Water Round Table.

**Natural Resources Conservation Service** – John Jaschke stated there is a Farm Bill Assistant Program meeting on Monday where they will be assessing what the future will look like.

Chair Van Amburg called a recess at 10:52 a.m. and called the meeting back to order at 11:03 a.m.

John Jaschke announced the Watershed District Employee of the Year was Maggie Karschnia from Prior Lake-Spring Lake Watershed District, Watershed District Administrator Employee of the Year was Jan Voit from Heron Lake Watershed District, and the Soil and Water Conservation District Employee of the Year was Peter Nelson from Pennington Soil and Water Conservation District.

## **COMMITTEE RECOMMENDATIONS**

### **Grants Program and Policy Committee**

**FY 2021 Clean Water Fund Competitive Grant Award** – Shaina Keseley and Mark Hiles presented FY 2021 Clean Water Fund Competitive Grant Award.

The purpose of this agenda item is to allocate FY21 Clean Water Competitive Grants. On June 24, 2020, the Board authorized staff to distribute and promote a request for proposals (RFP) for eligible local governments to apply for Clean Water Fund Competitive Grants in three program categories: Projects and Practices, Projects and Practices Drinking Water Subprogram and Multipurpose Drainage Management (Board order #20-26).

Applications for the FY2021 Clean Water Fund Competitive Grants were accepted from June 29 through August 17, 2020. Local governments submitted 61 applications requesting \$19,754,194 in Clean Water Funds. BWSR Clean Water staff conducted multiple processes to review and score applications and involved staff from other agencies to develop the proposed recommendations for grant awards. The BWSR Senior Management Team reviewed the recommendations on November 10, 2020 and made a recommendation to the Grants Program and Policy Committee. The Grants Program and Policy Committee reviewed the recommendation on November 23, 2020 and made a recommendation to the full Board. A draft Order is attached based on that recommendation of the Grants Program and Policy Committee.

Tom Loveall asked if the \$700,000 available from multipurpose drainage management grants is up, down, or the same? John Jaschke stated it's about the same. Tom also asked if all \$700,000 was used in the last biennium? John stated it is done in two annual allocations and a small amount was left over in the second allocation. The Committee's recommendation was to move that money into the project and practices categories to partially fund additional projects in that list.

\*\*  
20-54 Moved by Kathryn Kelly, seconded by Jill Crafton, to approve the FY 2021 Clean Water Fund Competitive Grant Award. **Motion passed on a voice vote.**

**Roll Call Vote: Approval of the FY 2021 Clean Water Fund Competitive Grant Award**

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman	X			
Katrina Kessler/Glenn Skuta (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen/Steve Colvin (DNR)	X			
Joel Larson	X			
Tom Loveall	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen/Jeff Berg (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			

<b>TOTALS</b>	20			
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**Grants Monitoring and Reconciliation Policy Revision** – Kevin Bigalke presented Grants Monitoring and Reconciliation Policy Revision.

BWSR has a fiduciary responsibility to ensure public funds are used for their program intent and legislative purpose. The proposed policy revision will allow BWSR to remain in compliance with Office of Grants Management policy.

The proposed revisions will reduce the frequency of reconciliations from one grant per grant allocation fiscal year per grantee to one grant every third grant allocation fiscal year per grantee.

Under the current policy, all applicable grants over \$50,000 are annually monitored, risk assessed, and based on these risk assessment scores, the Grants Compliance Specialists will select one grant from each fiscal year per grantee to reconcile. All of the high-risk grants are subject to reconciliation. The threshold at which we would consider a reconciliation complete is 70% spent. The 70% threshold reconciliation happens at any point during the grant life.

The proposed revised policy will still require all grants over \$50,000 to be annually monitored and risk assessed, but instead of reconciling one grant per grantee every fiscal year, the revised policy would allow flexibility for us to, at a minimum, reconcile one grant per grantee every 3rd year with no change to reconciliations of high risk grants.

The proposed policy revision allows BWSR to remain in compliance with Office of Grants Management policies.

This proposed revision to the Grants Monitoring and Reconciliation Policy was developed by BWSR’s Grants Monitoring Workgroup and was reviewed by its Grants Team. The policy revision has been reviewed by the Senior Management Team and the Grants Program and Policy Committee (GPPC). The GPPC recommended approval of the revised policy at its November 23, 2020 meeting.

\*\*  
20-55 Moved by Tom Loveall, seconded by Paige Winebarger, to approve the Grants Monitoring and Reconciliation Policy Revision. ***Motion passed on a voice vote.***

***Roll Call Vote: Approval of the Grants Monitoring and Reconciliation Policy Revision***

<b>Name of Board member</b>	<b>Affirmative</b>	<b>Opposed</b>	<b>Abstained</b>	<b>Absent</b>
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman	X			
Katrina Kessler/Glenn Skuta (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen/Steve Colvin (DNR)	X			
Joel Larson	X			

Tom Loveall	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen/Jeff Berg (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	20			

**Northern Region Committee**

**Nemadji River Comprehensive Watershed Management Plan**– Tom Schulz, Erin Loeffler, and Ryan Hughes presented Nemadji River Comprehensive Watershed Management Plan.

The Nemadji River Watershed Comprehensive Watershed Management Plan (Plan) planning area is in northern Pine and central Carlton counties in Minnesota. The Plan was developed as part of the One Watershed, One Plan program.

On November 3, 2020, BWSR received the Plan, a recording of the public hearing, and copies of all written comments pertaining to the Plan for final State review. The planning partnership has responded to all comments received during the 60-day review period and incorporated appropriate revisions to the final Plan.

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

On December 2, 2020 the Northern Regional Committee met to review and discuss the Plan. The Committee’s decision was to recommend approval of the Nemadji River Watershed Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

Jayne Hager Dee asked what we do when it’s included in another state, is there a way we can collaborate to see if they are on board with our plan and have some of the same thoughts that we do in Minnesota? Tom Schulz stated that during the planning process Wisconsin was included in on some of the meetings with regards to what has been happening in this plan.

Jill stated the Wisconsin DNR has been good in the past. Looks like a good plan and would be nice to get updates as we go along.

\*\*  
20-56 Moved by Tom Schulz, seconded by Jill Crafton, to approve the Nemadji River Comprehensive Watershed Management Plan. **Motion passed on a voice vote.**

***Roll Call Vote: Approval of the Nemadji River Comprehensive Watershed Management Plan***

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			

Steven Robertson (MDH)	X			
Todd Holman	X			
Katrina Kessler/Glenn Skuta (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen/Steve Colvin (DNR)	X			
Joel Larson	X			
Tom Loveall	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen/Jeff Berg (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	20			

**Wild Rice - Marsh River Comprehensive Watershed Management Plan** – Jeff Berg, Brett Arne, and Ryan Hughes presented Wild Rice - Marsh River Comprehensive Watershed Management Plan

The Wild Rice - Marsh River Comprehensive Watershed Management Plan (Plan) planning area is in Northwest Minnesota encompassing portions of Becker, Clay, Clearwater, Mahnomen, Norman and Polk counties. The Plan was developed as part of the One Watershed, One Plan program.

On November 11, 2020 BWSR received the Plan, a record of the public hearing, and copies of all written comments pertaining to the Plan for final State review. The planning partnership has responded to all comments received during the 60-day review period and incorporated appropriate revisions to the final Plan.

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

On December 2, 2020 the Northern Regional Committee met to review and discuss the Plan. The Committee’s decision was to recommend approval of the Wild Rice - Marsh River Watershed Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

\*\*  
20-57 Moved by Jeff Berg, seconded by Neil Peterson, to approve the Wild Rice - Marsh River Comprehensive Watershed Management Plan. **Motion passed on a voice vote.**

**Roll Call Vote: Approval of the Wild Rice - Marsh River Comprehensive Watershed Management Plan**

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			

Steven Robertson (MDH)	X			
Todd Holman	X			
Katrina Kessler/Glenn Skuta (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen/Steve Colvin (DNR)	X			
Joel Larson	X			
Tom Loveall	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen/Jeff Berg (MDA)	X			
Rich Sve				X
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	<b>19</b>			<b>1</b>

**Southern Region Committee**

**Waseca Soil and Water Conservation District Change in Location of Principal Office Headquarters** – Ed Lenz presented Waseca Soil and Water Conservation District Change in Location of Principal Office Headquarters.

On November 12, 2020, the Waseca SWCD Board of Supervisors passed a resolution approving the district’s change of principal office location to 300 North State Street, Waseca, Minnesota from the 105 22nd Avenue NE, Waseca, Minnesota location. BWSR’s Southern Regional Committee met on November 19, 2020 to review this request and voted to recommend approval of the change of principal office location to the full BWSR Board.

\*\*  
20-58 Moved by Kathryn Kelly, seconded by Nathan Redalen, to approve the Waseca Soil and Water Conservation District Change in Location of Principal Office Headquarters. ***Motion passed on a voice vote.***

***Roll Call Vote: Approval of the Waseca Soil and Water Conservation District Change in Location of Principal Office Headquarters***

<b>Name of Board member</b>	<b>Affirmative</b>	<b>Opposed</b>	<b>Abstained</b>	<b>Absent</b>
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman	X			
Katrina Kessler/Glenn Skuta (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen/Steve Colvin (DNR)	X			

Joel Larson	X			
Tom Loveall	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen/Jeff Berg (MDA)	X			
Rich Sve				X
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	19			1

**Watonwan Comprehensive Watershed Management Plan** – Ed Lenz, Jill Sackett Eberhart, and Shaina Keseley presented Watonwan Comprehensive Watershed Management Plan.

The Watonwan River Watershed was selected by BWSR for a One Watershed, One Plan Planning Grant in June of 2017. The Watonwan Watershed Planning Partnership (Partnership) established a Memorandum of Agreement on April 17, 2018, for the purpose of watershed planning. Planning was initiated on July 30, 2018 via notification to designated plan review authorities. The Partnership has followed One Watershed, One Plan Operating Procedures and the Policy Committee, Advisory Committee, and Steering Team members have attended regularly scheduled meetings and kept open communication throughout plan development. The Partnership submitted the Watonwan River Watershed Comprehensive Watershed Management Plan to BWSR on October 14, 2020, for review and approval. The Southern Regional Committee (Committee) met on November 19, 2020, to review the planning process, the contents of the Plan, State agency comments on the Plan, and to make a recommendation for approval. The Committee recommends approval by the full Board.

Jill Crafton thought they did a good job of identifying priority issues. All the way around this represents a really good effort.

Joe Collins stated the PTMApp had a component where they determined cost effectiveness of the BMP. Can look at different BMPs and determine which one was most cost effective in removing total phosphorus or nitrogen and thought it was an interesting feature.

\*\*  
20-59 Moved by Nathan Redalen, seconded by Tom Loveall, to approve the Watonwan Comprehensive Watershed Management Plan. **Motion passed on a voice vote.**

**Roll Call Vote: Approval of the Watonwan Comprehensive Watershed Management Plan**

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman	X			
Katrina Kessler/Glenn Skuta (MPCA)	X			
Kathryn Kelly	X			

Harvey Kruger	X			
Sarah Strommen/Steve Colvin (DNR)	X			
Joel Larson	X			
Tom Loveall	X			
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen/Jeff Berg (MDA)	X			
Rich Sve				X
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	18			2

**Central Region Committee**

**Pioneer-Sarah Creek Watershed Management Commission Watershed Management Plan** – Steve Christopher presented Pioneer-Sarah Creek Watershed Management Commission Watershed Management Plan.

*Background:*

The Pioneer-Sarah Creek Watershed Management Commission (Commission) is located exclusively in Hennepin County in the western portion of the Minneapolis – St. Paul seven county metropolitan area. It is bound by the Crow River to the north, on the northeast by the Elm Creek Watershed Management Organization, on the south and southeast by Minnehaha Creek Watershed District, and on the west by Wright and Carver Counties. The Commission includes all or parts of the following six municipalities: Greenfield, Independence, Loretto, Maple Plain, Medina, and Minnetrista. The Pioneer-Sarah Creek watershed covers approximately 70.5 square miles. There are seventeen lakes in the Pioneer-Sarah Creek watershed and six major streams. The watershed continues to be heavily influenced by agriculture and rural residential development, with some high density housing, commercial, and townhouse developments in the cities of Greenfield, Loretto and Maple Plain.

The cities of Independence, Minnetrista, Medina and the Hennepin Conservation District created the Pioneer Creek Watershed Management Commission on January 13, 1978. On June 7, 1983, the City of Greenfield offered a resolution to the Pioneer Creek Commission requesting a merger of the Sarah Creek and Pioneer Creek Watersheds. This merger combined administrative services and avoided the creation of numerous small watershed organizations. In December 1984, the Pioneer-Sarah Creek Watershed Management Commission was formally established through a Joint Powers Agreement. Since that time, Watertown Township in Carver County and the city of Corcoran elected to leave the Commission, becoming members of adjacent WMOs. The current plan was approved by the Board in January 2015.

*Plan Process and Highlights:*

The Commission initiated work on the Fourth Generation Plan in November 2019. The Commission underwent an early input from the water management agencies as well as its partners in late 2020 and held a kickoff meeting in early 2020. The Commission Board and partners were in agreement that a full re-write of the Plan was not necessary, but the goals and implementation should be addressed and revised as needed. The 60-day draft was submitted in June 2020 and the Commission held their public hearing at the October Commission meeting. The Commission had adequately responded to all

comments from the 60-day draft and no additional comments were received on the 90-day draft which was received by BWSR on October 22, 2020.

The Plan includes a self-assessment and information required in Minnesota Administrative Rules Chapter 8410, Local Water Management: an updated land and water resources inventory, goals and policies; an assessment of problems and identification of corrective actions; an implementation program; and a process for amending the Plan.

*Fourth Generation Management Plan Priorities*

1. Make systematic progress toward achieving lake water quality goals by 2030:
  - a. Delist South Whaletail Lake.
  - b. Protect Lake Rebecca so it continues to meet water quality standards.
  - c. Meet state water quality standards in the following lakes: Independence, Sarah, Spurzem, Half Moon, and Ardmore.
  - d. Achieve a 10% reduction in TP concentration in the other monitored lakes over the previous ten years.
2. Work in a coordinated way with urban and rural property owners, cities, lake associations, public and private entities, Hennepin County, and TRPD building partnerships to conserve our water and natural resources and deliver implementation projects.
3. Raise the profile of the Commission across the watershed, within Hennepin County, the western Metro area, and the Crow River Watershed.
4. Serve as an informational and technical resource for the cities, citizens and property owners in the watershed.

The Commission has made significant water quality improvements to Lake Independence, Lake Sarah and North Whaletail thanks to concentrated efforts and effective use of grant funding. This plan update should allow the Commission to further those improvements and build upon the stronger relationships with partners like Hennepin County, Three Rivers Park District and the landowners of the watershed.

The Capital Improvement Program included in this plan is realistic with the funding availability and allows them to make systematic progress. The Commission also remains committed to working with the member cities to further efforts based upon the available financial resources and landowner willingness.

\*\*  
20-60 Moved by Joe Collins, seconded by Jill Crafton, to approve the Pioneer-Sarah Creek Watershed Management Commission Watershed Management Plan. **Motion passed on a voice vote.**

**Roll Call Vote: Approval of the Pioneer-Sarah Creek Watershed Management Commission Watershed Management Plan**

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman	X			
Katrina Kessler/Glenn Skuta (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen/Steve Colvin (DNR)	X			

Joel Larson	X			
Tom Loveall	X			
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen/Jeff Berg (MDA)	X			
Rich Sve				X
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	18			2

**Dakota County Groundwater Plan**– Melissa King and Kevin Bigalke presented Dakota County Groundwater Plan.

*Background*

Dakota County (County) is part of the seven-county Twin Cities Metropolitan Area. The County is the third most populous in Minnesota, with an estimated 2018 population of 428,558. Between 2010 and 2018 the population of the County increased 20%, and the Metropolitan Council projects that population will reach nearly 514,000 by 2040. Approximately 36% of the County is urbanized, 43% is agricultural land, and 21% some type of open space (forests, shrubland, water, etc.).

Groundwater provides 90% of the water supply in the County, with the majority of the County served by 14 public water suppliers. Contaminants and increasing groundwater demands threaten the drinking water supply. Hastings and Rosemount municipal water supplies have elevated levels of nitrate, with the nitrate concentrations almost doubling in the last 20 years. County research has found that nitrate and pesticides are prevalent in groundwater wells the rural south/southeast portion area of the County where land use is predominantly agricultural, and naturally occurring manganese tends to be above Minnesota Department of Health (MDH) drinking water guidelines in the north/northwestern part of the County. Public waters suppliers provide water that meets health standards; however, the groundwater poses health risks that water suppliers and private well owners must address.

The Metropolitan Council estimates that portions of the County may experience 20-30 feet of drawdown in the Prairie du Chien and Jordan aquifers; the two aquifers that provide most of the County’s municipal water supplies and agricultural irrigation water. The largest drawdowns are predicted to occur in areas with high municipal water use and in cities with the highest projected population increases – Apple Valley, Eagan, Inver Grove Heights, and Lakeville. Aquifer drawdown is also predicted to occur in heavily irrigated agricultural areas in the southeastern portion of the County.

*Plan Process and Highlights*

The County began the planning process in early 2019. Throughout 2019 the County completed a substantial outreach effort to engage the public and stakeholders in plan developments. This included activities and events for the general public, meetings with an ad hoc technical advisory group consisting of representatives of various government partners and construction, agriculture, hydrogeology and well drilling interests; and meetings with the County Planning Commission.

The Dakota County Groundwater Plan defines Dakota County’s role in groundwater resource management for the next ten years by identifying goals, strategies and tactics the County will complete over the life of the Plan to address groundwater quality and availability issues facing the County. The

Plan was developed with significant early involvement from State and local government units, private partners, and the general public and builds off existing resource conservation and improvement efforts.

There are four overarching Plan goals which include:

- Water Quality: Groundwater and drinking water are free from unhealthy levels of contaminants.
- Water Quantity: Groundwater is sufficient to meet human needs and sustain groundwater-dependent ecosystems.
- Education: People who live and work in Dakota County are knowledgeable about water issues, conserve water, and prevent pollution.
- Governance: Groundwater programs and services are efficient and effective.

The Plan includes specific strategies (framework to achieve Plan goals) and tactics (actions to achieve strategies) developed to address specific issues identified through research and by stakeholders, for each goal. Implementation of strategies are prioritized into three classifications (high, medium and low priority) and include annual measures of progress for each tactic, as well as identified outcomes anticipated at the end of the 10-year period. The Plan is well organized and focuses on what the County can realistically accomplish to address the growing needs within Dakota County.

*Formal Plan Review Process*

The draft Plan was received by the Board for the initial 60-day review on May 20, 2020 per MS §103B.255, subdivision 8. The draft Plan was also circulated to other state agencies, local governments within the county, adjoining counties and was also made available to other stakeholders and the general public for comment. The initial 60-day review period concluded on July 20, 2020. The County prepared a written response to the 60-day comments and then held a public hearing on September 1, 2020. The Board received the revised draft Plan for the final 45-day review and Board approval on September 17, 2020. Comments received during the final 45-day review period indicated that the reviewers had no further comments.

*Recommendation*

On December 2, 2020, the Board’s Central Region Committee and staff met with representatives from Dakota County in St. Paul and virtually via WebEx, to review and discuss the final Plan. The Committee’s decision was to recommend approval of the Dakota County Groundwater Plan to the Board per the attached draft Order.

Joe Collins stated that it’s important we recognized that groundwater is an important Minnesota resource and that this plan makes a good effort to protect that.

Jayne Hager Dee stated she participated in some of the outreach meetings and stated they were very well attended. Plan is very science strong, data driven, and a thoughtful process.

\*\*  
20-61 Moved by Joe Collins, seconded by Jayne Hager Dee, to approve the Dakota County Groundwater Plan.  
***Motion passed on a voice vote.***

***Roll Call Vote: Approval of the Dakota County Groundwater Plan***

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			

Steven Robertson (MDH)	X			
Todd Holman	X			
Katrina Kessler/Glenn Skuta (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen/Steve Colvin (DNR)	X			
Joel Larson	X			
Tom Loveall	X			
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen/Jeff Berg (MDA)	X			
Rich Sve				X
Paige Winebarger				X
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	<b>17</b>			<b>3</b>

#### **NEW BUSINESS**

**Interagency Pollinator Protection Team Overview** – Rebeca Gutierrez-Moreno presented Interagency Pollinator Protection Team Overview.

The PowerPoint presentation covered an overview of the 2020 Minnesota State Agency Pollinator Report, Interagency Pollinator Protection Team and how the collaboration can further the state’s pollinator work and civic engagement.

**2020 State Water Plan: Water and Climate** – Erik Cedarleaf Dahl and Suzanne Rhees presented the 2020 State Water Plan: Water and Climate.

An overview of 2020 State Water Plan was presented.

#### **UPCOMING MEETINGS**

- Next BWSR meeting is scheduled for 9:00 AM, January 27, 2021 in St. Paul and by WebEx.

Chair VanAmburg adjourned the meeting at 1:36 PM

Respectfully submitted,

Gerald Van Amburg  
Chair

**BOARD MEETING AGENDA ITEM**

**AGENDA ITEM TITLE:** Dispute Resolution/Compliance Report

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**Meeting Date:** January 27,2021

**Agenda Category:**  Committee Recommendation  New Business  Old Business

**Item Type:**  Decision  Discussion  Information

**Section/Region:** Central Office

**Contact:** Travis Germundson

**Prepared by:** Travis Germundson

**Reviewed by:** \_\_\_\_\_ Committee(s)  
Travis Germundson/Chair Gerald

**Presented by:** VanAmburg

**Time requested:** 5 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**

None

**LINKS TO ADDITIONAL INFORMATION**

See attached report/map.

**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 BWSR and buffer compliance status.

## Dispute Resolution and Compliance Report

January 12, 2021

By: Travis Germundson

There are presently seven appeals pending. All but one of the appeals involve the Wetland Conservation Act (WCA). There has been one new appeal filed since the last Board Meeting (December 17, 2020).

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 20-13 (12-21-2020) This is an appeal of a restoration order in Washington County. The appeal regards the alleged placement of fill in wetlands associated with development of a residential property. No decision has been made on the appeal.

