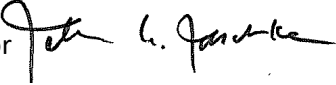


DATE: October 20, 2020

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

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice – October 28, 2020

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, October 28, 2020, beginning at 9:00 a.m. The meeting will be held in the lower level Board Room, at 520 Lafayette Road North, St. Paul and by WebEx. Due to COVID-19, access to the MPCA/BWSR office is limited. Individuals interested in attending the meeting should do so by either 1) logging into WebEx by going to the following website: <https://minnesota.webex.com/minnesota/onstage/g.php?MTID=e7b1f1570af546d37b40833b4fb4294fb>, and entering the password: webex, or 2) join by audio only conference call by calling telephone number: 1-415-655-0003 and entering the access code: 146 610 6924.

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

RIM Committee

1. **Jeff Hanratty RIM Easement Alteration (43-02-87-01)** – This is a request to amend RIM easement 43-02-87-01 in McLeod County, recently purchased by Jeff Hanratty. Mr. Hanratty has proposed releasing 1.5 acres from the existing RIM easement in order to use the existing access from the public road and land adjacent to the access for a permanent spot to park his trailer, potentially pour a concrete slab and construct an outhouse or septic. He has proposed adding an additional 9 acres of cropland and existing wetlands to the easement as replacement. His proposal well exceeds the minimum requirements under BWSR's Easement Alteration Policy and would increase wildlife habitat and riparian protection of the adjacent lake. This revision of a prior proposal was approved by the RIM Reserve Committee on September 30, 2020. **DECISION ITEM**
2. **2019 Clean Water Fund Appropriation Easement Type Realignment** – Ninety-four percent of the acres currently enrolled in CREP are for wetland practices. Funding for wetland practices has been significantly expended while significant buffer funding remains. Clean Water Fund appropriations allow the Board to shift easement funds. The board resolution authorizes the shifting of a portion of the funds from the 2019 Clean Water Fund buffers appropriation to be utilized for all four CREP authorized practices to allow for better alignment with CREP practice interest and enrollment. This will allow the state to continue to leverage federal funds and meet the needs of landowners. **DECISION ITEM**

Northern Region Committee

1. **Buffalo-Red River Comprehensive Watershed Management Plan** – The Buffalo-Red River watershed was selected by BWSR as one of the planning areas for the One Watershed, One Plan program in 2017. The watershed partnership Policy Committee and Advisory Committee members have attended regularly

scheduled meetings and submitted the Buffalo-Red River Watershed Comprehensive Watershed Management Plan to BWSR on September 18, 2020, for review and approval. The Northern Regional Committee met on October 7, 2020, to review the content of the Plan, final State agency comments on the Plan and to make a recommendation. The Committee recommends approval of the submitted Plan by the full Board. **DECISION ITEM**

Central Region Committee

1. **Rice Creek Watershed District boundary change** – A petition for a boundary change of the Rice Creek Watershed District (RCWD) and Vadnais Lakes Area Watershed Management Organization (VLAWMO) has been filed with Minnesota Board of Water and Soil Resources (BWSR) by the two watershed organizations. The proposed boundary change, located in Ramsey County, Minnesota, would correct the assessment designation of five parcels along the common boundaries of the watershed management organizations. **DECISION ITEM**
2. **Lower St. Croix River Comprehensive Watershed Management Plan** – The Board of Water and Soil Resources (BWSR), at their June 28, 2017 meeting, selected the Lower St. Croix Watershed Implementation Partnership (Partnership) for a planning grant as part of the One Watershed, One Plan Program. Their Policy, Advisory, and Steering Committees met for over two years to discuss priority issues, goals, and implementation actions to protect and restore natural resources in the Lower St. Croix Watershed. The Partnership developed the Lower St. Croix Comprehensive Watershed Management Plan (Plan) and submitted it to BWSR on August 6, 2020 for review and approval. The Central Region Committee met on October 13, 2020 to review the content of the Plan and recommends approval of the submitted Plan by the full Board. **DECISION ITEM**
3. **Capitol Region Watershed District Watershed Management Plan** – The Capitol Region Watershed District (CRWD) has identified nine Plan themes (nine), eight resource and organizational issue categories, to focus their implementation effort to address issues identified for water quality, water quantity and flooding, ecosystem health, communications and engagement, regulation, infrastructure management and organization in the nearly 41 square mile watershed in the southern part of Ramsey County, in the Twin Cities Metropolitan Area. The CRWD will use the 64 Plan goals to target and measure their success over the next 10 years. **DECISION ITEM**

NEW BUSINESS

1. **2021 Proposed BWSR Board Meeting Schedule** – Meeting dates are being proposed for board meetings in 2021. Most meetings are the fourth Wednesday of the month, unless otherwise noted. The proposed calendar has meetings held in the same months as the 2020 calendar. **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 October 28th.

