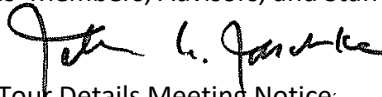




DATE: August 17, 2021
TO: Board of Water and Soil Resources' Members, Advisors, and Staff
FROM: John Jaschke, Executive Director 
SUBJECT: August 25-26, 2021 BWSR Board Tour Details Meeting Notice

The Board of Water and Soil Resources (BWSR) will tour Mower and Freeborn Counties on Wednesday, August 25, 2021. *See attached tour itinerary.* The accommodations for the Board Tour will be at the Holiday Inn located at 1701 4th Street Northwest in Austin.

Sleeping rooms for board members who requested accommodations have been reserved at the Holiday Inn in Austin, on Tuesday and Wednesday evenings, August 24 and 25. Rooms have been direct billed (BWSR Board members, with the exception of agency members, do not pay for the room). Please contact Rachel Mueller if you have any questions about accommodations at Rachel.L.Mueller@state.mn.us.

Wednesday, August 25th – BWSR Board Tour

Breakfast, starting at 7:00 AM, is included for guests staying at the Holiday Inn on Tuesday evening in Salon 3-5 conference room. Check in for the tour will begin at 7:30 AM at the registration table in Salon 3-5 of the Holiday Inn. At 7:45 AM the tour will begin with a brief welcome and overview of the day.

The tour will consist of a few stops where we will be walking a short distance, wear your comfortable walking shoes, and casual attire. The tour will be held rain or shine, so please dress accordingly.

The coach bus will travel through Mower and Freeborn Counties, with stops at the Red Rock Water Storage Structure, Dexter Water Storage Structure, and Maple Island/Hollandale. We will arrive in Albert Lea at 12:00 PM for lunch at the Edgewater Bay Pavilion. The coach bus will then depart at 1:10 PM and will continue traveling through Mower and Freeborn Counties. The bus will stop at the Muilenburg CREP Easement, Geneva Lake and Outlet Structure, and a Soil Health Nitrate Study on the return ride to Austin.

The coach bus will arrive back at the Holiday Inn around 5:15 PM to allow those not joining us for dinner to return to their car. The coach bus will depart the Holiday Inn at 5:45 PM and arrive at the Hormel Historic Home, where dinner will be served at 6:15 PM. The coach bus will be departing the Historic Hormel House at 7:45 PM and will return to the hotel at approximately 8:00 PM.

Thursday, August 29th – BWSR Board Meeting

Breakfast, starting at 7:30 AM, is included for guests staying at the Holiday Inn on Wednesday evening in the Harvest conference room.

The Board of Water and Soil Resources (BWSR) will meet on Thursday, August 26, 2021, beginning at 8:30 AM. The meeting will be held in the Holiday Inn Harvest conference room. **We will have a call-in option available for Board Members who are not able to meet in-person due to health or other COVID-related considerations. If you plan to use the call-in option, please let Rachel Mueller know in advance for preparation purposes. The call-in number is: 888-742-5095 conference code: 352 020 9849.** The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

1. **Performance Review and Assistance Program (PRAP) Assistance Service Grants** – The authorization of the Performance Review and Assistance Program (PRAP), approved in December 2018 through order #18-71, allows the Executive Director to expend up to \$10,000 per grant or contract for specialized assistance to local government water management entities to address operational or service delivery needs identified through a PRAP assessment or specialized assistance request. Order #18-71 limits grant or contracts to \$10,000 with a maximum of \$50,000 per year. Recently, BWSR has seen an increase in multi-entity requests and believe these requests will become more common as more local governments participate in the One Watershed, One Plan program. **DECISION ITEM**

2. **Reallocating Previous Years' Clean Water Funds for One Watershed, One Plan** – On March 24, 2021, the Board approved resolution #21-10, authorizing staff to reallocate an estimated \$1,400,762 in funds from previous years' Clean Water Targeted Watershed Program to the Watershed-based Implementation Funding program. Due to the high level of interest in the FY2022 1W1P Planning Grants and additional analysis and consideration, the Grants Program and Policy Committee recommends adjusting the reallocation of the estimated \$1,400,762 from Watershed Based Implementation Funding program to the One Watershed, One Plan Program. **DECISION ITEM**

3. **One Watershed, One Plan Planning Grants Authorization** – The calendar year 2021 (FY22 grants) One Watershed, One Plan Planning Grants request for proposal (RFP) period opened on March 26, 2021 and closed on June 11, 2021. BWSR received eleven proposals. Staff reviewed the eleven proposals against the RFP selection criteria and received feedback from the Interagency Water Management and Implementation Team on June 30, 2021. BWSR's Senior Management Team reviewed staff recommendations on July 13, 2021 and recommended funding all eleven proposals. Grants Program and Policy Committee reviewed this recommendation on August 11, 2021. A draft board order is attached.

Funds are from the 2020-2021 biennium, Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(i) for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach as well as previously returned clean water fund grants. **DECISION ITEM**

4. **FY 22 Buffer Program Implementation Grants** – The Clean Water Council recommended, and the Legislature approved the biennial appropriation to fund SWCDs implementation of the State Riparian Protection Law. The appropriation for FY 22 is a reduction from previous years. In addition, due to the COVID 19 Pandemic \$350,000 was held back from the FY 21 Buffer Program Implementation funding as a budgetary precaution. This funding has been released and is being included in the funding distribution for FY22. As a result of these actions, the allocations have changed from previous years. **DECISION ITEM**

5. **FY 22 Buffer Program Supplemental Grants** – In the Spring of 2021 a survey was sent to all SWCDs asking them if they "needed" additional Buffer Program Implementation funding based on their local needs. More than 60 SWCDs responded to the survey and of those who responded 17 SWCDs identified a specific need for supplemental funding that totaled \$350,000. This proposed action utilizes available Buffer Program implementation funds from the previous two biennia as well as a small portion of BWSR's Riparian Aid funds to provide all of the SWCDs with the supplemental funding they requested. This funding will go out in separate grant agreements and have a grant expiration date of June 30, 2023. **DECISION ITEM**

6. **FY 22 Buffer Cost Share Redistribution Grants** – BWSR has unspent and returned Buffer Cost Share funds totaling approximately \$650,000 with the potential of more funds being returned over the next several months. Staff are proposing to develop an open solicitation for SWCDs to request funds based on

demonstrable need for projects that will support landowner compliance with the requirements of the Buffer Law. The proposal is for a monthly “batching” of SWCD requests that would fund those requests that have “shovel ready” projects on a first come first served basis.

We have looked at distributing available funds based on a survey-like response similar to the 2022 Supplemental Buffer Program funding, however with a short window to utilize these funds we don’t want to allocate funds without projects in hand which may result in more unspent funds being returned without adequate time to utilize them prior to their expiration. **DECISION ITEM**

Central Region Committee

1. **Sauk River Comprehensive Watershed Management Plan Approval** – The Board of Water and Soil Resources (BWSR), at their June 28, 2017 meeting, selected the Sauk River Watershed Implementation Partnership (Partnership) for a planning grant as part of the One Watershed, One Plan Program. Their Policy, Advisory, and Steering Committees met to discuss priority issues, goals, and implementation actions to protect and restore natural resources that were incorporated into the multi-jurisdictional watershed plan. The Partnership finalized the Sauk River Comprehensive Watershed Management Plan (Plan) and submitted it to BWSR on April 29, 2021 for review and approval. The Central Region Committee met on August 4, 2021 to review the content of the Plan and recommends approval of the submitted Plan by the full Board.

DECISION ITEM

2. **Comfort Lake-Forest Lake Watershed District Watershed Management Plan** – The Comfort Lake-Forest Lake Watershed District (CLFLWD) draft 2022-2031 Watershed Management Plan provides for the protection and improvement of water resources in the 49 square mile watershed in the northeastern Twin Cities Metropolitan Area through a core framework of adaptive management, diagnostic monitoring, and cost-benefit analysis. The draft Plan identifies goals and strategies for six priority resource issue areas: floodplain, lakes, rivers/streams, wetlands, upland resources, and groundwater; with additional focus on specific priority resources (9 lakes, 4 streams/rivers) and 10 other priority areas within the watershed. Lake water quality, stream water quality and floodplain management were identified as the CLFLWD’s highest priority, with a top priority to achieve in-lake water quality goals within the first five years of the Plan.

DECISION ITEM

Administrative Advisory Committee

1. **Revision of the Delegation of Routine Administrative Water Management Decision Policy** – The first version of the Delegation of Routine Administrative Water Management Decision Policy (Policy) was adopted on December 18, 2019. In August 2021, additional decision items to include in the Policy were identified. Staff have proposed additions to the policy and drafted a revised policy for the Board to consider.

DECISION ITEM

NEW BUSINESS

1. **Vice Chair Election** – Election for an interim Vice Chair until the January 2022 election. **DECISION 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 August 25 and 26.

2021 BWSR BOARD TOUR

Time	Location & Activity
7:00am	Breakfast for guests of Holiday Inn Austin Conference Center conference room Salon 3-5 1701 4 th St. NW, Austin, MN 55912
7:30am	Check-in at registration table in conference room Salon 3-5
7:45am	Welcome & Introductions: Gerald Van Amburg and John Jaschke, BWSR; Nancy Schnable, Director of Discover Austin Visitors Bureau; Sue Olson, Cedar River Watershed District; Shaina Keseley BWSR
8:15am	Load bus from hotel and depart to Red Rock Twp. Sec. 14, Mower County

[CLICK FOR DRAFT TOUR ROUTE](#)

Time	Tour Location & Activity	Bus 1 Host: Justin Hanson, Mower SWCD & Cedar River WD	Bus 2 Host: Courtney Phillips, Shell Rock River WD
8:25 AM	Sec. 14, Red Rock Twp. Water Storage Structure (1.5 miles east of Hwy. 56 on 250 th Street, north side of road)	Cody Fox, Mower SWCD & Cedar River WD	
9:10 AM	Travel (Mower County) - Mower County Introductions - CRWD Biological Monitoring Program	Justin Hanson, CRWD	James Fett, CRWD
9:15 AM	Sec. 30, Dexter Twp. Water Storage Structure (3.25 mi. east of Hwy. 56 on 240 th St., south side of road)	Cody Fox, Mower SWCD and Cedar River WD	
10:35 AM	Travel (Freeborn County) - Freeborn County Introductions - Hickory Lake Outlet Rehabilitation Project (Intersection of CR 36 and CR 34, Sec. 10, Moscow Twp., Freeborn Co)	Lindsey Zeitler, Freeborn SWCD	Brenda Lageson, Freeborn SWCD
10:50 AM	Maple Island/Hollandale (Van Erkel Rinse Plant, north side of Hwy 251 in Maple Island)	Pete Van Erkel, Turtle Creek WD Board Manager	
12:00 – 1:00 PM	Lunch at the Edgewater Bay Pavilion (approx. ½ mile east of CR 101 on Edgewater Dr., Albert Lea)		
12:30 PM	Fountain Lake Monitoring	Courtney Phillips, Shell Rock River WD	
1:20 – 1:55 PM	Travel (Freeborn County) - Owens Wetland Restoration (CR 17 just east of Hwy. 13 south and west of Albert Lea, south side of road) - Wasmoen Wetland Restoration (½ to ¾ mile east of Hwy 13 on CR 17, north side of road)	Shaina Keseley, BWSR	Courtney Phillips, SRRWD
	- Behr/Nelson RIM Easement (1 ¾ mi. south of Conger, MN on CR 12, east side of road) - Nelson CREP Easement (CR 12 ½ mile east of Behr/Nelson site, south side of road)	Lindsey Zeitler, Freeborn SWCD	Chad Billat, Freeborn SWCD
2:30 PM	Muilenburg CREP Easement (approx. 1 mi. east of Clarks Grove, MN on Hwy 251, then north ½ mi. on private road)	Chad Billat, Freeborn SWCD	

3:20 PM	Geneva Lake and Outlet Structure (approx. 1 mi. north of Hwy 251 on 800 th Ave, east side of Geneva Lake)	Jeanine Vorland, DNR Area Wildlife Mgr.
4:25 PM	Answer Acres Soil Health Nitrate Study (3/4 mi. east of Hwy 218 on CR 2, south side of road)	Jeff Irvin, Northern Country Co-op
5:15 PM	Return to Holiday Inn	

Time	Location & Activity
5:45pm	Load bus and depart to Hormel Historic Home 208 4 th Ave NW, Austin, MN 55912
6:15pm	Dinner served at Hormel Historic Home
7:45pm	Load bus and depart to Holiday Inn

**BOARD OF WATER AND SOIL RESOURCES
1701 4TH ST. NW
AUSTIN, MN 55912
THURSDAY, AUGUST 26, 2021**

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF JUNE 23, 2021 BOARD MEETING

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

CONFLICT OF INTEREST DECLARATION

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

AGENCY REPORTS

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

ADVISORY COMMENTS

- Association of Minnesota Counties – Brian Martinson
- Minnesota Association of Conservation District Employees – Nicole Bernd
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck

- Minnesota Association of Townships – Eunice Biel
- Minnesota Association of Watershed Districts – Emily Javens
- Natural Resources Conservation Service – Troy Daniell

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

1. Performance Review and Assistance Program (PRAP) Assistance Service Grants – Jenny Gieseke and Brett Arne – ***DECISION ITEM***
2. Reallocating Previous Years' Clean Water Funds for One Watershed, One Plan – Kevin Bigalke – ***DECISION ITEM***
3. One Watershed, One Plan Planning Grants Authorization – Julie Westerlund – ***DECISION ITEM***
4. FY 22 Buffer Program Implementation Grants – Tom Gile – ***DECISION ITEM***
5. FY 22 Buffer Program Supplemental Grants– Tom Gile – ***DECISION ITEM***
6. FY 22 Buffer Cost Share Redistribution Grants– Tom Gile – ***DECISION ITEM***

Central Region Committee

1. Sauk River Comprehensive Watershed Management Plan Approval – Jill Crafton and Jason Weinerman – ***DECISION ITEM***
2. Comfort Lake-Forest Lake Watershed District Watershed Management Plan – Melissa King – ***DECISION ITEM***

Administrative Advisory Committee

1. Revision of the Delegation of Routine Administrative Water Management Decision Policy – Kevin Bigalke – ***DECISION ITEM***

NEW BUSINESS

1. Vice Chair Election – John Jaschke – ***DECISION ITEM***

UPCOMING MEETINGS

- Northern Region Committee meeting is scheduled for September 1, 2021, at 11:00 a.m. at 616 Third Avenue, Two Harbors and by WebEx
- RIM Committee meeting is scheduled for September 8, 2021, at 9:00 a.m. at 520 Lafayette Road North, St. Paul and by MS Teams.
- BWSR Board meeting is scheduled for September 22, 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
CONFERENCE ROOM 100
ST. PAUL, MN 55155
WEDNESDAY, JUNE 23, 2021**

BOARD MEMBERS PRESENT:

Joe Collins, Jill Crafton, Andrea Date, Jayne Hager Dee, Kathryn Kelly, Neil Peterson, Tom Schulz, Rich Sve, Gerald Van Amburg, Ted Winter, LeRoy Ose, Kelly Kirkpatrick, Eunice Biel, Katrina Kessler, MPCA; Joel Larson, University of Minnesota Extension; Thom Peterson, MDA; Steve Robertson, MDH; Jason Garms, DNR

BOARD MEMBERS ABSENT:

STAFF PRESENT:

John Jaschke, Angie Becker Kudelka, Rachel Mueller, Kevin Bigalke, Tom Gile, Travis Germundson, Matt Fischer, Julie Westerlund, Shaina Keseley, Annie Felix-Gerth, Teresa Pickar, John Voz, Dave Weirens, Cecelia Rost, David Copeland, Suzanne Rhees, Ed Lenz, Mark Hiles

OTHERS PRESENT:

Emily Javens, MAWD; Jamie Osowski, Stephanie Hatzenbihler, Jeremy Benson, Paul Gardner, Jamie Beyer

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

PLEDGE OF ALLEGIANCE

21-12 **ADOPTION OF AGENDA** - Moved by Rich Sve, seconded by Neil Peterson, to adopt the agenda as presented. ***Motion passed on a voice vote.***

21-13 **MINUTES OF MARCH 24, 2021 BOARD MEETING** – Moved by Tom Schulz, seconded by Kathryn Kelly, to approve the minutes of March 24, 2021, as circulated. ***Motion passed on a voice vote.***

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

WELCOME/INTRODUCTION OF NEW BOARD MEMBERS

Chair Van Amburg welcomed new board members Eunice Biel, Township representative from Harmony, LeRoy Ose, Watershed District representative from Thief River, and Kelly Kirkpatrick Non-Metro City representative from Rochester.

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 Van Amburg reported at the April 21 EQB meeting they received the 2020 Quadrennial Energy Report that tells where Minnesota energy comes from and where its used. EQB also received a report from the Pollinator Protection Team. The team is currently reviewing public responses from a questionnaire on the 2020 Pollinator Report and will be putting together a report. EQB also received the 2020 Environmental Review Performance Report. The May 19 EQB meeting was held jointly with the Climate Change Subcabinet with a group of Emerging Environmental Leaders. Heard from a panel of young adults on how their lives are affected by climate change and their perspective on Minnesota changing climate.

Audit and Oversight Committee – Joe Collins reported they met on June 9 to discuss BWSR’s Annual Self-Assessment of Internal Controls. Internal controls are required by the State and the Committee recommended the Chair sign and submit the internal control document.

Executive Director’s Report – Angie Becker Kudelka reported the legislative session ended in mid-May without an agreement on the two year budget. State of Minnesota needs to pass a budget by June 30 or we’ll go into shutdown. The Environment bill passed off the senate floor and is now going to the house floor. The Legacy bill has passed and is on its way to the Governor for signature.

This year’s board tour will be in Mower and Freeborn county. The tour will be August 25 followed by the Board meeting on August 26.

Angie reviewed the day of packet that included Snapshots, an org chart, phone list, and an expense form.

Dispute Resolution and Compliance Report – Travis Germundson reported there are currently three appeals pending. All the appeals involve the Wetland Conservation Act (WCA).

File 20-10 will be restoring the site this fall with the recommendation of DNR. File 19-7 and 18-3 involved the same individual and same alterations and impacts to wetlands. They have reached an informal agreement to move this through a formal settlement agreement.

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 93 parcels from the 12 counties BWSR is responsible for enforcement. 26 Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 66 of those have been resolved.

Statewide 30 counties are fully compliant, and 51 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 962 CANs and 91 APOs actively in place. Of the actions being tracked over 1,563 of those have been resolved.

Travis reviewed the Statewide Buffer Enforcement and Buffer Compliance All Watercourses maps.

