

BOARD ORDER

Fiscal Year 2022/23 Clean Water Fund Soil Health Grants

PURPOSE

Authorize the fiscal year 2022/23 Clean Water Fund Competitive Soil Health Grants.

FINDINGS OF FACT / RECITALS

1. The Laws of Minnesota 2021, 1st Special Session, Chapter 1, Article 2, Sec. 6(p) appropriated \$2,000,000 the first year and \$2,000,000 the second year are for grants to farmers who own or rent land to enhance adoption of cover crops and other soil health practices in areas where there are direct benefits to public water supplies. Up to \$400,000 is for an agreement with the University of Minnesota Office for Soil Health for applied research and education on Minnesota's agroecosystems and soil health management systems.
2. 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.
3. The request for proposal criteria provides expectations for applications by eligible local governments and subsequent implementation activities conducted with these funds.
4. The Grants Program and Policy Committee, at their February 14, 2022 meeting, reviewed the proposed fiscal year 2022/23 Clean Water Fund Competitive Soil Health Grant Request for Proposal criteria and recommended approval to the Board.

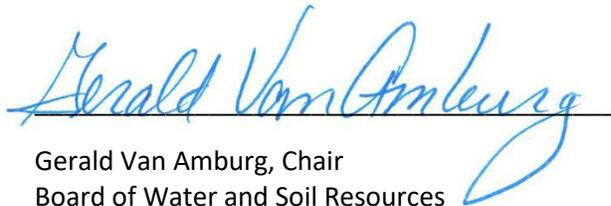
ORDER

The Board hereby:

1. Authorizes the fiscal year 2022/23 Clean Water Fund Soil Health Grants according to the attached ranking criteria for the *FY2022/23 Clean Water Fund Soil Health Grants Request for Proposal*.
2. Authorizes use of the 2022 Clean Water Fund Competitive Grant Policy for these grants.
3. Authorizes staff to finalize and issue a Request for Proposals.

Dated at St. Paul, Minnesota, this March 23, 2022.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: March 23, 2022

Attachments: FY 2022 Clean Water Fund Competitive Soil Health Grant Request for Proposal Criteria

FY 2022 Clean Water Fund Competitive Soil Health Grant Request for Proposal Criteria

Soil Health Program	
Ranking Criteria	Maximum Points Possible
<u>Prioritization and connection to public water supply:</u> Has the applicant clearly and concisely identified the specific resource and resource concern(s)? Are these items connected via state approved locally adopted plan reference(s).	25
<u>Targeting:</u> Are the proposed activities ones which would efficiently and effectively address Primary pollutant(s) or resource concerns.	25
<u>Measurable Outcomes and Project Impact:</u> Goals/Trends and progress made.	15
<u>New Adoption:</u> How do the applicants define this and what efforts are made to emphasize new adopters?	10
<u>Long Term Adoption:</u> What steps is the applicant taking to support successful adoption and encourage long term adoption of practices by the implementers?	10
<u>Education and Outreach:</u> What specific efforts are proposed to enhance local understanding and knowledge around the practices proposed? What efforts are being made to enhance or expand non-traditional partnerships for these purposes?	10
<u>Local Cost Share Policy:</u> Does the applicant have, or have they described the need for a local cost share policy for implementation of the practices which details the appropriate policies and procedures to implement these practices in an efficient and effective manner.	5
Total Points Available	100



BOARD ORDER

One Watershed, One Plan Program 2022 Planning Grants: Request for Proposals

PURPOSE

Authorize the 2022 Request for Proposals (RFP).

FINDINGS OF FACT / RECITALS

1. Minnesota Statutes §103B.801 establishes the Comprehensive Watershed Management Planning Program, also known as the One Watershed, One Plan Program.
2. The Board has authority under Minnesota Statutes §103B.3369 to award grants to local units of government with jurisdiction in water and related land resources management.
3. The Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(i) and the Laws of Minnesota 2021, 1st Special Session, Chapter 1, Article 2, Section 6 (i) appropriated funds to the Board for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach.
4. The One Watershed, One Plan Planning Grant 2022 RFP was reviewed and approved by the Board's Senior Management Team on February 8, 2022 to forward to the Board's Grants Program and Policy Committee for consideration.
5. The Board's Grants Program and Policy Committee reviewed the 2022 One Watershed, One Plan Planning Grant RFP on March 7, 2022 and recommended approval to the Board.