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
ST. PAUL, MN 55155
WEDNESDAY, OCTOBER 28, 2020**

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF AUGUST 26, 2020 BOARD MEETING

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

REPORTS

- Chair & Administrative Advisory Committee - Gerald Van Amburg
- Audit & Oversight Committee – Paige Winebarger
- Executive Director - John Jaschke
- Dispute Resolution and Compliance Report – Travis Germundson/Gerald Van Amburg
- Grants Program & Policy Committee – Tom Schulz
- RIM Reserve Committee – Tom Loveall
- Water Management & Strategic Planning Committee – Todd Holman
- Wetland Conservation Committee – Jill Crafton
- Buffers, Soils & Drainage Committee – Kathryn Kelly
- Drainage Work Group - Tom Loveall/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 – Chessa Frahm
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Nathan Redalen
- Minnesota Association of Watershed Districts – Emily Javens
- Natural Resources Conservation Service – Troy Daniell

COMMITTEE RECOMMENDATIONS

RIM Reserve Committee

1. Jeff Hanratty RIM Easement Alteration (43-02-87-01) – Karli Tyma – ***DECISION ITEM***
2. 2019 Clean Water Fund Appropriation Easement Type Realignment – Sharon Doucette – ***DECISION ITEM***

Northern Region Committee

1. Buffalo-Red River Comprehensive Watershed Management Plan – Neil Peterson, Ryan Hughes and Brett Arne – ***DECISION ITEM***

Central Region Committee

1. Rice Creek Watershed District boundary change – Annie Felix-Gerth – ***DECISION ITEM***
2. Lower St. Croix River Comprehensive Watershed Management Plan – Barb Peichel – ***DECISION ITEM***
3. Capitol Region Watershed District Watershed Management Plan – Melissa King – ***DECISION ITEM***

NEW BUSINESS

1. 2021 Proposed BWSR Board Meeting Schedule – Rachel Mueller and John Jaschke – ***DECISION ITEM***

UPCOMING MEETINGS

- BWSR Board Meeting is scheduled for December 17, 2020, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.

ADJOURN

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
LOWER LEVEL BOARD ROOM
ST. PAUL, MN 55155
WEDNESDAY, AUGUST 26, 2020**

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

STAFF PRESENT:

John Jaschke, Angie Becker Kudelka, Rachel Mueller, Travis Germundson, Kevin Bigalke, Tom Gile, Julie Westerlund, Marcey Westrick, Pete Waller, Annie Felix-Gerth, Dave Weirens, Dave Copeland, Shaina Keseley, Ryan Hughes, Chris Pence, Megan Lennon,

OTHERS PRESENT:

Jeff Berg, MDA; Brian Martinson, AMC; Chessa Frahm, MACDE; LeAnn Buck, MASWCD; Emily Javens, MAWD; Troy Daniell, NRCS; Robert Sip, RRWMB; Mimi Daniel, May Yang, Jesse Bode, Haley Byron, Camilla Correll, Morgan Torkelson, Alex Trunnell, Jared House, Tanya Waldo, Nicole Bernd, Ben Underhill, Aaron Habermehl, Jamie Beyer, Jamie Osowski, Daniel Mahoney, Jean Christoffels, Michele Stindtman, Anne Oldakowski

Chair Gerald VanAmburg called the meeting to order at 9:05 AM

PLEDGE OF ALLEGIANCE

20-34 **ADOPTION OF AGENDA** - Moved by Nathan Redalen, seconded by Joe Collins, to adopt the agenda as presented. *Motion passed on a voice vote.*

Roll Call Vote: Adoption of the agenda

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman	X			
Glenn Skuta (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson	X			
Tom Loveall	X			
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Whitney Peterson (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
TOTALS	19			1

20-35 **MINUTES OF JUNE 24, 2020 BOARD MEETING** – Moved by Kathryn Kelly, seconded by Jill Crafton, to approve the minutes of June 24, 2020, as amended. *Motion passed on a voice vote.*

Roll Call Vote: Approval of the Minutes of June 24, 2020 Board Meeting

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

Name of Board member	Affirmative	Opposed	Abstained	Absent
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson	X			
Tom Loveall	X			
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Whitney Place (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
TOTALS	19			1

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

CONFLICT OF INTEREST DECLARATION

Chair Van Amburg read the statement:

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

REPORTS

Chair & Administrative Advisory Committee – Chair Gerald Van Amburg reported he attended the July 15 EQB meeting of the Environmental Review Implementation Subcommittee that is chaired by Commissioner Strommen. The subcommittee discussed the Environmental Review program data and Performance Report. EQB is responsible for monitoring the effectiveness of the Environmental Review Program and to modify and improve its effectiveness.

EQB met August 12 where they examined goals, strategies and the actions of 2020 Water Plan. The Water Plan considers the relations of water and climate and how climate change must be factored in when considering water policy. The Plan is composed of five goals and under each goal there are strategies and action as developed by EQB staff and interagency collaborators. Chair Van Amburg thanked the BWSR staff for their work and being involved in putting the 2020 Water Plan together. The plan will be up for approval and publication at the September EQB meeting. The board also heard an update on the 404 Assumption study from BWSR staff.

Attended Soil Health Field Day on July 23rd in Wilkin County. Good presentation and hands on learning.

Staffing adjustments made because of COVID 19, Chair Van Amburg thanked staff for shifting and doing other things.

Dale Krystosek, BWSR PRAP Coordinator retired in early July and thanked Dale for all his years of outstanding work.

Audit and Oversight Committee – Paige Winebarger stated committee has not met.

Executive Director's Report - John Jaschke reported that we normally would have been on our board tour and is hoping to pick that up again next year.