Kelly Kirkpatrick asked where to find the data to change the city wetland policy. Travis stated cities and counties have not adopted their own wetland conservation plan, rule, or ordinance. They rely on statute and rule provisions under the Wetland Conservation Act. Travis stated they could arrange a time to talk further on the details.

Grants Program & Policy Committee – Tom Schulz reported they met on May 24 for a discussion on several items. Met June 15 and have four items on the agenda today. Still waiting for Governor's signature on the budget so will be passing provisional items today.

RIM Reserve Committee – Jayne Hager Dee reported the committee has not met.

Water Management & Strategic Planning Committee – Andrea Date reported the committee has not met but will be having a joint meeting with the Grants Program and Policy Committee on June 30.

Wetland Conservation Committee – Jill Crafton reported the committee has not met.

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

Drainage Work Group (DWG) – Neil Peterson and Tom Gile reported the committee has not met. Next meeting is scheduled July 8 and anticipate talking about a couple different drainage bills that were introduced during the previous legislative session and to prioritize the work effort for the coming year.

AGENCY REPORTS

Minnesota Department of Agriculture – Thom Petersen reported their bill is on the way to the Governor and includes an increase for the Ag BMP loan program. Stated they are concerned about drought and are watching the Drought Monitor and the impacts it's having on our lands. Dept of Ag will start holding a stakeholder meeting on Friday to gather input. Hosting pollinator event tomorrow with Lieutenant Governor, Angie Becker Kudelka, and the Soil and Water Districts to highlight Ag and private landowners' contributions to pollinators.

Chair Van Amburg asked if Market Bucks passed. Commissioner Petersen stated the Market Bucks program is an add on to Snap Dollars at the farmers market and didn't pass in Ag bill but will be in the State Government bill.

Minnesota Department of Health – Steve Robertson reported they are involved in shut down planning in conjunction with ongoing pandemic responses. July 8 is the Health Risk Limits Prioritization meetings. The Environmental Surveillance and Assessment Unit is receiving stakeholder feedback around the nominations of various chemicals for the health based guidance development.

Phase 1 sampling of the PFAS monitoring work and public water systems statewide has started and is starting to see results. Results will be posted when available.

Ground Water Restoration and Protection Strategies awarded six grants to local governmental units to help advance groundwater protection.

Minnesota Department of Natural Resources – Jason Garms reported Commissioner Strommen is at the House and Environmental Committee. The DNR is continuing to prepare for a shutdown.

Minnesota Extension – Joel Larson reported half the state is in moderate drought conditions. Joel stated they will be continuing their monthly webinar in conjunction with Minnesota Climate Adaptation Partnership. July 20 there is a webinar in partnership with Twin Port Climate Conversations Group out of Duluth and Superior on what their local climate efforts have entailed.

Minnesota Pollution Control Agency – Katrina Kessler reported they are also preparing for a shutdown. Senate passed the Environmental and Natural Resource bill. House has passed the bill out of Ways and Means and is expecting the floor vote on Friday. There is new funding for the General, Environmental, and Remediation fund. Optimistic they will receive some funding for PFAS. LCCMR dollars that have been stalled are looking to get moving and they are excited about a \$1.4M biosolids study.

Jill Crafton stated she spoke with someone working with wastewater treatment solids being put on land, within three months all the pathogens were killed. Jill asked if they will be looking at samples in those? Katrina stated the biosolids study funded by LCCMR will be looking at actual fields where wastewater treatment solids are applied and looking at the soil metrics as well as any groundwater and crops. They will be looking at the presence of PFAS and the uptake of PFAS.

ADVISORY COMMENTS

Association of Minnesota Counties – No report was provided.

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

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

Minnesota Association of Townships – Eunice Biel reported there was a resolutions meeting in Austin about townships vs wild parsnip. Stated people don't like to spray the ditches but if you wait for the restriction to mowing the ditch is gone, the parsnip have already gone to seed. They are urging different organizations to come up with a better plan that would fit most of Minnesota. Stated there was also a resolution passed in Area 1 about climate change and working together with landowners to come up with solutions.

Minnesota Association of Watershed Districts – Emily Javens reported she has seen some positive steps with BWSR and the Watershed Districts. Grants committee meets next week and has a listening session added.

Emily stated the metro administrators put together a view of what their position is on the Metro Watershed Based Implementation Funding Policy that's being discussed. Took what would be the components of a grant program and submitted it to BWSR.

Natural Resources Conservation Service – No report was provided.

Gerald Van Amburg recessed the meeting at 10:27 a.m.. and called the meeting back to order at 10:38 a.m.

COMMITTEE RECOMMENDATIONS

Northern Region Committee

Two Rivers Plus Comprehensive Watershed Management Plan – Neil Peterson presented Two Rivers Plus Comprehensive Watershed Management Plan.

The Two Rivers Plus Comprehensive Watershed Management Plan (Plan) planning area is in the extreme northwest corner of Minnesota, encompassing portions of Roseau, Kittson, and Marshall counties, and the Two Rivers and Joe River watershed districts. The Plan was developed as part of the One Watershed, One Plan program. Jeremy Benson (Kittson SWCD), Dan Money (Two Rivers WD), Janine Lovold (Roseau SWCD), and Lane Nordin (Kittson County) are the local lead staff responsible for development of the Plan.

On May 14, 2021, 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.

The Two Rivers Plus planning area was approved for a One Watershed, One Plan planning grant in August of 2018 and established a Memorandum of Agreement between the planning partners for the purposes of writing a Comprehensive Watershed Management Plan in June of 2018. The Partners include Kittson County, Kittson SWCD, Roseau County, Roseau SWCD, and Two Rivers Watershed District.

The planning effort began with kickoff meetings on July 17 & 18, 2019. A first draft of the plan was submitted for 60-day review to stakeholders on February 12, 2021.

Highlights of the Plan are included in the draft Order for Board consideration.

On May 14, 2021 the Board received the Plan, a record of the public hearing, and copies of all written comments from the 60-day review period. During final state agency review, DNR and MDH replied that they had no additional comments and supported approval of the plan. MPCA provided comments that they appreciated the changes that were made to the plan based on recommendations they provided

during the 60-day review and they supported approval of the plan. MDA and EQB confirmed receipt of the plan but did not provide comments.

At the Northern Regional Committee on June 2, 2021 the Two Rivers Plus Planning Group presented a final plan that addressed all comments from stakeholders and the state review agencies. Board staff recommended Plan approval to the Committee. After discussion, the Committee's decision was to recommend approval of the Plan to the full Board.

If approved by the Board, this plan will be in effect for a ten-year period until June 23, 2031.

Rich Sve stated since the Northern Region Committee met on June 2 to discuss and provide a recommendation to the full Board on the Two Rivers Plus Comprehensive Watershed Management Plan, there have been updates provided to us from the planning partnership.

On June 4 the Two Rivers Watershed District informed the planning partnership they are withdrawing from the partnership.

On June 17 the Two Rivers Plus Policy Committee met and discussed the withdrawal of the Two Rivers Watershed District from the partnership. The Policy Committee assessed the situation and concluded they can implement the submitted plan and intend to enter into an implementation agreement between with the remaining participants to begin implementation activities.

As indicated in the Board Order the Plan submitted by the Two Rivers Plus Partnership and reviewed by BWSR and state review agencies:

- Satisfies all requirements of law.
- The BWSR Board has proper jurisdiction in the matter of approving the Plan.
- The Plan is in conformance with the requirements of MN Statutes and Board Policy.
- BWSR staff and State review agencies recommended approval of the Plan.
- After approval of the Plan by BWSR it can voluntarily be adopted by the members of the partnership and serve as their comprehensive plan.

Please note eligibility for the Watershed-based Implementation Funding, the non-competitive funds distributed to partnerships implementing Comprehensive Watershed Management Plans developed through the One Watershed, One Plan Program, requires local adoption of a Comprehensive Watershed Management Plan, which is a voluntary local decision. The Two Rivers Plus planning area was eligible to receive approximately \$1 million for implementation for the FY20-21 biennium.

Ryan Hughes, BWSR Northern Region Manager, Matt Fischer, BWSR Board Conservationist, and Jeremy Benson, Kittson SWCD Technician and lead staff coordinating the development of the Two Rivers Plus Plan are in attendance to answer any questions.

Joe Collins asked what is the impact of the work to be done by Two Rivers in their own plan? What work would or would not be done that would relate to the Two Rivers and the 1W1P, is that work going to be done? Previously Two Rivers agreed they would participate in the method with the 1W1P, which would mean that they would not be doing their 10 year plan. Would they now have to do their 10 year plan?

Ryan Hughes stated the plan is set to expire December 2022. If they do not adopt this comprehensive watershed plan they would need to do an update to their watershed district plan to have current plan and be eligible for BWSR funds. This plan satisfies all state requirements and BWSR policy.

**
21-14 Moved by Neil Peterson, seconded by Jill Crafton, to approve the Two Rivers Plus Comprehensive Watershed Management Plan. ***Motion passed on a voice vote.***

Grants Program and Policy Committee

FY 2022 Clean Water Fund Competitive Grant Policy and the FY2022 Clean Water Fund Competitive Grants Program authorization – Shaina Keseley presented FY 2022 Clean Water Fund Competitive Grant Policy and the FY2022 Clean Water Fund Competitive Grants Program authorization

The Clean Water Fund Competitive Grant Policy is reviewed and approved annually. For FY2022, the policy will apply to Projects and Practices and Multi-purpose Drainage Management funding.

The changes in this policy from the previous year include:

- Modification of eligible applicants to clarify municipalities that have adopted a comprehensive watershed management plan developed under the 1W1P program are eligible
- Clarification on project support
- Change to clarify maximum cost for feedlot roof structures and relocations
- Addition made to ineligible activities (out-letting land locked basins; development & delivery of education/curriculum that does not lead to implementation of WQ practices; activities required under the Groundwater Protection Rule)
- Adding clause related to failure to maintain practices

In addition to approving the policy, the board order also authorizes the fiscal year 2022 Clean Water Fund Competitive Grants Program and authorizes staff to finalize and issue a Request for Proposals. The Grants Program and Policy Committee reviewed these recommendations on June 15, 2021 and recommends the attached policy and order to the board.

Jill Crafton stated she would like to have the statement “a public conservation program” removed from the policy.

Kathryn Kelly suggested adding a statement at the end clarifying what it can and cannot be used for.

Joe Collins suggested adding a statement in the Ineligible Activities section.

Andrea Date stated she needs to leave the meeting but would be fine with striking the statement or any of the other modifications.

Kevin Bigalke stated we could strike the phrase or add the rule within the Ineligible Activities for clarity.

Shaina stated there are small editorial updates that will be made.

Tom Schulz agreed with adding a statement to the Ineligible Activities list and to number it as 4.1 and eliminate the statement “a public conservation program” on the first page.

Angie Becker Kudelka clarified that we will be removing the statement “a public conservation program” and adding a reference to the WCA rule and WCA activities that are ineligible to the Ineligible Activities list in the policy.

Shaina asked if the addition to the Ineligible Activities list could be numbered further down the list with the other rules listed. Board Members agreed that was fine.

Jill Crafton has concerns under Local Governmental Unit Eligibility Criteria section in the policy. Is there something in the process to guarantee their water plan has been approved?

Shaina stated they confirm the plans are adopted and approved.

**
21-15 Moved by Tom Schulz, seconded by Jill Crafton, to approve the amended FY 2022 Clean Water Fund Competitive Grant Policy. **Motion passed on a voice vote.**

**
21-16 Moved by Neil Peterson, seconded by Kathryn Kelly, to approve the FY2022 Clean Water Fund Competitive Grants Program authorization. **Motion passed on a voice vote.**

Fiscal Year 2022 and 2023 Natural Resources Block Grants Authorization– Kevin Bigalke and Marcey Westrick presented Fiscal Year 2022 and 2023 Natural Resources Block Grants Authorization

The purpose of this agenda item is to allocate Natural Resources Block Grants. The recommended grants are consistent with the previous year. The Grants Program & Policy Committee (GP&P) reviewed the recommendations at their June 15 meeting and recommended approval of the order to the board.

Jill Crafton asked about Hennepin and Ramsey county not having a ground water plan and not qualifying, shoreland shows \$0. Kevin stated the counties have to agree to implement the shoreland rules and ordinances. They don't do this so they don't receive funds.

**
21-17 Moved by Tom Schulz, seconded by Jill Crafton, to approve the Fiscal Year 2022 and 2023 Natural Resources Block Grants Authorization. **Motion passed on a voice vote.**

Fiscal Year 2022 and 2023 Soil and Water Conservation District Grants Authorization – Kevin Bigalke and Marcey Westrick presented Fiscal Year 2022 and 2023 Soil and Water Conservation District Grants Authorization

The purpose of this agenda item is to allocate FY 2022 and 2023 SWCD Programs and Operations Grants. The recommended grants are consistent with the previous year. The Grants Program & Policy Committee reviewed the recommendations at their June 15, 2021 meeting and recommended approval of the order to the board.

**
21-18 Moved by Jill Crafton, seconded by Tom Schulz, to approve the Fiscal Year 2022 and 2023 Soil and Water Conservation District Grants Authorization. **Motion passed on a voice vote.**

Fiscal Year 2022 and 2023 Technical Service Area Grants Authorization – Kevin Bigalke and Marcey Westrick presented Fiscal Year 2022 and 2023 Technical Service Area Grants Authorization

The purpose of this agenda item is to allocate Technical Service Area (TSA) Grants. The recommended grants are consistent with allocations to each TSA except for the equipment funds which are rotated on

an established schedule. The Grants Program & Policy Committee reviewed the recommendations at their June 15, 2021 meeting and recommended approval of the order to the board.

**
21-19 Moved by Jayne Hager Dee, seconded by Kathryn Kelly, to approve the Fiscal Year 2022 and 2023 Technical Service Area Grants Authorization. ***Motion passed on a voice vote.***

Chair Van Amburg thanked Tom Schulz for serving two terms on the board and for being the vice chair.

Tom Schulz stated he served as SWCD supervisor for more than four decades and has enjoyed spending his terms on the BWSR Board. Stated he also served on a predecessor's board in the 1970s. He remembered when the first Board Conservationist was hired and a state cost share program was funded. He is an advocate for preservation vs restoration and maintains that trees and forests have a multitude of benefits for the environment. He thanked current and former board staff and board members.

Board members thanked Tom Schulz for his service on the Board.

UPCOMING MEETINGS

- BWSR Board Tour and Meeting, August 25-26, 2021

Chair VanAmburg adjourned the meeting at 11:56 AM.

Respectfully submitted,

Gerald Van Amburg
Chair

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution/Compliance Report

Meeting Date: August 26, 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)

Presented by: Travis Germundson/Rich Sve DRC Chair

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

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

August 9, 2021

By: Travis Germundson

There are presently **three** appeals pending. All the appeals involve the Wetland Conservation Act (WCA). There have been **no** new appeals filed since the last Board Meeting (June 23, 2021).

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 20-10 (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. The timeframe on the abeyance was extended by mutual agreement.*

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. The hearing proceedings have been extended by mutual agreement. The parties are currently reviewing/discussing a settlement agreement.*

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 frame on the stay of the restoration order. The LGU decision was appealed (File19-7).*

Summary Table for Appeals

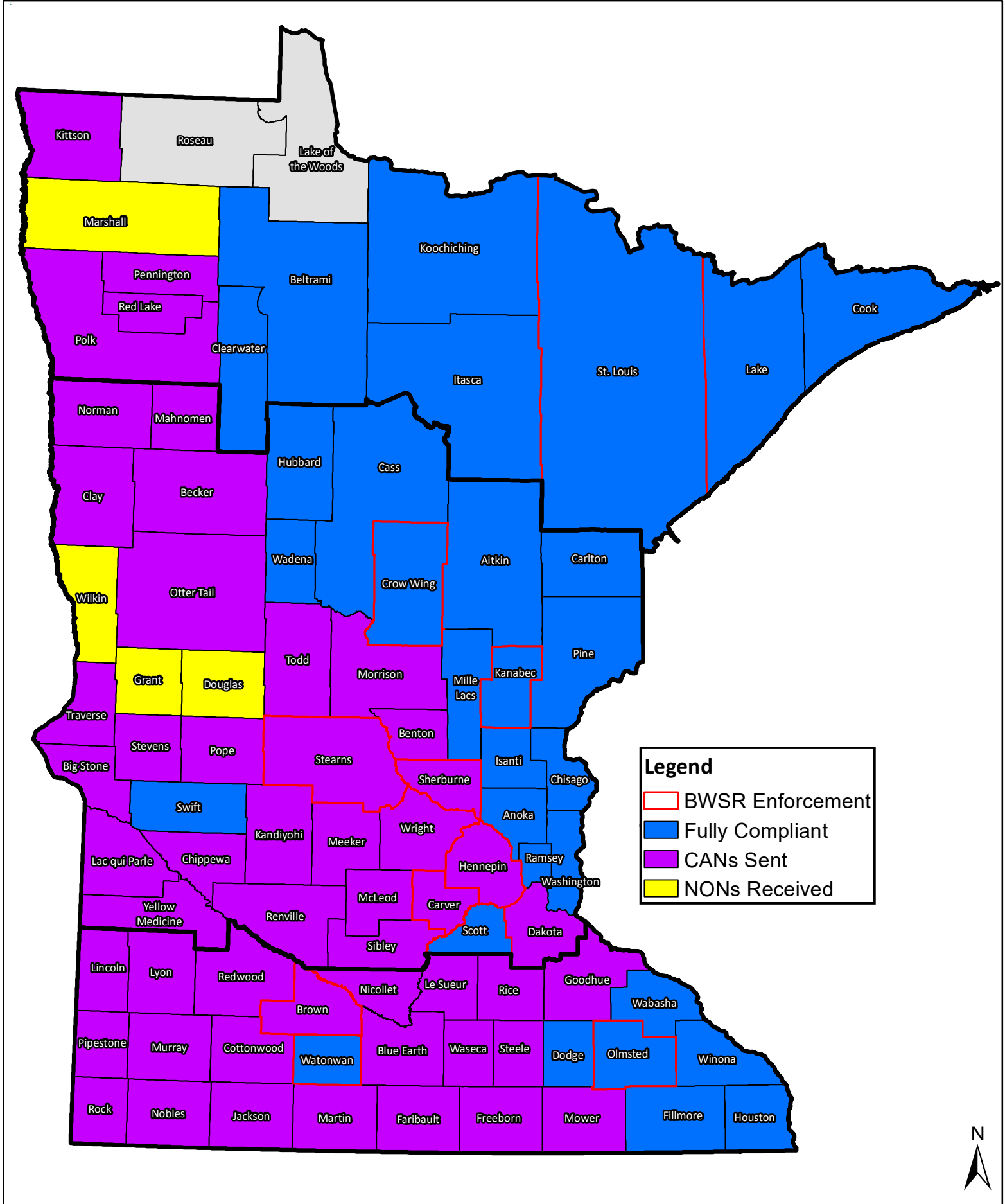
Type of Decision	Total for Calendar Year 2020	Total for Calendar Year 2021
Order in favor of appellant		
Order not in favor of appellant	7	
Order Modified		
Order Remanded	3	
Order Place Appeal in Abeyance	4	
Negotiated Settlement		
Withdrawn/Dismissed	4	

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 93 parcels from the 12 counties BWSR is responsible for enforcement. Currently there are no active Corrective Action Notices (CANs) and 7 Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 86 of those have been resolved.