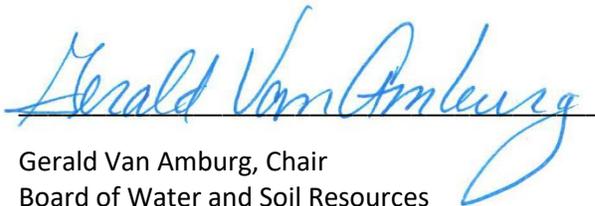
ORDER

The Board hereby:

1. Authorizes staff to finalize, distribute, and promote a 2022 Request for Proposals.

Dated at St. Paul, Minnesota, this March 23, 2022.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: March 23, 2022

Attachments:

- 2018 One Watershed, One Plan Planning Grant Policy
- 2022 Planning Grant Request for Proposals

2018 Grants Policy

One Watershed, One Plan Planning Grants

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

Version: 1.00

Effective Date: 03/28/2018

Approval: Board Decision #18-15

Policy Statement

The purpose of this policy is to provide expectations for One Watershed, One Plan Planning Grants conducted via the Board of Water and Soil Resources (BWSR) Clean Water Fund grants to facilitate development and writing of comprehensive watershed management plans consistent with Minnesota Statutes §103B.801.

Reason for this Policy

The Clean Water Fund was established to implement part of Article XI, Section 15, of the Minnesota Constitution, with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams and to protect groundwater and drinking water sources from degradation.

BWSR will use grant agreements for assurance of deliverables and compliance with appropriate statutes, rules and established policies. Willful or negligent disregard of relevant statutes, rules and policies may lead to imposition of financial penalties or future sanctions on the grant recipient.

Requirements

1. Applicant Eligibility Requirements

Eligible applicants include counties, watershed districts, watershed management organizations, and soil and water conservation districts working in partnership within a single One Watershed, One Plan planning boundary, meeting the participation requirements outlined in the *One Watershed, One Plan Operating Procedures*. Application for these funds is considered a joint application between participating local governments and may be submitted by a joint powers organization on behalf of local government members (partners). Formal agreement between the partners, consistent with the *One Watershed, One Plan Operating Procedures*, is required prior to execution of a grant agreement.

2. Match Requirements

No match will be required of the grantees. Grantees will be required to document local involvement in the plan development process.

3. Eligible Activities

Eligible activities must be directly for the purposes of providing services to the plan development effort and may include activities such as: contracts and/or staff reimbursement for plan writing; technical services; preparation of policy committee, advisory committee, or public meeting agendas and notices; taking meeting minutes; facilitating and preparing/planning for facilitation of policy or advisory committee meetings, or public meetings; grant reporting and administration, including fiscal administration; facility rental for public or committee meetings; materials and supplies for facilitating meetings; reasonable food costs (e.g. coffee and cookies) for public meetings; publishing meeting notices; and other activities which directly support or supplement the goals and outcomes expected with development of a comprehensive watershed management plan.

4. Ineligible Expenses

Ineligible expenses include staff time to participate in committee meetings specifically representing an individual's local government unit; staff time for an individual, regularly scheduled, county water plan task force meeting where One Watershed, One Plan will be discussed as part of the meeting; and stipends for attendance at meetings.

5. Grantee Administration of Clean Water Fund Grants

The grantee for these funds includes the partners identified in the formal agreement establishing the partnership, consistent with the One Watershed, One Plan Operating Procedures. Grant reporting, fiscal management, and administration requirements are the responsibility of the grantee. All grantees must follow the Grants Administration Manual policy and guidance.

- a. Formal agreement between partners is required prior to execution of a grant agreement and must identify the single local government unit which will act as the fiscal agent for the grant and which will act as a grantee authorized representative. Grant reporting, fiscal management, and administration requirements are the responsibility of the grantee.
- b. All grantees are required to report on the outcomes, activities, and accomplishments of Clean Water Fund grants.
- c. Grantees have the responsibility to approve the expenditure of funds within their partnership. The local government unit fiscal agent administering the grant must approve or deny expenditure of funds and the action taken must be documented in the governing body's meeting minutes prior to beginning the funded activity. This responsibility may be designated to a policy committee if specifically identified in the formal agreement establishing the partnership.
- d. BWSR recommends all contracts be reviewed by the grantee's legal counsel. All contracts must be consistent with Minnesota statute and rule.
- e. Grantees are required to document local involvement in the plan development process in order to demonstrate that the grant is supplementing/enhancing water resource restoration and protection activities.

6. BWSR Grant Administration Requirements

BWSR staff is authorized to develop grant agreements, including requirements and processes for project outcomes reporting, closeouts, and fiscal reconciliations.

In the event there is a violation of the terms of the grant agreement, BWSR will enforce the grant agreement and evaluate appropriate actions, including repayment of grant funds at a rate up to 150% of the grant agreement.

History

Version	Description	Date
1.00	Reformatted to new template and logo.	2018
0.00	New policy for One Watershed, One Plan Program	March 23, 2016

One Watershed, One Plan Planning Grants

Request for Proposals

March 25, 2022

Request for Proposals (RFP) General Information

The Clean Water Fund was established to implement part of Article XI, Section 15 of the Minnesota Constitution, with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams in addition to protecting ground water and drinking water sources from degradation. The appropriation language governing the use of these funds is in Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7 (i) and Laws of Minnesota 2021, 1st Special session, Chapter 1, Article 2, Section 6 (i). These funds must supplement traditional sources of funding and may not be used as a substitute to fund activities or programs. Final funding decisions will be dependent on the actual funds available. BWSR is currently making approximately \$1,100,000 available; additional funding may be made available for this purpose at a later date.