File 20-12 (12-1-2020) This is an appeal of Administrative Penalty Order (APO) issued under the Buffer Law in Pennington County. The APO requires the placement of a 16.5' vegetated buffer along a public drainage system. *No decision has been made on the appeal.*

File 20-10 (11-12-2020) This is an appeal of duplicated WCA restoration orders in St. Louis County. The appeal regards the placement of approximately 5,000 sq. ft. of fill in a wetland associated an ATV Club trail crossing project that allegedly was approved by the LGU. *The appeal was placed in abeyance and the restoration order stayed for submittal of an after-the-fact wetland application and/or to give additional time to coordinate with the LGU in attempt to resolve the matter.*

File 20-09 (9-23-2020) This is an appeal of a WCA exemption decision in Polk County. The appeal regards the denial of an agricultural exemption request to tile several wetlands. At issue is the required planting history qualification associated with the exemption being claimed. *The appeal was placed in abeyance for submittal of additional supporting information.*

~~File 20-08 (8-12-2020) This is an appeal of a WCA restoration order in St. Louis County. The appeal regards the alleged placement of 8,000 sq. ft. of fill in a wetland. The petitioner intends to submit after the fact applications for exemption and no loss to the LGU. The appeal was denied, and the restoration order affirmed.~~

File 20-03 (2-26-2020) This is an appeal of a WCA restoration order in Kandiyohi County. The appeal regards the alleged impacts to a wetland associated with the installation agricultural drain tile and lift pump. *The appeal has been placed in abeyance and the restoration order stayed for the appellant to submit additional documentation in support of the appeal and/or an after-the-fact application and for the Technical Evaluation Panel to develop written finding of fact adequately addressing the wetland boundary and drainage impacts. That decision has been amended to extend the time period on the stay of the LGU decision.*

File 19-7 (12-20-19) This is an appeal of a WCA replacement plan decision in Hennepin County. The appeal regards the denial of a replacement plan application associated with wetland impacts described in a restoration order. The restoration order was appealed and placed in abeyance until there is a final decision on the wetland application (File 18-3). The appeal has

been placed in abeyance until there is no longer mutual agreement on the viability of proposed actions for restoration. *The LGU has since notified BWSR that there is no longer mutual agreement on continuing to hold the appeal in abeyance. As a result, a decision was made to grant and hear the appeal.*

File 18-3 (10-31-18) This is an appeal of a WCA restoration order in Hennepin County. The appeal regards the alleged filling and draining of over 11 acres of wetland. Applications for exemption and no-loss determinations were submitted to the LGU concurrently with the appeal. *The appeal has been placed in abeyance and the restoration stayed for the LGU to make a final decision on the applications. That decision has been amended several times to extend the time period on the stay of the restoration order. The LGU decision was appealed (File19-7).*

Summary Table for Appeals

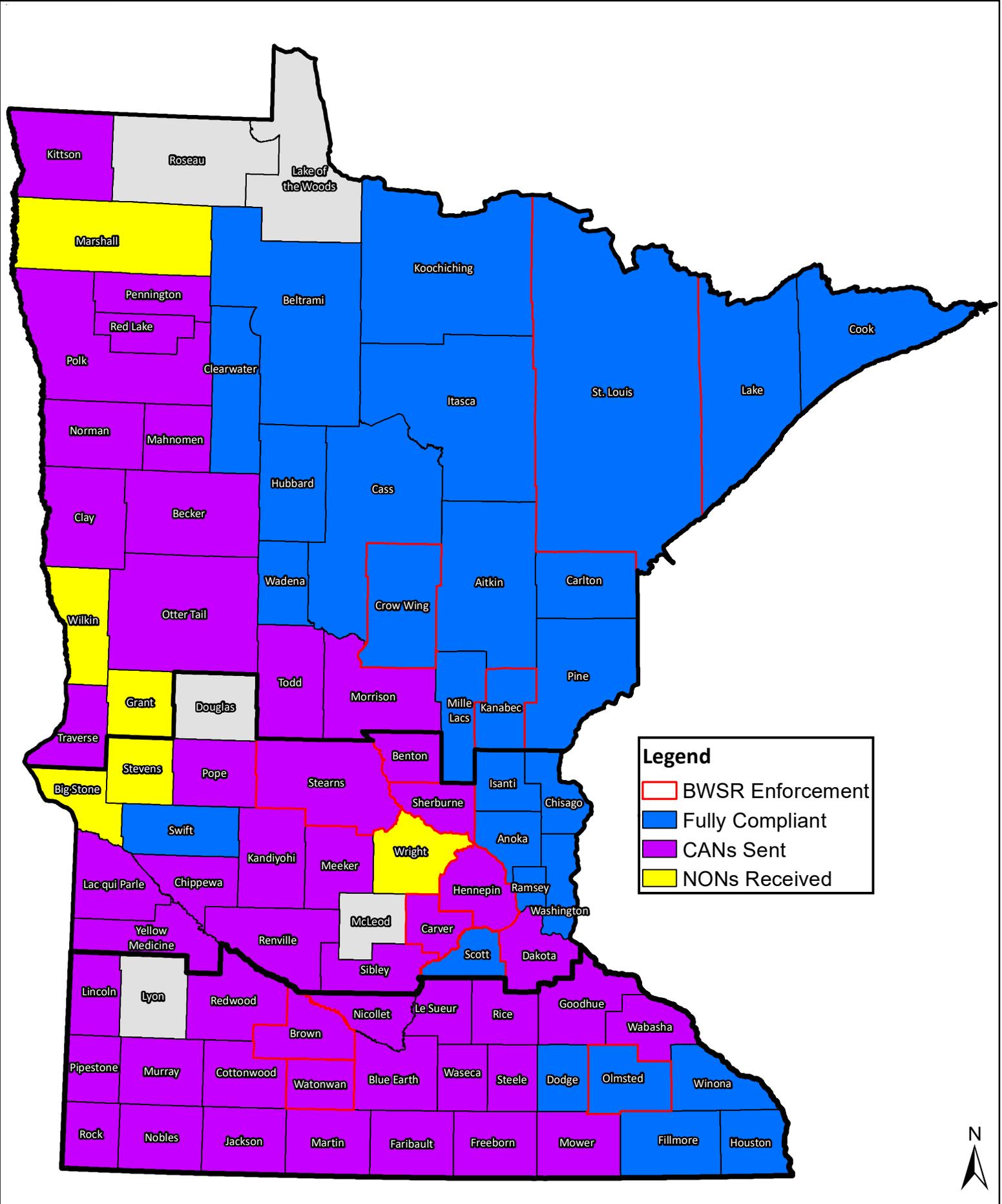
Type of Decision	Total for Calendar Year 2019	Total for Calendar Year 2020
Order in favor of appellant		
Order not in favor of appellant	1	5
Order Modified	2	
Order Remanded		2
Order Place Appeal in Abeyance	3	4
Negotiated Settlement		
Withdrawn/Dismissed	4	3

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 99 parcels from the 12 counties BWSR is responsible for enforcement. Currently there are 26 Corrective Action Notices (CANs) and 8 Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 64 of those have been resolved.

\*Statewide 28 counties are fully compliant, and 47 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 987 CANs and 40 APOs actively in place. Of the actions being tracked over 1231 of those have been resolved.

*\*Disclaimer: These numbers are generated on a monthly basis 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.*

# STATEWIDE BUFFER ENFORCEMENT



**Legend**

- BWSR Enforcement
- Fully Compliant
- CANs Sent
- NONs Received



## **COMMITTEE RECOMMENDATIONS**

### ***Northern Committee***

1. Bois de Sioux - Mustinka Comprehensive Watershed Management Plan – Neil Peterson, Pete Waller, and Ryan Hughes – ***DECISION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Bois de Sioux - Mustinka Comprehensive Watershed Management Plan

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**Meeting Date:** January 27, 2021

**Agenda Category:**     Committee Recommendation     New Business     Old Business

**Item Type:**             Decision                                     Discussion             Information

**Keywords for Electronic Searchability:** Bois de Sioux - Mustinka Comprehensive Watershed Management Plan

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**Section/Region:** Regional Operations/Northern

**Contact:** Ryan Hughes

**Prepared by:** Pete Waller

**Reviewed by:** Northern Regional                                    Committee(s)

**Presented by:** Neil Peterson/Pete Waller/Ryan Hughes

**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 Bois de Sioux - Mustinka Comprehensive Watershed Management Plan as recommended by the Northern Regional Committee.

**LINKS TO ADDITIONAL INFORMATION**

[http://www.bds wd.com/One Watershed One Plan.html](http://www.bds wd.com/One_Watershed_One_Plan.html)

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

The Bois de Sioux - Mustinka Comprehensive Watershed Management Plan (Plan) planning area is in west-central Minnesota encompassing portions of Big Stone, Grant, Otter Tail, Stevens, Traverse, and Wilkin counties. The planning area is the same as the political boundary of the Bois de Sioux Watershed District. The Plan was developed as part of the One Watershed, One Plan program.

On December 4, 2020, BWSR received the Plan, a recording of the public hearing, and copies of all written comments pertaining to the Plan for final State review. The planning partnership has responded to all comments received during the 60-day review period and incorporated appropriate revisions to the final Plan.

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

On January 6, 2021, the Northern Regional Committee met to review and discuss the Plan. The Committee's decision was to recommend approval of the Bois de Sioux - Mustinka 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

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In the Matter of the review of the Comprehensive Watershed Management Plan for the Bois de Sioux – Mustinka Watershed, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801.

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**ORDER  
APPROVING  
COMPREHENSIVE  
WATERSHED  
MANAGEMENT PLAN**

**Whereas**, the Policy Committee of the Bois de Sioux – Mustinka (BdS-M) Watershed submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on December 4, 2020, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #16-17, 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**

- Partnership Establishment.** The BdS-M Watershed Partnership (Partnership) was established in February of 2018, through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Big Stone County, Grant County, Otter Tail County, Stevens County, Traverse County, Wilkin County, Big Stone Soil and Water Conservation District, Grant Soil and Water Conservation District, West Otter Tail Soil and Water Conservation District, Stevens Soil and Water Conservation District, Traverse Soil and Water Conservation District, Wilkin Soil and Water Conservation District and Bois de Sioux Watershed District (BDSWD).
- 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 the One Watershed, One Plan (1W1P) program. And, on March 23, 2016, Board Resolution #16-17 adopted Version 1.0 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- Nature of the Watershed.** Two major watersheds are within this planning area in west-central Minnesota: the Bois de Sioux River and the Mustinka River, jointly cover approximately 1,413 square miles. The area is the southernmost portion of the Red River Basin within Minnesota. The Mustinka River flows into Lake Traverse and the Bois de Sioux River flows out of Lake Traverse. Lake Traverse and the Bois de Sioux River are on Minnesota's western border. The area has generally flat topography,

soils with limited drainage qualities and is very predominately cultivated, approximately 90%, primary crops are corn, soybeans and sugar beets. Currently there are over 580 miles of legal ditches, managed by multiple authorities, and field scale drainage is common to facilitate cropping. Streams in the flat plain of former Glacial Lake Agassiz produce brief periods of high runoff and long periods with little or no flow in the streams. Streams in the upper morainal areas have more attenuated flows as a result of additional landscape water storage in the form of existing lakes wetlands and other impoundments that retain and slowly release water. The planning area extends over portions of Big Stone, Grant, Otter Tail, Stevens, Traverse and Wilkin counties and coincides with the jurisdictional boundary of the Bois de Sioux Watershed District. Municipalities within the area include Breckenridge, Campbell, Donnelly, Doran, Dumont, Elbow Lake, Graceville, Herman, Johnson, Nashua, Norcross, Tintah, Wendell and Wheaton. Excessive turbidity, elevated phosphorus concentration, periods of low dissolved oxygen, and highly variable flow regimes within streams and ditches are common issues for waterbodies.

4. **Plan Development.** Five Planning Regions were delineated primarily using hydraulic boundaries and topography. The Bois de Sioux River Watershed has the Rabbit River and Lake Traverse & Bois de Sioux River Planning Regions. The Mustinka River Watershed has the three remaining planning regions, Upper Mustinka River, Lower Mustinka & Twelvemile Creek and Fivemile & Twelvemile Creek Headwaters. 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 reduce flood damage risks, protect and restore water quality, natural habitat, and drinking water in the watershed.
5. **Plan Review.** On December 5, 2020, 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 #16-17. 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.
  - A. Minnesota Department of Agriculture (MDA): MDA appreciated the opportunity to work on the development of this Plan. MDA offered no further comments or suggestions to the Plan. MDA recommends approval of the Plan.
  - B. Minnesota Department of Health (MDH): MDH appreciated the opportunity to work on the development of this Plan. MDH offered no further comments or suggestions to the Plan. MDH recommends approval of the Plan.
  - C. Minnesota Department of Natural Resources (DNR): DNR appreciates the opportunity to be involved when developing the Plan and note that protecting waters from non-point pollution and increasing perennial cover will go a long way toward maintaining good water quality. DNR looks forward to supporting implementation efforts moving forward. DNR recommends approval of the Plan.
  - D. Minnesota Pollution Control Agency (MPCA): MPCA appreciated the opportunity to participate and provide input throughout the Plan development process. MPCA stated the Plan is well written, concise and thorough. MPCA has no further comments and recommends approval of the Plan.
  - E. Minnesota Environmental Quality Board (EQB): EQB did not reply to requests for confirmation of receipt and did not provide comments for the final review.

- F. Minnesota Board of Water and Soil Resources regional staff: BWSR staff provided comments throughout the planning process and had suggestions during the review periods which staff are satisfied how they were addressed in the Plan submitted for approval. We commend the partners for working together developing this Plan and their commitment to the resources of the Plan area. BWSR staff recommend approval of the Plan and look forward to working with the Partnership during implementation.

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

- The Plan completely encompasses two major watersheds which are the Bois de Sioux River and Mustinka River.
  - The Plan development process generated sixteen resource issues impacting the watershed using a combination of existing reports, data, the December 1998 Red River Flood Damage Reduction Agreement, and stakeholder input, which are Protection and Improvement of Agricultural Land Productivity and Soil Health, Loss and Degradation of Upland Habitat, Loss and Degradation of Wetland Habitat; Altered Hydrologic Conditions, Flood Damage to Communities and Public Infrastructure, Flood Damage to Homesteads and Private Infrastructure Surrounding Farmland, Drain System Instability, Out-of-Date Benefits Determination, Drainage System, Inadequacy, Nutrient Loading to Surface Waters, Unstable River and Stream Channels, Noncompliant Subsurface Sewage Treatment Systems, Need for Improved Wastewater Treatment Facilities, Bacteria Loading to Surface Waters, Lack of Municipal Stormwater Management, and Groundwater Quality Protection.
  - The sixteen issues were prioritized within five distinct planning regions which are; Lake Traverse and Bois de Sioux River and Rabbit River within the Bois de Sioux Watershed; and Upper Mustinka River, Lower Mustinka and Twelvemile Creek and Fivemile and Twelvemile Creek Headwaters with the Mustinka River Watershed.
  - Twelve measurable goals address the priority issues, by planning region with specific resources that are prioritized for the goal.
  - The implementation plan includes the scheduled completion of future capital improvement projects by the BDSWD.
  - The Plan clearly shows how additional funding, Tier 2 within the Plan, is budgeted.
  - The Plan clearly states its amendment process will mirror the process of 103D.251, which leads to the Board holding a hearing.
6. **Northern Regional Committee.** On January 6, 2021, the Northern Regional Committee met to review and discuss the Plan. Those in attendance from the Board's Committee were Chair Rich Sve, Gerald Van Amburg, Tom Schulz, Neil Peterson, Theresa Ebbenga and Jeff Berg. Board staff in attendance were Northern Region Manager Ryan Hughes, Board Conservationist Pete Waller and Clean Water Specialist Henry Van Offelen. The representatives from the Partnership were Linda Vavra, Bois de Sioux Watershed District (BDSWD) Manager; Jamie Beyer, BDSWD; Greg Fynboh, Stevens SWCD Supervisor; Craig Lingen, Wilkin SWCD; Ben Underhill, West Otter Tail SWCD; Sara Gronfeld, Traverse SWCD; Lynn Siegel, Traverse County; Brad Mergens, West Otter Tail SWCD; Jared House, Grant SWCD; Rachel Ohm, Houston Engineering, Inc. Members of the partnership presented the Plan to the Committee. 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.
7. This Plan will be in effect for a ten-year period until January 27, 2031.

## **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 Bois de Sioux - Mustinka Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Resolution #16-17.
3. The Bois de Sioux - Mustinka 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 #16-17.
5. The attached Plan when adopted through local resolution by the members of the Partnership will serve as a substitute 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.

## **ORDER**

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Bois de Sioux - Mustinka Watershed, submitted December 4, 2020.

Dated at St. Paul, Minnesota, this twenty-seventh of January 2021.

## **MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

---

BY: Gerald Van Amburg, Chair

January 27, 2021

Bois de Sioux – Mustinka Policy Committee  
c/o Bois de Sioux Watershed District  
704 Hwy 75 S  
Wheaton, MN 56296

**RE: Approval of the Bois de Sioux – Mustinka Comprehensive Watershed Management Plan**

Dear Bois de Sioux – Mustinka Policy Committee:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Bois de Sioux – Mustinka Comprehensive Watershed Management Plan (Plan) was approved at its regular meeting held on January 27, 2021. 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 27, 2031. Please be advised, the partners must adopt and begin implementing the Plan within 120 days of the date of the Board 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. 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](mailto: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

CC: Margaret Wagner, MDA (via email)  
Luke Stuewe, MDA (via email)  
Carrie Raber, MDH (via email)  
Annette Drewes, DNR (via email)  
Nathan Kestner, DNR (via email)  
Barbara Weisman, DNR (via email)  
Anna Bosch, MPCA (via email)  
Juline Holleran, MPCA (via email)  
Jeff Risberg, MPCA (via email)  
Erik Dahl, EQB (via email)  
Ryan Hughes, BWSR (via email)  
Pete Waller, BWSR (via email)  
Rachel Mueller, BWSR (file copy)  
Donna Caughey, BWSR (via email)  
Julie Westerlund, BWSR (via email)

*Equal Opportunity Employer*

# Bois de Sioux - Mustinka Comprehensive Watershed Management Plan

2021-2030

BWSR Approval Draft  
December 3, 2020



# Bois de Sioux – Mustinka

## Comprehensive Watershed Management Plan

### Acknowledgements

#### Planning Partners

Big Stone County and SWCD

Grant County and SWCD

Otter Tail County and West Otter Tail SWCD

Stevens County and SWCD

Traverse County and SWCD

Wilkin County and SWCD

Bois de Sioux Watershed District



#### Advisory Committee Partners

Board of Water and Soil Resources

Minnesota Department of Natural Resources

Minnesota Pollution Control Agency

Minnesota Department of Agriculture

Minnesota Department of Health



#### Created in Collaboration With

Houston Engineering, Inc  
7550 Meridian Circle North, Suite 120



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

# Bois de Sioux - Mustinka Comprehensive Watershed Management Plan

## Table of Contents

### **Background**

Executive Summary

### **The Plan**

Section 1.0 - Introduction

Section 2.0 - Identification and Prioritization of Issues

Section 3.0 - Measurable Goals

Section 4.0 - Implementation

Section 5.0 - Implementation Programs and Plan  
Administration

### **Appendices**

Appendix A - Land and Water Resources Inventory

Appendix B - Memorandum of Agreement

Appendix C - Participation Plan

Appendix D - Plan Comments and Responses

Appendix E - References

Appendix F - State Agency Comment Letters

Appendix G - Public Issues Results

Appendix H - Surface Water Protection  
and Restoration

Appendix I - Critical Soil Loss

Appendix J - Funding for WBIF by Planning Region

Appendix K - PTMApp Practices

Appendix L - PTMApp Local Decision and Practice  
Benefits

Appendix M - BdSWD Rules, Policies, and  
Amendments

Appendix N - Regulatory Comparison Tables

Appendix O - Watershed Capital Improvement  
Projects

Appendix P - Local Funding Authorities

## Executive Summary

The Bois de Sioux and Mustinka River Watersheds (or Bois de Sioux – Mustinka Watersheds) cover approximately 1,413 square miles of predominately agricultural land in west-central Minnesota. Stakeholders from these **two watersheds** partnered to develop this Comprehensive Watershed Management Plan (CWMP) under the Minnesota Board of Water and Soil Resources (BWSR) One Watershed, One Plan (1W1P) program.

The 1W1P program represents an effort to develop a single, concise, and coordinated approach to watershed management. This 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. Previously, numerous county and watershed district plans were developed for different areas of this watershed with little attention paid to coordination at the watershed scale. This plan is authorized by Minnesota State Statute 103B.801 and will substitute as the comprehensive local water management plan, soil and water conservation district comprehensive plan, and watershed district overall plan per 103C, 103B, and 103D. This plan builds on past efforts to better manage water resources in this watershed.

The purpose of this plan is to equip local governments tasked with managing natural and water resources with information necessary to identify issues specific to each watershed, set goals to address those issues, and take actions to fix (or make progress towards fixing) them. The plan also focuses on assisting landowners with getting conservation practices on the ground. The plan is not regulatory in nature. It is simply a tool to assist local governments and landowners with protecting and/or improving water management and securing project funds. Activities described in this plan are voluntary, not prescriptive, and are meant to allow flexibility in implementation. This plan is a list of goals that the organizations may accomplish in the next 10 years. This plan in no way represents an agreement or contract between any or all the 13 independent local government units and the State of Minnesota or any of its departments or agents.

## Plan Area and Planning Partners

In Minnesota, the Bois de Sioux – Mustinka Watersheds extend over portions of Big Stone, Grant, Otter Tail, Stevens, Traverse, and Wilkin counties. It includes the cities of Breckenridge, Campbell, Donnelly, Doran, Dumont, Elbow Lake, Graceville, Herman, Johnson, Norcross, Tintah, Wendell, and Wheaton. The Bois de Sioux – Mustinka CWMP planning boundary also coincides with the jurisdictional boundary of the Bois de Sioux Watershed District (**Figure ES-1**).