*Statewide 30 counties are fully compliant, and 51 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 840 CANs and 52 APOs actively in place. Of the actions being tracked over 1,741 of those have been resolved.

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

STATEWIDE BUFFER ENFORCEMENT



COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

1. Performance Review and Assistance Program (PRAP) Assistance Service Grants – Jenny Gieseke and Brett Arne – ***DECISION ITEM***
2. Reallocating Previous Years' Clean Water Funds for One Watershed, One Plan – Kevin Bigalke – ***DECISION ITEM***
3. One Watershed, One Plan Planning Grants Authorization – Julie Westerlund – ***DECISION ITEM***
4. FY 22 Buffer Program Implementation Grants – Tom Gile – ***DECISION ITEM***
5. FY 22 Buffer Program Supplemental Grants – Tom Gile – ***DECISION ITEM***
6. FY 22 Buffer Cost Share Redistribution Grants – Tom Gile – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:	<u>Performance Review and Assistance Program (PRAP) Assistance Service Grants</u>		
Meeting Date:	<u>August 26, 2021</u>		
Agenda Category:	<input checked="" type="checkbox"/> Committee Recommendation	<input type="checkbox"/> New Business	<input type="checkbox"/> Old Business
Item Type:	<input checked="" type="checkbox"/> Decision	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Keywords for Electronic Searchability:	<u>PRAP</u>		
Section/Region:	<u>Organizational Effectiveness</u>		
Contact:	<u>Jenny Gieseke/Brett Arne</u>		
Prepared by:	<u>Marcey Westrick</u>		
Reviewed by:	<u>Grants Program and Policy</u>	<u>Committee(s)</u>	
Presented by:	<u>Jenny Gieseke/Brett Arne</u>		
Time requested:	<u>10 minutes</u>		

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input type="checkbox"/> None | <input checked="" 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 board order for Performance Review and Assistance Program Grants.

LINKS TO ADDITIONAL INFORMATION

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

The authorization of the Performance Review and Assistance Program (PRAP), approved in December 2018 through order #18-71, allows the Executive Director to expend up to \$10,000 per grant or contract for specialized assistance to local government water management entities to address operational or service delivery needs identified through a PRAP assessment or specialized assistance request. Order #18-71 limits grant or contracts to \$10,000 with a maximum of \$50,000 per year. Recently, BWSR has seen an increase in multi-entity requests and believe these requests will become more common as more local governments participate in the One Watershed, One Plan program.

BOARD ORDER

Performance Review and Assistance Program (PRAP) Assistance Service Grants

PURPOSE

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

FINDINGS OF FACT / RECITALS

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

ORDER

The Board hereby:

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

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

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Reallocating Previous Years' Clean Water Funds for One Watershed, One Plan

Meeting Date: August 26, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: One Watershed, One Plan; Clean Water Fund

Section/Region: Central Region; Land and Water Section

Contact: Marcey Westrick/Kevin Bigalke

Prepared by: Marcey Westrick

Reviewed by: Grants Program and Policy Committee(s)

Presented by: Kevin Bigalke

Time requested: 5 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 type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input checked="" type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Authorize reallocation of previous years clean water funds to the One Watershed, One Plan Program.

LINKS TO ADDITIONAL INFORMATION

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

On March 24, 2021, the Board approved resolution #21-10, authorizing staff to reallocate an estimated \$1,400,762 in funds from previous years' Clean Water Targeted Watershed Program to the Watershed-based Implementation Funding program. Due to the high level of interest in the FY2022 1W1P Planning Grants and additional analysis and consideration, the Grants Program and Policy Committee recommends adjusting the reallocation of the estimated \$1,400,762 from Watershed Based Implementation Funding program to the One Watershed, One Plan Program.



BOARD ORDER

Reallocating Previous Years' Clean Water Funds for One Watershed, One Plan

PURPOSE

Authorize an adjustment of the use to carry forward returned Clean Water Funds.

FINDINGS OF FACT / RECITALS

1. On March 24, 2021, through Board Order #21-10, staff were authorized to reallocate an estimated \$1,400,762 in funds from previous years' Clean Water Targeted Watershed Program to the Watershed-based Implementation Funding program.
2. The \$1,400,762 remains unallocated as no additional comprehensive watershed management plans were approved to be eligible for these funds.
3. The Minnesota Legislature has appropriately funded the Watershed-based Implementation Funding Program for fiscal year (FY) 2022-2023.
4. The Board on March 24, 2021 authorized staff to distribute and promote a request for proposals (RFP) for planning grants for the One Watershed, One Plan Program (1W1P) and a formal request for proposal was noticed on March 26, 2021 with a submittal deadline of June 11, 2021.
5. Eleven applications totaling \$2,452,416 were submitted by local governments for the FY2022 1W1P Planning Grants.
6. Based on additional analysis and consideration, the Grants Program and Policy Committee recommends adjusting the reallocation of the estimated \$1,400,762 from Watershed Based Implementation Funding program as approved in Board Order #21-10 to the One Watershed, One Plan Program to allow all of the eleven FY22 1W1P Planning grants to be funded.

ORDER

The Board hereby:

Authorizes staff to adjust the reallocation of the \$1,400,762 as described in Board Order #21-10 from the Watershed-based Implementation Funding program to the One Watershed, One Plan program.

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

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: One Watershed, One Plan Planning Grants Authorization

Meeting Date: August 26, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: One Watershed, One Plan; Planning Grants; 2021; 1W1P; FY22

Section/Region: Central Region; Land and Water Section

Contact: Julie Westerlund

Prepared by: Julie Westerlund

Reviewed by: Grants Program and Policy Committee(s)

Presented by: Julie Westerlund

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 type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input checked="" type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Approve eleven planning boundaries for One Watershed, One Plan planning grants.

LINKS TO ADDITIONAL INFORMATION

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

The calendar year 2021 (FY22 grants) One Watershed, One Plan Planning Grants request for proposal (RFP) period opened on March 26, 2021 and closed on June 11, 2021. BWSR received eleven proposals. Staff reviewed the eleven proposals against the RFP selection criteria and received feedback from the Interagency Water Management and Implementation Team on June 30, 2021. BWSR’s Senior Management Team reviewed staff recommendations on July 13, 2021 and recommended funding all eleven proposals. Grants Program and Policy Committee reviewed this recommendation on August 11, 2021. A draft board order is attached.

Funds are from the 2020-2021 biennium, Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(i) for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach as well as previously returned clean water fund grants.

BOARD ORDER

One Watershed, One Plan FY22 Planning Grants

PURPOSE

Authorize the fiscal year 2022 One Watershed, One Plan Planning Grants.

RECITALS /FINDINGS OF FACT

1. The Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(i) appropriated funds for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach as provided for in Minnesota Statutes, chapters 103B, 103C, 103D and 114D.
2. Board Order #21-XX, approved on August 26, 2021, authorized the reallocation of an estimated \$1,400,762 in funds from the Watershed-based Implementation Funding Program to the One Watershed, One Plan program.
3. The Board has authority under Minnesota Statutes §103B.3369 to make grants to cities, townships, counties, soil and water conservation districts or authorities with jurisdiction in water and related land resources management when a proposed project, practice or activity implements a county water plan, watershed management plan, or county groundwater plan.
4. The Comprehensive Watershed Management Planning Program authority, also known as One Watershed, One Plan, is established in Minnesota Statutes §103B.801.
5. The Board on June 22, 2016 adopted a One Watershed, One Plan Transition Plan (Board Resolution #16-53) for development, approval, adoption, and coordination of plans consistent with Minnesota Statutes §103A.212.
6. The Board on March 24, 2021 authorized staff to distribute and promote a request for proposals (RFP) for planning grants for the One Watershed, One Plan Program and a formal request for proposal was noticed on March 26, 2021 with a submittal deadline of June 11, 2021.
7. The BWSR Senior Management Team met on July 13, 2021 and reviewed the applications with consideration of staff and Interagency WRAPS and Implementation Team feedback, consistency with the Transition Plan, and the selection criteria within the RFP and recommended providing planning grant funds to the following eleven planning areas: Chippewa River Watershed, Kettle and Upper St. Croix Watershed, Lower Minnesota River East Watershed, Mississippi River Brainerd Watershed, Mississippi River St. Cloud Watershed, Rainy River Headwaters Watershed, Rainy – Rapid River Watershed, Roseau River Watershed, Sand Hill River Watershed, South Fork of the Crow River Watershed, and Upper Minnesota River Watershed.

8. The Grants Program and Policy Committee met on August 11, 2021 and reviewed the Senior Management Team's recommendations for One Watershed, One Plan Planning Grants and recommended board approval of planning grants for the Chippewa River Watershed, Kettle and Upper St. Croix Watershed, Lower Minnesota River East Watershed, Mississippi River Brainerd Watershed, Mississippi River St. Cloud Watershed, Rainy River Headwaters Watershed, Rainy – Rapid River Watershed, Roseau River Watershed, Sand Hill River Watershed, South Fork of the Crow River Watershed, and Upper Minnesota River Watershed planning boundaries.

ORDER

The Board hereby:

1. Approves and authorizes eleven One Watershed, One Plan Planning Grants: Chippewa River Watershed, Kettle and Upper St. Croix Watershed, Lower Minnesota River East Watershed, Mississippi River Brainerd Watershed, Mississippi River St. Cloud Watershed, Rainy River Headwaters Watershed, Rainy – Rapid River Watershed, Roseau River Watershed, Sand Hill River Watershed, South Fork of the Crow River Watershed, and Upper Minnesota River Watershed planning boundaries.
2. Authorizes staff to approve work plans and enter into grant agreements with these watershed areas for development of One Watershed, One Plans.
3. Approves the allocation of grants funds for the 11 watershed areas not to exceed \$2,500,000 in total.

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

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

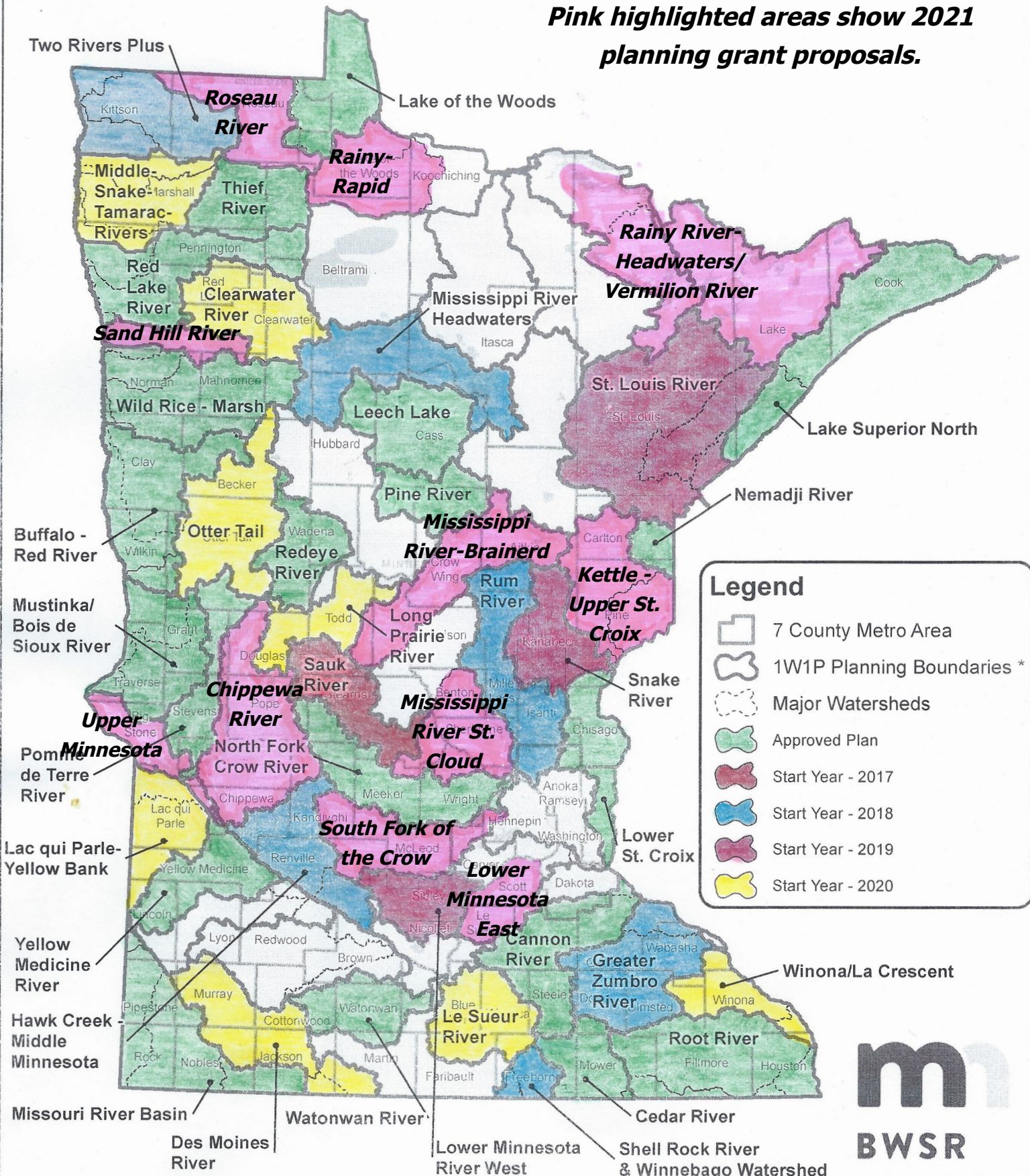
Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

One Watershed, One Plan

Participating Watersheds

Pink highlighted areas show 2021 planning grant proposals.



Legend

- 7 County Metro Area
- 1W1P Planning Boundaries *
- Major Watersheds
- Approved Plan
- Start Year - 2017
- Start Year - 2018
- Start Year - 2019
- Start Year - 2020



February 2021

*Not legal boundaries; intended for planning purposes through One Watershed, One Plan only.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: FY 22 Buffer Program Implementation Grants

Meeting Date: August 26, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: FY 22 Buffer Program Implementation Grants

Section/Region: Resource Conservation

Contact: Tom Gile/Marcey Westrick

Prepared by: Tom Gile

Reviewed by: Grants Programs and Policy Committee(s)

Presented by: Tom Gile

Time requested: 15 Minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

To approve the allocation of funds and authorize staff to enter into grant agreements for distribution to SWCDs.

LINKS TO ADDITIONAL INFORMATION

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

The Clean Water Council recommended, and the Legislature approved the biennial appropriation to fund SWCDs implementation of the State Riparian Protection Law. The appropriation for FY 22 is a reduction from previous years. In addition, due to the COVID 19 Pandemic \$350,000 was held back from the FY 21 Buffer Program Implementation funding as a budgetary precaution. This funding has been released and is being included in the funding distribution for FY22. As a result of these actions, the allocations have changed from previous years.

BOARD ORDER

FY22 Buffer Program Implementation Grants

PURPOSE

To consolidate and distribute Buffer Program Funds to Soil and Water Conservation Districts to implement Buffer Program activities for Fiscal year 2022.

FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) has the responsibility to oversee the provisions of Minnesota Statute 103F.48 (the Buffer Law) and to provide funds to Soil and Water Conservation Districts (SWCDs) to implement the law.
2. The Laws of Minnesota 2021, 1st Special Session, Chapter 1, Article 2, Section 6(e), appropriated fiscal year 2022 Buffer Program Implementation funds.
3. The Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(e), appropriated fiscal year 2020 Buffer Program Implementation funds.
4. \$350,000 of the 2021 Buffer Program Implementation funding was held back as a budgetary precaution from the fiscal year 2021 SWCD Buffer Program Implementation Grants due to the COVID 19 Pandemic. The \$350,000 which was previously held back has been released.
5. The proposed allocations in this order were developed consistent with these appropriations.
6. The Grants Program and Policy Committee, at their August 11, 2021 Meeting, reviewed the proposed allocations and recommended approval to the Board.

ORDER

The Board hereby:

1. Authorizes staff to enter into individual grant agreements with each eligible SWCD, and Hennepin and Ramsey counties that are meeting statute, policy, or grant program requirements for fiscal year 2022, consistent with the attached allocation table and totaling:

Grant FY 2022

Buffer Program Implementation \$1,698,500

2. Establishes that the Buffer Program Implementation grants awarded pursuant to this resolution will conform to the BWSR FY2022 Clean Water Fund Policy except that no match will be required.