Reviewed the day of packet materials. Slight adjustment to the agenda and will try to line up the IDEC presentation to be presented around 10:30 a.m. Conflict of interest will be done through roll call, state yes or no and if you have a conflict at that time.

Jaschke stated we had to make some staffing adjustments since we are still in a hiring freeze, hiring exceptions can be sought through MMB. Along with Dale Krystosek retirement, Mary Peterson also retired and will possibly come back part time but has to go through hiring exception process.

Staff are still teleworking and those with field responsibilities have to log in every day to report if they are doing field work. The directive shared with staff is that they are expected to work from home through the calendar year.

There is a new MMB Commissioner Jim Schowalter who previously held this position under the Dayton administration.

Clean Water Funding there is an expected reduction in what was available compared to the prior biennium for Legacy Funds that affect both Outdoor Heritage Fund and Clean Water Fund.

Legislative sessions have occurred over the summer as needed and called by the Governor to ratify emergency orders. Bonding bill did not get passed.

Governor's Executive Order 19-37 work via the Climate Subcabinet took a pause due to COVID but is now working again. Mostly outreach and input stage at this time.

Dispute Resolution and Compliance Report – Travis Germundson reported there are presently nine appeals pending. All the appeals include the Wetland Conservation Act (WCA). There have been four new appeals filed since the last Board Meeting.

File 20-08 This is an appeal of a WCA restoration order in St. Louis County. The appeal regards the alleged placement of 8,000 sq. ft. of fill in a wetland. Petitioner intends to submit an after the fact application for exemption of no loss to the LGU. No decision has been made on the appeal.

File 20-07 This is an appeal of a WCA restoration order in St. Louis County. The appeal regards the alleged impact of 17,000 sq. ft. of fill in a wetland for the construction of a private driveway. Appeal has been withdrawn and the case has been dismissed.

File 20-06 (8-4-2020) This is an appeal of a WCA exemption decision in Benton County. The appeal regards the denial of an exemption request for installation of agricultural drain tile within a 3.5-acre wetland. At issue is the wetland size. No decision has been made on the appeal.

File 20-05 (6-23-2020) This is an appeal of a WCA exemption decision in Otter Tail County. The appeal regards the denial of an exemption request for the installation of new drainage tile in multiple locations. At issue is the cropping history and wetland type associated with two of the eleven sites. The appeal was denied and the local government unit's decision affirmed.

Buffer Compliance Status: BWSR has received Notifications of Noncompliance (NONs) on 99 parcels from the 12 counties BWSR is responsible for enforcement. Staff continue to actively reach out to landowners to resolve any noncompliance on a voluntary basis prior initiating enforcement action through the issuance of Correction Action Notices (CANs). So far 61 CANs have been issued by BWSR and five Administrative Penalty Orders (APO). Of the actions being tracked over 31 of those have been resolved.

Statewide 24 counties are fully compliant, and 43 counties have enforcement cases in progress. Those counties have issued a total of 1,143 CANs and 15 Administrative Penalty Orders. Of the actions being tracked over 866 of those have been resolved.

Notification letters have been sent out to the remaining SWCDs that have yet to complete compliance determinations issue notifications of compliance for parcels that are currently not in compliance. Of those SWCDs all but two have specific plans and timelines for compliance.

Harvey Kruger asked if they could see more information about what specific counties are in compliance and which ones have enforcement cases in progress. Travis stated there is a map that can be emailed to the board.

Grants Program & Policy Committee – Tom Schulz reported committee met August 13. Recommended four grant related items that are on the agenda today. Will have a meeting in future; no date set.

RIM Reserve Committee – Tom Loveall reported committee met July 31 one item of business was an easement alteration that is a work in progress and will meet again on it before it comes to the board.

Tom provided an update on CREP; as of third batching total of approx. 30K acres. Progress is being made.

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

Wetland Conservation Committee – Jill Crafton reported committee has not met. WCA rulemaking notice hope to send out by the end of the month.

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

Drainage Work Group (DWG) Tom Loveall and Tom Gile reported the Drainage Work Group met July 9 and August 13.

At the July 9 meeting an overview of the BWSR Clean Water Fund Multipurpose Drainage Management grant program was given. The group is generally supportive of this program and several members are interested in finding ways to increase available funds.

A Presentation was provided by Shannon Sweeny, David Drown Associates Inc. related to public drainage project bonding and financing. This topic has been part of several discussions in the past year and is an area of continued interest to the DWG membership. Of particular interest are the considerations a County would look at when considering their bonding rating and interest rates for drainage projects when considering other potential county projects that may incur debt.

BWSR staff drafted a revision to 103E to uniformly include Watershed Districts in a number of procedures that currently only reference Counties or Joint County boards. While this hasn't led to issues over time there was interest at the end of the 2019 DWG session to look into options going forward to "clean this up" in 103E. While this may help clarify the discussion included whether it is "needed" at this time and the risk of opening all of 103E if not necessary. Some future discussion is expected.

Final versions of the Understanding Minnesota Public Drainage Law Documents were shared with the DWG. Draft versions were shared with DWG membership last year and comments provided were considered in crafting the final versions. These documents are now available on the BWSR website for public use.