Proposal Guidelines

Proposals must be in PDF format and will be submitted electronically via: BWSR.Grants@state.mn.us.

1. Proposals are subject to a five-page limit, minimum font size 11 pt.
2. Proposals must include a one-page map of the watershed (maps are not included in the page limit) in PDF format. The map may be letter, legal, or ledger size and should identify the planning boundary, the boundaries of the planning partners, and any requested changes to the boundary. The One Watershed, One Plan Suggested Planning Boundaries, including a geodatabase, can be found at: www.bwsr.state.mn.us/planning/1W1P/index.html.
3. Proposals may be submitted by one or more of the eligible local governments on behalf of others in the watershed area. Respondents should demonstrate that a sufficient commitment exists to implement the project through a supporting motion or resolution from the board of each identified participant. A formal agreement between participants establishing a partnership to develop a plan will be required prior to execution of the grant agreement. If participants are unable to establish a formal agreement and work plan within six months of successful grant notification, the grant may be rescinded, and funds redistributed.
4. Respondents who were previously awarded Clean Water Funds and have expended less than 50% of previous award(s) at the time of this proposal may need to demonstrate organizational capacity to finalize current projects and complete a new project concurrently.
5. A cost estimate is a requirement for the project proposal. The final grant amount for successful respondents will be determined upon completion of a grant work plan and detailed budget. No cash match will be required of grant recipients.

Grant Execution

Successful respondents will be required to complete a planning agreement and submit a detailed budget and work plan prior to execution of the grant agreement. For template agreements, work plans, and budgets, contact julie.westerlund@state.mn.us.

Policies for participating in the program as well as additional resources for planning, can be found at: www.bwsr.state.mn.us/planning/1W1P/index.html. Successful respondents will be subject to the versions the *One Watershed, One Plan Operating Procedures* and the *One Watershed, One Plan - Plan Content Requirements* that are in place when planning grants are approved.

Project Period

The project period starts when the grant agreement is executed, meaning all required signatures have been obtained. Work that occurs before this date is not eligible for reimbursement with grant funds. All grants must be completed by June 30, 2025.

Payment Schedule

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

Incomplete Proposals

Proposals that do not comply with all requirements, including incomplete or missing proposal components, will not be considered for funding.

Clean Water Fund Project Reporting Requirements

1. All grantees are required to report on the outcomes, activities, and accomplishments of Clean Water Fund grants. All BWSR funded projects will be required to develop a work plan, including detail relating to the outcome(s) of the proposed project. All activities will be reported via the eLINK reporting system. Grant funds may be used for local grant management and reporting that are directly related to and necessary for implementing this activity. For more information go to www.bwsr.state.mn.us/outreach/eLINK/index.html.
2. BWSR Clean Water Funds will be administered via a standard grant agreement. BWSR will use grant agreements as contracts for assurance of deliverables and compliance with appropriate statutes, rules and established policies. Willful or negligent disregard of relevant statutes, rules and policies may lead to imposition of financial penalties on the grant recipient.
3. When practicable, grantees shall prominently display on their website the legacy logo. Grant recipients must display on their website either a link to their project from the Legislative Coordinating Commission Legacy Site (<http://legacy.leg.mn>) or a clean water project summary that includes a description of the grant activities, including expenditure of grant funds and measurable outcomes (www.bwsr.state.mn.us/cleanwaterfund/stories/)

4. When practicable, grantees must display the legacy logo on printed and other materials funded with money from the Clean Water Fund. The logo and specifications can be found at <http://www.legacy.leg.mn/legacy-logo>
5. Grantees will be required to document local involvement in the plan development process in order to demonstrate that the grant is supplementing/enhancing water resource restoration and protection activities and not supplanting traditional sources of funding.

Grants and Public Information

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

Conflict of Interest

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

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

Submittal

All responses must be electronically delivered to: BWSR.Grants@state.mn.us and must be received no later than 4:30 p.m. June 10, 2022. Late responses will not be considered. The burden of proving timely receipt is on the respondent.

Comprehensive Watershed Management Plan Development Proposals

To propose a watershed area, describe the qualifications of interested respondents. Responses should address the items in selection criteria #1 (see below).

1. Provide a general watershed map of the proposed planning boundary (map may be separate from the written information). If the proposed planning boundary deviates from the *1W1P Suggested Planning Boundaries*, provide a brief narrative of the reasons for the deviation, and whether all partners and affected or potentially affected partners in adjacent planning boundaries concur with the revised planning boundary.
2. Provide the name for your watershed planning boundary. Each planning partnership determines the name for the planning boundary (prior to participation in the program, boundaries are only numbered).