The Bois de Sioux - Mustinka 1W1P Partnership was developed through a Memorandum of Agreement for purposes of drafting this plan. Partnership entities include:

- The counties of Big Stone, Grant, Otter Tail, Stevens, Traverse, and Wilkin,;
- The Big Stone, Grant, West Otter Tail, Stevens, Traverse, and Wilkin SWCDs; and
- The Bois de Sioux Watershed District.



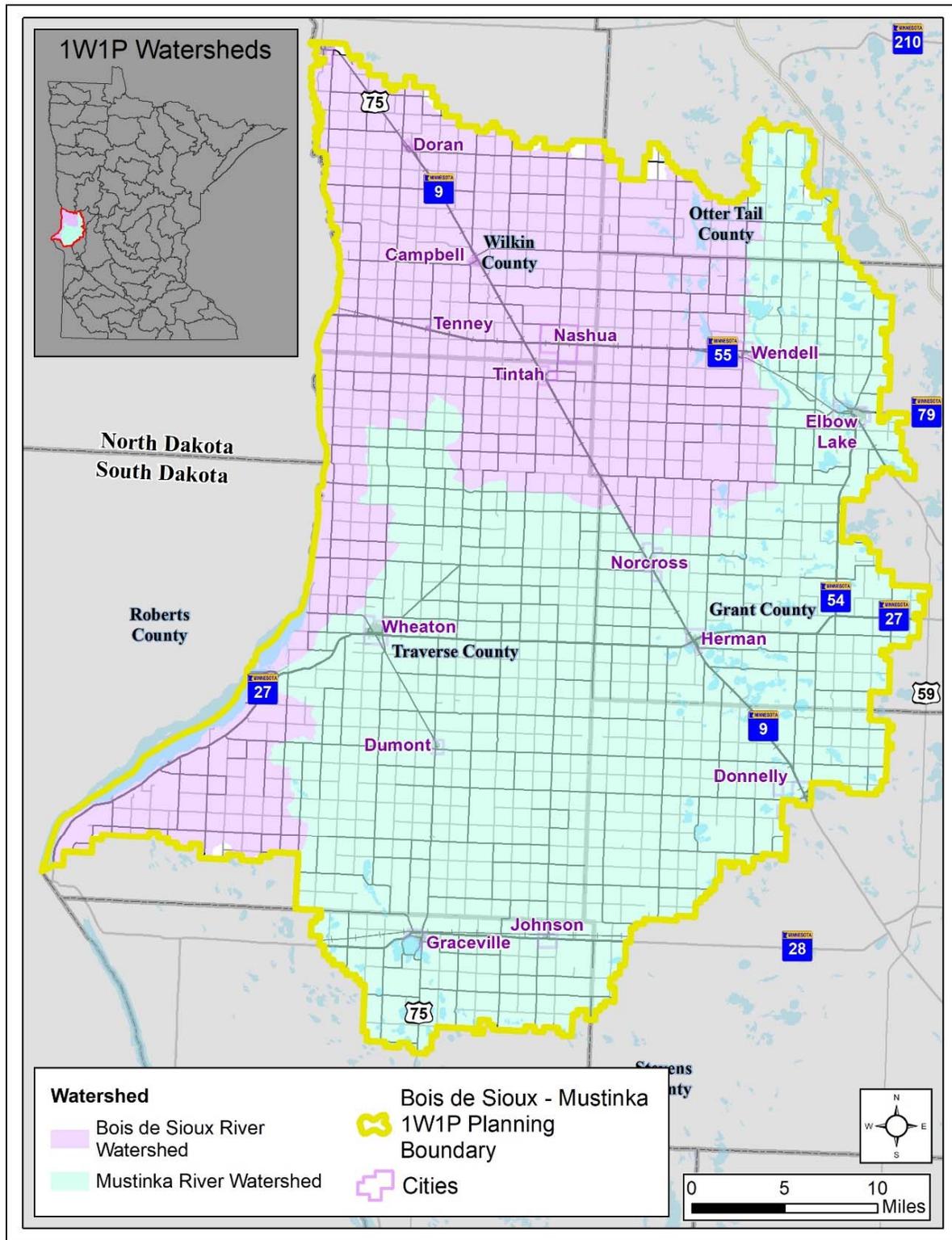


Figure ES-1: Bois de Sioux River and Mustinka River Watersheds within Bois de Sioux – Mustinka CWMP

## Planning Regions

The Bois de Sioux – Mustinka Watersheds cover a large geographic area. To tailor planning and implementation to the issues that impact different areas of the watersheds, the Bois de Sioux – Mustinka Watersheds were subdivided into five, smaller planning regions (Figure ES-2). Planning region boundaries were created to follow hydrologic boundaries and topography changes. This plan is organized around these regions - they form the basis for prioritizing issues, setting goals to address those issues, and targeting actions to meet identified goals.

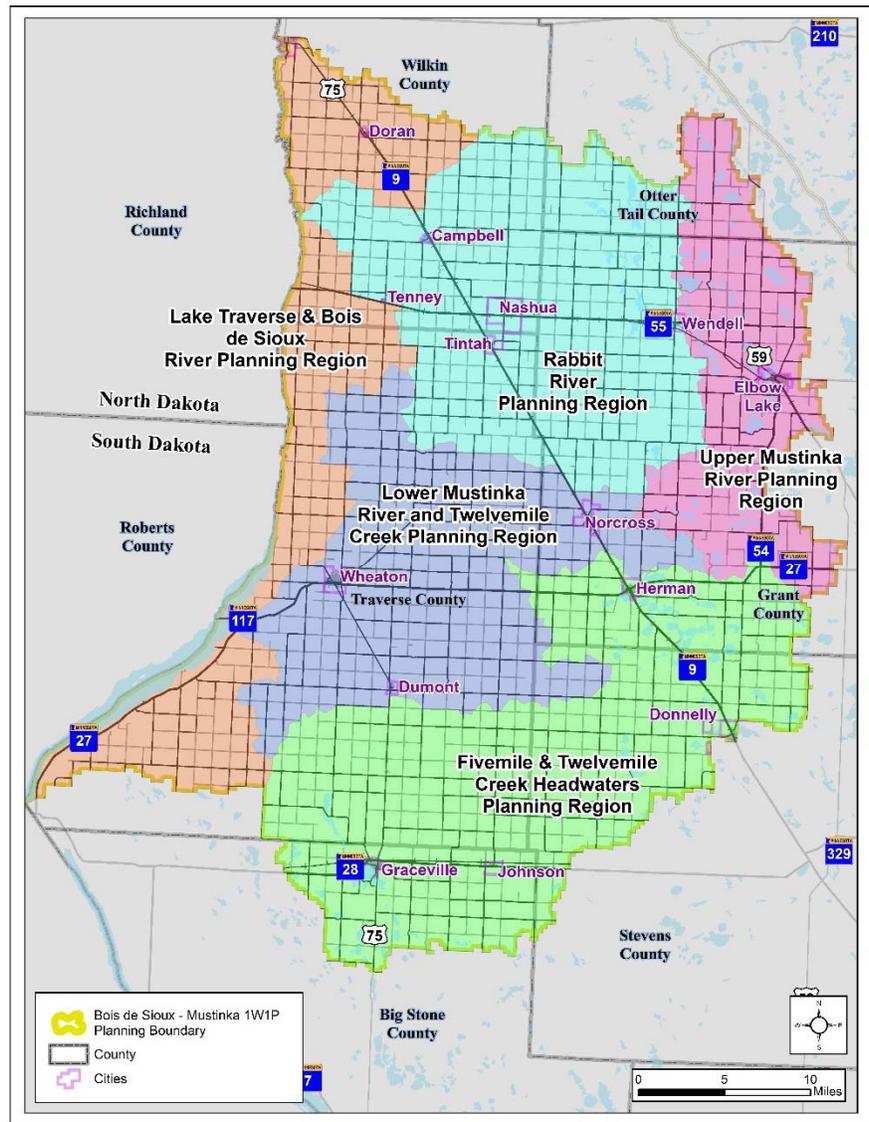
Figure ES-2: Bois de Sioux – Mustinka CWMP Planning Regions

### Bois de Sioux River Watershed Planning Regions

-  Lake Traverse & Bois de Sioux River
-  Rabbit River

### Mustinka River Watershed Planning Regions

-  Upper Mustinka River
-  Lower Mustinka and Twelvemile Creek
-  Fivemile & Twelvemile Creek Headwaters



## Issue Prioritization

There is a wealth of information and data that summarizes natural resource and water management conditions within the Bois de Sioux – Mustinka Watersheds, including:

- Current county water plans and the watershed district plan;
- Total Maximum Daily Loads (TMDL) and Watershed Restoration and Protection Strategy Reports (WRAPS);
- Red River Basin Flood Damage Reduction Work Group Agreement; and
- Agency comment letters.

To begin the planning effort, issues summarized within these resources were aggregated to develop a list of natural resource and water management issues within the watersheds. In total, a list of 25 issues was generated. Due to realistic staff time and funding limitations, this plan prioritizes issues to focus on during a 10-year effort. Issues were prioritized by planning region based on input from two public meetings and feedback from stakeholder committee groups. The three priority levels are shown below.

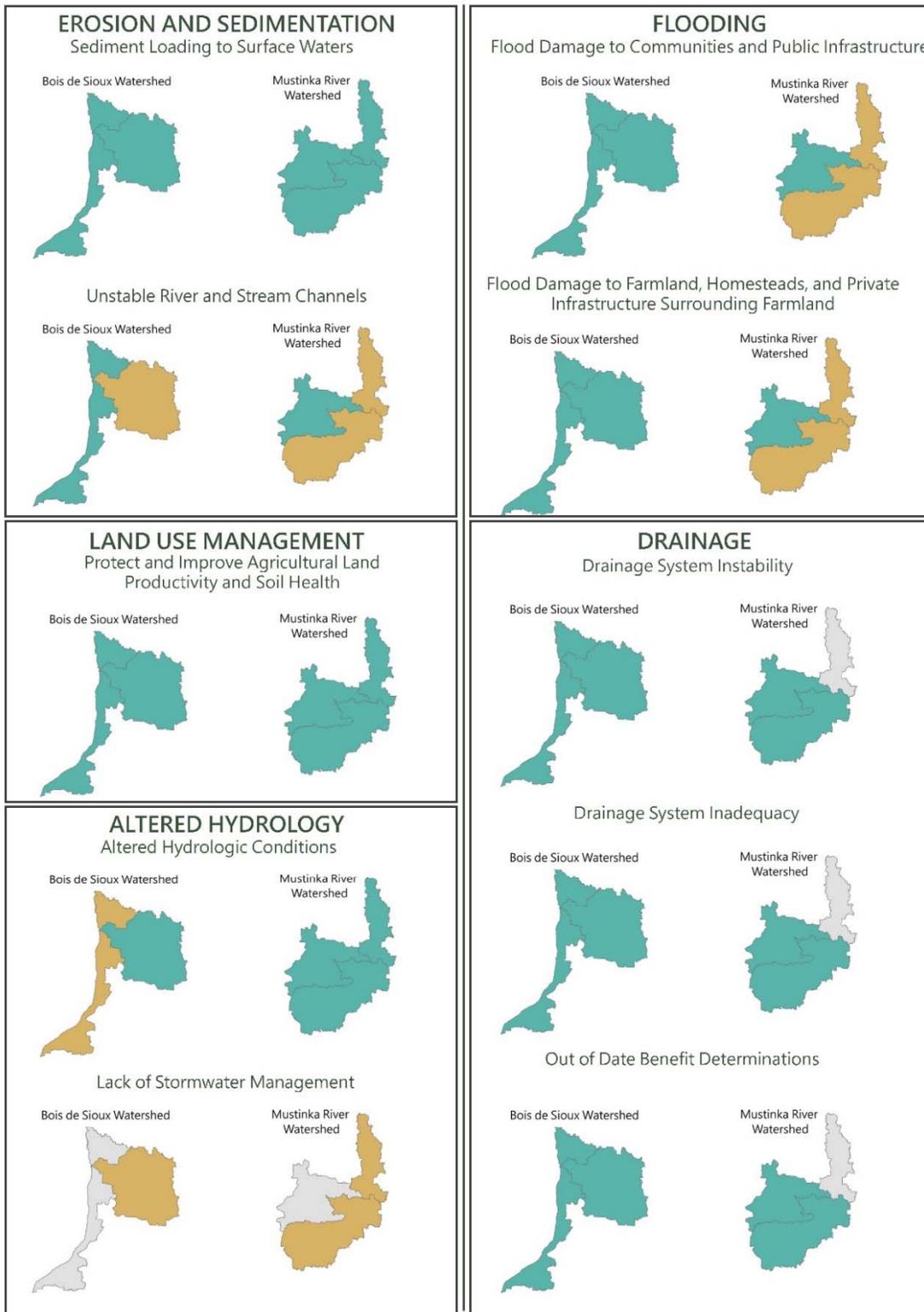


Figure ES-3 Priority level descriptions



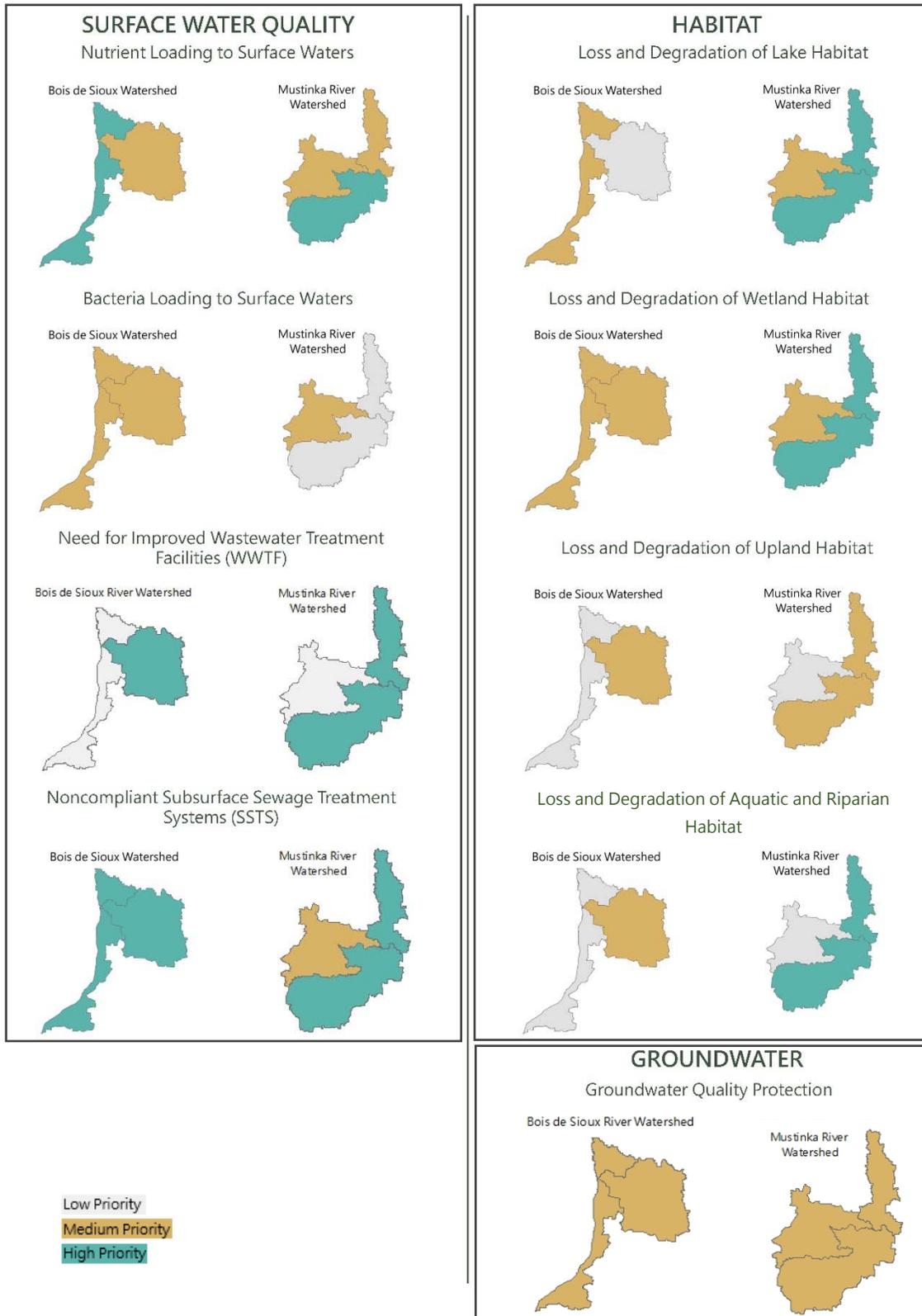
Issues that received a “High” or “Medium” priority level for any of the five planning regions are considered “priority issues” in this plan. This plan identifies 20 priority issues, summarized in Figure ES-4.

Figure ES-4: Priority issues for the Bois de Sioux-Mustinka CWMP



Low Priority  
Medium Priority  
High Priority

Figure ES-4 Cont.: Priority issues for the Bois de Sioux-Mustinka CWMP



## Measurable Goals

This plan sets measurable goals for each priority issue. Measurable goals are statements of intended accomplishments, and are either short-term or long-term:

- Short-term measurable goals describe the interim conditions to accomplish during the 10-year timeframe of this plan
- Long-term measurable goals describe the desired future condition to accomplish, regardless of timeframe.

Twelve measurable goals were established to address the priority issues of this comprehensive plan. The measurable goals are presented as a series of factsheets, each summarizing:

- the priority issues the goal addresses,
- the planning region prioritization for each priority issue,
- background information supporting the goal,
- the short- and long-term goals, by planning region, and
- specific resources that are prioritized for the goal.

A measurable goal example is provided in **Figure ES-5**. For a full list of plan measurable goals, see **Section 3**.

Figure ES-5: Example measurable goal for the CWMP



A “critical soil loss” analysis was completed to identify areas in the watersheds that are most vulnerable to overland erosion and therefore need soil health practices the most (Appendix I). The identified critical soil loss areas form the basis of the short-term soil health measurable goal and are the focus of initial implementation.

This soil health measurable goal is tailored to each planning region, as shown in the Planning Region Focus table below. The short-term goal is focused on implementing soil health practices in critical soil loss areas. The long-term goal is to have soil health practices on 25% of the farmable land in the plan area.

### Measurable Goals



**Long-Term Goal:** Soil health practices are implemented on 25% of all farmed soils within the plan area, as defined in the Planning Region Focus table below.



**Short-Term Goal:** Soil health practices are implemented on 2,321 farmed acres to protect critical soil loss areas, as defined in the Planning Region Focus table below.

### Planning Region Focus

Bois de Sioux Watershed		Mustinka Watershed		
Lake Traverse & Bois de Sioux River	Rabbit River	Upper Mustinka River	Lower Mustinka and Twelvemile Creek	Fivemile & Twelvemile Creek Headwaters
30,800 acres	45,800 acres	21,800 acres	39,800 acres	55,000 acres
343 acres	698 acres	665 acres	238 acres	377 acres



Metric: Acres of soil health practices implemented



## Implementation

This plan identifies actions that may be implemented in the next 10 years to make progress towards the plan goals. Action Tables within the plan detail:

- information about each action,
- where and when it will occur,
- who will be responsible for implementation,
- how it will be measured, and
- how much it may cost.

This plan contains five different Action Tables that group similar actions together based on how they may be funded. A summary of these tables is shown in **Figure ES-6**.

Figure ES-6: Action tables in the Bois de Sioux-Mustinka CWMP



Making progress toward goals is largely dependent on funding and private landowner participation. With more funding and landowner cooperation, more actions can be implemented, and more progress toward goals made. This plan organizes actions into three funding levels, described in **Table ES-1**.

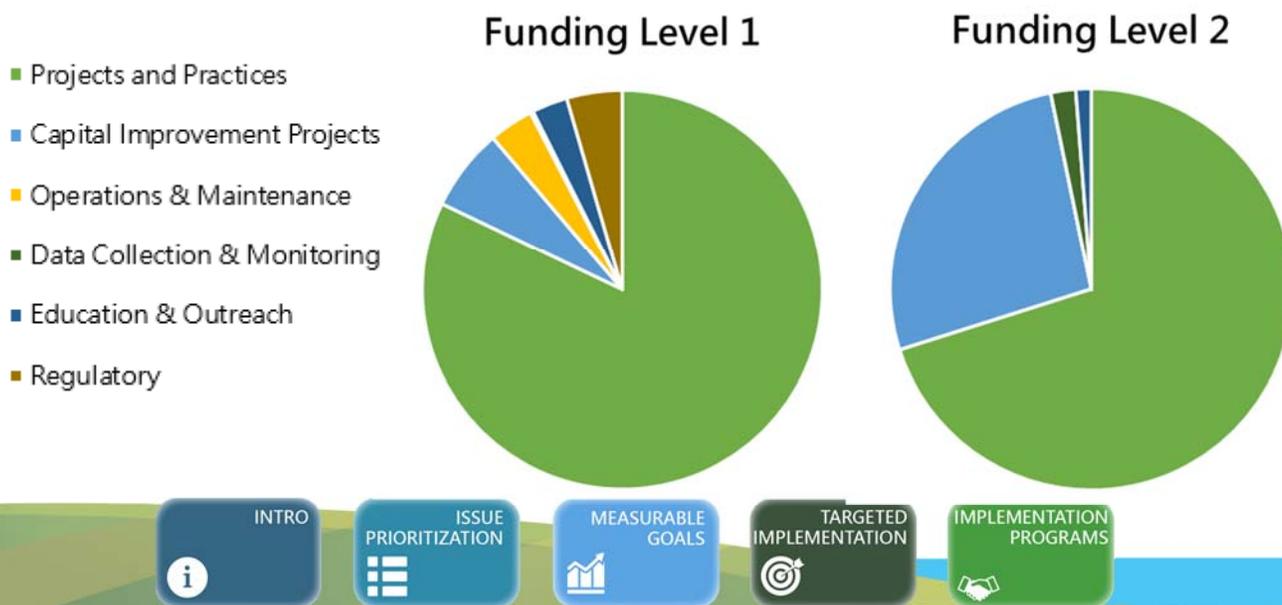
Table ES-1: Implementation funding levels for the Bois de Sioux-Mustinka CWMP

<i>Funding Level</i>	<i>Description</i>
1	<b>Existing Dollars:</b> These actions are the highest priority for implementation. Implementation of these actions assumes plan funding is similar in magnitude to existing funding focused on water issues within the plan area.
2	<b>Additional Watershed-Based Implementation Funding (WBIF):</b> These actions are the second-highest priority for implementation. This funding level assumes an additional \$1,000,000 per biennium (or \$500,000/year) from WBIF dollars.
3	<b>Grant Funding:</b> These actions are the third-highest priority for implementation, and will be pursued with additional, competitive grants.