At the August 13 meeting presentations by BWSR (Tom Wenzel) and Rinke Noonan (Representing drainage authorities) specific to current discussions around the need for a right of way granted to the Drainage Authority when a drainage system is moved as a result of a conservation easement. While this hasn't been the case historically there is growing sentiment that it is appropriate to ensure that the drainage authority has clear right of way for inspection and maintenance purposes in the location of the drainage infrastructure in the event it is moved due to easement acquisition or restoration activities associated with the easement. BWSR staff will continue working with drainage authorities and their legal counsel to pursue options that satisfy the needs of the drainage authorities while attempting to prevent unnecessary additional steps.

BWSR Draft Drainage System Maintenance on Conservation Easements Policy

BWSR is developing a guidance document intended to clarify Agency roles and responsibilities related to existing drainage infrastructure when a conservation easement is acquired by the agency. An overview of the document will be provided for discussion. BWSR will also solicit feedback and input from DWG membership on the current version of the document to consider as we refine and finalize it.

- Overview and Discussion.
- Discussion on timeline for feedback from DWG membership.
- Timeline for DWG comment is September 11, 2020.

DWG membership discussed the bonding presentation from the previous meeting. The DWG group is interested in continuing this discussion and staying on top of the financing side as folks seem to agree that this could be an up and coming area of concern for members.

Next in-person DWG meeting tentatively planned for September 10, 2020.

Harvey Kruger stated he would like to see the process expediated a little faster for the bonding alternative for ditch improvements.

AGENCY REPORTS

Minnesota Department of Agriculture – Whitney Place reported that on September 1st the first portion of their Groundwater Protection Rule will be going into effect. Fall fertilizer application in sensitive areas will not be allowed. If growers or people need to know if they are included in that restriction there is a map on the MDA website.

Working hard on MN Ag water certification program trying to implement as many acres as possible; the Governor has set a goal of one million acres by end of 2022. Have been meeting with different stakeholders to promote this program and increase implementation of conservation out on the landscape.

Minnesota Department of Health – Steve Robertson reported COVID19 activities still continue with many of their staff still being reassigned. Stated they have a new pilot grant program for assisting private well users. They have awarded two grants in two different parts of the state.

The Association of State Drinking Water Administrators recently released a comprehensive analysis of the workload of all the state's drinking water programs nationwide. Many states will use this to help address emerging drinking water issues.

Steve stated the Health based guidance work that the department does has released work plans for 2021 on their website.

In the Drinking Water Program, the Source Water Program made a goal in 2010 to Clean Water Council to achieve drinking water supply management for all the vulnerable community systems in the state and to have completed by end of 2020. At the end of June this was completed.

Minnesota Department of Natural Resources – Sarah Strommen followed up on a question Jill Crafton had at the last meeting regarding invasive carp plan. She reported staff are still putting together the timeline for the updated plan. That timeline will include a public engagement opportunity to work with others and can follow-up offline if Jill would like more information.

Commissioner Strommen stated the Great American Outdoors Act was passed and signed. Will help fund national parks, state parks, local parks and trails, and recreational spaces across the state.

Chronic wasting disease is in our deer population and we're getting closer to archery and firearm deer season. This year will be a little different because of pandemic. DNR will not be doing mandatory staff stations for submitting samples but are asking hunters to voluntary give samples.

Shoreline restoration project in Lake Itasca State Park to address erosion that has been occurring at the headwaters. The project will repair and restore the original channel.

Missing the opportunity at the State Fair this year to engage with people. DNR is joining the State Fair and others in providing some virtual and online opportunities. Tomorrow they will be launching the Minnesota Great Outdoor Adventure that consists of a number of online virtual opportunities to interact with experts on various topics.

Jill Crafton stated she would like Commissioner Strommen to follow-up with her offline.

Neil Peterson would also like a follow-up call about some of their drainage issues.

Minnesota Extension – Joel Larson reported the U of M moved most of their classes to online or a hybrid option. Decided to delay undergraduate move in and in person classes by at least two weeks.

Soil Health field day in September with social distancing outside. Gather information to use for online training for online field days.

The climate adaptation webinars occur from 12:00 -1:00 p.m. on the fourth Wednesday of each month. the MN Climate Adaptation Partnership (MCAP) is a multi-sector collaboration working to increase climate resilience in Minnesota.

The Water Resources Conference will be held online on October 20 and 21.

Hired new Extension Climate Specialist Heidi Roop who started last month. Also hired a new Extension Educator Anne Sawyer focusing on watershed education issues and will be hiring an Extension Educator to focus on urban stormwater management

Chair VanAmburg asked if Rachel would be sending out information to register for the Water Resources Conference in October. Rachel stated that she would be gathering the annual conference information and send to board members if they would like to attend.

Minnesota Pollution Control Agency – Glenn Skuta reported the status of the Watershed Restoration and Protection Strategy (WRAPS). For the 80 watersheds of the state 55 have been completed and are on track for the statutory deadline for having them all completed by mid-2023.