3. In consideration of the local government units (LGUs) within the boundary, provide a table with a list of all counties, soils and water conservation districts, watershed districts, and watershed management organizations, and the percentage of the jurisdictional land area of each local government within the boundary. The table must include:
 - a. Whether each LGU is a required participant (see section II of the *One Watershed, One Plan Operating Procedures*)
 - b. Indication of interest of each LGU (e.g. verbal, letter, resolution, etc.) or why a given LGU is not interested
 - c. Name and contact information for the primary contact(s) for each LGU

Proposals may also list potential or confirmed optional participants as described in the *One Watershed, One Plan Operating Procedures*. For a list of required participants and land percentages for planning boundaries shown on the *1W1P Suggested Planning Boundaries*, contact julie.westerlund@state.mn.us.

4. Describe technical information data sources for surface water, groundwater, and land management (plans, TMDLs, models, targeting tools, WRAPS, landscape stewardship plans, etc.) that will help inform the development of the comprehensive watershed management plan.
5. Describe the capability (experience with plan development, project and consultant management, facilitation, etc.) and availability (ability to commit time to the effort) of staff and local officials to participate in plan development.
6. Describe how the planning partnership will leverage each LGU's watershed management capacities and strengths (e.g. current water programs, areas of expertise), and how completing the plan will result in better resource outcomes and collaborative implementation approaches, shared services, and acquiring non-local funds for implementation.
7. Describe discussions among the LGUs within the boundary regarding the plan development process (the minimum requirement is that initial discussions have taken place, not that decisions have been made).
 - a. Potential governance structure for the planning effort (e.g., memorandum of agreement/joint powers collaboration or joint powers entity)
 - b. Roles and responsibilities for the planning effort (e.g. administrative lead, fiscal agent, plan writing and facilitation consultants, etc.)
 - c. Cost estimate (the cost estimate must include a 10% contingency amount)

Selection Criteria

All complete proposals submitted by the deadline will be reviewed by BWSR staff, with assistance from an inter-agency review committee. The successful respondents will be selected by the Board of Water and Soil Resources based on:

1. Responses to questions in this RFP, considered as follows (failure to include information that addresses each of the elements below will be considered an incomplete proposal):
 - a. Inclusion of general watershed map and description of any boundary changes consistent with question 1.
 - Minimum: map (including proposed boundary changes if applicable) included with proposal

- b. Inclusion of a name for the watershed planning boundary consistent with question 2.
 - c. Inclusion of a table of local government information consistent with question 3.
 - Minimum: indication of support from required participants
 - Minimum: potential optional participants have been identified and invited
 - Preferred: resolution of support, specific to the proposed planning boundary, signed by required participants
 - Preferred: optional participants have responded to invitation to participate
 - d. Pertinence of existing studies, plans, and information consistent with question 4 to the development of the comprehensive watershed management plan.
 - Minimum: monitoring and assessment report (and stressor identification report, if applicable) approved
 - Preferred: TMDL calculations and WRAPS document sufficiently developed to inform planning; WRAPS report on public notice or approved when proposal is submitted
 - Highly Preferred: the group has discussed and identified models and tools that will be used to develop a prioritized, targeted, and measurable plan
 - e. Demonstration of the partnership's readiness and commitment to planning together, based on early discussions of: capability, availability, and commitment to plan together, a shared understanding of one another's current work and strengths, and a vision for future watershed management that includes better resource outcomes and improved use of existing and future funding, consistent with questions 5 and 6.
 - Minimum: the group (staff) has met to discuss staff capability and availability for planning, information about capacity and strengths present in each LGU
 - Preferred: the group (staff and governing bodies) demonstrates that a majority of participants are committed to ongoing collaboration and contributing resources to developing the plan.
 - Highly Preferred: the group (staff and governing bodies) has shared information about one another's current plan priorities and local programs and has discussed a common vision for the future management of the watershed.
 - f. Demonstration of understanding of the scope of work required for development of a comprehensive watershed management plan, consistent with questions 6 and 7.
 - Minimum: group has discussed administrative roles.
 - Preferred: potential policy members have been identified and have met; MOA is drafted.
 - Preferred: group has a clear vision for developing the plan (e.g., relative contributions of partners and/or consultants)
 - Highly preferred: MOA is signed by all participants
2. Geographic distribution
- Preference will be given to the proposals with partners that have fewer completed comprehensive watershed management plans

- Preference will be given to the proposals with partners that are participating in fewer active planning efforts
- 3. Amount of available funding
- 4. Recommendation of BWSR staff and recommendation of the inter-agency review committee.

BWSR Grant Administration

BWSR reserves the right to provide funding to any and all proposals based on the number of eligible proposals submitted, anticipated staff time requirements, and the amount of funding available.