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

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

See attached FY22 Buffer Implementation Supplemental Grant Allocations

SWCD	Proposed FY 22		
	FY 20 Allocation	Allocation	% Reduction
COOK	\$3,000	\$2,500	16.7%
LAKE	\$3,000	\$2,500	16.7%
RAMSEY	\$3,000	\$2,500	16.7%
ST. LOUIS N	\$5,000	\$2,500	50.0%
ST. LOUIS S	\$5,000	\$2,500	50.0%
CARLTON	\$5,000	\$2,500	50.0%
ITASCA	\$5,000	\$2,500	50.0%
KOOCHICHING	\$5,000	\$2,500	50.0%
AITKIN	\$10,000	\$8,500	15.0%
CASS	\$10,000	\$8,500	15.0%
CROW WING	\$10,000	\$8,500	15.0%
ISANTI	\$10,000	\$8,500	15.0%
MILLE LACS	\$10,000	\$8,500	15.0%
WADENA	\$10,000	\$8,500	15.0%
HUBBARD	\$10,000	\$8,500	15.0%
KANABEC	\$10,000	\$8,500	15.0%
PINE	\$10,000	\$8,500	15.0%
ANOKA	\$10,000	\$8,500	15.0%
SCOTT	\$10,000	\$8,500	15.0%
SHERBURNE	\$10,000	\$8,500	15.0%
HENNEPIN COUNT	\$10,000	\$8,500	15.0%
WASHINGTON	\$10,000	\$8,500	15.0%
CHISAGO	\$10,000	\$8,500	15.0%
LAKE OF THE WOODS	\$10,000	\$8,500	15.0%
CLEARWATER	\$20,000	\$17,000	15.0%
ROOT RIVER	\$20,000	\$17,000	15.0%
WABASHA	\$20,000	\$17,000	15.0%
WINONA	\$20,000	\$17,000	15.0%
DAKOTA	\$20,000	\$17,000	15.0%
BENTON	\$20,000	\$17,000	15.0%
TODD	\$20,000	\$17,000	15.0%
MAHNOMEN	\$20,000	\$17,000	15.0%
RICE	\$20,000	\$17,000	15.0%
CARVER	\$20,000	\$17,000	15.0%
NICOLLET	\$20,000	\$17,000	15.0%
BELTRAMI	\$20,000	\$17,000	15.0%
RED LAKE	\$20,000	\$17,000	15.0%
WRIGHT	\$20,000	\$17,000	15.0%
WASECA	\$20,000	\$17,000	15.0%
MC LEOD	\$20,000	\$17,000	15.0%
DOUGLAS	\$20,000	\$17,000	15.0%

DODGE	\$25,000	\$21,500	14.0%
OLMSTED	\$25,000	\$21,500	14.0%
MORRISON	\$25,000	\$21,500	14.0%
GOODHUE	\$25,000	\$21,500	14.0%
STEELE	\$25,000	\$21,500	14.0%
POPE	\$25,000	\$21,500	14.0%
LINCOLN	\$25,000	\$21,500	14.0%
MEEKER	\$25,000	\$21,500	14.0%
PIPESTONE	\$25,000	\$21,500	14.0%
ROCK	\$25,000	\$21,500	14.0%
SIBLEY	\$25,000	\$21,500	14.0%
OTTER TAIL E	\$25,000	\$21,500	14.0%
OTTER TAIL W	\$25,000	\$21,500	14.0%
BECKER	\$25,000	\$21,500	14.0%
LE SUEUR	\$25,000	\$21,500	14.0%
BIG STONE	\$25,000	\$21,500	14.0%
WATONWAN	\$25,000	\$21,500	14.0%
GRANT	\$25,000	\$21,500	14.0%
PENNINGTON	\$25,000	\$21,500	14.0%
POLK E	\$25,000	\$21,500	14.0%
FILLMORE	\$30,000	\$25,500	15.0%
SWIFT	\$30,000	\$25,500	15.0%
FARIBAULT	\$30,000	\$25,500	15.0%
JACKSON	\$30,000	\$25,500	15.0%
MOWER	\$30,000	\$25,500	15.0%
MURRAY	\$30,000	\$25,500	15.0%
BROWN	\$30,000	\$25,500	15.0%
LAC QUI PARLE	\$30,000	\$25,500	15.0%
FREEBORN	\$30,000	\$25,500	15.0%
CHIPPEWA	\$30,000	\$25,500	15.0%
COTTONWOOD	\$30,000	\$25,500	15.0%
BLUE EARTH	\$30,000	\$25,500	15.0%
STEVENS	\$30,000	\$25,500	15.0%
TRAVERSE	\$30,000	\$25,500	15.0%
LYON	\$30,000	\$25,500	15.0%
KANDIYOHI	\$30,000	\$25,500	15.0%
MARTIN	\$35,000	\$30,000	14.3%
STEARNS	\$35,000	\$30,000	14.3%
NOBLES	\$35,000	\$30,000	14.3%
ROSEAU	\$35,000	\$30,000	14.3%
KITTSOON	\$35,000	\$30,000	14.3%
WILKIN	\$35,000	\$30,000	14.3%
YELLOW MEDICINE	\$35,000	\$30,000	14.3%
CLAY	\$35,000	\$30,000	14.3%

NORMAN	\$35,000	\$30,000	14.3%
REDWOOD	\$35,000	\$30,000	14.3%
RENVILLE	\$45,000	\$38,500	14.4%
POLK W 45	\$45,000	\$38,500	14.4%
MARSHALL	\$45,000	\$38,500	14.4%
	\$1,999,000	\$1,698,500	
BWSR Funds	\$501,000	\$412,500	17.7%

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: FY 22 Buffer Program Supplemental Grants

Meeting Date: August 26, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: FY 22 Buffer Program Supplemental Implementation Grants

Section/Region: Resource Conservation

Contact: Tom Gile/Marcey Westrick

Prepared by: Tom Gile

Reviewed by: Grants Programs and Policy Committee(s)

Presented by: Tom Gile

Time requested: 15 Minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

To approve the allocation of available funds and authorize staff to enter into grant agreements with SWCDs.

LINKS TO ADDITIONAL INFORMATION

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

In the Spring of 2021, a survey was sent to all SWCDs asking them if they “needed” additional Buffer Program Implementation funding based on their local needs. More than 60 SWCDs responded to the survey and of those who responded 17 SWCDs identified a specific need for supplemental funding that totaled \$350,000. This proposed action utilizes available Buffer Program implementation funds from the previous two biennia as well as a small portion of BWSR’s Riparian Aid funds to provide all of the SWCDs with the supplemental funding they requested. This funding will go out in separate grant agreements and have a grant expiration date of June 30, 2023.



BOARD ORDER

FY22 Buffer Program Implementation Supplemental Grants

PURPOSE

To consolidate and distribute unallocated Buffer Program Funds to Soil and Water Conservation Districts based on an assessment of needs provided to all SWCDs.

FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) has the responsibility to oversee the provisions of Minnesota Statute 103F.48 (the Buffer Law) and to provide funds to Soil and Water Conservation Districts (SWCDs) to implement the law.
2. Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sec. 7(e) appropriated fiscal years 2018 & 19 Buffer Program Implementation Grants.
Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Sec. 7(e) appropriated fiscal year 2020 & 21 SWCD Buffer Program Implementation Grants.
3. Laws of Minnesota 2017, 1st Special Session, Chapter 1, Article 4, Sec. 24 established Riparian Protection Aid to provide funding to counties and watershed districts “to enforce and implement the riparian protection and water quality practices under section 103F.48”. This Law also provided funding to the Board for enforcement of the Buffer Law in counties and watershed districts which have not elected jurisdiction or are not with jurisdiction for the enforcement provisions of the law.
4. The allocation in this order was developed consistent with the appropriations listed above.
5. The Board receives an annual distribution of Riparian Aid funding from the Minnesota Department of Revenue
6. All SWCDs were sent a survey announcing the potential for additional funding based on a demonstration of need. Responses to that survey are used to provide the attached distribution.
7. Consolidating the funding from the sources listed in this Order to support Buffer Law implementation will provide for efficient distribution.
8. The Grants Program and Policy Committee at their August 11, 2021 Meeting reviewed this proposal and recommended the Board approve these grants.

ORDER

The Board hereby:

1. Approves the allocation to SWCDs in the attached table, consistent with the amounts listed in the attached allocation table, in an amount not to exceed \$350,000.
2. Approves utilizing the remaining balance of approximately \$101,942 as of July 1, 2021, from the fiscal year 18 Buffer Program Implementation appropriation for distribution as a Supplemental Buffer Program Implementation grant.

3. Approves utilizing the remaining balance of approximately \$180,212 as of July 1, 2021, from the fiscal year 20 Buffer Program Implementation appropriation for distribution as a Supplemental Buffer Program Implementation grant.
4. Approves utilizing BWSR Riparian Aid funding in an amount necessary to achieve a Supplemental Buffer Program Implementation grants allocation not to exceed \$350,000.
5. Authorizes staff make any necessary fiscal transfers and to enter into grant agreements or amendments for these purposes.

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

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

<<See attached FY22 Buffer Implementation Supplemental Grant Allocations>>

FY22 Buffer Implementation Supplemental Grant Allocations

SWCD Name	Amount Requested
West Polk	50,000
Sibley	30,000
Yellow Med	30,000
Watonwan	30,000
Hubbard	20,000
Traverse	20,000
Pipestone	20,000
LOTW	20,000
Brown	20,000
Meeker	20,000
WOT	20,000
Marshall	20,000
Pope	10,000
Red Lake	10,000
Rice	10,000
Clay	10,000
Becker	10,000
Total	350,000

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:	FY 22 Buffer Cost Share Redistribution Grants
Meeting Date:	<u>August 26, 2021</u>
Agenda Category:	<input checked="" type="checkbox"/> Committee Recommendation <input type="checkbox"/> New Business <input type="checkbox"/> Old Business
Item Type:	<input type="checkbox"/> Decision <input type="checkbox"/> Discussion <input type="checkbox"/> Information
Keywords for Electronic Searchability:	<u>FY 22 Buffer Cost Share Redistribution Grants</u>
Section/Region:	<u>Resource Conservation</u>
Contact:	<u>Tom Gile/Marcey Westrick</u>
Prepared by:	<u>Tom Gile</u>
Reviewed by:	<u>Grants Programs and Policy</u> Committee(s)
Presented by:	<u>Tom Gile</u>
Time requested:	<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

To authorize staff to develop a process to distribute returned Buffer Cost Share funds through a monthly batching process through May of 2022.

LINKS TO ADDITIONAL INFORMATION

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

BWSR has unspent and returned Buffer Cost Share funds totaling approximately \$650,000 with the potential of more funds being returned over the next several months. Staff are proposing to develop an open solicitation for SWCDs to request funds based on demonstrable need for projects that will support landowner compliance with the requirements of the Buffer Law. The proposal is for a monthly “batching” of SWCD requests that would fund those requests that have “shovel ready” projects on a first come first served basis.

We have looked at distributing available funds based on a survey-like response similar to the 2022 Supplemental Buffer Program funding, however with a short window to utilize these funds we don’t want to allocate funds without projects in hand which may result in more unspent funds being returned without adequate time to utilize them prior to their expiration.

BOARD ORDER

FY22 Buffer Cost Share Solicitation Grants

PURPOSE

To make returned Buffer Cost Share funding available for use by SWCDs to bring landowners into compliance when they notify BWSR staff of specific project needs.

FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) has the responsibility to oversee the provisions of Minnesota Statute 103F.48 (the Buffer Law) and to provide funds to Soil and Water Conservation Districts (SWCDs) to implement the law.
2. Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sec. 7(o) appropriated fiscal year 2018 Buffer Cost Share funding.
3. The Board distributed a portion of the appropriation identified in item 2 through fiscal year 2018 Buffer Cost Share Grants.
4. The remaining portion of the appropriation identified in item 2 was distributed through the fiscal year 2019 Buffer Implementation Supplemental Grant amendments.
5. The current balance of approximately \$622,487 of fiscal year 2018 Buffer Cost Share funds includes returned funds from the distributions listed above.
6. The appropriation listed in item 2 is available until June 30, 2022 for distribution purposes and available to spend by grantees until June 30, 2023.
7. The Grants Program and Policy Committee at their August 11, 2021 Meeting reviewed this proposal and recommended the Board approve these grants.

ORDER

The Board hereby:

1. Authorizes staff to develop an open solicitation of SWCDs for the use of returned Buffer Cost Share funding to implement riparian buffers or alternative practices on public waters or public ditches consistent with Minnesota Statutes, section 103F.48.
2. Authorizes the Executive Director to make distributions to eligible SWCDs, on a monthly interval through May of 2022, consistent with solicitation process developed above. The total amount allocated shall not exceed the Buffer Cost Share fund balance.
3. Awards shall not exceed \$100,000 per SWCD per application.
4. Authorizes staff to enter into grant agreements or amendments for these purposes.

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

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

COMMITTEE RECOMMENDATIONS

Central Region Committee

1. Sauk River Comprehensive Watershed Management Plan Approval – Jill Crafton and Jason Weinerman
2. Comfort Lake-Forest Lake Watershed District Watershed Management Plan – Melissa King –
DECISION ITEM

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Sauk River Comprehensive Watershed Management Plan Approval

Meeting Date: August 26, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Watershed Management Plan Approval

Section/Region: Central

Contact: Jason Weinerman, Marcey Westrick

Prepared by: Jason Weinerman

Reviewed by: Central Regional Committee Committee(s)

Presented by: Jill Crafton/Jason Weinerman

Time requested: 10 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

Board approval of the Sauk River Comprehensive Watershed Management Plan dated March 2021 as recommended by the Central Region Committee.

LINKS TO ADDITIONAL INFORMATION

Plan is on the Sauk River Watershed District website found at:
<https://srwdmn.org/wp-content/uploads/2021/03/2021.03.02-Sauk-River-CWMP-Final-Plan-as-Submitted-to-BWSR.pdf>

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

The Sauk River Comprehensive Watershed Management Plan (Plan) planning area is in central Minnesota encompassing portions of Todd, Douglas, Pope, Stearns, and Meeker counties. The Plan was developed as part of the One Watershed, One Plan program.

On April 29, 2021, the Board received the Plan, a record of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Board Decision #18-14. 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 August 4, 2021, the Central Regional Committee met to review and discuss the Plan. The Committee's decision was to recommend approval of the Sauk River Watershed Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

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

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

**ORDER
APPROVING
COMPREHENSIVE
WATERSHED
MANAGEMENT PLAN**

Whereas, the Policy Committee of the Sauk River Watershed submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on April 29, 2021 pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Decision #18-14, and;

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

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

FINDINGS OF FACT

- 1. Partnership Establishment.** The Partnership was established in April of 2017 through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Douglas County, Douglas Soil and Water Conservation District (SWCD), Pope County, Pope SWCD, Stearns County, Stearns SWCD, Todd County, Todd SWCD, and the Sauk River Watershed District. Meeker County and Meeker SWCD chose not to actively participate because of the small amount of acreage of the county within the watershed.
- 2. Authority to Plan.** Minnesota Statutes, Sections 103B.101, Subdivision 14 allows the Board to adopt resolutions, policies or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan. Minnesota Statutes, Sections 103B.801 established the Comprehensive Watershed Management Planning Program; also known as One Watershed, One Plan. And, on March 28, 2018 Board Decision #18-14 adopted Version 2.0 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- 3. Nature of the Watershed.** The Sauk River Watershed planning area is in central Minnesota, encompassing portions of Douglas, Meeker, Pope, Stearns, and Douglas Counties. The watershed boundary is coterminous with the boundary of the Sauk River Watershed District. The 1,042 square miles of watershed runs from Lake Osakis in the northwest and drains into the Mississippi River in the north part of Saint Cloud. As the river meanders through the watershed, it passes through a diverse landscape ranging from highly productive farmland to rural recreational lake communities to high

density urban neighbors in the city of St. Cloud. The land in the western part of the planning area is flat, open land devoted almost entirely to raising crops.

4. **Plan Development.** The Plan was developed as a single, concise, coordinated approach to watershed management. The Plan consolidates policies, programs, and implementation strategies from existing data, studies, and plans, and incorporates input from multiple planning partners to provide a single plan for management of the watershed. The Plan focuses on prioritized, targeted, and measurable implementation efforts and lays out specific actions to manage water quantity, protect and restore water quality, natural habitat, recreational uses, and drinking water sources in the watershed.
5. **Plan Review.** On April 29, 2021, the Board received the Plan, a record of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Board Decision #18-14. State agency representatives attended and provided input at advisory committee meetings during development of the Plan. The following state review comments were received during the comment period.
 - A. Minnesota Department of Agriculture had one comment related to a statement on page 7-24, the plan states that MDA monitors 8 groundwater wells for public health concerns, such as bacteria and arsenic. In response to this statement, they provided the following response “The MDA groundwater wells in the Sauk River Watershed are only monitored for nitrate and pesticides, not for bacteria and arsenic.” Otherwise, the MDA recommends approval of the plan. The plan has been amended to reflect this change.
 - B. Minnesota Department of Health: All recommended changes have been made to the plan and the Department commends the partnership for their planning efforts and recommends approval.
 - C. Minnesota Department of Natural Resources was satisfied with the responses to the agencies concerns submitted during the 60-day review and looks forward to working with the partnership as it transitions into the implementation phase of comprehensive watershed management.
 - D. Minnesota Pollution Control Agency thanked the advisory and policy committee for including them throughout the planning process and believe that all their concerns have been addressed within the plan.
 - E. Minnesota Environmental Quality Board did not provide comment.
 - F. Minnesota Board of Water and Soil Resources staff submitted a total of 44 comments. Staff comments ranged from simple editorial comments and clarification on some of the technical aspects, to requesting changes to the Plan to ensure consistency throughout the Plan and ensure Plan Content Requirements were met. All the comments related to plan content requirements were satisfactorily answered. The partnership provided clarification in many areas for how the plan would be implemented and improved their targeting language to ensure the implementation will follow the requirements of being prioritized, targeted, and measurable.
6. **Plan Summary and Highlights.** The highlights of the plan include:
 - The policy and advisory committees received extensive input during the early stages of the planning process including eight priority concern letters, 45 citizens attended public kick-off meetings, and more than 50 reports on the conditions and trends within the watershed.
 - The advisory committee identified 11 original resource concerns, which were narrowed down to five including altered hydrology, excessive nutrients and sediments, land use, groundwater and drinking water, and habitat. The altered hydrology and excessive nutrients and sediments resource concerns were identified as the plan priorities. The plan breaks down each resource concern into an issue statement, a desired future condition, a 10-year plan goal, and a measure or indicator of goal achievement.

- The plan identifies and prioritizes impaired lakes and rivers as well as high quality lakes and establishes a tiered ranking system that will be used during the implementation to ensure management is targeted at critical resources.
 - There are ten geographic management areas within the watershed and each management area was assessed for how that area can best be managed to achieve the objectives for each resource concern. Within each management area, there are targeted and prioritized areas for implementation as well a unique implementation schedule that identifies the activity, the location, the time for implementation, and the estimated cost for implementing the activities.
 - Separate targeted implementation tables were created for each planning zone that include structural and management practices. Watershed-wide implementation tables were created for capital improvements; education and outreach; data collection, monitoring, and analysis; and regulation and enforcement.
 - For the ten-year duration of the plan, the estimated total cost is \$65,342,164 with an estimated \$63,367,164 going towards on-the ground implementation. Costs that are more than current expenditures will be derived through state and federal grant opportunities and the potential implementation of a collaborative capital improvement project process like what happens in the Red River Valley.
7. **Central Regional Committee.** On August 4, 2021, the Central Regional Committee met to review and discuss the Plan. Those in attendance from the Board’s Committee were Jill Crafton (acting committee chair), Jayne Hager Dee, Mark Zabel, Andrea Date, Melissa Lewis, and Grant Wilson. Board staff in attendance were Assistant Director for Operations Kevin Bigalke, Northern Regional Manager Marcey Westrick, Board Conservationist Jason Weinerman, Clean Water Specialist Brad Wozney, and Office and Administrative Specialist Cecelia Rost. The representatives from the Partnership were Sarah Jo Boser and Scott Henderson with the Sauk River Watershed District and Cole Loewen with the Stearns County Environmental Services Department. 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.
8. This Plan will be in effect for a ten-year period until August 25, 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 Sauk River Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.
3. The Sauk River Watershed 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 Decision #18-14.
5. The attached plan when adopted through local resolution by the members of the Partnership will serve as a replacement for the comprehensive plan, local water management plan, or watershed

management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Sauk River Watershed, dated March 2021.