ADVISORY COMMENTS

Association of Minnesota Counties – Brian Martinson reported the spring district visits were held online this year and the fall policy conference was cancelled. The Policy Committee will be meeting via Zoom in mid-September to continue policy work. Not much accomplished by Legislature this year in terms of environment, finance, or policy work. AMC signed a letter, along with 50 other organizations from around the state, directed towards legislative leaders and the Governor's office to encourage them to get a bill done when they potentially reconvene in September. COVID has had significant economic impacts. Some of the work done in terms of state revenue reductions has been focused on the Clean Water Fund (CWF). Reductions are currently being made to CWF spending in the current year. Local Government Water Roundtable staff have been in regular contact and have been coordinating with BWSR staff to see that their voices are included. The Clean Water Council are currently in discussion about the FY22-23 budget year and are facing difficult decisions regarding reductions to the budget in the upcoming biennium. Part of what they need to consider is whether to include the SWCD funding within that budget. The Council has not included it in the past but legislature has adjusted it for them and added it in. Ability for the state to use general fund money to address issue has evaporated and encourage Council and others to take a look at this issue. Drainage Working Group has met and has had good informative meetings, discussed the issue of financing or bonding for projects.

Harvey Kruger stated he would like to see the drainage projects expedited.

Minnesota Association of Conservation District Employees – Chessa Frahm reported they are revising plans for the year with COVID 19. Looking at different plans for the annual conference. Hosting SWCD budgeting workshop in partnership with BWSR. Partnering with U of M for HR training for employee onboarding. The National Conservation Planning Partnership website is now active at www.ncpp.info with information and updates on what they've been up to.

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

Minnesota Association of Townships – Nathan Redalen reported monthly meetings are being held via Zoom.

Minnesota Association of Watershed Districts –Emily Javens reported Heron Lake Watershed District had a petition to improve their system and received a 3-year short term loan to build project. Need to figure out how they are going to finance it long term.

Natural Resources Conservation Service – Troy Daniell reported that most of the federal programs were held in late spring. Gave an update of their three-year strategy that is set up for management of their easements. Stated they won't be able to get a huge additionality of funding for next year. Hiring has improved since a year ago. Staff have been working on coming up with a game plan to keep training going during the COVID challenge. Still going out in the field and doing the work the best they can.

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

One Watershed, One Plan Planning Grants Authorization – Julie Westerlund presented One Watershed, One Plan Planning Grants Authorization

The calendar year 2020 (FY21 grants) One Watershed, One Plan Planning Grants request for proposal (RFP) period opened on March 27, 2020 and closed on June 12, 2020. BWSR received nine proposals. Staff reviewed the nine proposals against the RFP selection criteria and received feedback from the Interagency WRAPS and Implementation Team. BWSR's Senior Management Team reviewed staff recommendations on July 14, 2020 and recommended funding eight of nine of the proposals. Grants Program and Policy Committee reviewed this recommendation on August 13, 2020. 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. A small portion of funds will come from unspent dollars from the 2018-2019 biennium, Laws of Minnesota 2017, Chapter 91, Article 2, Section 7(i).

**
20-36 Moved by Harvey Kruger, seconded by Jill Crafton, to approve the One Watershed, One Plan Planning Grants Authorization. **Motion passed on a voice vote.**

Roll Call Vote: Approval of the One Watershed, One Plan Planning Grants Authorization

Name of Board member	Perceived conflict of interest	Affirmative	Opposed	Abstained	Absent
Joe Collins		X			
Jill Crafton		X			
Andrea Date		X			
Jayne Hager Dee		X			
Steven Robertson (MDH)		X			
Todd Holman		X			
Glenn Skuta (MPCA)		X			

Kathryn Kelly		X			
Harvey Kruger		X			
Sarah Strommen (DNR)		X			
Joel Larson		X			
Tom Loveall	X			X	
Neil Peterson					X
Nathan Redalen		X			
Tom Schulz		X			
Whitney Place (MDA)		X			
Rich Sve					X
Paige Winebarger		X			
Ted Winter		X			
Gerald Van Amburg, Chair		X			
TOTALS	1	17		1	2

FY 2021 SWCD Local Capacity Grant Authorization – Marcey Westrick presented FY 2021 SWCD Local Capacity Grant Authorization

On August 23, 2020, the Grants Program and Policy Committee reviewed two options for calculating the allocation formula for the FY21 SWCD Local Capacity grants. The committee recommends that the SWCD Local Capacity grants be calculated using the same formula that was used for FY20 and the attached order to the board.

Jill Crafton stated the committee supported this but she is concerned with the money coming out of the Clean Water Fund . With budget cuts it penalizes getting other projects on the ground. Harvey Kruger stated he agrees with Jill’s comment.

**
20-37 Moved by Kathryn Kelly, seconded by Jayne Hager Dee, to approve the FY 2021 SWCD Local Capacity Grant Authorization. ***Motion passed on a voice vote.***

Roll Call Vote: Approval of the FY 2021 SWCD Local Capacity Grant Authorization

Name of Board member	Perceived conflict of interest	Affirmative	Opposed	Abstained	Absent
Joe Collins		X			
Jill Crafton		X			
Andrea Date		X			
Jayne Hager Dee		X			
Steven Robertson (MDH)		X			
Todd Holman		X			
Glenn Skuta (MPCA)		X			
Kathryn Kelly		X			
Harvey Kruger		X			
Sarah Strommen (DNR)		X			
Joel Larson		X			