Under Funding Level 1, implementation dollars are primarily used on actions relating to implementation of projects and practices, with a large portion of funding coming from federal sources to maintain lands in contracting programs such as Conservation Reserve Program (CRP) and Conservation Stewardship Program (CSP). This appropriation is shown in **Figure ES-7**.

With the addition of watershed-based implementation funding in Funding Level 2, most of the additional funding will still go towards implementing new projects and practices on the ground. However, a larger proportion of dollars will also go towards funding portions of capital improvement projects that align with plan priorities and make substantial progress toward measurable goals. These projects are detailed in the following section.

Figure ES-7: Funding appropriation by action type for Funding Level 1 and Funding Level 2

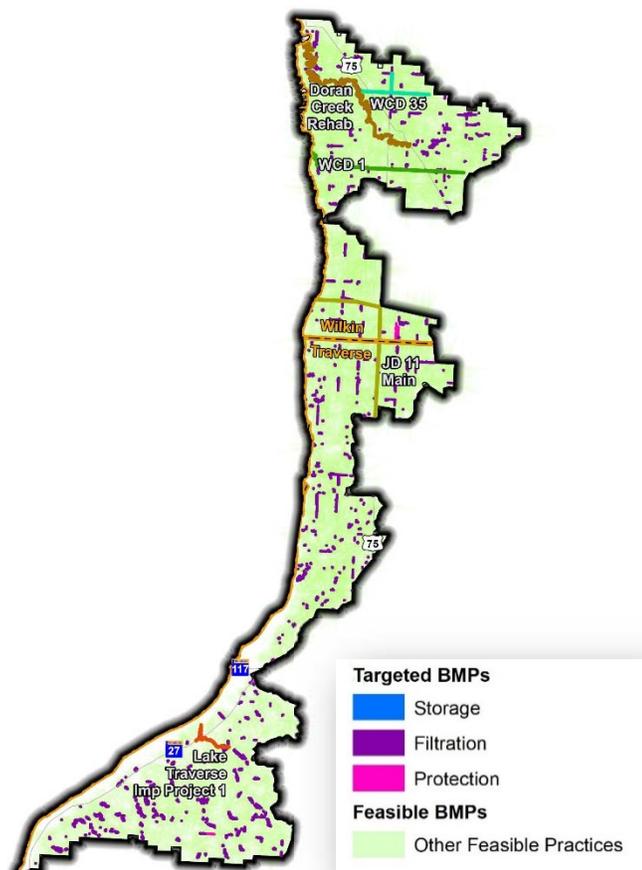


## Prioritizing, Targeting, and Measuring Implementation Efforts

This plan focuses on putting the most effort and funding toward fixing priority issues that are impacting priority resources. When placed and designed correctly, implementation of large-scale Capital Improvement Practices and conservation projects and practices can be effective ways to fix (or begin fixing) priority issues that are impacting priority resources.

This plan identifies, prioritizes, and estimates the benefits of the most effective Capital Improvement Projects that will be the focus of implementation efforts with additional watershed-based implementation funding sources. This plan also uses Prioritize, Target, and Measure Application (PTMApp) data to target implementation of the most effective conservation projects and practices and estimate how much progress implementation can make toward plan goals. This information is summarized in a series of planning-region implementation summaries in **Section 4**.

By combining Funding Levels 1 & 2, this plan prioritizes and targets the following Capital Improvement Projects and conservation projects and practices within the watersheds (**Table ES-2**). These projects alone would meet plan measurable goals for sediment and nutrient (phosphorus) load reductions.



**Table ES-2:** Summary of Funding Levels 1 & 2 Capital Improvement and Projects and Practices costs and progress toward goals

Action	10-Year Estimated Cost	Estimated Sediment Reduction (tons/yr)	Estimated Phosphorus Reduction (lbs/yr)
Doran Creek Rehabilitation	\$7,500,000 <i>(\$379,000 from WBIF)</i>	890*	170*
Twelvemile Creek Rehabilitation	\$5,292,000 <i>(\$521,500 from WBIF)</i>	630*	120*
Fivemile Creek Rehabilitation	\$4,410,000 <i>(\$436,000 from WBIF)</i>	520*	100*

Action	10-Year Estimated Cost	Estimated Sediment Reduction (tons/yr)	Estimated Phosphorus Reduction (lbs/yr)
Filtration practices <i>(e.g. filter strips, grass waterways)</i>	\$8,717,800	1,031**	501**
Storage practices <i>(e.g. WASCOS and drainage water management)</i>	\$1,957,300	388**	197**
Protection practices <i>(e.g. grade stabilization, streambank protection, and side water inlets)</i>	\$808,900	159**	46**
Soil health practices <i>(e.g. residue management and cover crops)</i>	\$1,438,000	156**	116**
	<b>Total</b>	3,774 <i>Meets Short-Term Sediment Goal</i>	1,250 <i>Meets Short-Term Phosphorus Goal</i>

\* Engineering estimate

\*\* As estimated at the outlet of each planning region in PTMApp

## Plan Administration and Coordination

At least two committees may administer this plan during implementation:

- **Steering Committee:** Comprised of local soil and water conservation district (SWCD), county, and watershed district staff (with their respective alternates), and a BWSR Board Conservationist (serving in a non-voting, ex-officio role); and
- **Policy Committee:** Comprised of elected and appointed board members (county commissioners, SWCD board supervisors, and watershed board managers).

Table ES-3 outlines the probable roles and functions of these committees during implementation. Expectations are that the roles of each committee will shift and change focus during implementation.

The Partnership previously entered into a formal agreement through a Memorandum of Agreement for purposes of developing this plan. It is anticipated that the parties will enter into a formal agreement for purposes of receiving watershed-based implementation funding. Individual local government units are individually responsible for their roles implementing this plan.



Table ES-3: Anticipated roles for Bois de Sioux - Mustinka CWMP implementation

Committee Name	Primary Implementation Roles/Functions
Policy Committee*	<ul style="list-style-type: none"> <li>• Receive information regarding plan participant implementation funds</li> <li>• Approve the annual work plan</li> <li>• Approve annual fiscal reports</li> <li>• Annual review and confirmation of Steering Committee priority issue recommendations</li> <li>• Direction to Steering Committee on addressing emerging issues</li> <li>• Approve plan amendments for amendments not initiated and approved according to state statute</li> <li>• May approve joint grant applications, if needed</li> <li>• Accept annual assessment</li> <li>• Inform local boards on plan progress</li> </ul>
Steering Committee	<ul style="list-style-type: none"> <li>• Review the status of available implementation funds determined by individual plan participants</li> <li>• Recommend the use of watershed-based implementation fund to the Policy Committee</li> <li>• Research opportunities for collaborative grants</li> <li>• Review and recommend annual fiscal reports</li> <li>• Review and recommend annual reports submitted to BWSR</li> <li>• Annual review and confirmation of priority issues</li> <li>• Evaluate and recommend response to emerging issues</li> <li>• Prepare plan amendments as directed by the Policy Committee</li> <li>• Implement the Action Table</li> <li>• Develop annual work plan</li> <li>• Annually (or as needed) convene implementation meeting with plan review authorities</li> <li>• Compile annual results for annual assessment</li> <li>• Inform local boards on plan progress</li> </ul>
Local Fiscal / Administrative Agent	<ul style="list-style-type: none"> <li>• Convene committee meetings</li> <li>• Prepare and submit grant applications/funding requests</li> </ul>

\* The governing board of the Partnership's local fiscal agent may need to ratify Policy Committee actions

## **COMMITTEE RECOMMENDATIONS**

### ***RIM Committee***

1. Working Lands RIM Easement Pilot Program – Sharon Doucette – ***DECISION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Working Lands RIM Easement Pilot Program

---

**Meeting Date:** January 27, 2021

**Agenda Category:**     Committee Recommendation     New Business     Old Business

**Item Type:**             Decision                                     Discussion             Information

**Section/Region:**      Conservation Easements

**Contact:**                Sharon Doucette

**Prepared by:**           Sharon Doucette

**Reviewed by:**          RIM Reserve                              Committee(s)

**Presented by:**         Sharon Doucette

**Time requested:**       10 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

- |   |   |
|---|---|
| <input type="checkbox"/> None                     | <input type="checkbox"/> General Fund Budget          |
| <input type="checkbox"/> Amended Policy Requested | <input checked="" 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 Board Resolution: Working Lands RIM Easement Pilot Program authorizing the implementation of a pilot RIM program for working lands easements in the Redeye, Pine and Crow Wing River watersheds.

**LINKS TO ADDITIONAL INFORMATION**

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

Minnesota Session Laws 2019, Chapter 2, Article 1, Section 4(a) appropriated \$10,000,000 to BWSR with the following language:

*(a) To the Board of Water and Soil Resources to acquire conservation easements from landowners to preserve, restore, create, and enhance wetlands and associated uplands of prairie and grasslands, and restore and enhance rivers and streams, riparian lands, and associated uplands of prairie and grasslands in order to protect soil and water quality, support fish and wildlife habitat, reduce flood damage, and provide other public benefits. The provisions of Minnesota Statutes, section 103F.515, apply to this program. . .*

. . . (d) *Of this appropriation, up to five percent may be used for restoration, rehabilitation, and enhancement, and **no more than \$1,000,000 may be used to acquire working lands easements.***

Easement staff have been working with The Nature Conservancy to develop a Working Lands Easement pilot program to utilize \$1M of bonding in the Redeye, Crow Wing and Pine River watersheds. Program materials, including program description, scoresheet and revised agreement and easement documents have been developed for the pilot program. The working lands perpetual easement would allow for haying and grazing of lands through an approved conservation plan as well as solar installations and would prevent conversion of land to row-crop agricultural uses.

Members of the RIM committee reviewed and discussed the program without recommendation on December 16, 2020 because open meeting law provisions could not be met for the meeting that was held. Members of the Committee that were present are in support of this item being considered by the Board.

Board Resolution # 21- \_\_\_\_\_

**Working Lands RIM Easement Pilot Program**

---

**WHEREAS**, the Minnesota State Legislature has appropriated Reinvest in Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) to acquire and restore permanent RIM conservation easements under Minnesota Statutes, Section 103F.515 to 103F.531; and,

**WHEREAS**, Laws of Minnesota 2019, Chapter 2, Article 1, Section 4(a) appropriated \$10,000,000 to BWSR to “acquire conservation easements from landowners to preserve, restore, create, and enhance wetlands and associated uplands of prairie and grasslands, and restore and enhance rivers and streams, riparian lands, and associated uplands of prairie and grasslands in order to protect soil and water quality, support fish and wildlife habitat, reduce flood damage, and provide other public benefits;” and,

**WHEREAS**, Laws of Minnesota 2019, Chapter 2, Article 1, Section 4(d) allowed for up to \$1,000,000 of the funding to be used to acquire working lands easements; and,

**WHEREAS**, local landowners and SWCD staff within the Pine, Crow Wing and Redeye River watersheds have requested a RIM program that would preserve haying and grazing lands; and,

**WHEREAS**, BWSR worked with SWCD staff and The Nature Conservancy to develop a pilot program for working lands; and,

**WHEREAS**, the RIM Reserve Committee discussed the program on December 16, 2020 and Committee members were in support of the program without a formal recommendation.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Minnesota Board of Water and Soil Resources authorizes:

1. Utilization of appropriated funds to implement the Working Lands RIM Easement Pilot Program.
2. Implementation and refinement of program guidelines and outreach efforts focused on priority parcels within the pilot watersheds with program partners.
3. Utilization of a RIM easement payment rate method similar to the method established for federal ACUB easements.
4. Staff to conduct landowner sign-ups and select applications with partners using available funding for the pilot program.

Dated at Saint Paul, Minnesota this 27th day of January 2021.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

Date: \_\_\_\_\_

\_\_\_\_\_  
Gerald Van Amburg, Chair  
Board of Water and Soil Resources

# Working Lands RIM Easement Pilot Program

Version: 1.00

Effective Date: MM/DD/YYYY

## Purpose

The purpose of the Working Lands RIM Easement pilot program is to protect and promote perennial vegetation land cover for the benefit of surface and groundwater through “working lands” easements. For the pilot program, “working lands” is defined as lands that are used for haying, grazing or solar.

## Background

In 2017, the Board of Water and Soil Resources, in partnership with the Nature Conservancy (TNC), launched the first Clean Water Fund supported Reinvest in Minnesota (RIM) riparian forest protection program on the Pine River. Source water protection prioritization and other multiple benefits criteria were used to score and rank parcels with program delivery through SWCD staff. Soon after the program was launched, key regional watershed-based organizations (Pine River Watershed Alliance and Whitefish Area Property Owners Association) asked if there was an analogous tool to support grazing and working lands initiatives. Producer driven inquiries and significant land conversion pressure away from grazing lands has developed interest from SWCDs and conservation partners in west-central Minnesota. This pilot program brings action to that identified need and is focused on the Pine, Crow Wing and Redeye River watersheds (see Appendix A, Exhibit 1). Both the Pine and Redeye watersheds have approved Comprehensive Watershed Management Plans (CWMP) and the Crow Wing River watershed CWMP is being discussed locally.

## Overview

Three key analytical efforts have identified these three watersheds as being ranked as priority source water protection areas in Minnesota. The U.S. Forest Service’s *Forests, Water and People Analysis* (2009) lists the Pine and Crow Wing River watershed as top-ranking watersheds in Minnesota for their ability to produce clean water (APCW). The Redeye, Pine, and Crow Wing River watersheds also score high in the Nature Conservancy’s multiple benefits analysis which weighs habitat, drinking water, groundwater quality and quantity, and flooding and erosion values (see Appendix A, Exhibit 2). Some of the latest Nature Conservancy science (Natural Climate Solutions) spatially represents lands scored for

climate resilience and connected resilient corridors that also supports the need for grassland and forest protection in these watersheds (see Appendix A, Exhibit 3).

Based on this science-backed watershed scale prioritization for multiple benefits, resiliency and source water protection; BWSR, TNC, and local SWCD leadership in Crow Wing, Cass, Hubbard, Becker, Wadena and East Otter Tail counties support the development of a Working Lands RIM easement pilot program. The guiding principles for this program will include: a fixed easement rate (50% of the current county estimated market value similar to values for federal ACUB easements) based on formula-driven parcel values similar to other RIM projects in the Mississippi Headwaters; coordinated delivery through local SWCD staff linking landowners to the RIM program and local comprehensive watershed management plan priorities; permanent protection leveraging multiple public and private fund sources (future goal); and implementation of a program that supports local working lands economy and natural resource values.

Prioritization and scoring criteria are based on the following considerations: the highest return on conservation investment; water quality benefits (both surface and groundwater); large block connectivity of grassland complexes; and implementation of CWMP priorities. A local technical advisory committee (TAC) made up of BWSR, SWCD, agency and NGO partners will score and rank priority parcels. This partnership will support solicitation from willing landowners and work collaboratively to share multiple agency conservation program availability in what is intended to be a sustained long-term protection program. The program will encourage a working lands approach while prioritizing grassland multiple benefit protection values. The intent of this program is to implement a modified RIM program that has a transferable methodology that could be utilized in other watersheds where grasslands/working lands protection is a high priority. The program recognizes the need for sustainable long-term management plans that can transfer with ownership and are flexible enough to adapt to market, land value and other ownership changes. Significant detail regarding the resource being protected will be identified in the management plans; including, but not limited to, a grazing management plan that protects the form and function of grassland ecological values; groundwater and surface water hydrology management (no net change due to land practices); adaptations for climate variability; promotion of soil health; and allowance for other compatible conservation practices over time.

## **Benefits and Outcomes**

Using the CWMP measures or those identified in the Crow Wing River WRAPs, the program will measure success by the plans' protection and program enrollment goals are achieved in priority minor watersheds. Other metrics used to measure success will include acres of permanently protected working grasslands; achieving 75% of prioritized minor watersheds managed under some form of grazing management plan; number of easements and dollars spent. The average easement cost will be between \$1000 to \$2000 per acre. The average easement size is estimated at approximately 40 acres.

Easement staff will use this information to develop a budget for anticipated program costs including stewardship, district payments, BWSR administration and restoration.

## **Program Details**

### **Criteria for prioritization:**

The scoring/parcel prioritization will include the following criteria:

- Connectivity
- Grazing land complex size
- Wellhead Protection
- Adjacency to public waters and public ditches
- Habitat benefits (State Wildlife Action Plan)
- Risk of conversion
- Adjacency to protected lands
- Multiple benefits score
- Resiliency score
- Percent grassland cover
- Minor Watershed Risk Classification/CWMP priority

Applications will be scored and prioritized by the TAC using these criteria for a consistent and transparent process. The scoring criteria is consistent with criteria used in the Wild Rice Shoreland program, ACUB program, Mississippi Headwaters Habitat Corridor program and the Pine, Crow Wing and Rum River Critical Shorelands programs.

### **Funding:**

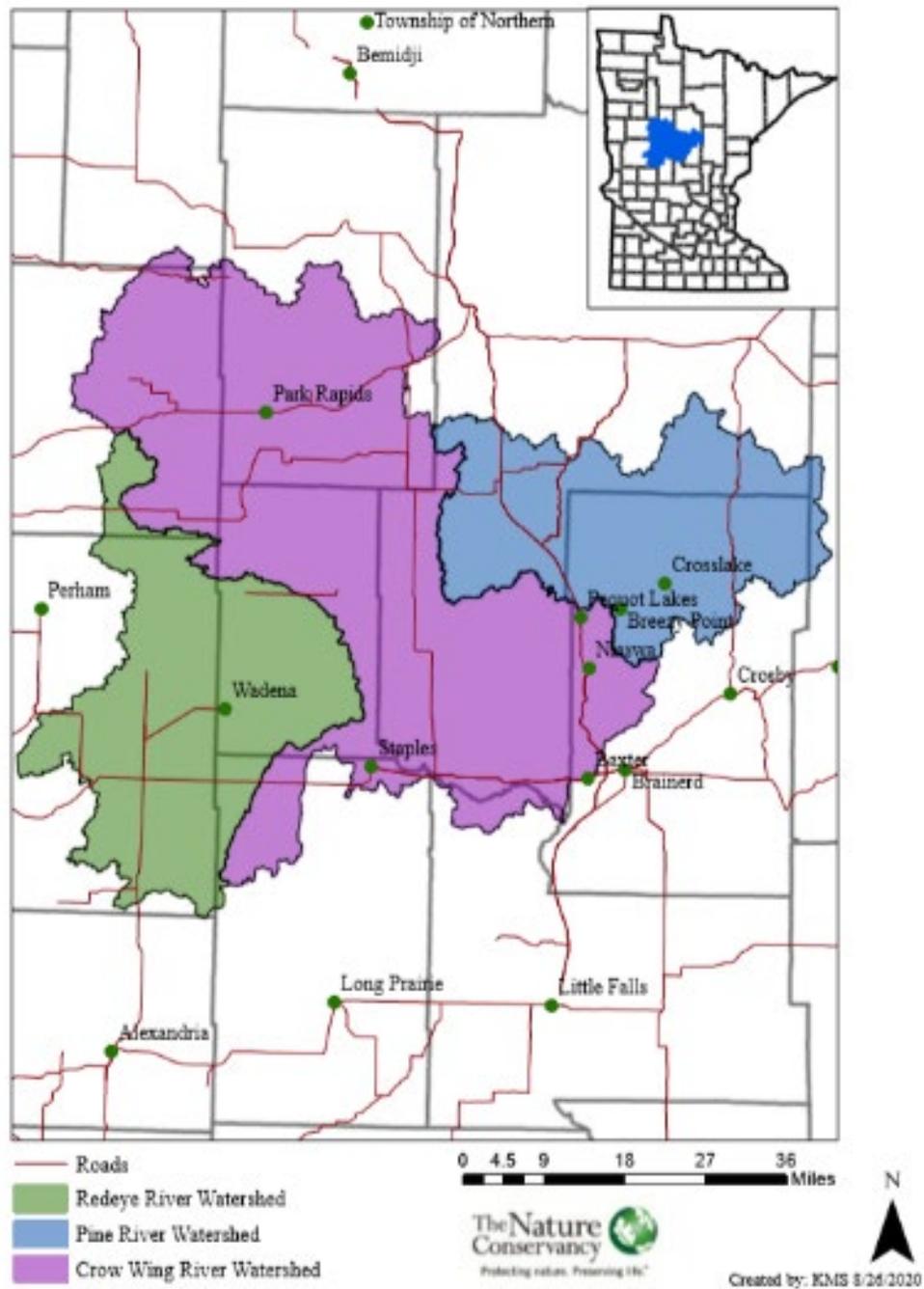
The program will start with a BWSR funding commitment of \$1M from the 2019 bonding appropriation (*no more than \$1,000,000 may be used to acquire working lands easements*). It is anticipated that with program success, annual contributions from Legacy funds and federal and private sources would be ongoing.

### **Delivery:**

SWCD staff will function as Program Lead and convene the partnership represented by the TAC. All partners would solicit willing landowners and support the ongoing funding. A partnership between Cass, Crow Wing, Hubbard, Becker, Wadena and East Otter Tail SWCDs, agencies and NGOs that currently deliver RIM and other conservation programs will be developed. The Working Lands RIM Easement would be an additional tool for willing landowners in the region.