Timeline

- March 25, 2022– Proposal period begins
- June 10, 2022 – Proposal deadline at 4:30 PM
- June – August – Proposal review
- August 26, 2022 - BWSR Board approval of planning grant recipients
- March 17, 2023 Work plan submittal deadline
- April 7, 2023 Work plans due, grants executed
- Plans submitted to BWSR by June 30, 2025

Questions

For more information concerning the request for proposal, contact BWSR's One Watershed, One Plan Coordinator: Julie Westerlund, julie.westerlund@state.mn.us or 651-600-0694.

BOARD ORDER

Lawns to Legumes Phase 2 Demonstration Neighborhoods Grant Awards

PURPOSE

Authorize the grant awards for Lawns to Legumes Phase 2 Demonstration Neighborhoods Grant Awards.

FINDINGS OF FACT / RECITALS

1. The Laws of Minnesota 2019, 1st Special Session, Chapter 4, Article 2, Section 2 Subd. (f) appropriated \$900,000 from the Environment and Natural Resources Trust Fund to the Board for demonstration projects that provide grants or payments to plant residential lawns with native vegetation and pollinator-friendly forbs and legumes to protect a diversity of pollinators. The Laws of Minnesota 2021, 1st Special Session, Chapter 6, Article 6, Section 2, Subd. 8(p) appropriated \$993,000 from the Environment and Natural Resources Trust Fund to the Board for demonstration projects that provide grants or payments to plant residential lawns with native vegetation and pollinator-friendly forbs and legumes to protect a diversity of pollinators.
2. The Laws of Minnesota 2021, 1st Special Session, Chapter 6, Article 5, Section 2, Subd. 8(m) appropriated \$118,000 from the Environment and Natural Resources Trust Fund to the Board for demonstration projects that provide grants or payments to plant residential lawns with native vegetation and pollinator-friendly forbs and legumes to protect a diversity of pollinators.
3. The Laws of Minnesota 2021, 1st Special Session, Chapter 6, Article 5, Section 2, Subd. 20(b) transferred \$922,000 to the Board for demonstration projects that provide grants or payments to plant residential lawns with native vegetation and pollinator-friendly forbs and legumes to protect a diversity of pollinators.
4. The workplan approved by the Legislative-Citizens Commission on Minnesota Resources for this appropriation includes separate Individual Support and Demonstration Neighborhood Grant Components. The workplan includes \$1,066,000 for Demonstration Neighborhood Grants.
5. In October 2021 by Board Order #21-52, the Board authorized staff to complete and open the Lawns to Legumes Phase 2 Demonstration Neighborhoods RFP to provide grants through a competitive process.
6. The Demonstration Neighborhood RFP opened on November 2, 2021 and applications were accepted through February 3, 2022.
7. A total of 21 applications requesting \$715,345 were received.
8. Board staff reviewed applications for eligibility for this Program. Based on this review 20 applications were determined to be eligible.
9. An inter-agency review team ranked the eligible applications on March 2, 2022 and recommended applications for funding.
10. The Grants Program and Policy Committee, at their March 7, 2022 meeting, reviewed the proposed grant awards and recommended approval to the Board.

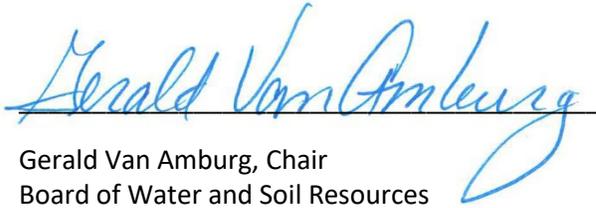
ORDER

The Board hereby:

1. Approves the allocation of funds to each eligible applicant in the amounts listed in the attached table *Lawns to Legumes Phase 2 Demonstration Neighborhoods Grant Program Funding Recommendation*.
2. Authorizes staff to enter into individual grant agreements for these funds.
3. Authorizes staff to award a grant to the next highest scoring applicant should a funded application not proceed for any reason.

Dated at St. Paul, Minnesota, this March 23, 2022.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: March 23, 2022

Lawns to Legumes Phase 2 Demonstration Neighborhoods Grant Program Funding Recommendation

Lawns to Legumes Phase 2 Demonstration Neighborhoods Grant Program Funding Recommendations