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

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair



August 26, 2021

Sauk River Watershed Policy Committee
c/o Sarah Jo Boser, Water Resource Manager
Sauk River Watershed District
642 Lincoln Road
Sauk Centre, MN 56378

RE: Approval of the Sauk River Comprehensive Watershed Management Plan

Dear Sauk River Watershed Policy Committee:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Sauk River Comprehensive Watershed Management Plan (Plan) was approved at its regular meeting held on August 26, 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 August 26, 2031. Please be advised that partners must adopt and begin implementing the plan within 120 days of the date of the Order in accordance with Minnesota Statutes §103B.101, Subd. 14 and 103B.801, and the One Watershed, One Plan Operating Procedures.

The Partnership is to be commended for writing a plan that clearly presents your natural resource management priorities, goals, and implementation actions for the Sauk River Watershed and for your excellent participation in the One Watershed, One Plan program. BWSR looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Board Conservationist Jason Weirnerman of our staff at 218-330-2527 or jason.weirnerman@state.mn.us for further assistance in this matter.

Sincerely,

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

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

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

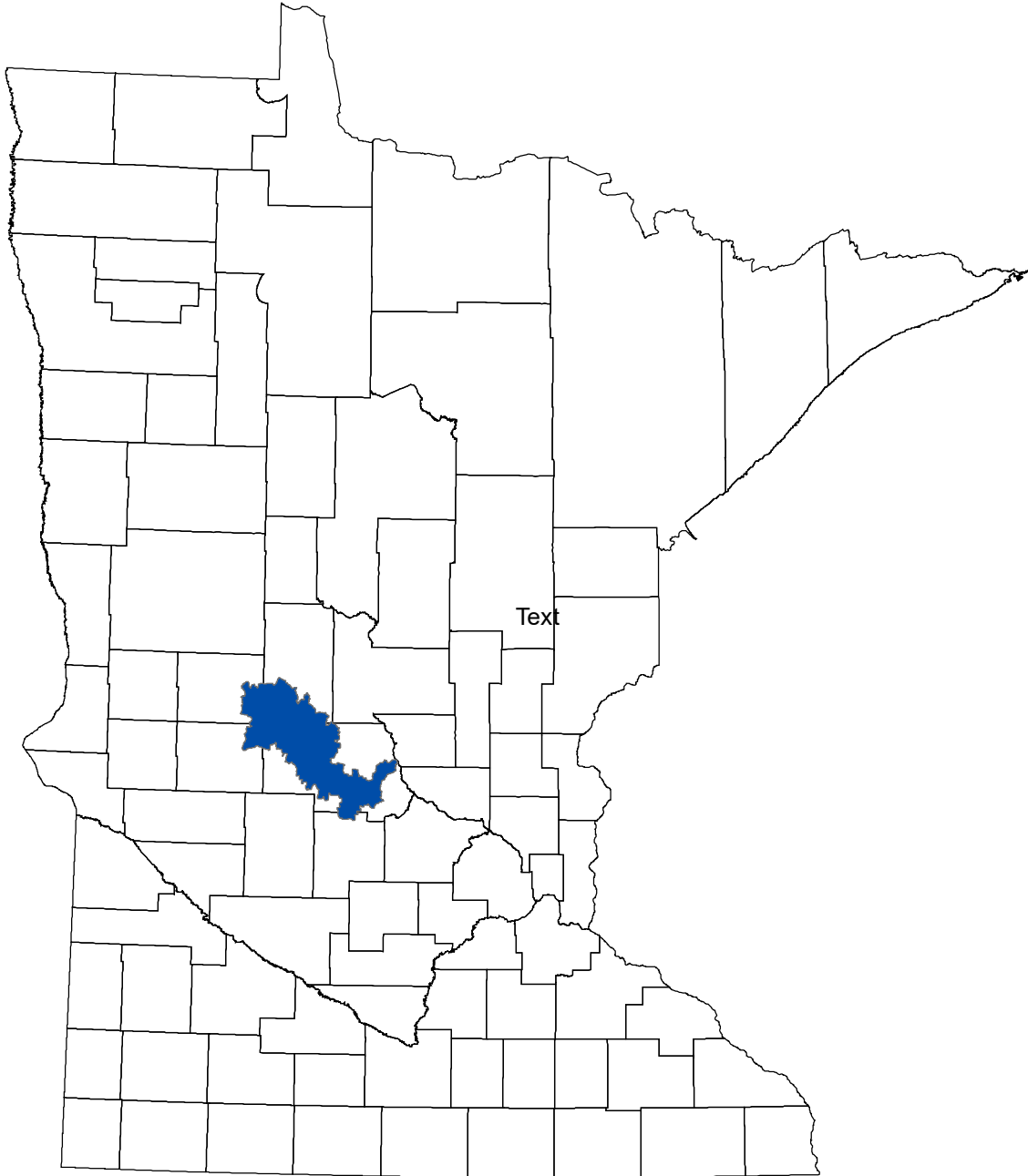
www.bwsr.state.mn.us TTY: (800) 627-3529 An equal opportunity employer

Enclosure: BWSR Board Order

CC: Judy Sventek, Metropolitan Council (via email)
Jennifer Kostrzewski (via email)
Margaret Wagner, MDA (via email)
Carrie Raber, MDH (via email)
John Freitag, MDH (via email)
Jason Carlson, DNR (via email)
Dan Lais, DNR (via email)
Barbara Weisman, DNR (via email)
Eric Alms, MPCA (via email)
Juline Holleran, MPCA (via email)
Jeff Risberg, MPCA (via email)
Erik Dahl, EQB (via email)
Kevin Bigalke (via email)
Ryan Hughes, BWSR Northern Region Manager (via email)
Dan Fabian, BWSR Board Conservationist (via email)
Rachel Mueller, BWSR (file copy)

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Sauk River Watershed Area



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Comfort Lake-Forest Lake Watershed District Watershed Management Plan

Meeting Date: August 26, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: watershed, plan, amendment

Section/Region: Central Region

Contact: Melissa King

Prepared by: Melissa King

Reviewed by: Central Region Committee(s)

Presented by: Melissa King

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 Comfort Lake-Forest Lake Watershed District Watershed Management Plan

LINKS TO ADDITIONAL INFORMATION

Full plan link: https://www.clflwd.org/90-day_draft_wmp.php

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

Background:

The Comfort Lake-Forest Lake Watershed District (CLFLWD) was established by the Board of Water and Soil Resources (Board) on September 23, 1999. Establishment was in response to a petition filed by residents within the watershed on November 20, 1998. Minnesota Laws 2008, chapter 366. Article 6, section 51 designated the CLFLWD a watershed management organization under Minnesota Statutes, section 103B.205, Subd. 13. The 49-square mile watershed is located in the northeast Twin Cities Metropolitan Area, in Washington and Chisago Counties. Portions of the cities of Wyoming, Forest Lake Scandia, and Chisago City as well as Chisago Lake and Fraconia Townships are all within CLFLWD. There are many small lakes and streams within the watershed including three major recreational lake (Bone, Forest, and Comfort Lakes) and the exceptionally high-quality Keewahtin Lake. CLFLWD is part of the headwaters area of the

Sunrise River and ultimately drains to the St. Croix River. The most recent watershed management plan was approved by the Board on September 28, 2011.

Plan Process and Highlights:

The Board completed a Level II Performance Review for the CLFLWD in 2015. The assessment report noted that the CLFLWD *“is a proactive organization, one that is willing to set ambitious goals for itself. The Board shows a willingness to challenge itself and staff to achieve impressive results”*. The report also identified two recommendations, which CLFLWD addressed in the development of this watershed management plan (Plan) – 1) implement prioritized, targeted, and measurable criteria for goals and objectives in the next watershed plan; and 2) conduct a detailed workload analysis of planned activities.

CLFLWD formally initiated the planning process for the 10-year update to the Plan on April 1, 2019 with the required “Notice of Decision to Update” and a request for State agency and local stakeholder input per Minnesota Rules, part 8410.0045, Subp. 2. and Subp. 3. The initial kick-off event was held on June 11, 2019 with significant efforts made by the CLFLWD to gather input early and throughout the update process including through a technical advisory committee, city & county partners, a standing citizen advisory committee, and other community members and groups including lake associations and sporting and agricultural groups. Efforts also included professionally facilitated public listening sessions; workshops with partners; workshops with municipal staff; and joint workshops with municipalities and the CLFLWD Board. The draft Plan was received for 60-day review on February 26, 2021 and the revised draft Plan received on June 15, 2021 for 90-day review.

The Plan provides for the protection and improvement of water resources within the CLFLWD, recognizing and building on the roles and actions of other stakeholders. The Plan is based on a core framework of adaptive management, diagnostic monitoring, and cost-benefit analysis. With limited funding, the CLFLWD understands that not all projects are good projects, even if they have willing landowners. Therefore, all the CLFLWD’s actions are guided by scientific methods and economic principles (cost-benefit analysis). Unique to the CLFLWD’s water resource management approach is their successful application of an economic/business theory, referred to as the Pareto Principal which states, “that for many outcomes, roughly 80% of consequences come from 20% of the causes”. In terms of water resource management, this means that 80% of the pollutant loads or reductions will be achieved from 20% of the sources or projects. As a result, the CLFLWD focuses most of its implementation efforts on identifying and addressing that 20% of pollutant sources, even if it means saying no to easier to implement projects if they don’t meet these criteria.

The Plan identifies six priority resource issue areas: floodplain, lakes, rivers/streams, wetlands, upland resources, and groundwater; with additional focus on specific priority resources (9 lakes, 4 streams/rivers) and 10 other priority areas (overlapping benefits) within the watershed. Lake water quality, stream water quality, and floodplain management were identified as the highest priority goals. High priority issues and goals are closely related to achieving and maintaining measurable water quality improvements in priority lakes and streams; and include activities to either address lake impairments, protect unimpaired lakes, or ensure water quality improvements are maintained. The CLFLWD’s top priority is achieving in-lake water quality goals within the first five years of the planning period (2022-2026) and all other goals prior to the end of the 10-year period (2022-2031). Other notable goals and activities include increasing water storage by 99 acre-feet, establishment of a farmer-led council to inform and influence agricultural land management practices, restoration/enhancement of 80 acres of wetlands for wildlife and habitat benefit, and cooperating with the Lower St. Croix River partners to achieve the goals of the Lower St. Croix Comprehensive Watershed Management Plan.

The draft Plan is an excellent example of a resource that provides focused priorities that are measurable and clearly defines the role of the CLFLWD.

Attachments

1. Draft order for approval of the Comfort-Lake Forest Lake Watershed District Watershed Management Plan
2. CLFLWD Map
3. CLFLWD Plan Executive Summary
4. CLFLWD Capital Improvement Plan Schedule 2021-2031

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

In the Matter of the review of the Watershed Management Plan for the **Comfort Lake – Forest Lake Watershed District**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.

**ORDER
APPROVING
WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Managers of the Comfort Lake-Forest Lake Watershed District (CLFLWD) submitted a Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes, section 103B.231, Subd. 9, and;

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

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

FINDINGS OF FACT

1. **Watershed District Establishment.** The CLFLWD is a special-purpose unit of government established by the Board on September 23, 1999. Establishment was based on a petition dated November 18, 1998 and filed with the Board on November 20, 1998. The Petition was signed by more than 50 resident owners in the proposed watershed district pursuant to Minnesota Statutes, section 103D.205, Subd. 3(4). Minnesota Laws 2008, chapter 366, article 6, section 51 designated the CLFLWD a watershed management organization under Minnesota Statutes, section 103B.205, Subd. 13. The CLFLWD was established to promote the public welfare and public interest, and to advance the purpose of Minnesota Statutes, Chapters 103B and 103D.
2. **Authority to Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed areas which meets the requirements of Minnesota Statutes, sections 103B.201 to 103B.251.
3. **Nature of the Watershed.** The CLFLWD encompasses approximately 49 square miles in the northeast portion of the Twin Cities Metropolitan Area, approximately 40 percent in Chisago County and 60 percent in Washington County. Surface water resources within the watershed include three major recreational lakes (Bone Lake, Forest Lake and Comfort Lake), the exceptionally high-quality Keewahtin Lake, as well as other smaller lakes and streams. The CLFLWD is part of the headwaters area of the Sunrise River and ultimately drains to the St. Croix River.

The predominant land uses in the watershed vary but the two dominant land uses watershed-wide are pasture/grasslands (25%) and forests (19%), followed by wetlands (17%), developed (14%), open water (13%) and cultivated cropland (12%). To the west of Forest Lake, a large portion of the land is developed at low to high density around I-35, Highway 61, and Highway 8. Much of this region is also composed of woody wetlands, which provide habitat for key flora and fauna of this area. Near Scandia, the land is dominated with cultivated crops and hay/pasture intermixed with wetlands to the north and south of Bone Lake. Centrally, the landscape is composed of a mixture of hay/pastureland, forest, and wetlands.

4. **Plan Development and Review.** The draft Plan was submitted to the Board, other state agencies, and local governments for the formal 60-day review on February 26, 2021 pursuant to Minnesota Statutes, section 103B.231, Subd. 7. The CLFLWD prepared a written response to the 60-day comments and then held a public hearing on June 10, 2021. Once the Plan revisions to address comments received were completed, the CLFLWD Managers passed a resolution to send the revised draft Plan to the Board (and State Review Agencies) for the final 90-day review and approval, which was received by the Board on June 15, 2021. Comments received during the 90-day review period indicated commenters had no further comments and commended the CLFLWD on their planning process and completion of the CLFLWD 2022-2031 Watershed Management Plan. The items below contain a summary of the comments received during the formal plan review process.
- **Local Review.** The CLFLWD distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes, section 103B.231, Subd. 7. The CLFLWD received comments from local citizens, Washington County, Washington Conservation District, and the cities of Forest Lake, Scandia, and Wyoming. The CLFLWD responded in writing to all stakeholders who commented during the 60- day review period, addressing each concern.
 - **Metropolitan Council (Council) Review.** During the 60-day review the Council noted that the Plan puts forth a detailed roadmap to protect water resources within the watershed and is consistent with policies outlined in the Council’s 2040 Water Resources Policy Plan. The Council further commended the CLFLWD for preparation of a Plan that includes a clear inventory of land and water resources, included local and regional partners in the discussion of priority issues and opportunities, and contains clear statements of goals and policies. Council staff also applauded the ambitious phosphorus reduction goals and were encouraged to see the breadth of the programs and projects proposed within the Plan. The adaptive management and targeted approaches were noted for the CLFLWD’s use of data to drive their water resources goals. The Council identified the following items for potential improvements: A) inconsistent rainfall depths stated in Figures 1-11 from those in Table 1-2; B) encouraged coordination with neighboring watersheds in their groundwater monitoring program; C) offered Council staff as a resource for CLFLWD climate resiliency efforts; D) suggested monitoring chloride with samples from lake bottoms; and E) requested some context for the goal to “Confirm the headwaters of the Sunrise River”. The CLFLWD responded in writing to all Council comments received during the 60-day review period, addressing each concern. During the 90-day review, the Council thanked CLFLWD for the invitation to participate in the process, as well as CLFLWD staff for leading a well-designed and thoughtful Plan update process. The Council had no additional comments during the 90-day review.
 - **Department of Agriculture (MDA) Review.** During the 60-day review, MDA noted that the Plan was well organized with goals and associated activities being well thought out and actionable. MDA had some comments requesting clarification and provided additional information related to the CLFLWD’s inclusion of the Minnesota Agricultural Water Quality Certification Program, including potential funding sources. MDA noted appreciation for the CLFLWD’s groundwater protection rules/education and outreach activity and suggested broad inclusion of the MDA’s Nitrogen Fertilizer Management Plan. The MDA noted that the 60-day review comments had been satisfactorily addressed and had no additional comments resulting from the 90-day review.
 - **Minnesota Department of Health Review.** During both the 60-day and 90-day reviews, the Minnesota Department of Health indicated that the agency had no comments.
 - **Department of Natural Resources (DNR) Review.** No comments were received from the DNR during the 60-day review. DNR staff met with Board staff during the 90-day review and indicated that the DNR would not have any further comments from the 90-day review.

- **Minnesota Pollution Control Agency (MPCA) Review.** During the 60-day review, the MPCA noted appreciation of the opportunity to provide input and be involved throughout the Plan development process. MPCA commended the CLFLWD on addressing all state agency priority concerns and issues provided by the MPCA at the start of Plan development. MPCA also noted support for the addition of chloride monitoring to CLFLWD’s monitoring program, establishment of baselines and trends throughout the watershed, and commitment to working with local partners for chloride reduction through Smart Salting strategies. During the 90-day review, the MPCA noted that 60-day comments had been addressed and that the agency had no further comments.
- **Department of Transportation Review.** During the 60-day and 90-day reviews, no comments were received from the Department of Transportation.
- **Board of Water and Soil Resources Review.** During the 60-day review, Board staff thanked the CLFLWD for inviting the Board to participate in the various meetings, workshops, and advisory committee meetings that were part of the development of the Plan. Board staff provided a comprehensive review of the Plan by section. The majority of comments were complementary or related to requests and suggestions for language clarifications, requests to identify missing content, and suggestions for stronger Plan language which included more clear measurability for the non-resource specific Plan goals. Comments related to the Plan Amendment section and the Annual Reporting section were made to ensure that the Plan language was consistent with the requirements in Minnesota Rules, part 8410. During the 90-day review, Board staff thanked the CLFLWD staff for their efforts in proactivity seeking additional input to better understand the Board’s 60-day review comments. Board staff also noted that the 60-day review comments had been addressed and that Board staff had no further comments.

5. **Plan Summary and Highlights.** The Plan provides for the protection and improvement of the water resources of the CLFLWD, recognizing and building on the roles and actions of other stakeholders. The CLFLWD’s water resource management approach is based on a core framework of adaptive management, diagnostic monitoring, and cost-benefit analysis. Adaptive management is defined in the Plan as an iterative approach of resource assessment, problem identification, project implementation, progress evaluation, and course correction that reflects the dynamic nature of water resources, climate, and the surrounding landscape. All CLFLWD activities are guided by scientific methods and economic principles.

An **Executive Summary** is included which provides a synopsis of the entire Plan and will prove useful as a meeting handout or starting point for people looking for a brief introduction to the CLFLWD, what they do, and the Plan. In addition to the Executive Summary, the Plan includes the following sections along with supporting appendices:

- **Table of Contents** provides a detailed outline of the Plan. In the electronic version of the Plan the user can quickly get to the desired section by clicking on the appropriate heading.
- **Section 1: Introduction** includes some basic background on the organization and operation, its history, watershed characteristics, accomplishments from the last Plan and a section on navigating the Plan.
- **Section 2: Issues Identification and Prioritization** describes the planning process used to develop the CLFLWD 2022-2031 Watershed Management Plan. This section also introduces measuring progress towards achieving Plan goals.