## Appendix A: Exhibits

Exhibit 1: Proposed Project Area



**Exhibit 2:** TNC Multiple Benefit Analysis

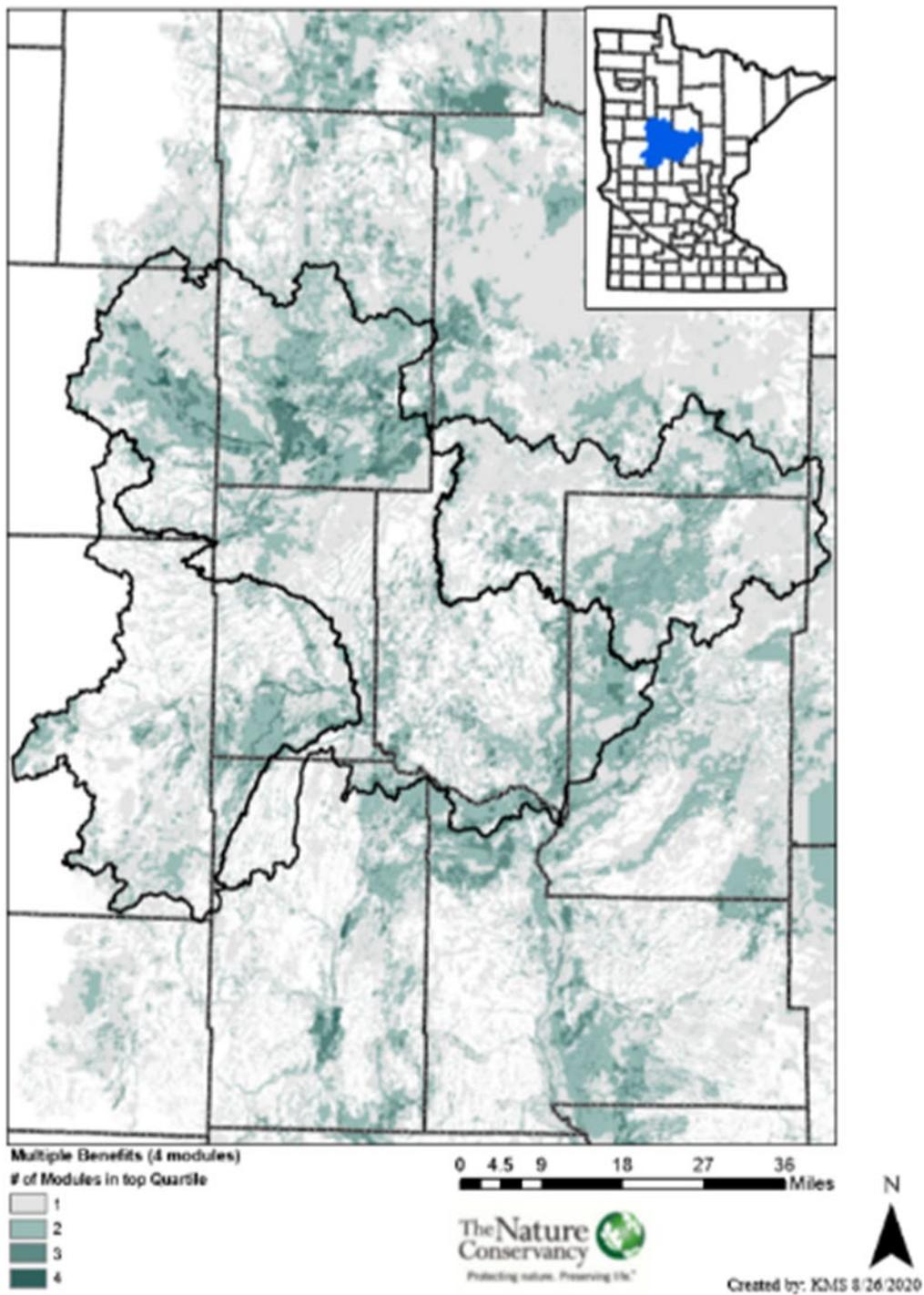
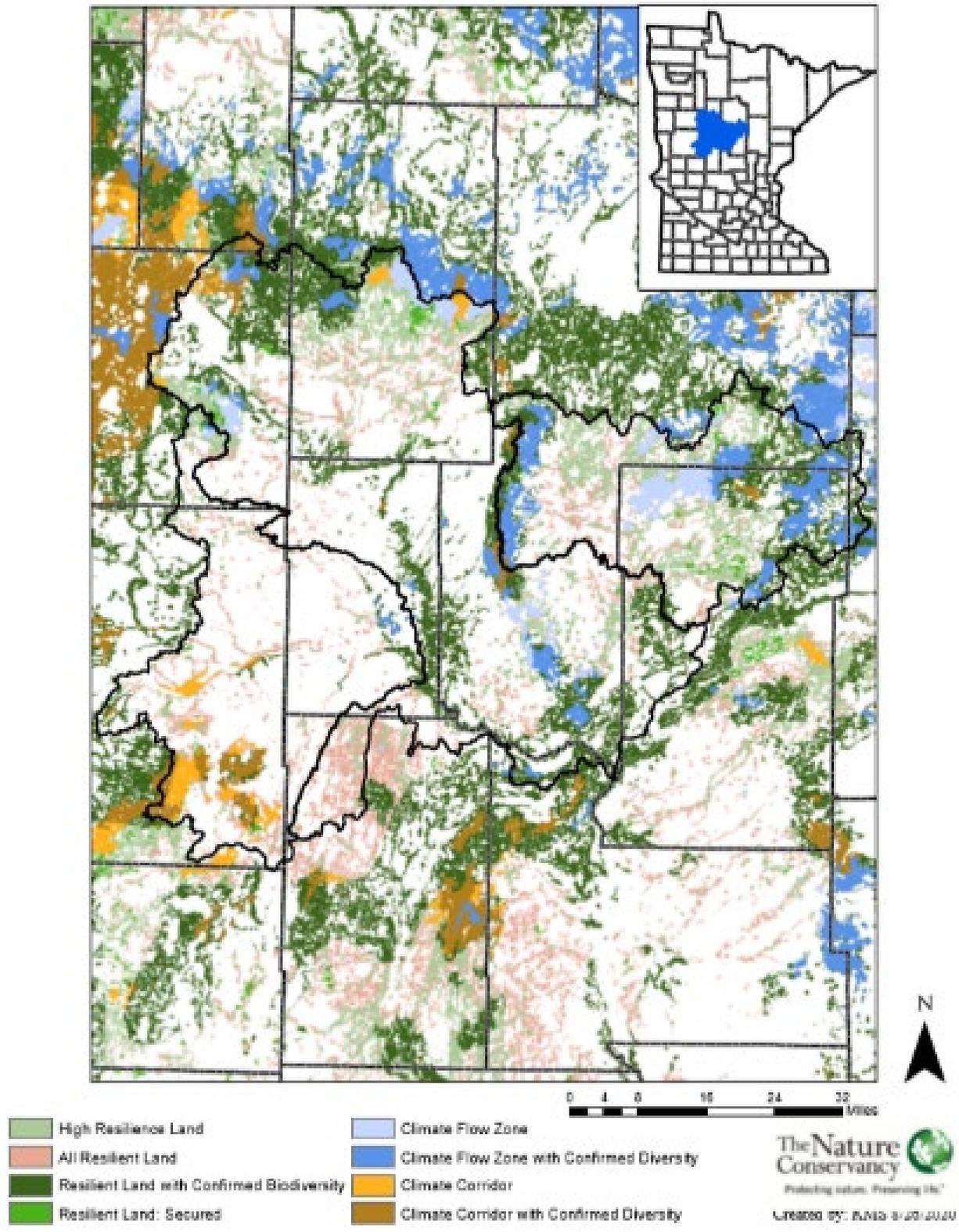


Exhibit 3: TNC Climate Resiliency Data



## **COMMITTEE RECOMMENDATIONS**

### ***Audit and Oversight Committee***

1. 2020 Performance Review and Assistance Program Legislative Report – Dale Krystosek and Brett Arne – ***DECISION ITEM***

## BOARD MEETING AGENDA ITEM

<b>AGENDA ITEM TITLE:</b>	<u>2020 Performance Review and Assistance Program Legislative Report</u>		
<b>Meeting Date:</b>	<u>January 27, 2021</u>		
<b>Agenda Category:</b>	<input checked="" type="checkbox"/> Committee Recommendation	<input type="checkbox"/> New Business	<input type="checkbox"/> Old Business
<b>Item Type:</b>	<input checked="" type="checkbox"/> Decision	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
<b>Section/Region:</b>	<u>Organizational Effectiveness</u>		
<b>Contact:</b>	<u>Dale Krystosek</u>		
<b>Prepared by:</b>	<u>Dale Krystosek</u>		
<b>Reviewed by:</b>	<u>Audit and Oversight Committee</u>	Committee(s)	
<b>Presented by:</b>	<u>Dale Krystosek and Brett Arne</u>		
<b>Time requested:</b>	<u>15 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**

Approval

**LINKS TO ADDITIONAL INFORMATION**

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

BWSR staff have prepared the 2020 Performance Review and Assistance Program (PRAP) Legislative Report which presents a summary of PRAP reviews and activities conducted in 2020. The report also contains a list of planned program objectives including three focused items for 2021: Continue updating protocols for PRAP Level I and Level II reviews for performance-based funding for implementation of watershed-based One Watershed-One Plans and work with BWSR Water Planning Team to develop protocol for tracking, assessment, evaluation and reporting for One Watershed, One Plans.



## BOARD ORDER

### Performance Review and Assistance Program 2020 Report to the Minnesota Legislature

#### PURPOSE

#### Adopt 2020 PRAP Legislative Report

#### FINDINGS OF FACT / RECITALS

1. The 2007 Legislature directed the Board of Water and Soil Resources (Board) to develop and implement a program to evaluate and report on the performance of each local water management entity.
2. 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.
3. 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.
4. The annual PRAP Report to the Minnesota Legislature contains the summaries of the 17 local water management entity performance reviews conducted by BWSR staff in 2020 and a summary of findings describing the performance of 238 local water management entities regarding compliance with plan revision and basic reporting requirements.
5. The 2020 PRAP Report to the Minnesota Legislature was reviewed by the Board's Audit and Oversight committee on January 25, 2021, was revised based on committee comments, and was recommended for Board adoption by the committee.

#### ORDER

The Board hereby:

Adopts the 2020 Performance Review and Assistance Program Report and directs staff to submit the to the Minnesota Legislature and put it on the Board's website, with allowance for any minor editing modifications necessary for finalization.

Dated at St. Paul, Minnesota, this January 27, 2021.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

\_\_\_\_\_

Gerald Van Amburg, Chair  
Board of Water and Soil Resources

Date: \_\_\_\_\_

# 2020 Performance Review and Assistance Program

Report to the Minnesota Legislature

January 27, 2021

**Minnesota Board of Water and Soil Resources**

520 Lafayette Road North

St. Paul, MN 55155

651-296-3767

[www.bwsr.state.mn.us](http://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 Dale Krystosek, PRAP Coordinator (retired) ([dale.krystosek@state.mn.us](mailto:dale.krystosek@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 [www.bwsr.state.mn.us/PRAP.index](http://www.bwsr.state.mn.us/PRAP.index) 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, 87 counties, 45 watershed districts and 18 watershed management organizations. 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 Level I, to a focus on individual LGU performance in Levels II and III, and to remediation in Level IV.

### **2020 Program Summary\***

- Completed 17 Level II performance reviews, falling short of the target of 24 set for 2020. This shortfall was due to the retirement of the PRAP Coordinator in July and the subsequent hiring freeze which has prevented the position from being filled.
- Updated Performance Standards and guidance for soil and water conservation districts, counties, watershed districts and watershed management organizations. BWSR staff began using these performance standards for 2020 Level II PRAP Reviews.
- Tracked 238 LGUs' Level I performance.
- Provided PRAP Assistance Grants for 3 local government units in 2020 to implement recommendations from past Level II performance reviews.
- Continued review of Wetland Conservation Act program implementation as part of Level II assessments to measure local government unit compliance with this program.
- Continued evaluation of potential key performance measures for PRAP Level II reviews within the framework of the watershed-based One Watershed-One Plan approach to LGU water plan implementation.
- Stressed the importance of measuring outcomes in all 17 Level II performance reviews conducted in 2020. Discussed ways of demonstrating resource outcomes resulting from plan implementation, and specific expectations for reporting resource outcomes by LGUs.

***\* The PRAP Coordinator retired July 7<sup>th</sup>, 2020 and the subsequent Covid 19 hiring freeze prevented filling the position. This vacancy for the last 6 months of the year contributed to the shortfall in completing some of the PRAP goals set for 2020.***

## 2020 Results of Annual Tracking of 238 LGUs' Plans and Reports (PRAP Level I)

Overall compliance with LGU plan revision and reporting requirements dropped to 93% in 2020. All drainage buffer reports were submitted on time, and WMO compliance dropped to 72%, compared to 94% in 2019, 89% in 2018 and 89% in 2017. Staff efforts will continue in 2020 to improve compliance.

- **Long-range Plan Status:** the number of overdue plans is 2 in 2020 (*unchanged from 2 in 2019*).
  - Counties: No local water management plans are overdue.
  - Soil and Water Conservation Districts: One SWCD comprehensive plan is overdue.
  - Watershed Districts: One watershed management plan is overdue. (Down from 2 overdue plans in 2019).
  - Watershed Management Organizations: No watershed management plans are overdue.
  
- **LGUs in Full Compliance with Level I Performance Standards: 93%.**
  - Soil & Water Conservation Districts: 95% compliance (84/88).
  - County Water Management: 95% compliance (83/87).
  - Watershed Districts: 84% compliance (38/45).
  - Watershed Management Organizations: 72% compliance (13/18).

## Selected PRAP Program Objectives for 2021

- Track 238 LGUs' Level I performance.
- Continue efforts to improve Level I performance review reporting of all LGUs through LGU cooperation and persistent follow-up by BWSR staff.
- Set target of 17 Level II performance reviews for 2021.
- Provide leadership in enunciating the importance of measuring outcomes in Level II performance reviews, ways of demonstrating resource outcomes resulting from plan implementation, and set specific expectations for reporting resource outcomes by LGUs.
- Survey LGUs from 2018 Level II PRAP reviews to track LGU implementation of PRAP recommendations.
- Continue monitoring and reviewing compliance with Action Items identified during a Level II review. This will allow us to determine if we are meeting 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.
- Continue updating protocols for PRAP Level I and Level II reviews for performance-based funding for implementation of watershed-based One Watershed-One Plans.
- Work with BWSR Water Planning Team to develop protocol for tracking, assessment, evaluation and reporting for One Watershed, One Plans.

## Table of Contents

Executive Summary.....	iii
What is the Performance Review & Assistance Program? .....	1
Report on PRAP Performance.....	6
2020 LGU Performance Review Results.....	8
Assistance Services to Local Governments.....	14
Reporting.....	16
Program Conclusions and Future Direction.....	17
Appendix A.....	19
PRAP Authorizing Legislation .....	19
Subdivision 1.Findings; improving accountability and oversight. ....	19
Subd. 2.Definitions.....	19
Subd. 3. Evaluation and report. ....	19
Subd. 4. Corrective actions. ....	19
History:.....	19
Appendix B.....	20
Board Authorization of Delegation for PRAP Assistance Grants .....	20
Appendix C.....	22
PRAP Assistance Grant Application Information .....	22
Appendix D.....	24
Level I: 2020 LGU Long-Range Plan Status.....	24
Appendix E.....	25
Level I: Status of Annual Reports for 2018 .....	25
Appendix F.....	26
Level I: Status of Financial Reports and Audits for 2018 (as of 12/31/19) .....	26
Appendix G.....	27
Standard Level II Performance Review .....	27
Final Report Summaries.....	27
Appendix H.....	37
Performance Standards Checklists used in Level II Reviews .....	37
Appendix I.....	45
2018 Local Government Performance Awards and Recognition .....	45

# 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 central office 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 [www.bwsr.state.mn.us/PRAP/index.html](http://www.bwsr.state.mn.us/PRAP/index.html).)

## Multi-level Process

PRAP has three operational components:

- performance review
- assistance
- reporting

The **performance review** component is applied at four levels (see pages 8-11).

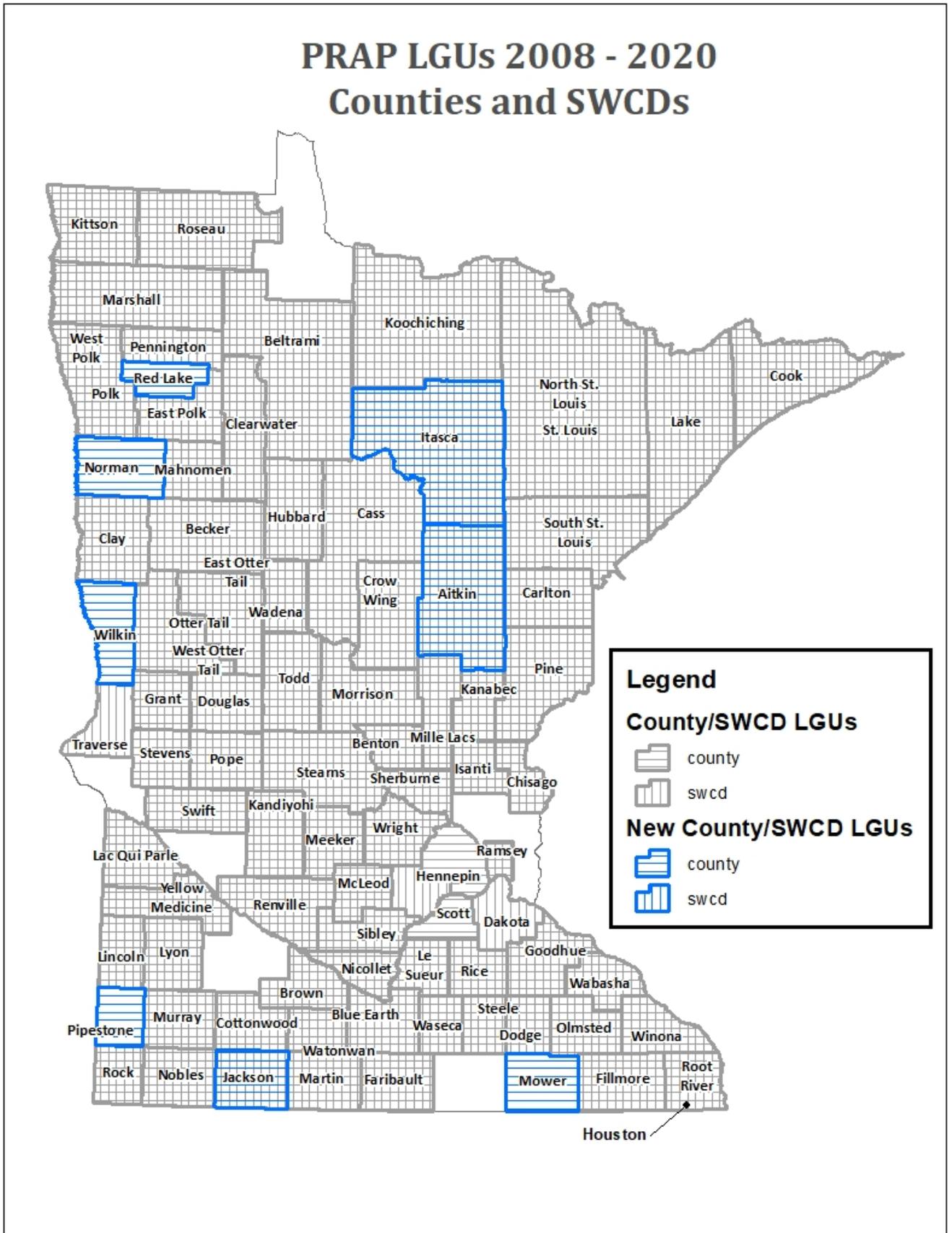
**Level I** review is an annual tabulation of required plans and reports for all 238 LGUs. Level I review is conducted entirely by BWSR staff and does not require additional input from LGUs.

**Level II** is a routine, interactive review intended to cover all LGUs at least once every 10 years. A Level II review evaluates progress on plan implementation, operational effectiveness, and partner

relationships. This review includes assessing compliance with Level II performance standards. The maps on pages 3-4 show which LGUs have gone through a Level II review since the program started in 2008.

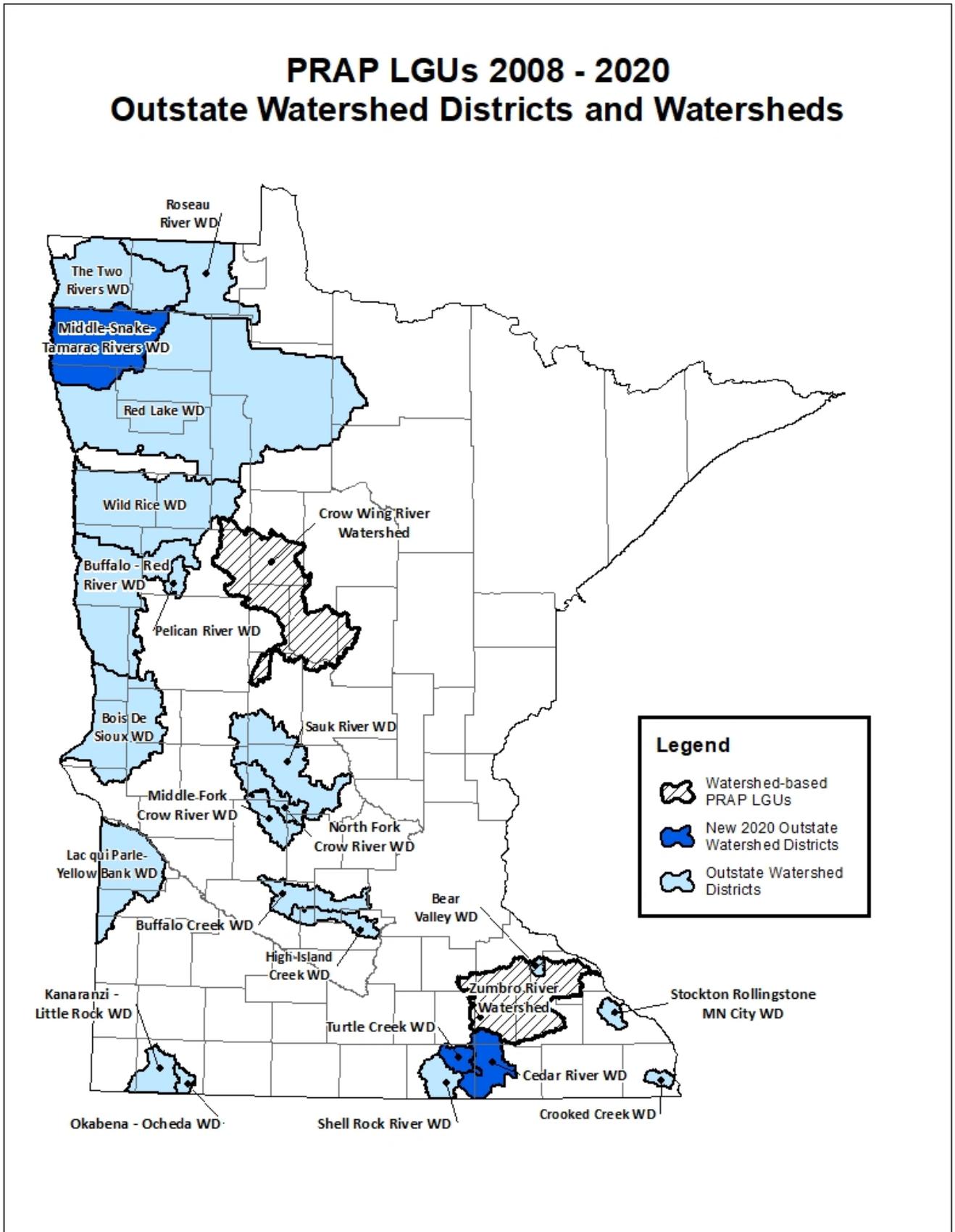
**Level III** is an in-depth assessment of an LGU's performance problems and issues. A Level III review is initiated by BWSR or the LGU and usually involves targeted assistance to address specific performance needs. Since 2008, BWSR has conducted Level III reviews for three LGUs at their request and in 2017 we completed two more. BWSR regularly monitors all LGUs for challenges that would necessitate a Level III review.