Grant ID	Grantee	Funding Amount	Grant End Date
C22-8750	Carnelian-Marine-St. Croix WD	\$ 40,000.00	5/1/2024
C22-0280	Kanabec SWCD	\$ 40,000.00	5/1/2024
C22-0889	St Louis, South SWCD	\$ 40,000.00	5/1/2024
C22-4330	Como Community Council	\$ 27,475.00	5/1/2024
C22-2646	Anoka CD	\$ 20,000.00	5/1/2023
C22-7120	Carlton SWCD	\$ 20,000.00	5/1/2023
C22-3428	Kenwood Neighborhood Organization	\$ 40,000.00	5/1/2024
C22-2780	Lyndale Neighborhood Association	\$ 40,000.00	5/1/2024
C22-1831	Armatage Neighborhood Association	\$ 24,840.00	5/1/2024
C22-0848	Hamline Midway Coalition	\$ 39,972.00	5/1/2024
C22-1559	Mendota Heights, City of	\$ 40,000.00	5/1/2024
C22-1300	Washington Conservation District	\$ 40,000.00	5/1/2024
C22-9884	Chisago SWCD	\$ 20,000.00	5/1/2023
C22-4025	Crystal Waters Project	\$ 26,300.00	5/1/2024
C22-8613	Olmsted SWCD	\$ 40,000.00	5/1/2024
C22-0522	Bassett Creek WMC	\$ 20,000.00	5/1/2023
C22-4256	Brooklyn Park, City of	\$ 20,000.00	5/1/2023
C22-1374	Boyd, City of	\$ 40,000.00	5/1/2024
C22-9948	Scott SWCD	\$ 20,000.00	5/1/2023
C22-2456	Trust for Public Land	\$ 40,000.00	5/1/2024
	Total	\$ 638,587.00	

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 **Carnelian-Marine-St. Croix Watershed District**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.

**ORDER
APPROVING
A WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Managers of the Carnelian-Marine-St. Croix Watershed District (District) submitted a Watershed Management Plan (Plan) on December 30, 2021 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.** In 1981, the Carnelian-Marine Watershed District was formed to address property damage being caused by fluctuating water levels on area lakes. In 2001, the Marine on St. Croix Water Management Organization proposed a merger with the Carnelian-Marine Watershed District due to the large number and diversity of water-related natural resources, significant high value resources, heavy use of the resources for recreational and aesthetic purposes, recharge of drinking water supplies, increased development pressures, and fiscal capacity. In 2007, the Carnelian-Marine Watershed District was expanded to encompass the Marine on St. Croix Watershed Management Organization and renamed the Carnelian-Marine-St. Croix Watershed District. The vision of the District is to protect and improve water resources of the District through coordination with local units of government, citizens, and other government agencies.
- 2. Authority of Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251. The current District watershed management plan was approved by Board Order on August 26, 2010. An extension to the plan through March 31, 2022 was approved by Board Order.
- 3. Nature of the Watershed.** The District covers 81.4 square miles in northeastern Washington County, in the Twin Cities Metropolitan Area. Included in the District are the City of Scandia, the City of Marine on St. Croix, May Township, Stillwater Township, and small parts of the Cities of Hugo, Grant, and Stillwater. The District is bound by the St. Croix River to the east, into which the entire watershed drains. To the west are the Comfort Lake-Forest Lake and Rice Creek Watershed Districts, and the Brown's Creek Watershed District to the south. The major land uses in the District are hay/pasture and deciduous forest. Among the District's water resources are 31 lakes, 21 streams (including 10 with brook trout populations), hundreds of acres of wetlands and over 17 miles of St. Croix River shoreline.
- 4. Plan Development and Review.** On March 11, 2020 the District sent notification of initiation of the planning process for the 2022-2031 Watershed Management Plan (Plan) to the plan review agencies and other parties as required by MR 8410, and solicited each agency's priority issues, summaries of relevant water management

goals, and water resource information. The District engaged a variety of stakeholder groups to gather input on watershed issues, and reviewed existing plans and programs. A Technical Advisory Committee (TAC) kick-off meeting was held on July 29, 2020; a district-wide survey and a shoreland landowner survey were conducted; two public listening sessions were held, and the Citizen Advisory Committee provided their priority issues and recommendations (available in Appendix G). This stakeholder input was used to develop draft issue statements which were considered by the District Board of Managers at an initial planning meeting (as required by MN 8410.0045) held on November 14, 2020.

The draft Plan was submitted to the Board, other state agencies, and local governments for the formal 60-day review on August 13, 2021 pursuant to Minnesota Statutes Section 103B.231 Subd. 7. The CMSCWD prepared a written response to the 60-day comments and then held a public hearing on November 18, 2021. Once the Plan revisions to address comments received were completed, the District Board of Managers approved the final draft Plan for final review by State Review Agencies and BWSR approval on December 8, 2021. This was received by the Board on December 30, 2021. Comments received during the 90-day review period indicated that the reviewers had no further comments.