- **Section 3: Goals and Section 4 Implementation Plan** together describe the CLFLWD’s priority issues and goals for 2022-2031 and lists the CLFLWD’s initiatives and activities needed to achieve the Plan goals. Issues and goals are organized by program, project issues area or lake management district. For each program or project issue area, this section describes the desired future condition, 10-year measurable goals, progress evaluation metrics, targeted areas of implementation, and implementation activities. The planned programs and projects that will be implemented to address the identified issues and goals are included in these sections, including project and program summaries, progress metrics, and funding guidance.
 - 4.5 Programs describes the issues, goals and implementation activities related to the CLFLWD’s 13 programs.
 - 4.6 Projects describes the issues, goals and implementation activities related to the six project issue areas (floodplains, lakes, streams, wetlands, uplands and groundwater). These are organized by the four lake management districts: Bone, Little Comfort, Forest and Comfort.
 - **Section 5: Implementation Costs, Schedule & Capital Improvement Plan** includes a 10-year cost table for each implementation initiative with yearly cost estimates, scheduling, potential partners, potential additional revenues, and measurable outcomes and outputs that each implementation initiative addresses.
 - **Section 6: Measuring Implementation Progress** describes the tools and metrics used to measure the successful implementation of the Plan and goal progress.
 - **Section 7: Funding and Financing Approach** describes how programs and projects included in the Plan will be funded over the 10-year period.
 - **Section 8: Intergovernmental Coordination and Impacts** describes CLFLWD’s plans to work with local, state, and federal agencies and provides an analysis of the impact of this Plan on local governments, including the requirements for local water management plans.
 - **Section 9: Amendments to this Plan** describes the process to update or complete revisions to the Plan during the 10-year timeframe.
 - **Section 10: Annual Reporting** describes the CLFLWD annual report which will include the financial conditions of the organization, the status of all projects, the business transacted by the CLFLWD, and other matters affecting the interests of the watershed as guided by Minnesota Statutes, section 103D.351 and Minnesota Rules, part 8410.0150.
6. **Central Region Committee Meeting.** On August 4, 2021, the Board’s Central Region Committee and staff met in St. Paul and via teleconference with representatives from the CLFLWD to review and discuss the final draft Plan. Those in attendance from the Board’s committee included Jill Crafton (acting committee chair), Jayne Hager Dee, Mark Zabel, Andrea Date, Melissa Lewis, and Grant Wilson. Board staff in attendance included Assistant Director for Regional Operations Kevin Bigalke, Central Region Manger Marcey Westrick and Board Conservationist Melissa King. CLFLWD representatives in attendance included Jackie Anderson (CLFLWD Vice-President), Steve Schmaltz (CLFLWD Treasurer), Mike Kinney (CLFLWD Administrator), and Emily Heinz (CLFLWD Planning Coordinator), which provided highlights of the Plan and process. Board staff recommended approval of the Plan.

After presentation and discussion, the Central Region Committee voted to recommend approval of the Plan to the full Board. It was noted that committee member Mark Zabel was not present to vote.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Watershed Management Plan for the Comfort Lake-Forest Lake Watershed District pursuant to Minnesota Statutes, section 103B.231, Subd. 9.
3. The Watershed Management Plan for the Comfort Lake-Forest Lake Watershed District attached to this Order defines water and water-related problems within the Organization’s boundaries, possible solutions thereto, and an implementation program.
4. The attached Watershed Management Plan is in conformance with the requirements of Minnesota Statutes, sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the Comfort Lake-Forest Lake Watershed District’s 2022-2031 Watershed Management Plan.

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

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

August 26, 2021

Comfort Lake-Forest Lake Watershed District
C/o Mike Kinney, Administrator
44 Lake Street South, Suite A
Forest Lake, MN 55025

Dear Chair and Managers:

I am pleased to inform you that the Minnesota Board of Water and Soil Resources (Board) has approved the Comfort Lake-Forest Lake Watershed District (CLFLWD) revised Watershed Management Plan (Plan) at its regular meeting held on August 26, 2021. For your records I have enclosed a copy of the signed Board Order that documents approval of the Plan. Please be advised that the CLFLWD must adopt and implement the Plan within 120 days of the date of the Order, in accordance with MN Statutes 103B.231, Subd. 10.

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

Please contact Melissa King of our staff at 651-350-8845, or at the central office address for further assistance in this matter.

Sincerely,

Gerald Van Amburg
Chair

Enclosure

CC: Jeff Berg, MDA (via email)
John Freitag, MDH (via email)
Dan Lais, DNR (via email)
Beth Neuendorf, MN DOT (via email)
Jeff Risberg, MPCA (via email)
Judy Sventek, Met Council (via email)
Melissa King, BWSR (via email)
Marcey Westrick, BWSR (via email)
File Copy

EXECUTIVE SUMMARY

The Comfort Lake-Forest Lake Watershed District (CLFLWD or District) is a special purpose unit of local government, established under Minnesota Statutes 103D, which was created to restore local water resources to **pre-settlement water quality conditions** and manage **flooding**. The CLFLWD is governed by a five-member Board of Managers appointed by Chisago and Washington counties. The District includes portions of the City of Wyoming, Chisago City, Chisago Lake Township, Franconia Township, the City of Forest Lake and the City of Scandia. This Watershed Management Plan spans fiscal years 2022-2031 and is effective starting on [BWSR approval date] for a period of 10 years.

The Comfort Lake-Forest Lake Watershed District covers 49 square miles in southwestern Chisago County and northwestern Washington County (**Figure ES-4, p.XXXIV**). Surface water resources within the District include three major recreational lakes (Bone Lake, Forest Lake and Comfort Lake), the exceptionally high-quality Lake Keewahtin, as well as 19 other named lakes and several rivers/streams. The CLFLWD is the headwaters of the Sunrise River and ultimately drains to the St. Croix River, a federally protected wild and scenic riverway. The District includes 90 miles of watercourses, of which 31% are altered, and nearly 9,600 acres of wetlands. The land use is somewhat evenly distributed, with the most common land use of hay/pasture covering 25% of the total area and the least common land use of cropland covering 12% of the total area. Developed land use covers 14% of the District.

The **mission of the District** is to protect and improve its water resources through adaptive management and education of local stakeholders (**Figure ES-1, p.XXVIII**). The District's water resource management approach is based on a core framework of adaptive management, diagnostic monitoring, and cost-benefit analysis. Adaptive management is an iterative approach of resource assessment, problem identification, project implementation, progress evaluation, and course correction that reflects the dynamic nature of water resources, climate and the surrounding landscape. All District activities are guided by scientific methods and economic principles.



The mission of the Comfort Lake-Forest Lake Watershed District is to protect and improve its water resources through adaptive management and education of local stakeholders.

Between 2010 and 2021 the District collected a large amount of data to better understand the watershed and its resources. Two significant reports include the Six Lakes Total Maximum Daily Load (TMDL) Study and Implementation Plan in 2010, and the Sunrise River Water Quality & Flowage Engineer's Report in 2012 (in response to a petition by Chisago County). In 2016 the District began collecting **paleolimnological lake sediment cores** from the major lakes to determine pre-settlement conditions (see Lakes (5200) subsections under **4.6.2. Lake Management Districts**). The unique pre-settlement condition of the major lakes is the basis for establishment of the District's long-term lake water quality goals which are more aggressive than state standards.

The District conducts **adaptive management** in an upstream to downstream approach within the District, beginning with Moody and Shields Lakes in the headwaters, moving downstream through Bone and Forest Lakes, and finishing with Little Comfort and Comfort Lakes. The District completed diagnostic monitoring and project feasibility studies for all major lakes as part of the previous 10-year plan, which formed the scientific basis for the 2022-2031 measurable goals and implementation plan. The District will utilize this same adaptive management approach during the 2022-2031 plan to reassess all major lakes and to develop a prioritized, targeted and measurable management approach for floodplain, stream, wetland and groundwater issues.

The District's **diagnostic monitoring** activities include tributary stream, wetland soil and lake sediment monitoring to identify pollutant hotspots. The District found that **legacy loads** which accumulated in wetlands and lakes in the past can also be a significant source of pollutants to water resources today. Past intensive human activities increased the rate of pollutant accumulation in wetlands and lakes and caused them to degrade. These activities include historic farming, livestock and development without sufficient stormwater treatment or nutrient management practices.



Beach at Lakeside Memorial Park, Forest Lake

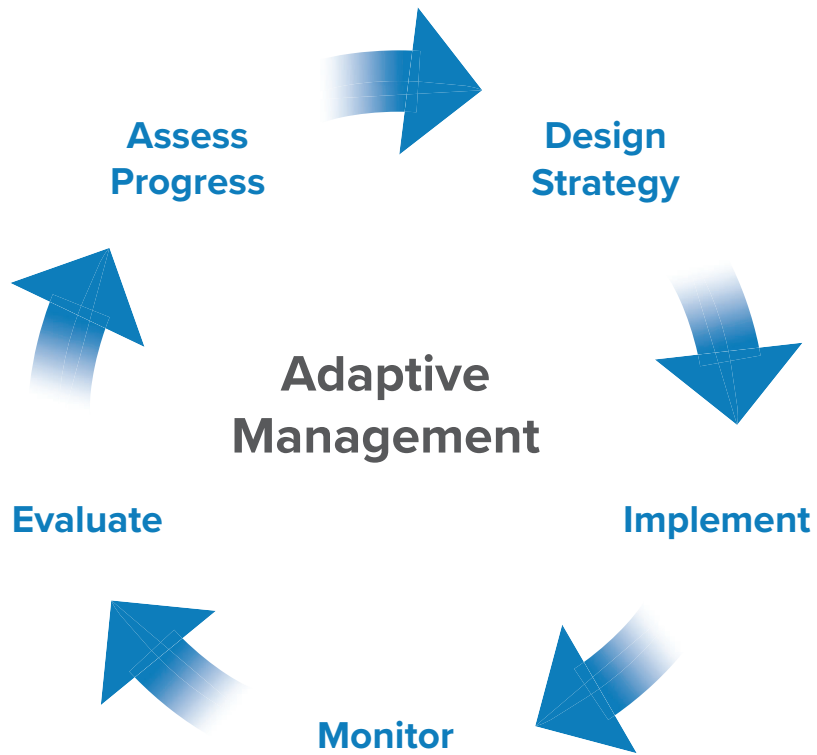


Figure ES-1. Adaptive Management

Project Implementation

Traditional Approach

May solve localized issues but will likely not be enough to solve in-stream or downstream water quality problems.

Targeted Approach

Focuses project locations in areas where diagnostic monitoring data indicates improvements will resolve in-stream water quality problems.

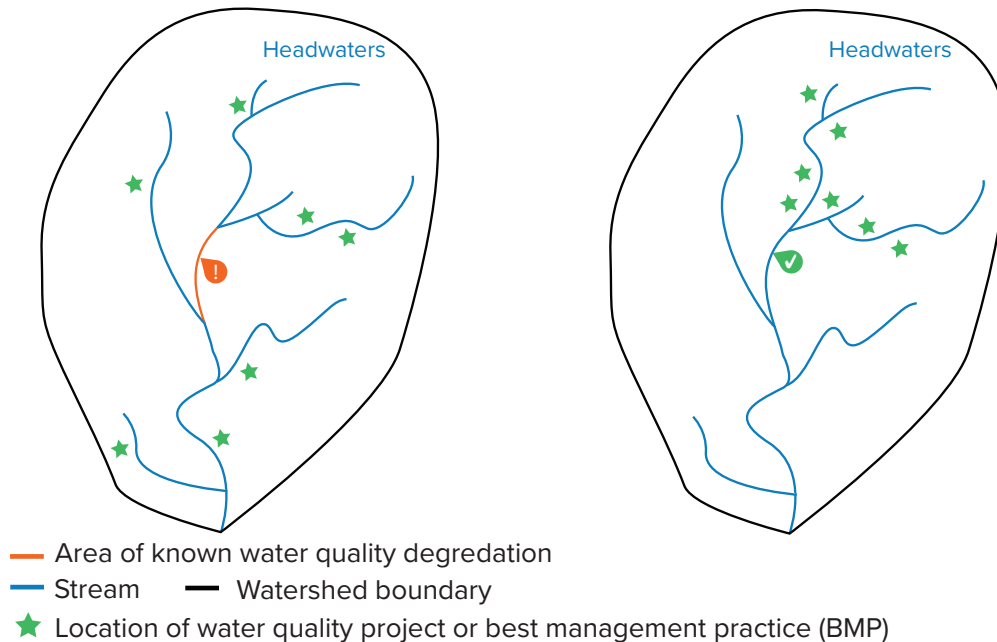


Figure ES-2. Traditional Implementation Approach vs Targeted Approach

The District implements projects based on economic principles of **cost-benefit**. With limited funding, the District understands that not all projects are good projects. The District utilizes its diagnostic monitoring data to target projects in locations where they result in the greatest pollutant reductions and water quality improvements (**Figure ES-2, p.XXVIII**). This is a basic application of the **Pareto Principle** which states that for many outcomes roughly 80% of consequences come from 20% of the causes. In terms of water resource management, this means that 80% of the pollutant loads or reductions will be achieved from 20% of the sources or projects.

The District's science-based diagnostic monitoring and commitment to using economic principles are the main drivers for the **District's success restoring lakes to pre-settlement conditions** within a short timeframe (**Figure ES-3**). Currently, five of the seven lakes that were previously impaired for excess nutrients are meeting state water quality standards, three lakes are meeting or very close to meeting pre-settlement water quality conditions, and all the major District lakes have improving trends in at least one measure of water quality. The 2012-2021 Plan set incremental goals of 2020, 2030 and 2040 for achieving pre-settlement conditions in the major District lakes. Based on the successful use of adaptive management, diagnostic monitoring and cost-benefit analysis, the District expects to achieve pre-settlement conditions in the major District lakes by 2031.

The District identified **six priority resource issue areas** for the 2022-2031 Watershed Management Plan: floodplain, lakes, rivers/streams, wetlands, upland resources and groundwater. The District also identified nine priority lakes, four priority rivers/streams as well as ten priority areas for implementation based on overlapping watershed characteristics. Improvement of these priority resources is supported by 36 program goals and 20 measurable resource goals. Lake water quality, stream water quality and floodplain management are the highest priority goals. Other resource goals (such as wetlands, groundwater and upland habitat goals) are important to the District but will be addressed after surface water quality and quantity goals are met.

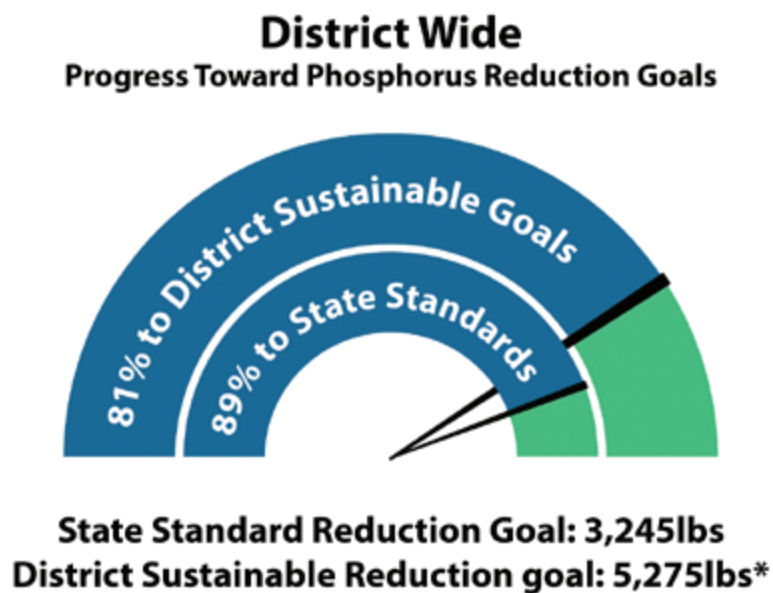


Figure ES-3. Progress Toward Cumulative Watershed-Wide Phosphorus Reduction Goals

*The District bases its water quality goals on historic data, collecting actual lake sediment cores in some cases, in order to determine the water quality level which each lake can sustain in the long-term. In many cases, the District goal exceeds the minimum state water quality standards.

The 2022-2031 Watershed Management Plan guides the activities of the Comfort Lake-Forest Lake Watershed District through the year 2031. The Plan outlines the priority resource issues, establishes program and resource measurable goals, and outlines the initiatives and activities needed to achieve the District's goals over the next ten years. Local municipal water management plans within the District build on and support the goals of this Watershed Management Plan. The District will work to ensure that its activities coordinate with and build on, but do not duplicate, those of the local government units (LGUs) present within the Watershed. The District will use its technical expertise to serve as a resource to, coordinate with, and support efforts of LGUs toward the protection and improvement of water and natural resources. The District recognizes shared objectives with LGUs, for example, in-lake water quality improvement is linked to increased property values and local tourism. Several LGU activities overlap with water resource management. See Section 8 Intergovernmental Coordination and Impact for more information.

The [implementation plan](#) is organized into three major implementation categories: Administration (1000 series), Programs (3000 series) and Projects (5000 series). The average annual cost for the program and project initiatives and activities identified to address the priority issues and goals is \$3.8 million. Water resource management projects needed to achieve the water quality and water quantity measurable goals were identified for each priority resource and included in the implementation schedule and budget. The thirteen District programs provide critical support for achieving the District's water quality and water quantity measurable goals, such as monitoring and data collection, education and outreach, interagency coordination, land acquisition and aquatic invasive species management. The District rulemaking and permitting program also results in progress towards water quality and water quantity measurable goals.

A new feature of the 2022-2031 Watershed Management Plan is the [lake management district profiles](#) ([Figure ES-5, p.XXXVI](#)). The lake management district (LMD) profiles describe the watershed characteristics, development pressures and resource issues unique to each of the four lake management districts: Bone, Little Comfort, Forest and Comfort. The Lake Management Districts divide the CLFLWD based on the hydrologic boundaries of four major lakes: Bone, Forest, Little Comfort and Comfort. The four LMDs are named according to the lake at their outlet where



Second Lake shoreline

all surface water ultimately flows. That is to say, within the Comfort LMD water ultimately flows to Comfort Lake. LMDs were established to track implementation on a geographic basis to ensure equitable distribution of resources throughout the District. Bone Lake is shown in green, Little Comfort Lake is shown in yellow, Forest Lake is shown in red, and Comfort Lake is shown in purple. The profiles also include specific water quality goals for each priority resource within the lake management district and list the implementation activities needed to achieve these goals. **Figure ES-6, p.XXXVIII** shows the subwatersheds the District uses for diagnostic monitoring and project tracking (see also **Section 4.2. Implementation Plan Structure**).