Tom Loveall		X			
Neil Peterson					X
Nathan Redalen		X			
Tom Schulz		X			
Whitney Place (MDA)		X			
Rich Sve					X
Paige Winebarger		X			
Ted Winter		X			
Gerald Van Amburg, Chair		X			
TOTALS		18			2

Fiscal Year 2021 Buffer Implementation Grants Authorization – Tom Gile and Kevin Bigalke presented Fiscal Year 2021 Buffer Implementation Grants Authorization

Due to the COVID-19 pandemic, budget reductions to the Clean Water Fund occurred. The governor and Minnesota Management and Budget instructed BWSR to reduce the Buffer Law Implementation Grants by 7% for FY20-21. Buffer Law Implementation Grants are paid to soil and water conservation districts as an upfront 100% payment and FY20 Buffer Law Implementation Grants have already been sent out. Therefore, budget reductions of 14% need to be applied to FY21 Buffer Law Implementation Grants in order to meet the necessary 7% reduction.

The Grants Program and Policy Committee met on August 13, 2020 and recommends the attached order to the board.

Jill Crafton asked if they could get feedback on how healthy these buffers are and how well they're working so they can see how that money is being invested. Tom will explore it and get back to Jill.

Harvey Kruger asked how the Governor decides which programs to cut and not cut? John Jaschke stated it was based on MMB's May budget forecast.

Joe Collins stated he would like to have BWSR consider setting up a committee or another way to prioritize programs in the future for potential budget reductions. Jill Crafton agreed. Kathryn Kelly suggested to include the Executive Director or leadership from local government associations, BWSR, and NRCS. Paige Winebarger supports this. Jaschke stated this is an unusual case and might not happen again. In consultation with the Chair could use the Administrative Advisory Committee if something comes along like this again. Commissioner Strommen stated all the agencies are in the same situation and would be helpful to include other agency leaders in discussions. Jill Crafton agreed. Harvey asked to keep all entities involved.

**
20-38 Moved by Tom Schulz, seconded by Joe Collins, to approve the Fiscal Year 2021 Buffer Implementation Grants Authorization. **Motion passed on a voice vote.**

Roll Call Vote: Approval of the Fiscal Year 2021 Buffer Implementation Grants Authorization

Name of Board member	Perceived conflict of interest	Affirmative	Opposed	Abstained	Absent
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Joe Collins		X			
Jill Crafton		X			
Andrea Date		X			
Jayne Hager Dee		X			
Steven Robertson (MDH)		X			
Todd Holman		X			
Glenn Skuta (MPCA)		X			
Kathryn Kelly		X			
Harvey Kruger		X			
Sarah Strommen (DNR)		X			
Joel Larson					X
Tom Loveall		X			
Neil Peterson					X
Nathan Redalen		X			
Tom Schulz		X			
Whitney Place (MDA)		X			
Rich Sve					X
Paige Winebarger		X			
Ted Winter		X			
Gerald Van Amburg, Chair		X			
TOTALS		17			3

FY 20-21 Watershed-based Implementation Funding Program Amendment – Marcey Westrick
presented FY 20-21 Watershed-based Implementation Funding Program Amendment

Due to the COVID-19 pandemic, budget reductions to the Clean Water Fund occurred. The governor and Minnesota Management and Budget instructed BWSR to reduce the Watershed-based Implementation Funding by 10.5% for the FY20-21 biennium. Watershed-based Implementation Funding is distributed through a 50:40:10 payment schedule.

Staff developed two scenarios for how to apply the needed budget reduction.

- a. Distribute the reduction equally amongst all watershed areas. This would directly impact those grant agreements that have already been executed and would result in grant amendments to reduce the dollar amount awarded and grantees not receiving their final 10% payment.
- b. Take the reduction out of the ready reserve allocation for 2018 planning starts. This would not impact allocations established for any watershed area, but it would likely limit the number of planning areas that would be able to receive funding in this biennium.

The Grants Program and Policy Committee reviewed these options on August 13, 2020 and recommends option b and the attached order to the board.

Harvey Kruger asked if this a 10.5% reduction for just one year or if it's going into two years with a 21% reduction? Kevin Bigalke explained that its 10.5% across the biennium.

Jill's concern is for those that are doing the projects, that the contracts for people would not be penalized since they have already made those commitments to get implementation. Kevin Bigalke stated it is a reduction only to the later plans that started in 2018.

Tom Loveall asked about option b where it states it would likely limit the number of planning areas that would be able to receive funding in this biennium, is that out of the 2018 plans that some of those won't get funded and how is that determination made? Marcey and Kevin Bigalke stated that is correct. The board order was with funding from FY20-21 and we were never able to fund all those 2018 planning starts so it was on a first come first serve basis.