**Level IV** is for LGUs with significant performance deficiencies and includes BWSR Board action to assign penalties as authorized by statute. Levels I-III are designed to avoid the need for Level IV. To date there have not been any Level IV reviews.



# PRAP LGUs 2008 - 2020

## Outstate Watershed Districts and Watersheds



**Assistance** (pages 14-15). 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.

**Reporting** (pages 16-17) 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 <http://www.bwsr.state.mn.us/PRAP/index.html>. In addition, the PRAP Coordinator presents results from Level II 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 unit's implementation of the Wetland Conservation Act program. In 2018, BWSR expanded the scope of PRAP to lay the groundwork for future evaluation of SWCD Technical Service Areas (TSA) and in 2018, for the first time, evaluated progress of implementation of one of the first One Watershed, One Plans that has begun implementation, the Lake Superior North plan.

# 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 2020 program activities with the corresponding objectives from the 2018 PRAP legislative report.

### PERFORMANCE REVIEW OBJECTIVES

What We Proposed	What We Did
Track 238 LGUs' Level I performance.	All LGUs were tracked for basic plan and reporting compliance. Level I Compliance is documented in the PRAP Legislative report. Overall, Level I performance dropped in 2020 to 93% overall compliance. Overdue long-range water management plans totaled 2 in 2020.
Take measures to improve WMO and WD reporting.	WD compliance was slightly lower in 2020 at 84% compared to 87% in 2019. In 2020 72% of Watershed Management Organizations did not meet reporting or auditing requirements compared to 94% compliance in 2019.
Maintain the target of 24 Level II performance reviews per year.	In 2020, 17 Level II performance reviews were completed. This shortfall in this goal was due to the retirement of the PRAP Coordinator in early July and the inability to refill the position due to the hiring freeze.
Complete up to 2 Level III performance reviews, if needed, in 2020.	Discussed need for Level III performance reviews with BWSR Regional Managers and Organizational Effectiveness Manager and concluded that no Level III reviews were needed in 2020.
Survey LGUs from 2018 Level II PRAP reviews to track LGU implementation of PRAP recommendations.	This goal was not achieved due to the vacancy in the PRAP Coordinator position for the last half of 2020.
Continue monitoring and reviewing compliance with Action Items identified during a Level II 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 2020 PRAP Level II reviews were assigned an 18-month timeline for completion.
Continue evaluating and updating protocol for PRAP Level I and Level II reviews for performance-based funding for implementation of watershed based One Watershed-One Plans.	Continued evaluation and refinement of key performance measures for PRAP Level II reviews within framework of watershed-based One Watershed-One Plan approach to LGU water plan implementation. Participated in BWSR Clean Water

	Team, BWSR Assessment Team and BWSR Water Planning Team.
Continue development of protocol for evaluating Technical Service Area (TSA) performance and evaluate one TSA if time permits.	Assisted BWSR Water Planning Team with continued development of guidance and expectations for Technical Service Areas. Team decided that it was pre-mature to conduct a TSA review at this time.
Review and update Performance Standards Checklists for counties, soil and water conservation districts, watershed districts and watershed management organizations.	Worked with a team of Board Conservationists to update performance standards and guidance counties, soil and water conservation districts, watershed districts and watershed management organizations. The new standards incorporate concepts for watershed planning and increased expectations for use of advisory committees. The standards added high performance standards for LGU coordination with state initiatives, using water quality data to track resource outcomes and for LGUs who conduct a self-assessment to improve performance. These performance standards were used for all 17 Level II reviews completed in 2020.

### ASSISTANCE OBJECTIVES

What We Proposed	What We Did
Continue the promotion and use of PRAP Assistance Grants to enhance LGU organizational effectiveness.	Board Conservationists were encouraged to work with LGUs who could benefit from PRAP Assistance grants. LGUs undergoing a Level II PRAP review were also notified of PRAP assistance funding when recommendations were made for activities that would be eligible for PRAP funds. In fiscal year 2020, PRAP Assistance Grants were provided for Warroad River Watershed District, Stockton-Rollingstone-Minnesota City Watershed District and Comfort Lake – Forest Lake Watershed District for a total of \$13,116.

### REPORTING OBJECTIVES

What We Proposed	What We Did
Increase the focus on developing and reporting resource outcomes by LGUs in Level II reviews.	While all 17 Level II performance reviews included a review of the LGUs water plans for targets or objectives for resource outcomes and if outcomes are being reported, only four of 17 LGUs covered by Level II reviews in 2020 have targets. Reported progress on resource outcomes is less frequent.

# 2020 LGU Performance Review Results

## Level I Results

The Level I Performance Review 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.

	2020	2019	2018	2017	2016
<b>238 LGUs</b>	<b>93%</b>	<b>96%</b>	<b>94%</b>	<b>90%</b>	<b>87%</b>
SWCDs (88)	95%	96%	96%	93%	93%
Counties (87)	95%	100%	98%	94%	91%
WMOs (18)	72%	94%	89%	89%	78%
WDs (45)	84%	87%	87%	80%	73%

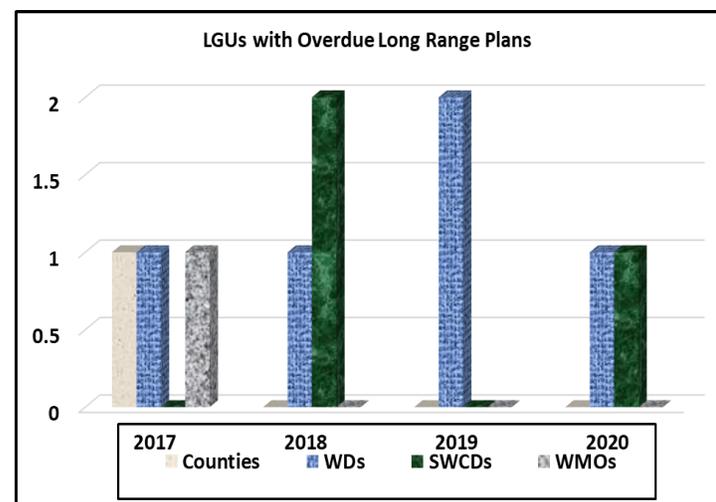
Overall, LGU compliance with Level I standards dropped to 93% in 2020, primarily due to the retirement of the PRAP Coordinator and inability to fill the position due to the hiring freeze. BWSR began tightening Level I compliance tracking in 2013, and as can be seen in the table above, improvement in overall compliance occurred from 2016 through 2019. The drop in compliance in 2020 is due to the vacancy in the PRAP Coordinator position for 6 months after his retirement in early July and the inability to fill the position due to the Covid 19 hiring freeze.

**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. Level I PRAP tracks whether LGUs are meeting their plan revision due dates. For the purposes of Level I reviews, 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 2 in 2020, unchanged from 2019. One Watershed District water management plan is overdue at the end of 2020 and one SWCD comprehensive plan had expired as of December 31, 2020. All other counties, soil and water conservation districts, watershed districts and watershed management organizations are operating under an approved or extended plan. Local government units without an approved water management plan are not eligible for Clean Water grant funds awarded by BWSR.

The Carver County Groundwater management plan was approved by the BWSR Board in January 2016. Ramsey County and Scott County metro area county groundwater plans need updating but are not considered overdue because the plans are optional, and these counties are still eligible for Clean Water Fund grants.

Appendix D (page 24) lists the LGUs whose plans are overdue for a plan revision.



**Annual activity and grant reports.** LGU annual reports are an important means of providing citizens and BWSR with information about LGU activities and grants expenditures. The Level I review tracks both missing and late reports.

In 2020, 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, 2020 deadline, maintaining the 100% compliance achieved from 2015 through 2019. 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, with 98% of LGUs meeting the deadline in 2020 compared with 98% in 2019, 97% in 2018, 97% in 2017, and 96% in 2016.

Watershed district compliance with the annual activity report requirement was slightly better in 2020 at 89% compliance compared with 87% in 2019, and 89% in 2018. Continued improvement in reporting will continue to be an objective of BWSR staff in 2021, with a goal of reaching 100% compliance.

Appendix E (page 25) contains more details about reporting.

**Annual financial reports and audits.** All SWCDs submit annual financial reports to BWSR, and most are required to prepare annual audits of their financial records. SWCDs whose annual expenditures fall below a certain threshold do not have to prepare audits. In 2020, SWCD Financial Reports are no longer due for all those SWCD's that elect to do an audit in 2020 (for the year ended 2019.) While the underlying determination of which SWCD's are required to do an audit hasn't changed, it now falls under the umbrella of any SWCDs that waived the submission of the SWCD Financial Report and stated that they would undergo an audit. At the

end of December 2020, 95% of SWCDs met the audit performance standard.

Watershed Districts and WMOs are also required to prepare annual audits. In 2020, 93% of WDs met the audit performance standard compared to 89% in 2019, 91% in 2018 and 80% in 2017. In 2020, 72% (13/18) of WMOs met this standard, compared to 94% in 2019, 2018 and 2017. See Appendix F (page 32) for financial report and audit details.

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

## Level II Performance Review Results

The Level II 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. Level II reviews also include surveys of board members, staff and partners to assess the LGU's effectiveness and existing relationships with other organizations.

BWSR conducted standard Level II reviews of 17 LGUs in 2020: **Aitkin County, Aitkin SWCD, Cedar River Watershed District, Jackson County, Jackson SWCD, Mower County, Mower SWCD, Middle Snake Tamarac Rivers Watershed District, Norman County, Norman SWCD, Pipestone County, Pipestone SWCD, Red Lake County, Red Lake SWCD, Turtle Creek Watershed District, Wilkin County and Wilkin SWCD.** (Itasca SWCD Level II Review was completed in 2020 but will be presented to SWCD Board in 2021).

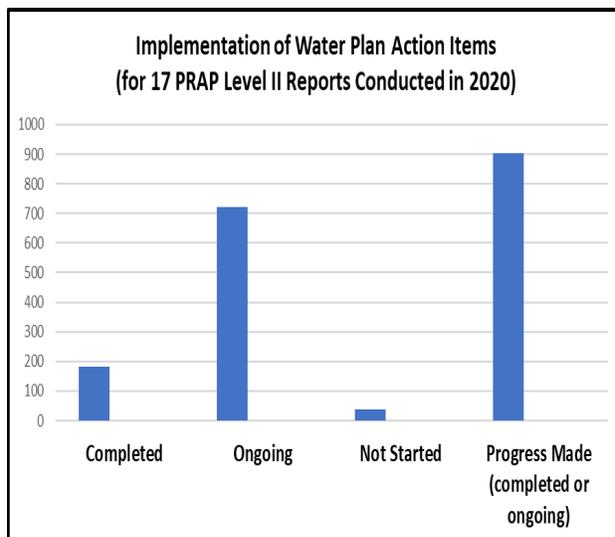
In the instances where the County and the SWCD share the same local water plan (*Aitkin, Jackson, Mower, Norman Pipestone, Red Lake and Wilkin*) the reviews were

conducted jointly. The remaining LGUs received individual reviews. Appendix G (pages 27-36) 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 17 local government water plans reviewed in 2020, those plans identified a combined 941 action items. Of those 941 action items in the 17 LGU water plans, 181 actions were completed, 722 were started and are ongoing and 38 action items were not started. Ninety six percent of those actions were implemented to some extent (either completed or ongoing). That is a high rate of implementation considering that most of the 10-year plans reviewed still had several years remaining to initiate additional projects.



### Common Recommendations in 2020

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. Resource Outcomes** – Most county water plans developed prior to 2015 did not include targets or objectives for resource outcomes. These County Local Water Management Plans were developed prior to the statewide focus on resource outcomes, so most plans did not include targets or objectives for resource outcomes. All the newer One Watershed One Plans and LGU water plans developed in past few years do include targets and objectives for resource outcomes.

**2. Citizen Participation** – Several local governments reviewed in 2020 were advised to improve participation in their Water Plan Advisory Task Force to ensure that agency and citizen representation is adequate and schedule enough meetings to efficiently develop comprehensive local water management plans through the 1W1P Program.

This recommendation recognizes the importance of keeping the water plan advisory task force engaged in both the watershed planning and implementation phases. The LGUs were encouraged to ensure that all local, state and federal agencies and citizens involved in water management can participate in these advisory groups. Some counties call task force meetings quarterly, however, at a minimum, the recommendation was made to have an annual meeting that would allow staff to communicate accomplishments in implementation of the plan for the past year and help prioritize projects for the coming year.

**3. Add Prioritized, Targeted and Measurable (PTM) specifics into water plan.** All of the non-watershed-based Level II PRAP reviews conducted in 2020 resulted in a recommendation that organizations include, or expand on existing use of Prioritized, Targeted and Measurable as criteria in their next water planning efforts. The PTM criteria are the new standard for One Watershed-One Plan efforts currently underway and beyond those projects, the degree to which these criteria are currently being used varies.

**4. Use the major or minor watershed scale for plan organization.**

BWSR has been recommending for both county water plan updates and new One Watershed-One Plan efforts currently underway that priority concerns be identified by major or minor watershed and action items also be carefully targeted to differing watershed priorities. While some recent water plans had begun to organize plans by watershed, this approach has been a standard recommendation for most PRAP Level II reports.

**5. Encourage strong participation and leadership in development and implementation of One Watershed One Plans (1W1P).** This recommendation focused on leadership in implementation of 1W1Ps where they have already been developed. For the rest of the SWCDs and counties that were reviewed in 2020, recommendations focused on strong participation and leadership in development of the 1W1P within their counties.

**6. Recommendation to conduct a strategic assessment of the SWCD (or county department) to determine whether existing mission, goals and staff capacity are enough to meet the demands for conservation services in the district.**

This commonly used recommendation (*used for 11 of 17 LGUs reviewed in 2020*) focused on the increasing expectations and SWCD responsibilities in recent years. To meet new

conservation challenges, the SWCDs were encouraged to consider conducting a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are enough to meet the conservation needs in the county. This recommendation recognizes that even the most competent organizations will lose effectiveness when workload exceeds staffing resources over an extended period.

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

2020 was the fourth year that Level II reviews 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 Level II reviews did identify several weaknesses in LGU implementation of the program. Examples of Wetland Conservation Act recommendations provided to LGUs in 2020, included update flawed LGU resolutions adopting the program, to clarify wetland appeal processes and to improve coordination with DNR Enforcement. The addition of the Wetland Conservation Act to PRAP resulted in better coordination among LGU and state agency staff for surface water management.

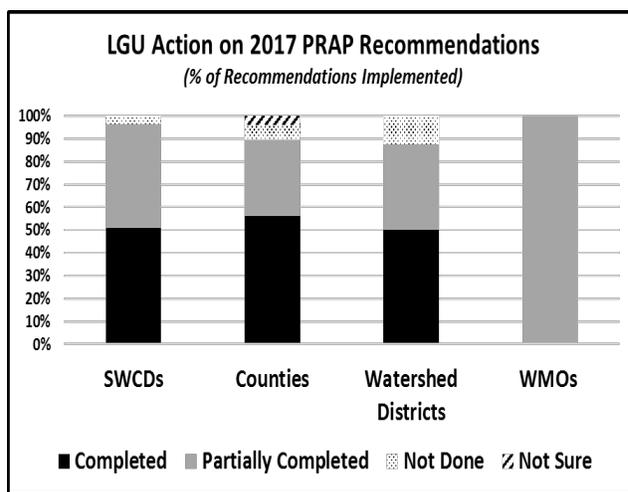
**8. Website reporting of resource trends could be improved.**

This recommendation was made to most of the LGUs reviewed in 2020. Many of these LGUs participate in or lead water quality monitoring programs, yet the use of websites to report trends and results is limited. Additional efforts to make these results easily accessible to the public would be beneficial.

### Survey of LGU Implementation of PRAP Recommendations

A PRAP program goal for 2020 was to find out to what extent LGUs are following through on the recommendations BWSR offers as part of each performance review. This survey was not done in 2020 due to the retirement of the PRAP Coordinator and the hiring freeze prevented filling the position.

The results of the last survey of this type, completed in 2019 for LGUs who had Level II reviews completed in 2017, is shown below.



In 2019, BWSR surveyed 24 LGUs that had a Level II performance review in 2017. Lead staff were asked to indicate the level of completion for each recommendation included in their PRAP reports. All the 24 LGUs contacted for the survey responded. Survey results showed that LGUs self-reported fully completing 53% of the recommendations and partially completing another 41%, meaning that 94% of BWSR’s recommendations for these LGUs were addressed to some degree.

These survey results indicate that LGUs find most of the recommendations contained in the PRAP reports to be useful for their organizations.

#### Action Items

During a Level II or Level III review, 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 2018 PRAP Level II reviews were assigned an 18-month timeline for completion. BWSR followed up with LGUs to verify completion within 18 months. The PRAP follow-up survey demonstrated that all the action items included for 2017 LGUs were implemented within 18 months (*sixteen total action items*).

#### Level III Implementation Results

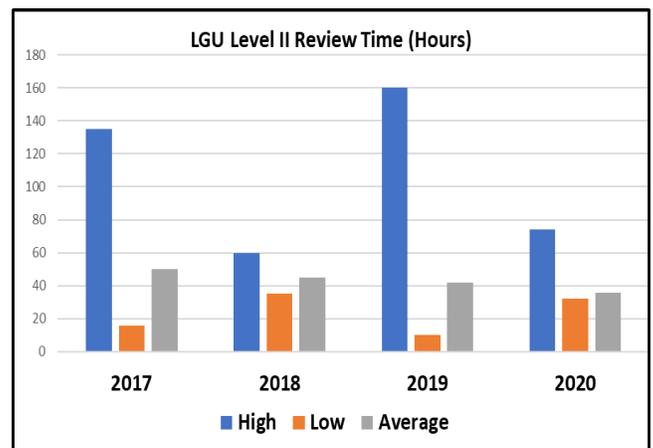
No Level III reviews were completed in 2020 due to the retirement of the PRAP Coordinator and the inability to fill the position due to the hiring freeze.

#### Level IV Results

No Level IV actions were conducted in 2020.

#### 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 2020 LGU staff spent an average of 36 hours on their Level II review, lower than the previous year. Not including overall

performance review administration and process development, BWSR staff spent an average of 82 hours for each Level II performance review, about the same as in 2019.

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.



the grants. The guidance and application information maintain the streamlined process used previously but asks applicants to describe how their Board will be involved in the project, to outline a scope of work, and to provide more detailed budget information as part of the application. The application information can be found in Appendix C.

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 Level I 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 4 Levels of PRAP
- Application information for PRAP grants
- Background on the PRAP Legislative Report
- Description of Level I Reporting

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 Level II 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 a Level II or Level III 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). In 2014 BWSR added a resource outcome feature to all Level II reports, highlighting those changes in resource conditions related to LGU projects and program. This feature was continued in 2020.

### 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 52). Due to the COVID 19 pandemic, the Minnesota Association of Soil and Water

Conservation District suspended the 2020 awards program.

For those LGUs that undergo a Level II performance review, their report lists "commendations" for compliance with each high-performance standard, demonstrating practices over and above basic requirements. All 2020 standard Level II LGUs received such commendations.