The 2022-2031 Watershed Management Plan includes **metrics for evaluating progress**, a funding and financing approach for implementing programs and projects, and intergovernmental water resource management activities that locally support the District’s goals. Recognizing that water resources are dynamic systems and reflect the changing conditions of the watershed and climate, the Plan also includes a process for amending the Plan to incorporate course corrections based on diagnostic monitoring and adaptive management activities completed during the 10-year timeframe of the plan. Finally, the plan describes the District’s annual reporting activities to summarize all planned and completed activities, expended budgets and progress made towards achieving the District’s goals.

Administration Areas (1000 Series)

The Plan identifies four administration areas.

- » 1001 Board Administration entails coordination with the District Board of Managers which provides high level direction for the District.
- » 1002 General Office Expenses addresses the basic costs associated with running the District office.
- » 1003 General Administration includes the administrative activities, salary and benefits for District staff.
- » 1004 Professional Services includes contracting for services such as accounting, engineering and legal.



Manager Jen Oknich takes oath of office

Program Issue Areas (3000 Series)

The Plan identifies thirteen program areas, each with measurable goals and metrics.

- » 3001 District Rules & Rulemaking goals ensure the District's regulatory standards are up to date.
- » 3002 Permitting goals address efficient implementation of the District's regulatory program.
- » 3003 Monitoring & Data Assessment goals focus on the data necessary to make cost-effective management decisions and demonstrate progress toward goals.
- » 3004 Non-Point Source Pollution Abatement Program goals focus on working with landowners to implement practices reducing non-point source pollution.
- » 3005 Education & Outreach goals address providing education and outreach services to the public to increase knowledge of and appreciation for the resources of the District and increasing stewardship and participation in District programs.
- » 3006 Interagency Communication goals focus on partnerships that ensure efficient and cost-effective use of funds for water resource management and coordination of efforts toward managing water resources.
- » 3007 Research goals focus on ensuring the District stays up to date on current and future trends in water resource management and evaluation.
- » 3008 Measurement of Progress goals provide accountability to taxpayers and other stakeholders by demonstrating measurable progress and efficient use of public dollars.
- » 3009 Grant Research & Preparation goals address the District's need to obtain outside funding in order to implement projects and programs in a timely manner.
- » 3010 Operations & Maintenance goals ensure proper management of watershed management projects and facilities to maximize lifespan and efficacy.
- » 3011 Aquatic Invasive Species Prevention & Management goals are numerous and multi-faceted, covering a wide array of aquatic invasive species related issues.
- » 3012 Land Acquisition & Management goals ensure consistent process for evaluating, acquiring and managing land within the District for watershed protection and management purposes.
- » 3013 Watershed Planning & Resiliency goals focus on proactiveness and adaptability in watershed planning.

Project Issue Areas (5000 Series)

The Plan identifies six major project issue areas: Floodplain, Lakes, Streams, Wetlands, Upland Resources, and Groundwater with goals focusing on the adaptive management of water and upland resources through District projects and programs and through education and coordination.

- » 5100 Floodplain goals conserve flood storage capacity and limiting flood damage.
- » 5200 Lake goals protect and improve water quality and preserve natural shoreline buffers.
- » 5300 Stream goals protect and improve stream water quality and habitat and preserve natural stream buffers.
- » 5400 Wetland goals address coordination with local governments to ensure no net loss, improving wetland habitat, research on phosphorus cycling in wetlands and the preservation and establishment of wetland buffers.
- » 5500 Upland Resources goals include improving the beneficial use of upland areas for stormwater management, maintaining and restoring uplands, and promoting uplands conservation.
- » 5600 Groundwater goals address the protection of groundwater quality and quantity and maintaining the function of groundwater-dependent natural resources.



Invasive Asian Carp removed from Shields Lake

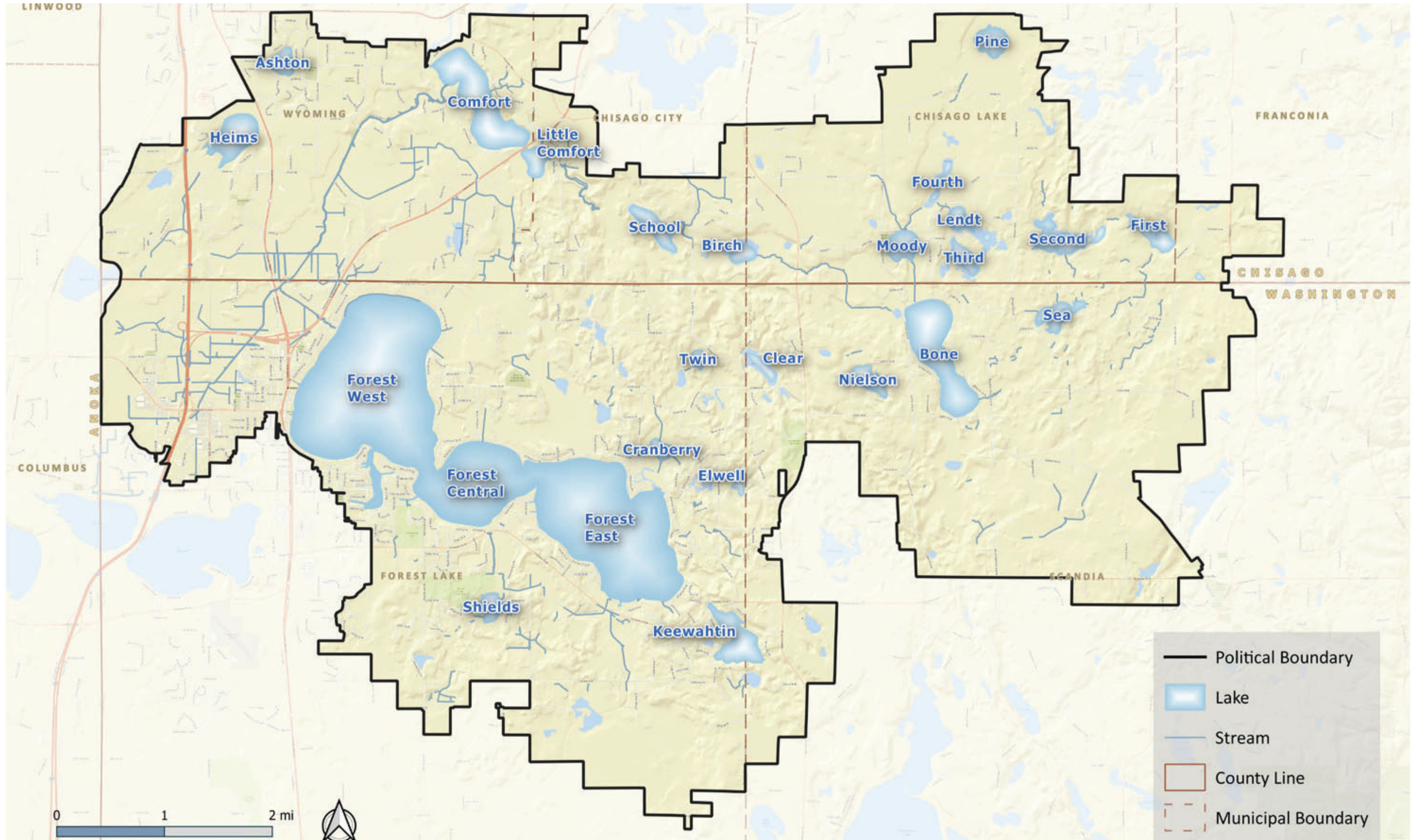


Figure ES-4. District Overview Map

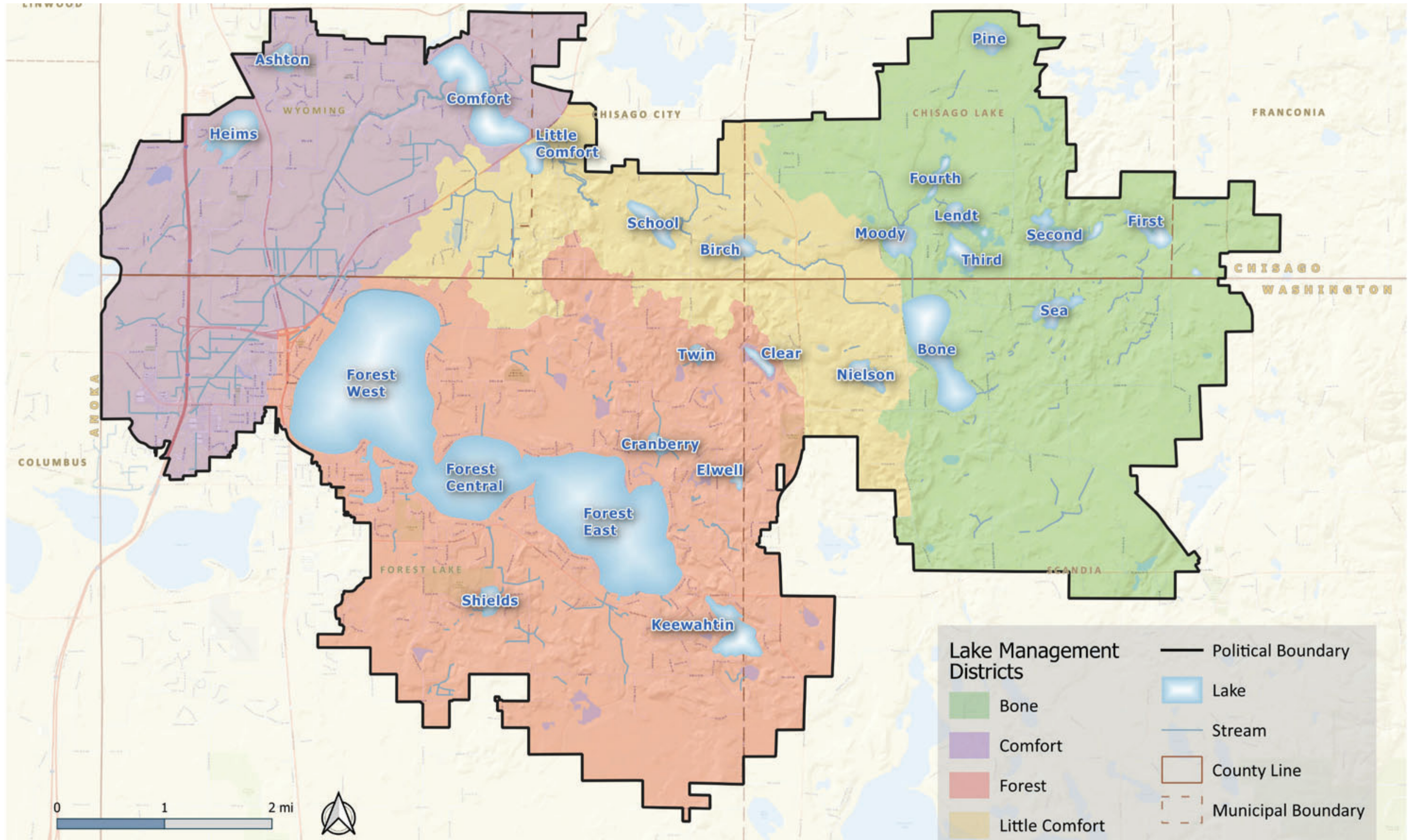


Figure ES-5. CLFLWD Lake Management Districts

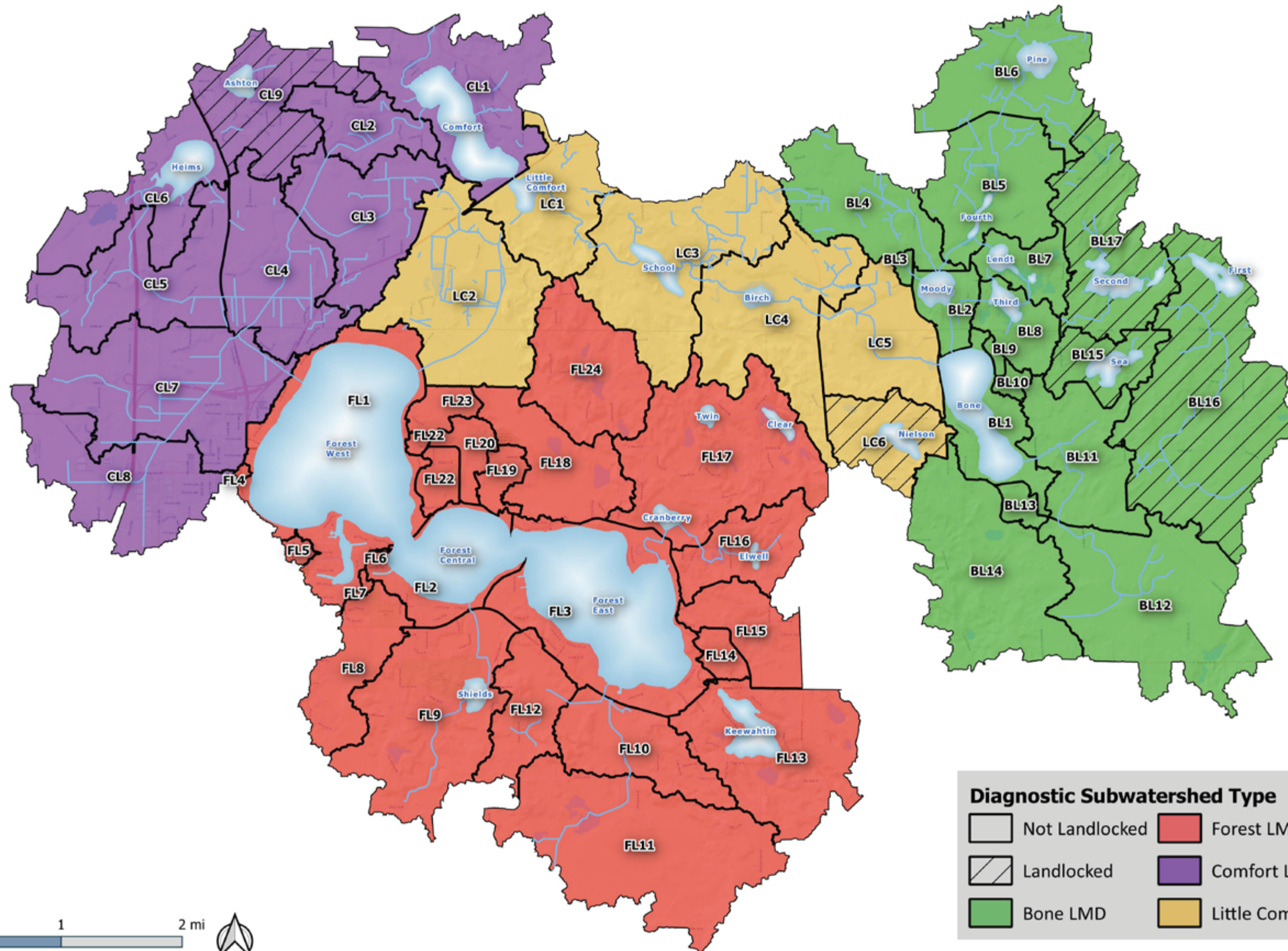


Figure ES-6. Diagnostic Subwatersheds

IMPLEMENTATION COSTS, SCHEDULE & CAPITAL IMPROVEMENT PLAN

5

Section 5 includes the implementation schedule and cost table for the 2022-2031 plan. The implementation schedule and cost table provides a summary of key information about each implementation initiative including cost estimates, scheduling, potential partners, potential additional revenues, and measurable outcomes and outputs that each implementation initiative addresses. Where applicable, implementation initiatives and their associated cost estimates were taken from previous studies. In other cases, the indicated costs are planning-level estimates based on current understanding of the scope of the initiative. In general, the table provides a planning-level projection that can be used as a guide or starting point for the more detailed annual budgeting process.

The implementation plan table (**Figure 5-1, p.234**) includes a general timeline of how the implementation initiatives could be implemented over the 10 years of the Plan. Cost estimates are shown as either a one-time cost (typical of feasibility studies and CIPs) or as annual costs in the case of ongoing programs. An annual inflation rate of 3% has been applied to account for the expected increase in costs for initiatives which occur later in the schedule. Any project in the implementation plan that requires the use of private landowner rights (including any future additions) will be implemented only with landowner concurrence and, as appropriate, a formal agreement.

Many project implementation line items are assigned to one of the four lake management districts, in accordance with the project’s location. Most program implementation items apply District-wide and are not categorized by lake management district. The total 10-year expense is \$38,243,659. **Figure 5-1** illustrates the total 10-year expense for each lake management district, with the remainder of expenses applying District-wide. **Figure 5-2, p.235** categorizes expenses in a different way, illustrating annual expenses over the 10-year period by Administration, Programs and Projects categories.