**
20-39

Moved by Joe Collins, seconded by Jill Crafton, to approve the FY 20-21 Watershed-based Implementation Funding Program Amendment. **Motion passed on a voice vote.**

Roll Call Vote: Approval of the FY 20-21 Watershed-based Implementation Funding Program Amendment

Name of Board member	Perceived conflict of interest	Affirmative	Opposed	Abstained	Absent
Joe Collins		X			
Jill Crafton		X			
Andrea Date		X			
Jayne Hager Dee		X			
Steven Robertson (MDH)		X			
Todd Holman		X			
Glenn Skuta (MPCA)		X			
Kathryn Kelly		X			
Harvey Kruger		X			
Sarah Strommen (DNR)		X			
Joel Larson					X
Tom Loveall		X			
Neil Peterson					X
Nathan Redalen		X			
Tom Schulz		X			
Whitney Place (MDA)		X			
Rich Sve					X
Paige Winebarger		X			
Ted Winter		X			
Gerald Van Amburg, Chair		X			
TOTALS		17			3

Northern Region Committee

Pomme de Terre River Comprehensive Watershed Management Plan – Pete Waller and Todd Holman presented Pomme de Terre River Comprehensive Watershed Management Plan

The Pomme de Terre River Comprehensive Watershed Management Plan (Plan) planning area is in west central Minnesota encompassing portions of Big Stone, Douglas, Grant, Otter Tail, Stevens and Swift counties and the Pomme de Terre River Association Joint Powers Board. The Plan was developed as part of the One Watershed, One Plan program.

On June 18, 2020, BWSR received the Plan, a recording of the public hearings, and copies of all written comments pertaining to the Plan for final State review. The planning partnership has responded to all comments received during the 60-day review period and incorporated appropriate revisions to the final Plan.

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

On August 5, 2020, the Northern Regional Committee met to review and discuss the Plan. The Committee’s decision was to recommend approval of the Pomme de Terre River Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

Joe Collins asked for clarification on where it talks about a sediment reduction of 2,500 tons in direct runoff into the Pomme de Terre River. Joe stated it sounds like a large amount, how do you stop that sediment going into the river? Pete Waller stated it’s just the nature of that watershed and so much of it is agriculture, it’s also what the WRAPS found.

Jill Crafton would like to see the 11 priority issues added to the Findings of Fact. John Jaschke stated we will add in those priority issues under item 6 of the Findings of Fact.

**
20-40 Moved by Todd Holman, seconded by Joe Collins, to approve the Pomme de Terre River Comprehensive Watershed Management Plan. **Motion passed on a voice vote.**

Roll Call Vote: Approval of the Pomme de Terre River Comprehensive Watershed Management Plan

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman	X			
Glenn Skuta (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson				X
Tom Loveall	X			
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Whitney Place (MDA)	X			

Rich Sve				X
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
TOTALS	17			3

Redeye River Comprehensive Watershed Management Plan – Tom Schulz presented Redeye River Comprehensive Watershed Management Plan

The Redeye River Comprehensive Watershed Management Plan (Plan) planning area is in central Minnesota encompassing portions of Becker, Otter Tail, Todd, and Wadena counties. The Plan was developed as part of the One Watershed, One Plan program.

On July 14, 2020, BWSR received the Plan, a recording of the public hearing, and copies of all written comments pertaining to the Plan for final State review. The planning partnership has responded to all comments received during the 60-day review period and incorporated appropriate revisions to the final Plan.

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

On August 5, 2020, the Northern Regional Committee met to review and discuss the Plan. The Committee’s decision was to recommend approval of the Redeye River Watershed Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

Jill Crafton stated this is one of the best plans she has seen. Tom Schulz said the plan is a result of hard work by staff and the Policy Committee. Having partnerships around the table made it go much easier and quicker and thanked Jill for her comments.

Glenn Skuta received positive feedback on the plan and the planning process from PCA staff. Planning group was great and process went smoothly. Great communication across the partners.

**
20-41 Moved by Tom Schulz, seconded by Harvey Kruger, to approve the Redeye River Comprehensive Watershed Management Plan. ***Motion passed on a voice vote.***

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

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

Sarah Strommen (DNR)	X			
Joel Larson				X
Tom Loveall	X			
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Whitney Place (MDA)	X			
Rich Sve				X
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
TOTALS	16			4

Southern Region Committee

Buffalo Creek Watershed District Boundary Change – Annie Felix-Gerth presented Buffalo Creek Watershed District Boundary Change

The purpose of the boundary change between the Buffalo Creek Watershed District and the High Island Watershed District is to achieve more accurate alignment between the hydrologic and legal boundaries of the two districts.

**
20-42 Moved by Joe Collins, seconded by Harvey Kruger, to approve the Buffalo Creek Watershed District Boundary Change. ***Motion passed on a voice vote.***

Roll Call Vote: Approval of the Buffalo Creek Watershed District Boundary Change

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date				X
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman	X			
Glenn Skuta (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson				X
Tom Loveall	X			
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Whitney Place (MDA)	X			
Rich Sve				X
Paige Winebarger				X
Ted Winter	X			

Gerald Van Amburg, Chair	X			
TOTALS	15			5

NEW BUSINESS

Red River Watershed Management Board Strategic Plan – Rob Sip presented Red River Watershed Management Board Strategic Plan

Update on Red River Watershed Management Board’s strategic plan, progress indicators, WQ funding, budget, etc.

Jill Crafton thanked Rob and stated it was great to learn about their efforts and support to further our state water quality goals.

Chair Van Amburg also thanked Rob and his team for their efforts.

Kathryn Kelly thanked Rob for the presentation.

Ted Winter would like to receive more information on the Red River Watershed Management Board and would like to be included on their emailing list.

John Jaschke stated a copy of the presentation was emailed in the day of board packet.

Increasing Diversity in Environmental Careers (IDEC) Program – Angie Becker Kudelka, Mimi Daniel and May Yang presented Increasing Diversity in Environmental Careers (IDEC) Program.