# Program Conclusions and Future Direction

## Conclusions from 2020 Reviews

- All Action Items identified during 2020 PRAP Level II reviews were assigned an 18-month timeline for completion.** BWSR was not able to follow up with the LGUs who participated in 2018 Level II reviews to verify completion of action items due to the vacancy in the PRAP Coordinator Position. The last PRAP local government unit follow-up survey conducted in 2019 demonstrated that all the action items included for 2017 LGUs were implemented within 18 months (16 total action items assigned in 2017).
- A common recommendation for several local government units in 2020 was to conduct a strategic assessment** of the LGU to determine whether existing mission, goals and staff capacity are sufficient to meet the demands and need for conservation services in the district. 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.
- Website reporting of resource trends could be improved.** Level II reviews completed in 2020 stressed the importance of improving dissemination of this information to the public. Many LGUs participate in or lead water quality monitoring programs, yet the use of websites to report trends and results is limited. Additional efforts to make these results easily accessible to the public would be beneficial. BWSR made this a recommendation to most LGUs in 2020.
- Evaluate, maintain or improve implementation of the Wetland Conservation Act.** 2020 was the third year that Level II reviews 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 Level II reviews did identify several weaknesses in LGU implementation of the program. Examples of Wetland Conservation Act recommendations provided to LGUs in 2020, included

- To pass a new clarifying resolution for delegation of responsibilities for the Wetland Conservation Act,
- To develop policies for documenting “informal” exemption determinations that include noticing technical evaluation panel members.
- To review and ensure that County policies and ordinances are consistent with WCA by updating ordinances and office procedures.
- **The watershed based PRAP level II process is most useful if there is an existing watershed-based plan in place.** BWSR PRAP staff continued working on an internal staff team evaluating key performance measures that may be used in the future to measure LGU progress in implementing One Watershed, One Plans. Implementation of several of these plans has begun and progress is being made in the Lake Superior North and several other recently approved plans, but several additional years will be needed to evaluate implementation progress for most plans.
- **Reminders and incentives contribute significantly to on-time reporting by LGUs.** Overall reporting performance and plan status dropped in 2020 due to the vacancy in the PRAP Coordinator position the last 6 months of 2020. Buffer strip reporting was maintained at full LGU compliance after reaching 100% compliance in 2015 through 2019 which can be attributed to close attention from BWSR staff. In the last year WMO overall compliance dropped to 72% in 2020 compared to 94% in 2019, 89% in 2018 and 2017 and 78% in 2016. WD overall compliance fell slightly to 84% in 2020 compared to 87% in 2019, and 89% compliance in 2018.

### **Selected PRAP Program Objectives for 2021**

- Track 238 LGUs’ Level I performance.
- Continue efforts to improve Level I performance review reporting of all LGUs through LGU cooperation and persistent follow-up by BWSR staff.
- Set target of 17 Level II performance reviews for 2021.
- Provide leadership in enunciating the importance of measuring outcomes in Level II performance reviews, ways of demonstrating resource outcomes resulting from plan implementation, and set specific expectations for reporting resource outcomes by LGUs.
- Survey LGUs from 2018 Level II PRAP reviews to track LGU implementation of PRAP recommendations.
- Continue monitoring and reviewing compliance with Action Items identified during a Level II review. This will allow us to determine if we are meeting 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.
- Continue updating protocols for PRAP Level I and Level II reviews for performance-based funding for implementation of watershed-based One Watershed-One Plans.
- Work with BWSR Water Planning Team to develop protocol for tracking, assessment, evaluation and reporting for One Watershed, One Plans.

# Appendix A

## PRAP Authorizing Legislation 103B.102, Minnesota Statutes 2013

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### 103B.102 LOCAL WATER MANAGEMENT ACCOUNTABILITY AND OVERSIGHT.

#### Subdivision 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 # 18-71



### BOARD ORDER

#### Performance Review and Assistance Program (PRAP) Assistance Service

#### 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 June 2018, the Board through Resolution #18-41 which "reconfirmed the delegation of authority to the Executive Director to approve individual PRAP Assistance grants up to \$10,000, and 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.
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 November 26, 2018 meeting, reviewed this request and recommended the Board approve this order.

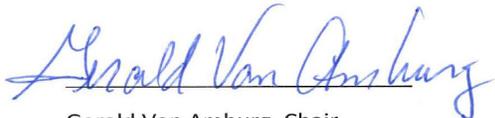
#### ORDER

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. Reconfirms the delegation of authority to the Executive Director to approve PRAP Assistance grants or contracts up to \$10,000 per contract with a maximum of \$50,000 per year 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 #18-41.

Dated at St. Paul, Minnesota, this December 19, 2018.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**



Gerald Van Amburg, Chair  
Board of Water and Soil Resources

Date: 12-19-2018

# 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 a Level II, III or IV PRAP review.

**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. 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 PRAP Level II, III, or IV 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 Dale Krystosek, PRAP Coordinator ([dale.krystosek@state.mn.us](mailto:dale.krystosek@state.mn.us)) 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

## Level I: 2020 LGU Long-Range Plan Status as of December 31, 2020

### Soil and Water Conservation Districts

(Districts have a choice of option A or B)

#### **A. Current Resolution Adopting County Local Water Management Plan**

Pine SWCD resolution was not current on December 31, 2020.

#### **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

#### **Metro County Groundwater Plan Revision Not Updated (*These Plans are Optional*)**

- Ramsey
- Scott

The Carver County Groundwater Plan update was approved by BWSR in 2016. Dakota County is currently in process of development of a plan and should be submitting for BWSR Board approval in 2020. Ramsey County is currently in discussion regarding updating their plan. Anoka and Hennepin Counties have chosen not to participate in this optional program authorized under 103B.255. Scott County has decided to not update their groundwater plan. Development of these groundwater plans is optional and so they are not considered overdue.

### Watershed Districts

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

- High Island Creek Watershed District is overdue

### Watershed Management Organizations

- All Plans are current

# Appendix E

## Level I: Status of Annual Reports for 2018 as of December 31, 2020

### Soil and Water Conservation Districts

#### eLINK Status Reports of Grant Expenditures

##### Late Reports:

- East Polk SWCD

### Counties

#### Drainage Authority Buffer Strip Reports

All reports submitted on time.

#### eLINK Status Reports of Grant Expenditures

One county submitted a late report.

##### Late Reports:

- Redwood County
- McLeod County
- Renville County
- Black Dog WMO

### Watershed Districts

#### Drainage Authority Buffer Strip Reports

All reports submitted on time.

#### Annual Activity Reports Not Submitted (or submitted late):

- Coon Creek WD
- Joe River WD
- Carnelian-Marine-St. Croix WD
- Ramsey Washington WD
- Lower Minnesota WD

### Metro Joint Powers Watershed Management Organizations

#### Annual Activity Reports not submitted (or submitted late):

- Black Dog WMO

## Appendix F

### Level I: Status of Financial Reports and Audits for 2019 as of December 31, 2020

#### Soil and Water Conservation Districts

##### Annual Audits

##### Annual Audits Not Submitted (or submitted late)

- Pipestone SWCD
- Pine SWCD
- Cottonwood SWCD

#### Watershed Districts

##### Annual Audits Not Completed (or submitted late):

- Yellow Medicine WD
- Coon Creek WD
- Joe River WD

#### Metro Joint Powers Watershed Management Organizations

##### Annual Audits Not Submitted (or submitted late):

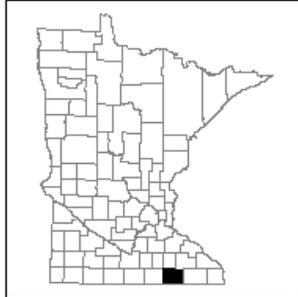
- Black Dog WMO
- Lower Mississippi River WMO
- Vermillion River Watershed JPO
- North Cannon WMO
- Eagan-Inver Grove Heights WMO

# Appendix G

## Standard Level II Performance Review

### Final Report Summaries

#### Mower County and Mower Soil and Water Conservation District



#### Key Findings and Conclusions

The Mower County (County) and the Mower Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county. For the most part, their partners believe both entities are doing good work and are good to work with. Ongoing water management challenges in southern Minnesota have created the necessity to forge new working relationships among partners to improve local water management in Mower County. Continued strong participation in the development of One Watershed, One Plans provide an opportunity for Mower County and the SWCD to focus on specific problems and priorities for the county's waterbodies. The partners who responded to the PRAP survey generally provided strong to acceptable ratings in their judgement of the performance of the County, and strong to good for the performance of the SWCD. The county and SWCD have made progress implementing 97% of their 68 action items in their local water plan. The County and SWCD have completed 25 of their action items, 41 items are ongoing, and 2 action items have not been started.

#### Resource Outcomes

The current Mower County Local Water Management Plan does not include targets or objectives for resource outcomes, however the newly developed One Watershed One Plans do include targets and objectives for resource outcomes.

#### Commendations:

The Mower Soil and Water Conservation District is commended for meeting 20 of 22 high performance standards for SWCDs and the Mower County is commended for meeting 14 of 15 high performance standards.

#### Recommendations:

**Joint Recommendation 1:** Meet annually and expand role of Water Resource Advisory Committee to review annual accomplishments and set priorities for the next year.

**Joint Recommendation 2:** The County and SWCD should continue to identify priority watersheds as part of participation in 1W1P development.

**Joint Recommendation 3:** Continue identification of Prioritized, Targeted and Measurable criteria for Goals and Objectives in One Watershed One Plan development.

**Joint Recommendation 4:** Structure website information to report progress and trends made in achieving resource outcome goals and implementation of County Water Plan.

**Mower SWCD Recommendation 1:** Conduct a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the district.

**Mower SWCD Recommendation 2:** The SWCD should take steps to ensure that their relationship with NRCS is as strong as possible.

**Mower County Recommendation 1:** Improve Grant Reporting

#### Action Items:

Mower County has no action items. Mower SWCD has one action item:

- Develop a data practices policy

## Red Lake County and Red Lake Soil and Water Conservation District



### Key Findings and Conclusions

Red Lake County (County) and the Red Lake Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county. For the most part, their partners believe both entities are doing good work and are good to work with. Ongoing water management challenges in northwestern Minnesota have created the necessity to forge new working relationships among partners to improve local water management in Red Lake County and the watersheds within and surrounding the county. Strong participation in the implementation and development of new One Watershed, One Plans provide an opportunity for Red Lake County and the SWCD to reorient the water planning efforts to focus on specific problems and priorities for the county's waterbodies. The partners who responded to the PRAP survey generally provided strong to acceptable ratings in their judgement of the performance of the County, and for the performance of the SWCD.

### Resource Outcomes

The Red Lake Local Water Management Plan does not include targets or objectives for resource outcomes, however the newly developed One Watershed One Plans do include targets and objectives for resource outcomes.

### Commendations:

The Red Lake Soil and Water Conservation District is commended for meeting 16 of 22 high performance standards for SWCDs and the Red Lake County is commended for meeting 11 of 15 high performance standards.

### Recommendations:

**Joint Recommendation 1:** Meet annually and expand role of Water Resource Advisory Committee to review annual accomplishments and set priorities for the next year.

**Joint Recommendation 2:** The County and SWCD should continue to identify priority watersheds as part of participation in 1W1P development.

**Joint Recommendation 3:** Continue identification of Prioritized, Targeted and measurable criteria for Goals and Objectives in One Watershed One Plan development.

**Joint Recommendation 4:** Structure website information to report progress and trends made in achieving resource outcome goals and implementation of County Water Plan.

**Red Lake SWCD Recommendation 1:** Conduct a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the district.

### Action Items:

Red Lake County and Red Lake SWCD have no action items.

## Aitkin County and Aitkin Soil and Water Conservation District



### Key Findings and Conclusions

The Aitkin County (County) and the Aitkin Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county.

For the most part, their partners believe both entities are doing good work and are good to work with. Ongoing water management challenges in northern Minnesota have created the necessity to forge new working relationships among partners to improve local water management in Aitkin County. Strong participation in the development of One Watershed, One Plans provide an opportunity for Aitkin County and the SWCD to reorient the water planning efforts to focus on specific problems and priorities for the county's waterbodies. The partners who responded to the PRAP survey generally provided strong to acceptable ratings in their judgement of the performance of the County, and for performance of the SWCD.

### Resource Outcomes

The current Aitkin Local Water Management Plan does not include targets or objectives for resource outcomes.

### Commendations:

The Aitkin Soil and Water Conservation District is commended for meeting 13 of 22 high performance standards for SWCDs and Aitkin County is commended for meeting 11 of 15 high performance standards.

### Recommendations:

**Joint Recommendation 1:** The County and SWCD should continue to identify priority watersheds as part of participation in 1W1P development.

**Joint Recommendation 2:** Continue identification of Prioritized, Targeted and Measurable criteria for Goals and Objectives in One Watershed One Plan development.

**Joint Recommendation 3:** Structure website information to report progress and trends made in achieving resource outcome goals and implementation of County Water Plan.

**Aitkin SWCD Recommendation 1:** 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.

**Aitkin County Recommendation 1:** Conduct a strategic assessment of the County Environmental Services to determine whether existing mission, goals and staff capacity are enough to meet the demands for services in the county.

### Action Items:

Aitkin County has no action items. Aitkin SWCD has one action item:

- Website does not have all required content.

## Turtle Creek Watershed District



### Key Findings and Conclusions

Turtle Creek Watershed District is doing a good job of implementing its watershed management plan and conducting water monitoring programs and projects. The organization is getting important work done in the areas of drainage maintenance.

With the current participation in One Watershed, One Plan implementation, there is an opportunity for the Turtle Creek Watershed District to focus its implementation activities to focus on problems and priorities specific to the watershed's major waterbodies, and to provide resource specific outcomes.

The Turtle Creek Watershed District is in compliance with 11 of 13 of BWSR's basic performance standards and 11 of 14 high-performance standards.

### Resource Outcomes

The Turtle Creek Watershed District Plan does contain some resource outcome goals and objectives. However, progress toward those goals is not routinely reported.

### Commendations

The Turtle Creek Watershed District is commended for meeting 11 out of 14 High Performance Standards

### Action Items

Action Items are based on those Part 2 Basic Practice performance standards for which the district is out of compliance. The Turtle Creek Watershed District has two action items:

- Develop a data practices policy
- Develop a functioning advisory committee

### Recommendations:

**Recommendation 1:** Continue and expand the use of Prioritized, Targeted and measurable as criteria for Goals and Objectives in implementing the 1W1P.

**Recommendation 2:** Develop orientation and continued education plan for both board and staff and keep records of trainings attended.

**Recommendation 3:** Structure website information to report progress and trends made in achieving resource outcome goals.

## Cedar River Watershed District



### Key Findings and Conclusions

Cedar River Watershed District is doing a very good job of implementing its watershed management plan and conducting water monitoring programs and projects. The organization is getting important work done within the watershed district.

With the current participation in One Watershed, One Plan implementation, there is an opportunity for the Cedar River Watershed District to focus its implementation activities to focus on problems and priorities specific to the watershed's major waterbodies, and to provide resource specific outcomes.

The Cedar River Watershed District shows excellent compliance with BWSR's basic and high-performance standards.

The partners who responded to the PRAP survey generally provided strong to acceptable ratings in their judgement of the performance of the Watershed District.

### Resource Outcomes

The Cedar River Watershed District Plan does contain some resource outcome goals and objectives. However, progress toward those goals is not routinely reported.

### Commendations

The Cedar River Watershed District is commended for meeting 14 out of 15 High Performance Standards

**Action Item** – The Cedar River Watershed District has no action items.

### Recommendations:

**Recommendation 1:** Continue and expand the use of Prioritized, Targeted and Measurable as criteria for Goals and Objectives in implementing the Cedar River 1W1P.

**Recommendation 2:** Conduct a strategic assessment of the WD to determine whether existing mission, goals and staff capacity are enough to meet the demands for conservation services in the district.

## Middle-Snake-Tamarac Rivers Watershed District



### Key Findings and Conclusions

Middle-Snake-Tamarac Rivers Watershed District is doing a good job of implementing its watershed management plan and conducting water monitoring programs and projects. The organization is getting important work done in the areas of drainage maintenance.

With the upcoming opportunity for participation in One Watershed, One Plan implementation, there is an opportunity for the Middle-Snake-Tamarac Rivers Watershed District to focus its implementation activities to focus on problems and priorities specific to the watershed's major waterbodies, and to provide resource specific outcomes.

The Middle-Snake-Tamarac Rivers Watershed District shows good compliance with BWSR's basic and high-performance standards.

### Resource Outcomes

The Middle-Snake-Tamarac Rivers Watershed District Plan does contain some resource outcome goals and objectives. However, progress toward those goals is not routinely reported.

### Commendations

The Middle-Snake-Tamarac Rivers Watershed District is commended for meeting 9 out of 15 High Performance Standards

**Action Items** – The Middle-Snake-Tamarac Rivers Watershed District has no action items.

### Recommendations:

**Recommendation 1:** Expand the use of Prioritized, Targeted and Measurable as criteria for Goals and Objectives in developing and implementing the Middle-Snake-Tamarac Rivers 1W1P.

**Recommendation 2:** Develop orientation and continued education plan for both board and staff and keep records of trainings attended.

**Recommendation 3:** Structure website information to report progress and trends made in achieving resource outcome goals.

**Recommendation 4:** Conduct a strategic assessment of the Watershed District to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for water management in the district.

## Wilkin County and Wilkin Soil and Water Conservation District



### Key Findings and Conclusions

The Wilkin County (County) and the Wilkin Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county.

For the most part, their partners believe both entities are doing good work and are good to work with. Ongoing water management challenges in west central Minnesota have created the necessity to forge new working relationships among partners to improve local water management in Wilkin County. Strong participation in the development and implementation of One Watershed, One Plans provide an opportunity for Wilkin County and the SWCD to reorient the water planning efforts to focus on specific problems and priorities for the county's waterbodies. The partners who responded to the PRAP survey generally provided strong to acceptable ratings in their judgement of the performance of the County, and strong to good ratings for the performance of the SWCD.

### Resource Outcomes

The current Wilkin Local Water Management Plan does not include targets or objectives for resource outcomes, but the Comprehensive Water Management plans (pending approval) do contain resource outcomes.

### Commendations:

The Wilkin Soil and Water Conservation District is commended for meeting 20 of 22 high performance standards for SWCDs and the Wilkin County is commended for meeting 13 of 15 high performance standards.

### Recommendations:

**Joint Recommendation 1:** The County and SWCD should continue to identify priority watersheds and use of Prioritized, Targeted and Measurable (PTM) criteria for Goals and Objectives as part of participation in Comprehensive Watershed Management Plan development and implementation.

**Joint Recommendation 2:** Structure website information to report progress and trends made in achieving resource outcome goals and, after approval, implementation of Comprehensive Watershed Management Plans.

**Wilkin SWCD Recommendation 1:** Conduct a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the district. This could be done with partners participating in the Comprehensive Watershed Management Plans.

**Wilkin SWCD Recommendation 2:** Develop and implement training plan for each SWCD Board member.

**Wilkin County Recommendation 1:** Conduct a strategic assessment of the Wilkin County Environmental Services Department to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the county.

**Action Items:** Wilkin County and Wilkin SWCD have no action items.

## Norman County and Norman Soil and Water Conservation District



### Key Findings and Conclusions

The Norman County (County) and the Norman Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county.

For the most part, their partners believe both entities are doing good work and are good to work with. Ongoing water management challenges in northern Minnesota have created the necessity to forge new working relationships among partners to improve local water management in Norman County. Strong participation in the development of One Watershed, One Plans provide an opportunity for Norman County and the SWCD to reorient the water planning efforts to focus on specific problems and priorities for the county's waterbodies. The partners who responded to the PRAP survey generally provided strong to acceptable ratings in their judgement of the performance of the County, and for performance of the SWCD.

### Resource Outcomes

The current Norman Local Water Management Plan does not include targets or objectives for resource outcomes.

### Commendations:

The Norman Soil and Water Conservation District is commended for meeting 12 of 22 high performance standards for SWCDs and the Norman County is commended for meeting 7 of 15 high performance standards.

### Recommendations:

**Joint Recommendation 1:** Meet annually and expand role of Water Resource Advisory Committee to review accomplishments and set priorities.

**Joint Recommendation 2:** The County and SWCD should continue to identify priority watersheds as part of participation in 1W1P development.

**Joint Recommendation 3:** Continue identification of Prioritized, Targeted and Measurable criteria for Goals and Objectives in 1W1P development.

**Joint Recommendation 4:** Structure website information to report progress and trends made in achieving resource outcome goals and implementation of County Water Plan.

**Norman SWCD Recommendation 1:** SWCD board and staff should work on establishing a plan for the eventual transition of duties upon retirement of technical staff.

**Norman SWCD Recommendation 2:** Conduct a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the district.

**WCA Recommendation #1:** Revise WCA Appeal Process. (see pages 16-17)

**WCA Recommendation #2:** Work with cities to improve WCA Administration.

**WCA Recommendation #3:** "WCA Recommendation #3: Appoint a SWCD technical professional to serve on the Technical Evaluation Panel.

**Action Items:** Norman County and Norman SWCD have no Action Items.

## Pipestone County and Pipestone Soil and Water Conservation District



### Key Findings and Conclusions

The Pipestone County (County) and the Pipestone Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county. For the most part, their partners believe both entities are doing good work and are good to work with. Ongoing water management challenges in southern Minnesota have created the necessity to forge new working relationships among partners to improve local water management in Pipestone County. Strong participation in the development of One Watershed, One Plans provide an opportunity for Pipestone County and the SWCD to reorient the water planning efforts to focus on specific problems and priorities for the county's waterbodies. The partners who responded to the PRAP survey generally provided strong to acceptable ratings in their judgement of the performance of the SWCD.

### Resource Outcomes

The current Pipestone Local Water Management Plan does not include targets or objectives for resource outcomes.

### Commendations:

The Pipestone Soil and Water Conservation District is commended for meeting 12 of 22 high performance standards for SWCDs and the Pipestone County is commended for meeting 8 of 15 high performance standards.

### Recommendations:

**Joint Recommendation 1:** The County and SWCD should continue to identify priority watersheds as part of participation in Comprehensive Watershed Management Plan development and implementation.

**Joint Recommendation 2:** Continue identification of Prioritized, Targeted and Measurable criteria for Goals and Objectives in One Watershed One Plan development.

**Joint Recommendation 3:** Structure website information to report progress and trends made in achieving resource outcome goals and implementation of Comprehensive Water Plan.

Pipestone SWCD Recommendation 1: Conduct a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the district.

### Action Items:

Pipestone County and Pipestone SWCD have no action items.

## Jackson County and Jackson Soil and Water Conservation District



### Key Findings and Conclusions

Jackson County (County) and the Jackson Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county.

For the most part, their partners believe both entities are doing good work and are good to work with. Ongoing water management challenges in southern Minnesota have created the necessity to forge new working relationships among partners to improve local water management in Jackson County. Strong participation in the development of One Watershed, One Plans provide an opportunity for Jackson County and the SWCD to reorient the water planning efforts to focus on specific problems and priorities for the county's waterbodies. The partners who responded to the PRAP survey generally provided strong to acceptable ratings in their judgement of the performance of the County, and for the performance of the SWCD.

### Resource Outcomes

The current Jackson Local Water Management Plan does not include targets or objectives for resource outcomes.