5. **Local Review.** The District distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B.231 Subd. 7. Local written comments and edits were received from Washington County and the City of Marine on St. Croix. The draft Plan was also made available for comment by the general public. Additional written comments were received by the Square Lake Association, one individual, and the CMSCWD Citizen Advisory Committee. The District responded in writing to all stakeholders who commented during the 60-day review period, addressing each concern.
6. **Metropolitan Council Review.** During the 60-day review, the Council commended the District 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, contains clear statements of goals and policies, and provides a robust history of accomplishments achieved, among other elements. The Council encouraged the District to consider Council staff as a resource in its climate resiliency work and stream monitoring, and to strengthen its focus on chloride pollution. The District responded to all comments, and during the 90-day review the Council communicated they had no further comments.
7. **Department of Agriculture (MDA) Review.** During the 60-day review, MDA indicated they did not have comments. During the 90-day review, they did not provide additional comments.
8. **Department of Health (MDH) Review.** The MDH did not provide formal comment.
9. **Department of Natural Resources (DNR) Review.** During the 60-day review, the DNR highlighted multiple positive updates to the plan consistent with DNR priority issues for the watershed including: evaluating shoreline vegetative cover, enforcing unpermitted shoreline violations, supporting member community adoption of Minimal Impact Design Standards, monitoring chloride levels in lakes, and collaborating to facilitate native tree transition. Additionally, DNR provided recommendations for implementation of any alum treatments within the District. The District responded to all comments, and during the 90-day review no further comments were received.
10. **Pollution Control Agency (PCA) Review.** The PCA did not provide formal comment.
11. **Department of Transportation (DOT) Review.** The DOT did not provide formal comment.
12. **Board Review.** During the 60-day review, Board staff noted that the draft Plan was well written and comprehensive, and then provided a thorough review of the plan by section. Board staff comments were related

to identifying required missing content, correction and incorporation of hyperlinks, improved consistency of information presented throughout the Plan, and also clarifying language so that Plan goals were more clearly measurable and implementation progress could be more clearly evaluated. The Plan was revised as necessary to provide required Plan content and sufficiently address all comments.

13. **Plan Summary.** The District used the input received to identify 31 issues within eight issue categories: Water Quality; Water Quantity, Flood Risk, and Climate Resiliency; Groundwater; Aquatic Invasive Species; Upland Resources; Wetlands; Education & Outreach; Watershed Management & Operations. The Plan further details 43 related goals and prioritized and measurable implementation activities to address those goals. Activity prioritization included a categorization of A, B, or C, with A being the highest priority and C the lowest. Activities are organized within nine programs, with cross-reference to issues and goals.

Additionally, the Plan categorizes lakes and streams as either “focused” or “routine” for the purpose of targeting implementation where the most benefit could be received. The focused implementation strategy is employed for those water bodies that need protection from becoming impaired, or that are minimally impaired and might be returned to an unimpaired state. The routine implementation strategy is employed to ensure a basic level of protection for waterbodies not in the focused category. Within that framework, the Plan identifies specific and measurable water quality goals for each waterbody. Successful implementation of the Plan would result in removal of seven lakes from the impaired waters list, progress or improved conditions on nine lakes, restoration of four streams, and improved conditions on seven streams.

Some Plan highlights include:

- Expanding stream water quality monitoring and supporting volunteer monitoring
- Modeling, reporting, and engagement on climate resiliency
- A coordinated Aquatic Invasive Species (AIS) prevention and management plan and rapid response plan and expanded partnership to support enforcement of AIS laws
- Monitoring degraded wetlands with historic intensive land use to identify contributing nutrient loads to high priority water resources
- A Wetland Management Plan which supplements existing state and federal regulations and adds additional protection and flexibility to manage District wetlands
- A communications and outreach plan with focus on partnership, coordination, and targeted engagement
- Focused and prioritized water quality goals for all District lakes and creeks
- Reduction of annual total phosphorus loading to the St. Croix River by 100 pounds
- Improved communications, streamlined and transparent budgeting, and strengthened partnerships throughout the watershed

14. **Central Region Committee Meeting.** On March 3, 2022, the Board’s Central Region Committee and staff met in St. Paul and via web conference to review and discuss the final Plan. Those in attendance from the Board’s committee were Committee Chair Joe Collins, Jill Crafton, Jayne Hager Dee, Mark Zabel, Joel Larson, Wayne Cords (sub for Melissa Lewis), and Grant Wilson. Board staff in attendance were Marcey Westrick (Central Region Manager), Michelle Jordan (Board Conservationist), and Barbra Radke (Training Coordinator). Mike Isensee (District Administrator) and Victoria Dupre (District Manager) were in attendance. District Administrator Mike Isensee provided highlights of the Plan and process. After presentation and discussion, the committee recommended approval of the Plan to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving the Watershed Management Plan for the Carnelian-Marine-St. Croix Watershed District (CMSCWD) pursuant to Minnesota Statutes Section 103B.231, Subd. 9.
3. The CMSCWD Watershed Management Plan, attached to this Order, defines the water and water-related problems within the District's boundaries, possible solutions thereto, and an implementation program through 2031.
4. The CMSCWD Watershed Management Plan will be effective March 23, 2022 through March 23, 2032.
5. The attached Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Carnelian-Marine-St. Croix Watershed District Watershed Management Plan submitted on December, 30 2021.