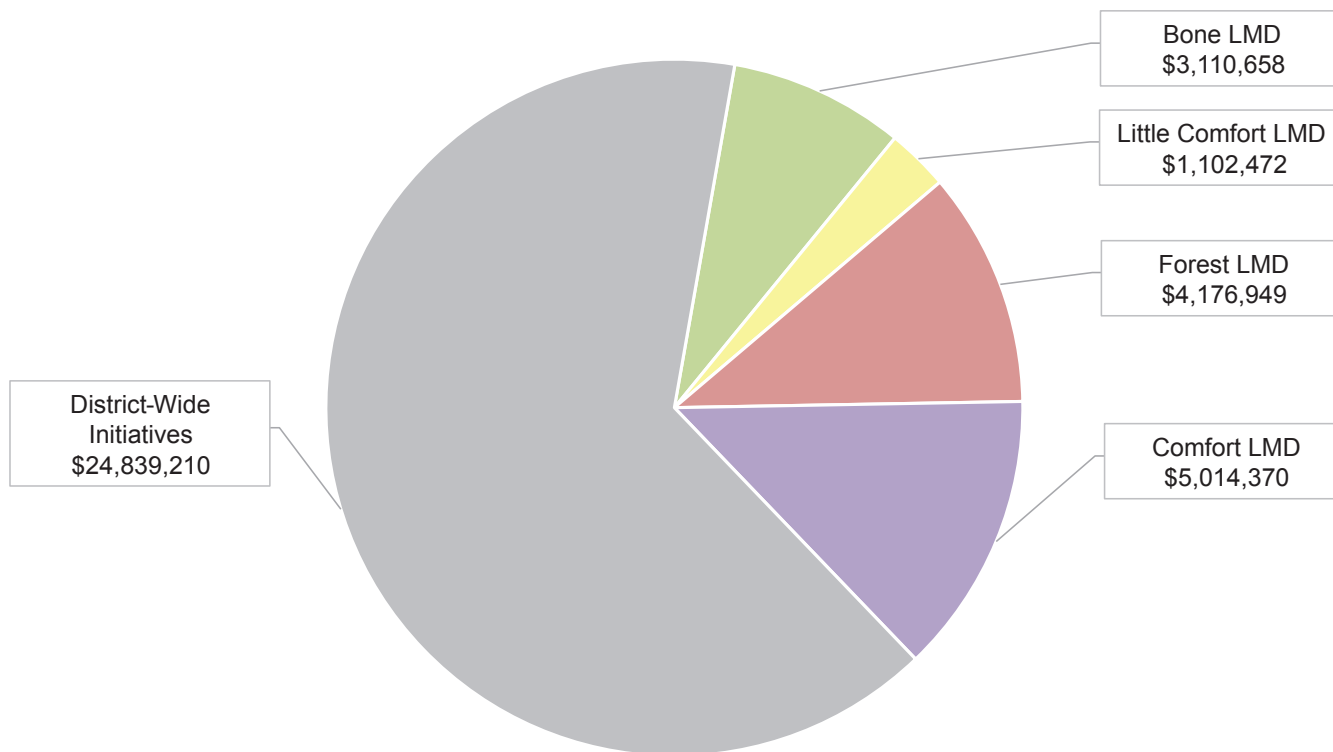


Figure 5-1. Total Expenses by Lake Management District

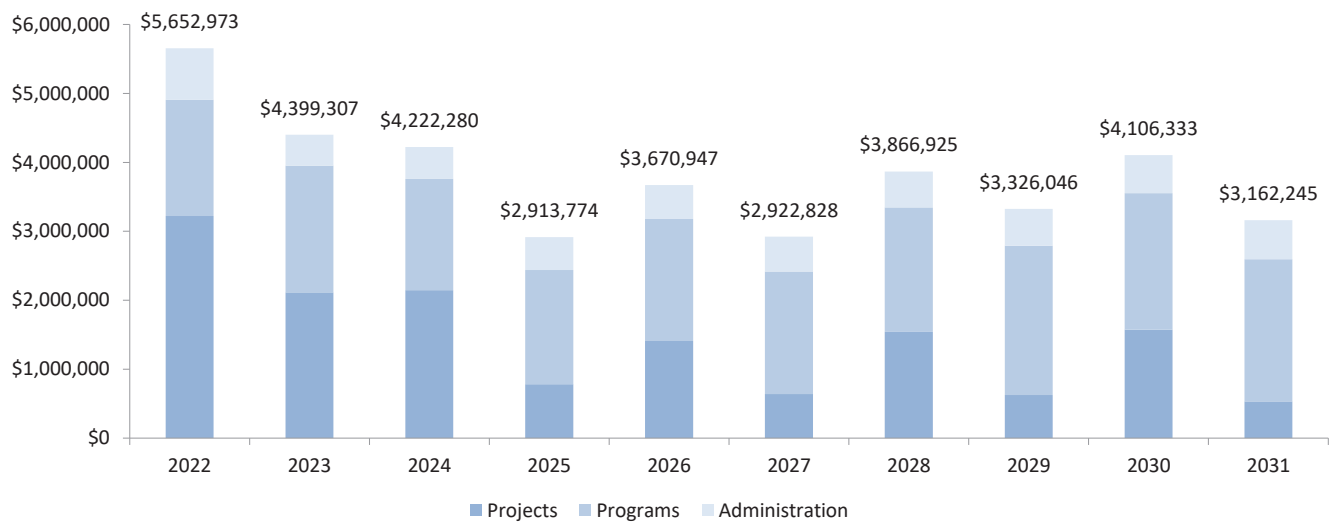


Figure 5-2. Annual Expense Summary by Plan Category

Table 5-1. Implementation Costs, Schedule and Capital Improvement Plan continued

Comments	High Priority	Implementation Initiatives	CIP	Summary of *Measurable Outcomes / *Measurable Outputs	Potential Partners	Potential Additional Revenue Sources†	Potential Additional Revenue‡	Annual Cost	One-Time/ Periodic Cost	Periodic Timeframe	COSTS												
											2021 Base	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	10-Year Total (2022-2031)	
		3008 Measurement of Progress					\$5,000	\$11,300	\$0														
0.1 FTE annual cost	x	3008-4100 Staff Management & Coordination		†Annual progress report, 5-year comp review				\$6,500															
Engineering assistance	x	3008A Ongoing Initiatives				PP&P	\$5,000	\$5,000															
		3009 Grant Research and Preparation					\$0	\$21,900	\$0														
0.1 FTE annual cost	x	3009-4100 Staff Management & Coordination		†Grant awards, new programs, reporting				\$6,500															
Engineering assistance	x	3009A Ongoing Initiatives						\$15,000															
		3010 Operations and Maintenance					\$0	\$570,000	\$570,000														
0.6 FTE annual cost	x	3010-4100 Staff Management & Coordination						\$39,000															
Engineering assist. Develop Comp O&M plan	x	3010A Ongoing Initiatives		†Plan				\$20,000	2021-2022														
Electrical, riparian vegetation maintenance	x	3010B Annual Recurring Operations & Maintenance						\$2,000															
Outlet structure or aerator failures	x	3010C Unplanned Major Maintenance		†Projects achieve designed lifespan	Cities, counties, SWCDs			\$15,000															
Constructed in 2013	x	3010D Bill Street Basin Iron Enhanced Sand Filter						\$250,000	2023														
Constructed in 2016	x	3010E Hill's Lane Iron Enhanced Sand Filter						\$50,000	2026														
Constructed in 2019	x	3010F Shields Lake Stormwater Reuse System						\$200,000	2029														
		3011 Aquatic Invasive Species Prevention and Management					\$1,308,468	\$277,200	\$5,000														
0.8 FTE annual cost	x	3011-4100 Staff Management & Coordination						\$52,000															
Engineering assistance and research assistance	x	3011A Ongoing Initiatives		†3,500 inspection hours/year, 12 outreach activities, detection surveys, carp density <100 kg/ha, CIP <280 items/m ² , Invasive species below impact thresholds, provide tech support	Cities, counties, DNR, lake associations, SWCDs			\$10,000	2021-2023														
	x	3011B Waterscraft Inspections					\$708,468	\$80,000															
	x	3011C AIS Prevention at Boat Launch Sites					\$1,200	\$1,236															
	x	3011D AIS Early Detection and Rapid Response					\$1,000	\$1,030															
	x	3011E Invasive Species Pilot Control Projects					\$1,000	\$1,000															
	x	3011F Point Intercept Macrophyte Surveys					\$7,000	\$6,700															
	x	3011G Aquatic Invasive Species Management					\$600,000	\$115,000															
	x	3011H Common Carp Management					\$5,000	\$5,000															
		3012 Land Acquisition					\$787,026	\$276,000	\$0														
0.1 FTE annual cost	x	3012-4100 Staff Management & Coordination			Cities			\$6,500															
Incl. site assessments, legal, cost of land	x	3012A Ongoing Initiatives		†Support capital projects		CPL	\$787,026	\$270,000															
		3013 Watershed Planning & Resiliency					\$0	\$26,300	\$151,000														
0.1 FTE annual cost	x	3013-4100 Staff Management & Coordination						\$6,500															
Engineering assistance	x	3013A Ongoing Initiatives		†Incorporate resiliency into planning/budgeting, develop emergency response plan	Cities, counties, agencies, WDs/WMOs, SWCDs			\$20,000															
	x	3013B Vulnerability Assessment						\$12,000	2021-2022														
	x	3013C Emergency Response Plan						\$4,000	2022-2023														
	x	3013D Watershed Management Plan Update						\$120,000	2029-2031														

For improved readability and usability, this table has been uploaded in its original Excel format at the following link:
[Download Cost Table Excel Spreadsheet](#)

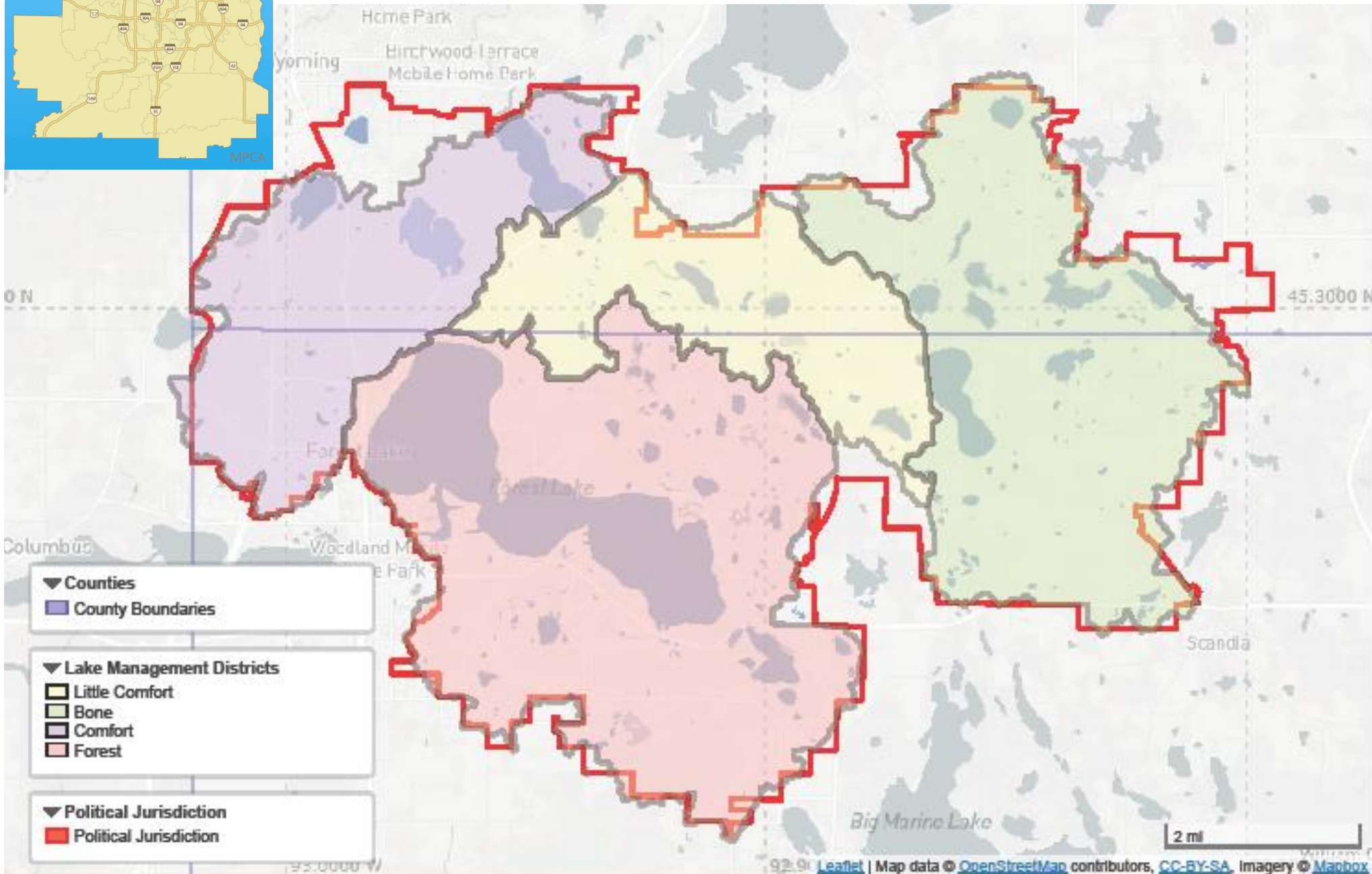
Table 5-1. Implementation Costs, Schedule and Capital Improvement Plan continued

Comments	High Priority	Implementation Initiatives	CIP	Summary of *Measurable Outcomes / *Measurable Outputs	Potential Partners	Potential Additional Revenue Sources†	Potential Additional Revenue†	Annual Cost	One-Time/ Periodic Cost	Periodic Timeframe	COSTS																		
											2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	10-Year Total (2022-2031)							
PROJECTS												\$7,717,861	\$284,500	\$8,888,472	\$1,476,915	\$8,222,139	\$2,115,154	\$2,146,791	\$783,524	\$1,407,233	\$638,964	\$1,539,143	\$624,405	\$1,577,550	\$531,200	\$14,580,169			
0.5 FTE annual cost	x	5000	General Project Development				\$0	\$92,500	\$1,425,000																				
	x	5000-4100	Staff Management & Coordination					\$32,500																					
	x	5000A	General Project Development					\$60,000																					
First payment scheduled for 12/15/21	x	5000B	Loan Repayment						\$1,425,000																				

† Line items without potential additional revenues and revenue sources listed are expected to be funded by the District's ad valorem tax levy.

For improved readability and usability, this table has been uploaded in its original Excel format at the following link:
[Download Cost Table Excel Spreadsheet](#)

Comfort Lake – Forest Lake Watershed District



COMMITTEE RECOMMENDATIONS

Administrative Advisory Committee

1. Revision of the Delegation of Routine Administrative Water Management Decision Policy – Kevin Bigalke – ***TYPE OF ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Revision of the Delegation of Routine Administrative Water Management Decision Policy

Meeting Date: August 26, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information Non-Public Data

Keywords for Electronic Searchability: Delegation, administrative, water management, policy

Section/Region: Regional Operations

Contact: Annie Felix-Gerth

Prepared by: Annie Felix-Gerth

Reviewed by: Administrative Advisory Committee(s)

Presented by: Kevin Bigalke

Time requested: 10 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

Decision on the revision of the Delegation of Routine Administrative Water Management Decision Policy.

LINKS TO ADDITIONAL INFORMATION

Include copy of the Policy.

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

The first version of the Delegation of Routine Administrative Water Management Decision Policy (Policy) was adopted on December 18, 2019. In August 2021, additional decision items to include in the Policy were identified. Staff have proposed additions to the policy and drafted a revised policy for the Board to consider.

BOARD ORDER – DRAFT 08-16-2021**Delegation of Routine Administrative Water Management Decision Policy****PURPOSE**

Amend and Adopt the Delegation of Routine Administrative Water Management Decision Policy (Policy).

RECITALS /FINDINGS OF FACT

1. In June 26, 2019, the Board’s Administrative Advisory Committee requested staff to assess which routine process items could be delegated to staff, such as amendment hearings, simple boundary changes, certain county water plan extensions, and SWCD office relocation.
2. Staff reviewed the board’s statutory decision-making requirements and identified a series of administrative decisions for watershed districts, watershed management organizations, and soil and water conservation districts that could be delegated to the Executive Director and drafted a policy to allow specific decisions to be delegated.
3. The proposed policy allowing routine, administrative, and noncontroversial decisions to be delegated to the Executive Director was reviewed by the Board’s Senior Management Team on October 8, 2019 and recommended to the Board’s Water Management and Strategic Planning Committee.
4. The Board’s Water Management and Strategic Planning Committee reviewed the Policy on November 22, 2019 and recommended approval to the Board.
5. The Board adopted the Delegation of Routine Administrative Water Management Decisions Policy on December 18, 2019.
6. In August 2021, staff identified two additions to be included in the Policy and proposed the revisions to the Administrative Advisory Committee. On August 25, 2021, the Administrative Advisory Committee reviewed the proposed revisions and recommended approval to the Board.

ORDER

The Board hereby:

1. Amends and adopts the revised Delegation of Routine Administrative Water Management Decision Policy dated August 26, 2021.

Adoption Date: August 26, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Delegation of Routine Administrative Water Management Decision Policy – DRAFT 08-16-2021

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

Version: 21.0
Effective Date: ~~12/18/2019~~ 08-26-2021
Approval: Board Order ~~#19-6821-~~

Policy Statement

The purpose of this policy is to allow specific administrative decisions regarding watershed districts (103D and 103B), and soil and water conservation districts to be delegated to the Executive Director. This policy will be known as the Delegation of Routine Administrative Water Management Decision Policy.

Reason for the policy

The goal is to increase efficiencies in the decision making process at BWSR by allowing the Executive Director to make decisions on routine actions.

Applicability

This policy applies to watershed districts and soil and water conservation districts. Delegation of decisions to the Executive Director will be supported for the following actions:

- 1) Watershed district (~~103D.251~~)
 - a) Non-controversial boundary changes (103d.251). To be considered a non-controversial boundary change and in addition to the requirements for petition signatures of 103D.251, Subd. 5, the petition must include a written statement of concurrence from the governing body of each city, town, county and watershed district having jurisdiction over the territory proposed to be added or transferred. Upon filing of a sufficient petition, Board staff will give notice of the filing of the petition (103D.105, Subd. 2). If BWSR does not receive a written request for a hearing within 30 days of the last publication of the notice of filing, the Executive Director may make a decision on the petition. If a request is received, then the Executive Director will schedule a hearing (103D.251, Subd. 6).
 - b) Hearing orders (approval to file notice and delegates the members to oversee the hearing) for any of the following:

- i) establishment (103D.221)
- ii) boundary change (103D.251)
- iii) withdrawal of territory (103D.255)
- iv) enlargement (103D.261)
- v) consolidation (103D.265)
- vi) termination (103D.271)
- vii) redistribution of managers (103D.301, Subd. 3)
- viii) increasing managers (103D.305)
- ix) amendment of watershed management plan and revised watershed management plan (103D.411)

viii)c) Project establishment order (103D.605, Subd. 5). After the completion of items in Subd. 1-4, and the watershed district managers have found that the project will be conducive to public health, promote the general welfare, and is in compliance with the watershed management plan and the provisions of this chapter, the Executive Director may make a decision to establish the project. This provision remains applicable until such time that the statute interpretation is made certain.

- 2) Metro watershed districts (103B).
 - a) Boundary changes (103B.215). Upon filing of a sufficient petition (103B.215, Subd. 2), BWSR shall give notice of the filing of the petition (103B.215, Subd. 3) If a timely written request for a hearing is not received (103B.215, Subd. 3), the Executive Director may make a decision on the petition within 30 days after the last publication of the notice without a hearing. If a hearing is requested, the Executive Director will schedule a hearing to be presided over by a Committee of the Board (Central Region Committee or another Committee as directed by the Board chair) and the decision on the petition will be made by the Board (103B.215, Subd. 4).
- 3) Soil and water conservation districts (103C)
 - a) Change of name (103C.215)
 - b) Change of location (103C.221)

Procedure

Local government units initiate a request for any of the actions listed above by submitting a petition (watershed districts) or resolution (SWCDs) to BWSR. Requests will be processed through the Board Conservationist, Regional Manager and Executive Director. The Executive Director may defer the decision to the BWSR Board.

History

Version	Description	Date
1.0	Delegation Policy, first adoption	12/18/2019

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Version	Description	Date
2.0	Delegation Policy, revision. Board Order #xx-xx	8/11/2021

NEW BUSINESS

1. Vice Chair Election – John Jaschke – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Vice Chair Election

Meeting Date: August 26, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: _____

Contact: Rachel Mueller

Prepared by: Rachel Mueller

Reviewed by: John Jaschke Committee(s)

Presented by: John Jaschke

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

Elect Vice Chair for the Board of Water and Soil Resources

LINKS TO ADDITIONAL INFORMATION

https://bwsr.state.mn.us/sites/default/files/2018-12/BWSR%20Board%20bylaws%20accessible_0.pdf

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

Election for an interim Vice Chair until the January 2022 election.