### Commendations:

The Jackson Soil and Water Conservation District is commended for meeting 12 of 22 high performance standards for SWCDs and the Jackson County is commended for meeting 9 of 15 high performance standards.

### Recommendations:

**Joint Recommendation 1:** The County and SWCD should continue to identify priority watersheds as part of participation in 1W1P development and implementation.

**Joint Recommendation 2:** Continue identification of Prioritized, Targeted and Measurable criteria for Goals and Objectives in One Watershed One Plan development and implementation.

**Joint Recommendation 3:** Structure website information to report progress and trends made in achieving resource outcome goals and implementation of Water Plans.

**Jackson SWCD Recommendation 1:** Conduct a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the district.

### Action Items:

Jackson County and Jackson SWCD have no action items.

## Appendix H

### Performance Standards Checklists used in Level II Reviews

#### COUNTY LOCAL WATER MANAGEMENT PERFORMANCE STANDARDS

LGU Name: \_\_\_\_\_

Performance Area	Performance Standard		Level of Review	Rating	
	■	★		YES	NO
	■	<b>Basic practice or statutory requirement</b>	I Annual Compliance		
	★	<b>High Performance standard</b> (see instructions for explanation of standards)	II BWSR Staff Review & Assessment (1/10 yrs.)		
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		
	■	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		

<b>Communication &amp; Coordination</b>	★	Water quality trends tracked for priority water bodies and/or groundwater	II		
	■	BWSR grant report(s) posted on county website	I		
	★	Communication piece sent within last 12 months: indicate target audience below	II		
	<b>Communication Target Audience:</b>				
	★	Obtain stakeholder input: within last 12 months	II		
	★	Partnerships: liaison with SWCDs/WDs and cooperative projects/tasks done ( <i>in addition to 1W1P</i> )	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	
	<ul style="list-style-type: none"> <li>■ <b>Basic practice or Statutory requirement</b></li> <li>★ <b>High Performance standard</b> (see instructions for explanation of standards)</li> </ul>		I Annual II Compliance <b>BWSR Staff            Review &amp;            Assessment            (1/10 yrs.)</b>	Yes, No, or Value	
				YES	NO
<b>Administration</b>	■	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 yrs.	II		
	■	Personnel policy: exists and reviewed/updated within last 5 yrs.	II		
	■	<b>Technical professional appointed and serving on WCA TEP</b>	II		
	■	<b>SWCD has an adopting resolution assuming WCA responsibilities and appropriate decision delegation resolutions as warranted (if WCA LGU)</b>	II		
	★	Job approval authorities: reviewed and reported annually	II		
	★	Operational guidelines and policies exist and are current	II		
	★	Board training: orientation & cont. ed. plan and record for each board member	II		
<b>Planning</b>	■	Comprehensive Plan: updated within 5 yrs. or current resolution adopting unexpired county LWM plan	I		
	★	Prioritized, Targeted and Measurable criteria are used for Goals and Objectives in the local water management plan as appropriate.	II		
	★	Annual Plan of Work: based on comp plan, strategic plan priorities	II		
	★	<b>SWCD is currently actively involved in at least one 1W1P</b>	II		
	★	<b>SWCD has received a competitive CWF grant in past 2 years</b>	II		
	★	<b>Strategic Plan or Self-Assessment completed within last 5 years</b>	II		
<b>Execution</b>	■	Are state grant funds spent in high priority problem areas	II		
	■	Total expenditures per year (over past 10 yrs.)	II	see below	
	■	Months of operating funds in reserve	II		
	■	<b>Replacement and restoration orders are prepared in conformance with WCA rules and requirements.</b>	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 WCA LGU)	II			
	■	WCA TEP reviews/recommendations appropriately coordinated (if LGU)	II			
	★	Certified wetland delineator: on staff or retainer	II			
	★	WCA Coordination and Communication	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			
	<b>Communication Target Audience:</b>					
	★	Outcome trends monitored and reported for key resources	II			
	★	Track progress on I & E 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				

2009      2010      2011      2012      2013      2014      2015      2016      2017      2018

# METRO WATERSHED DISTRICT and WMO PERFORMANCE STANDARDS

LGU Name: \_\_\_\_\_

Performance Area	Performance Standard		Level of Review	Rating	
	★	High Performance standard ■ Basic practice or statutory requirement (see instructions for explanation of standards)	I Annual Compliance II BWSR Staff Review & Assessment (1/10 yrs.)	Yes, No, or Value	
				YES	NO
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	II	mo./yr.	
	■	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		
		<b>Communication Target Audience:</b>			
	★	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, Non-Government Organizations	II		

## GREATER MN WATERSHED DISTRICT PERFORMANCE STANDARDS

LGU Name: \_\_\_\_\_

Performance Area	Performance Standard		Level of Review	Rating	
	★	■		Yes, No, or Value	
	<i>(see instructions for explanation of standards)</i>			YES	NO
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	II	Mo./yr.	
		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		
		★ <b>Prioritized, Targeted, Measurable criteria used in WD Plan</b>	II		
		★ Strategic plan identifies short-term activities & budgets based on state and local watershed priorities	II		

<b>Execution</b>	★	Member of County Water Plan Advisory Committee(s)	II							
	■	Engineer Reports: submitted for DNR & BWSR review	II							
	■	WCA decisions and determinations made in conformance with all WCA requirements. (N/A if not LGU)	II							
	■	WCA TEP reviews/recommendations coordinated (N/A if not LGU)	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							
	★	Watershed hydrologic trends monitored / reported	II							
<b>Communication &amp; Coordination</b>	■	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							
	★	<b>Coordination with watershed-based initiatives</b>	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							
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018

**TOTAL= \$**

# Appendix I

## 2020 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)

**Peter Nelson, Water Plan Coordinator, Pennington Soil and Water Conservation District**

### **Outstanding Watershed District Employee**

(Minnesota Association of Watershed District Administrators)

**Jan Voit, Heron Lake Watershed District Administrator**

### **Outstanding Watershed District Employee**

(Board of Water and Soil Resources)

**Maggie Karschnia, Water Resources Project Manager Prior Lake-Spring Lake Watershed District**

### **Program of the Year Award**

(Minnesota Association of Watershed Districts)

**Prior Lake Spring Lake Watershed District – Carp Management Program**

### **WD Project of the Year**

(Minnesota Association of Watershed Districts)

**Pelican River Watershed District - Flowering Rush -Coordinated Research & Adaptive Management Project**

\*The Minnesota Association of Soil and Water Conservation Districts suspended the 2020 awards program due to the Covid 19 pandemic.

## **NEW BUSINESS**

1. BWSR's Climate Change Trends and Action Plan and State Climate Initiatives – Dan Shaw and Rhees – ***INFORMATION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** BWSR’s Climate Change Trends and Action Plan and State Climate Initiatives

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**Meeting Date:** January 27, 2020

**Agenda Category:**     Committee Recommendation     New Business     Old Business

**Item Type:**                 Decision                                     Discussion                 Information

**Keywords for Electronic Searchability:** Climate, mitigation, adaptation, resiliency

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**Section/Region:** Central Office

**Contact:** Suzanne Rhees

**Prepared by:** Suzanne Rhees

**Reviewed by:** BWSR Natural and Working Lands    Committee(s)

**Presented by:** Dan Shaw and Suzanne Rhees

**Time requested:** 20 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**

Information only.

**LINKS TO ADDITIONAL INFORMATION**

- Factsheets (attached)
- Climate Subcabinet overview
  - Natural & Working Lands Team priorities
  - Resiliency & Adaptation Team priorities

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

BWSR’s programs have always supported local partners’ adaptation and resilience to climate change. With new state initiatives, our climate-related activities have expanded, both internally and in partnership with other agencies, making a Board update timely.



# Minnesota's Climate Initiative

In December 2019, Governor Tim Walz signed **Executive Order 19-37**, describing the size and scope of the climate crisis, and the need to protect all Minnesotans from the most severe economic, health, and ecological impacts.

Guided by the 2007 Next Generation Energy Act, Minnesota has existing goals to reduce greenhouse gas (GHG ) emissions in the state by 30% by 2025 (from 2005 levels) and by 80% by 2050.

Minnesota did not meet its 2015 goal of 15% GHG reduction, and we're not on track to meet our 2025 goal, either. The Executive order recognizes that *we must redouble our efforts to meet Minnesota's future goals.*

## Climate Change Subcabinet

The Executive Order established a Climate Change Subcabinet, executives from 15 state agencies and boards, and chaired by the Commissioner of the Minnesota Pollution Control Agency (MPCA), Laura Bishop, the purpose of the Climate Change Subcabinet is to:

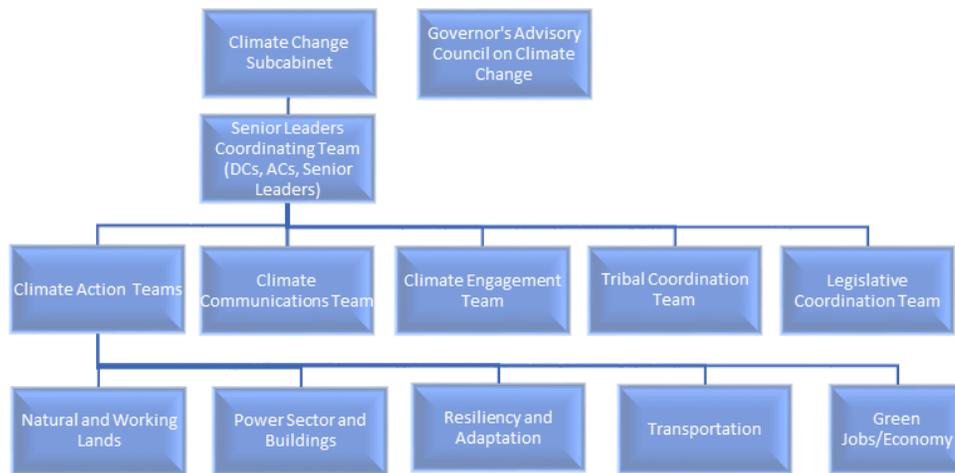
- ✓ Recommend policies and strategies to bring Minnesota back on track to meet or exceed our GHG reduction goals, enhance the climate resiliency of Minnesota's natural resources, working lands, and communities, and help our state prepare for climate change impacts that cannot be avoided or mitigated
- ✓ Engage with Minnesotans on these important topics, build partnerships, and incorporate the perspectives of people who experience disproportionate impacts from climate change — including communities of color, indigenous people, and rural Minnesotans
- ✓ Promote equitable policy solutions that can reduce current disparities in Minnesota

The Subcabinet also will consider how these policies can encourage economic development, innovation, job creation in our state, and how to promote a green economic recovery.

## What is the process for identifying these policies?

To develop initial policies and strategies for consideration by the Climate Change Subcabinet, five sector based of "Action Teams" were formed to pull together subject matter expertise from across state agencies and gather deep knowledge about specific areas of our economy and society to inform our climate solutions.

The Action Teams cover natural and working lands, power sector and buildings, climate resilience and adaptation, transportation, and green jobs and economy. The teams are responsible researching and gathering ideas; and identifying a range of policies and strategies for the Subcabinet and the Governor’s Advisory Council<sup>1</sup> to consider, evaluate and implement.



They are working together to ensure that agencies named in the Climate Change Executive Order consider initial climate change strategies in their preparations for the 2021 legislative session. This work also involves identifying and advancing policies, projects and partnerships beyond the timeframe of the upcoming legislative session, recognizing that some ideas and opportunities will take longer to develop. Action teams are also responsible for engagement with communities, partners and stakeholders.

**Why engagement is important**

Successful climate policy development must include meaningful involvement by the communities most impacted by climate change, as well as communities historically under-represented. An inclusive approach is critical to success.

The Walz-Flanagan Administration is committed to a robust engagement process starting with the Action Teams connecting with thought leaders, partners, community groups, and other stakeholders to initiate new relationships, build upon existing ones, and actively seek input and feedback on climate policy proposals for Minnesota.

This is an invitation to participate in a climate conversation and to help create climate policy solutions together. We anticipate that there will be additional opportunities for other public participation going forward, and we will be sharing updates about the Subcabinet’s work in the coming months.

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<sup>1</sup> The Governor’s Advisory Council is a citizen’s board appointed by the Governor to advise the Subcabinet.

The primary goal of the Natural and Working Lands Action Team, under the Governor's Climate Subcabinet, is to **identify policies and strategies that will help make Minnesota's natural resources, working lands and communities more resilient to climate change while reducing or mitigating greenhouse gas emissions.**

The Natural and Working Lands Team is working to identify and implement or accelerate land management activities that:

1. Achieve and enhance carbon sequestration, and
2. Reduce or mitigate greenhouse gas emissions.

This team also has a role in adapting natural and working lands to the changing climate and is working closely with the Resiliency & Adaptation Team in this effort.

### Initial Focus Areas

**Three initial focus areas** for advancing climate change mitigation on natural and working lands have been identified:

1. Develop and implement a mitigation tracking system for natural and working lands.
2. Accelerate cover crop adoption and additional soil health and sequestration measures.
3. Reforest marginal forest land and converted acres that can be restored, and enhance urban/community tree canopies.

These initial focus areas involve actions that have gained identifiable momentum and are foundational to climate-related efforts. Specifically, the first action is critical to the success of other mitigation efforts on natural and working lands, both to illustrate the opportunity these lands present for carbon mitigation, and to track effectiveness of actions. The second two actions reflect existing efforts that can be accelerated, have statewide significance, are already the subject of significant discussions about the associated climate benefits, and are generally supported by many constituencies for various reasons. The following paragraphs more fully describe the initial focus areas.

#### **1) Quantify the carbon storage benefits of natural and working lands by developing and implementing a mitigation tracking system.**

Track greenhouse gas (GHG) emission reductions (including enhanced carbon sequestration) on public and private lands resulting from land use changes and the implementation of best management practices (BMPs).

This includes:

- tracking practices and land-use changes on public lands, or private lands enrolled in publicly-funded conservation partnerships, and on other lands by using publicly available or acquired information;
- developing and implementing a systematic survey of land use practices on private lands;
- refining the estimates of reduced or avoided GHG emissions per acre for each BMP (for example, an acre of cover crops is estimated to reduce GHG emissions by 0.20 tons per year);
- refining/standardizing the estimates of carbon sequestration on natural and working lands (both baseline and changes over time);
- verifying reductions through on-the-ground monitoring at select sites.

## **2) Store more carbon on agricultural land through cover crop adoption and additional soil health measures.**

Provide incentives for farmers to combine practices that sequester carbon over the long term and improve soil health. Practices include perennial and winter annual cover crops; short-rotation forestry (agroforestry); conservation crop rotation; nutrient/nitrogen management; and reduced tillage practices. Implementation actions include developing ecosystem services and carbon markets; development of new crops; development of markets and supply chains for new crops, forage and other products; technical assistance and peer-to-peer learning opportunities; financial assistance, including cost-share and grants; focused research; the Minnesota Agricultural Water Quality Certification Program (MAWQCP) and similar programs.

## **3) Plant trees and shrubs to store more carbon, create habitat, and reduce urban heat islands. Focus on reforesting marginal forest land and converted acres that can be restored, and enhancing urban/community tree canopies.**

Focus on the restoration, establishment and management of climate-adapted, resilient tree and shrub species and forests on private and public lands (as locally appropriate) to sequester carbon, produce forest products, improve air and water quality, reduce stormwater runoff, control erosion, and promote biodiversity. Establish and manage resilient tree species in urban areas, including both street trees and urban natural areas.

Identify and address opportunities to increase carbon sequestration of existing forest lands through:

- improving biomass growth to enhance forest carbon stocks (e.g. improved seed selection),
- increased tree stocking levels,
- increased planting survival,
- climate adaptive species selection,
- forest thinning, and
- competition reduction (e.g. invasive species removal).

Furthermore, promote the development of long-lived forest products to further sequester carbon and expand the forest products market.

### [Process for Identifying Focus Areas](#)

The team met during spring and summer 2020 to compile an initial inventory of best practices for enhanced carbon storage and reduced emissions from various land types, drawing upon existing written resources and ongoing discussions with stakeholders. Next the team identified three focus areas for initial action using the following criteria:

- Feasibility
- Additionality
- Durability
- Measurability
- Partner support
- Impact
- Prevention of losses.

## Next steps

The Natural and Working Lands Action Team is spending time this fall connecting with individuals and groups interested and engaged in efforts to address climate change mitigation and adaptation for natural and working lands. The purpose of this engagement is to:

- Share information about the Climate Change Subcabinet and related interagency efforts to implement Governor Walz's Executive Order 19-37,
- Share the initial action ideas and learn what others are doing, and
- Discuss opportunities for partnership and collaboration around these initial ideas and related efforts.

These conversations are intended as the start of a long-term dialogue about how we can all learn from each other, and support and advance both the carbon sequestration and climate resiliency of Minnesota's natural and working lands.

## Resilience & Adaptation Team (R&AT) Climate Action Initiatives

### 1. Create state adaptation funding

Establish and fund adaptation and resiliency financing mechanisms:

1) A cost share grant program for local units of government (LUGs) to use for assessment, planning, and design of resilient infrastructure and critical facilities; habitat protection; acquiring easements in vulnerable areas; and agricultural resilience.

2) Public Facilities Authority (PFA) administered bond funding for grants and loans to LGUs to use for resilient infrastructure projects such as waste water, storm water and water supply and other critical facilities.

3) Develop guidelines/criteria for resilient projects receiving resilience funding including ways to prioritize the needs of vulnerable populations

Adaptation funding is essential to build state and local capacity for climate resilience. Adaptation projects such as vulnerability assessments, climate adaptation planning, and the planning and design of resilient infrastructure projects are not eligible for bond funding. Water quantity projects do not qualify for bond funding under current statutory authority. Separate adaptation funding will provide necessary resources for increasing resiliency.

### 2. Fund U of M to produce high-resolution, dynamically-downscaled climate projections for Minnesota

Minnesota's agencies, communities, and organizations desperately need high-resolution climate projections, continuous through the century, for sound planning and implementation of projects and adaptation strategies that maintain and protect our natural environment, built infrastructure, economy, and health. These data have applications in virtually all sectors, and have been requested heavily since the early 2010s. *Please note:* projections at lower resolution and at discontinuous time "slices" are currently available through the U of M, but do not meet the needs of the state and should be viewed as an intermediate step. **(See chart on last page)**

## Resilience & Adaptation Team (R&AT) Climate Action Initiatives

### **3. Create credit system to incentivize ecosystem-based green infrastructure and natural stormwater management**

Create an NPDES permit credit system to provide storm water credits for natural lands restoration near residential areas and new developments, and support native ecosystem-based green infrastructure in urban areas/communities/population centers to restore lost habitat, control flooding, implement county conservation plans, and provide benefits to vulnerable populations. Implementation should be equitably dispersed across the urban environment to address public health and social equity.

### **4. Develop vulnerable populations climate data tools**

Link MDH climate & health data profiles and research tools with DNR climate tools, and expand the MDH pilot program that provides extreme heat and flooding regional and county data about vulnerable populations to include climate and health data on air pollution, vector borne disease, and other climate hazards that place vulnerable population at higher risk. Funding should be provided to expand local capacity in implementing adaptation strategies to increase resiliency.

### **5. Increase building resiliency**

Research the ability to increase resiliency of Minnesota's buildings to address extreme precipitation, urban heat islands, and other climate change impacts - especially in multi-family housing upgrades and resiliency improvements for under-resourced communities.

## Resilience & Adaptation Team (R&AT) Climate Action Initiatives

### 6. Create a state inventory of water storage opportunities in agricultural landscapes

Inventory opportunities for on-farm and off-farm temporary storage using landscape mapping (through tools such as LiDAR), and to identify potential water storage areas. On-farm or off-farm storage includes storage basins, water capture and reuse, wetlands, drainage water management/controlled drainage, saturated buffers, two-stage ditches, and conservation practices that improve soil health and soil water holding capacity.

### 7. Launch Climate Change, Impacts, and Adaptation website

Create an engaging, centralized, agency-neutral website that provides public access to climate change observations, projections, impacts, and adaptation strategies specific to the state's resources and assets. Website to include customizable summaries, data sets, graphics and analyses of Minnesota's *observed* climate trends and *projected* climatic conditions through 2099. Aimed at general public, policy/decision-makers, and practitioners. Successful websites to model are Cal-Adapt (<https://cal-adapt.org/>); Washington (State) Climate Impacts Group (<https://cig.uw.edu/>); and National Climate Assessment (<https://nca2018.globalchange.gov/>).

## Climate projections, e.g., Minnesota's future climate(s)

Relation to LiDAR: None directly, though LiDAR layers could be used in conjunction with climate data to aid decision-making and planning.

Relation to Atlas 14: None.

Color key: white cells = insufficient; *light gray cells and italic letters = better/intermediate*; dark gray = best

	What MN has had available to date	What is becoming available	What MN needs
Model type (downscaling)	Statistical	Physical/Dynamical	Physical/Dynamical
Geographic specificity	National coverage	MN only	MN or local region only
Coverage of Minnesota	100%	<i>99.x% (small parts of extreme north missing)</i>	100%
Resolution of physical processes	N/A (statistical models do not resolve physical processes)	<i>10-km scale: resolves some weather, but not individual thunderstorms</i>	4-km (quarter township): resolves most "mesoscale" weather including thunderstorms
Purpose for creation of datasets	<i>Develop national standardized data</i>	<i>Aid agricultural, pest, and water-valuation research projects in MN</i>	Specifically to produce best possible climate scenario data for Minnesota
Time coverage	Continuous through 2099	Two slices: 2040-59, 2080-99	Continuous through 2099
Time units of analysis	Monthly	<i>Monthly, seasonal, annual, by time slice</i>	Hourly, daily, monthly, seasonal, annual, multi-annual for any desired time period
Available variables:	Pre-determined: temperature, precipitation, counts of days above thresholds	<i>Predetermined by parent research projects, and secondarily by DNR budget: Temp, precipitation for sure; Possibly snow depth, evapotranspiration, solar radiation, soil moisture</i>	User-determined beforehand: temperature, precipitation, snowfall, snow depth, relative humidity, evapotranspiration, runoff, soil moisture, heat index, wind chill, wind speed, thunderstorm frequency, severe weather parameters, metrics of extremes, anything requested by user and deemed feasible