Dated at Saint Paul, Minnesota this 23rd day of March 2022.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES



BY: Gerald Van Amburg, Chair

Board Resolution # 22-15

Reinvest in Minnesota (RIM) Easement #08-09-93-02 Alteration for Public Road Project

WHEREAS, BWSR acquired RIM easement #08-09-93-02, a 21.1-acre riparian easement lying adjacent to the Minnesota River in Brown County in 1994; and

WHEREAS, the Brown County Highway Department will be replacing “Bridge 2110”, a structurally deficient, one lane bridge crossing the Minnesota River along CSAH 8, which lies adjacent to said RIM easement; and

WHEREAS, the project will include construction of a new, structurally sound bridge just to the east of the current bridge location and realignment of CSAH 8, resulting in an expansion of the existing highway right-of-way that will impact 0.6 acres of RIM easement #08-09-93-02; and

WHEREAS, the project will benefit public safety by improving traffic flow, and allowing the movement of emergency vehicles, trucks, and farm equipment across the bridge where previously not possible; and

WHEREAS, MN Rule 8400.3610 states that the Board may alter or release an easement if the Board determines the public interest and general welfare will be better served by the alteration or release; and

WHEREAS, the BWSR Easement Alteration Policy allows public entities to request that BWSR release acres from an easement if the entity agrees to pay for the released acres at two times the current RIM payment rate, as well as pay back any state funds previously spent on conservation practices on the impacted area; and

WHEREAS, the Brown County Highway Department will pay BWSR \$8680.56 to release 0.6 acres from the easement; and

WHEREAS, the Brown County Soil and Water Conservation District and the DNR Area Wildlife Manager have both submitted letters in favor of the alteration, the Highway Department has submitted the \$500 application fee required for BWSR to consider the alteration request, and has met all other requirements of the Easement Alteration Policy;

NOW, THEREFORE, BE IT RESOLVED THAT, The Minnesota Board of Water and Soil Resources approves the release of 0.6 acres from RIM Easement #08-09-93-02, as proposed, and authorizes staff to work with the Brown County SWCD to officially amend the RIM Easement documents.


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: March 23, 2022



Board Resolution # 22-16

Reinvest in Minnesota (RIM) Reserve – Working Lands Conservation Code and Cost Share Rates

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

WHEREAS, Minnesota Statutes 103F.515, Subdivision 6(a) states that the Board shall establish rates for payment of conservation practices; and

WHEREAS, Minnesota Rule 8400.3630, Subpart 1 establishes criteria for approved conservation practices; and

WHEREAS, Laws of Minnesota 2019, Chapter 2, Article 1, Section 4(a) appropriated \$10,000,000 to BWSR to “acquire conservation easements from landowners to preserve, restore, create, and enhance wetlands and associated uplands of prairie and grasslands, and restore and enhance rivers and streams, riparian lands, and associated uplands of prairie and grasslands in order to protect soil and water quality, support fish and wildlife habitat, reduce flood damage, and provide other public benefits” and “that no more than \$1,000,000 may be used to acquire working lands easements”; and,

WHEREAS, on January 27, 2021, the Board passed Resolution # 21-04 authorizing staff to implement the Working Lands RIM Easement Pilot Program; and

WHEREAS, the Working Lands RIM Easement Pilot Program is designed to work with agricultural producers to keep cattle on the landscape while improving water quality and wildlife habitat; and

WHEREAS, grazing plans that meet USDA or other widely accepted practice standards for grazing management will be required; and

WHEREAS, the USDA Natural Resources Conservation Service has certified grazing plan writers who can write many but not all the grazing plans; and

WHEREAS, grazing plans will require certain infrastructure such as fencing, and stock watering facilities be implemented to keep cattle away from sensitive areas and facilitate rotational grazing; and

WHEREAS, the RIM program currently lacks a conservation practice code and payment rates for grazing plan writing and related infrastructure needs; and

WHEREAS, RIM Conservation Codes and Practices and associated payment rates were previously established by Board Resolution # 10-26; and

WHEREAS, this resolution is supplemental to previously approved BWSR Board resolutions and will remain in effect until material changes in the program warrants an amendment; and

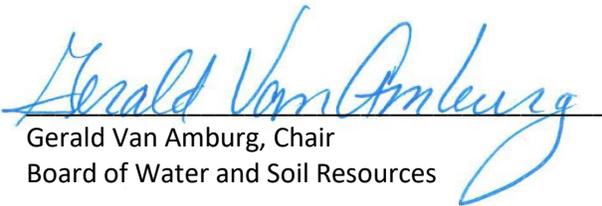
WHEREAS, the BWSR RIM Reserve Committee met on February 4, 2022, and recommends the following.

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

1. Implement a new practice code, RR-15, that authorizes RIM cost share for grazing infrastructure practices.
2. Implement cost share rates for RR-15 and grazing plan development and publish said rates and practices in the RIM Handbook as follows:
 - a. up to 50% of total eligible costs not to exceed \$300 per acre for grazing infrastructure on permanent conservation easements.
 - b. up to 100% of total eligible costs not to exceed \$3800 per grazing plan on permanent conservation easements.

Dated at Saint Paul, Minnesota this 23rd day of March, 2022.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: March 23, 2022