The Increasing Diversity in Environmental Careers (IDEC) program provides a unique college-to-careers pathway for underrepresented STEM college students, specifically, women, racial and ethnic minorities, or individuals with disabilities, who want to pursue a career in environmental and natural resources fields. BWSR is partnering with the Minnesota Department of Natural Resources and the Minnesota Pollution Control Agency to implement the program, which has just completed its first year of operations.

The IDEC program consists of three components:

1. Fellowship: The fellowship provides students with a supportive community, yearly academic fiscal scholarship, and professional development. Fellows attend in-person cohort sessions every other month during the academic school year to stay connected to their peers and participate in professional development opportunities.
2. Mentorship: Fellows are connected with professionals in the field who can share their experiences and support them. The mentorship aims to enhance college success, encourage personal and professional development, and promote career advancement by pairing fellows with employees at one of the participating state agencies.
3. Internship: The paid internship, which runs from May to August, allows fellows to learn more about environmental and natural resources career paths through paid, on-the-job experience. The internship includes first-year summer rotations and second and third-year summer agency internships.

With direction from an interagency team, the program is managed by the MNDNR and led by the Conservation Corps of MN and IA.

Jill Crafton is active in an Izaak Walton League chapter and they offer environmental scholarships. Jill inquired as to the age group for this program. Stated that the program is open for Freshmen, Sophomore, and Juniors can participate in this program. Jill asked for contact information, Angie stated they would get that for Jill.

Sarah Strommen thanked BWSR and MPCA and stated that this program is stronger because of the partnerships between the three agencies and is a good example of the work we can do together. Stated she enjoyed the conversations she had with this group and gives her hope for the future.

John Jaschke stated careers in this field can occur in lots of places that offer the use of the same skill sets in nonprofits and environmental natural resources fields. Thanked them for pulling this together and making this program possible.

UPCOMING MEETINGS

- Next BWSR Meeting is scheduled for 9:00 AM, September 23, 2020 in St. Paul and by WebEx.

Chair VanAmburg adjourned the meeting at 1:12 PM

Respectfully submitted,

Gerald Van Amburg
Chair

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution/Compliance Report

Meeting Date: October 28, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Office

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)
 Travis Germundson/Chair Gerald

Presented by: VanAmburg

Time requested: 5 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <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.

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

October 13, 2020

By: Travis Germundson

There are presently nine appeals pending. All the appeals involve the Wetland Conservation Act (WCA). There has been one new appeal filed since the last Board Meeting (August 26, 2020).

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

File 20-09 (9-23-2020) This is an appeal of a WCA exemption decision in Polk County. The appeal regards the denial of an agricultural exemption request to tile several wetlands. At issue is the required planting history qualification associated with the exemption being claimed. No decision has been made on the appeal

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

File 20-06 (8-4-2020) This is an appeal of a WCA exemption decision in Benton County. The appeal regards the denial of an exemption request for installation of agricultural drain tile within a 3.5-acre wetland. *The appeal was remanded for expanded technical review and for the TEP to produce written findings of fact and for the LGU to issue a new decision.*

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

~~File 20-02 (1-27-2020) This is an appeal of a WCA restoration order in Chisago County. The appeal regards the alleged excavation of new drainage ditches and placement of fill in a wetland. The appeal has been placed in abeyance and the restoration order stayed for the appellant to submit additional documentation in support of the appeal. That decision has been amended to extend the time period on the stay of the restoration order. The appeal was denied, and the Restoration Order affirmed.~~

File 19-8 (12-20-19) This is an appeal of a WCA restoration order in Olmsted County. The appeal regards the alleged placement of fill in a floodplain wetland associated with the operation of a sand and gravel mine. *The appeal has been placed in abeyance and restoration order stayed for the Technical Evaluation Panel to convene on site and develop a written report on the wetland impacts.* 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.*

File 19-7 (12-20-19) This is an appeal of a WCA replacement plan decision in Hennepin County. The appeal regards the denial of a replacement plan application associated with wetland impacts described in a restoration order. The restoration order was appealed and placed in abeyance until there is a final decision on the wetland application (File 18-3). The appeal has been placed in abeyance until there is no longer mutual agreement on the viability of proposed actions for restoration. *The LGU has since notified BWSR that there is*

no longer mutual agreement on continuing to hold the appeal in abeyance. As a result, a decision was made to grant and hear the appeal.

File 19-5 (11/15/19) This is an appeal of a WCA restoration order in Pine County. The appeal regards the alleged placement of fill within a shore impact zone of Passenger Lake a DNR Public Water. 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 order stayed for the DNR to make a jurisdictional determination for Passenger Lake through the establishment of an OHWL and for the LGU to make a final decision on the application for exemption and no-loss.*

File 19-3 (9/20/19) This is an appeal of duplicate WCA restoration orders in Wright County. The appeal regards the alleged draining and filling of approximately 4.79 acres of wetland associated with construction of a drainage ditch. Applications for exemption and no-loss have been submitted to the LGU. *The appeal has been placed in abeyance and the restoration order stayed for the LGU to make a final decision on the applications or finalization of a restoration plan. That decision has been amended to extend the time period on the stay of the restoration order.*

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

Summary Table for Appeals

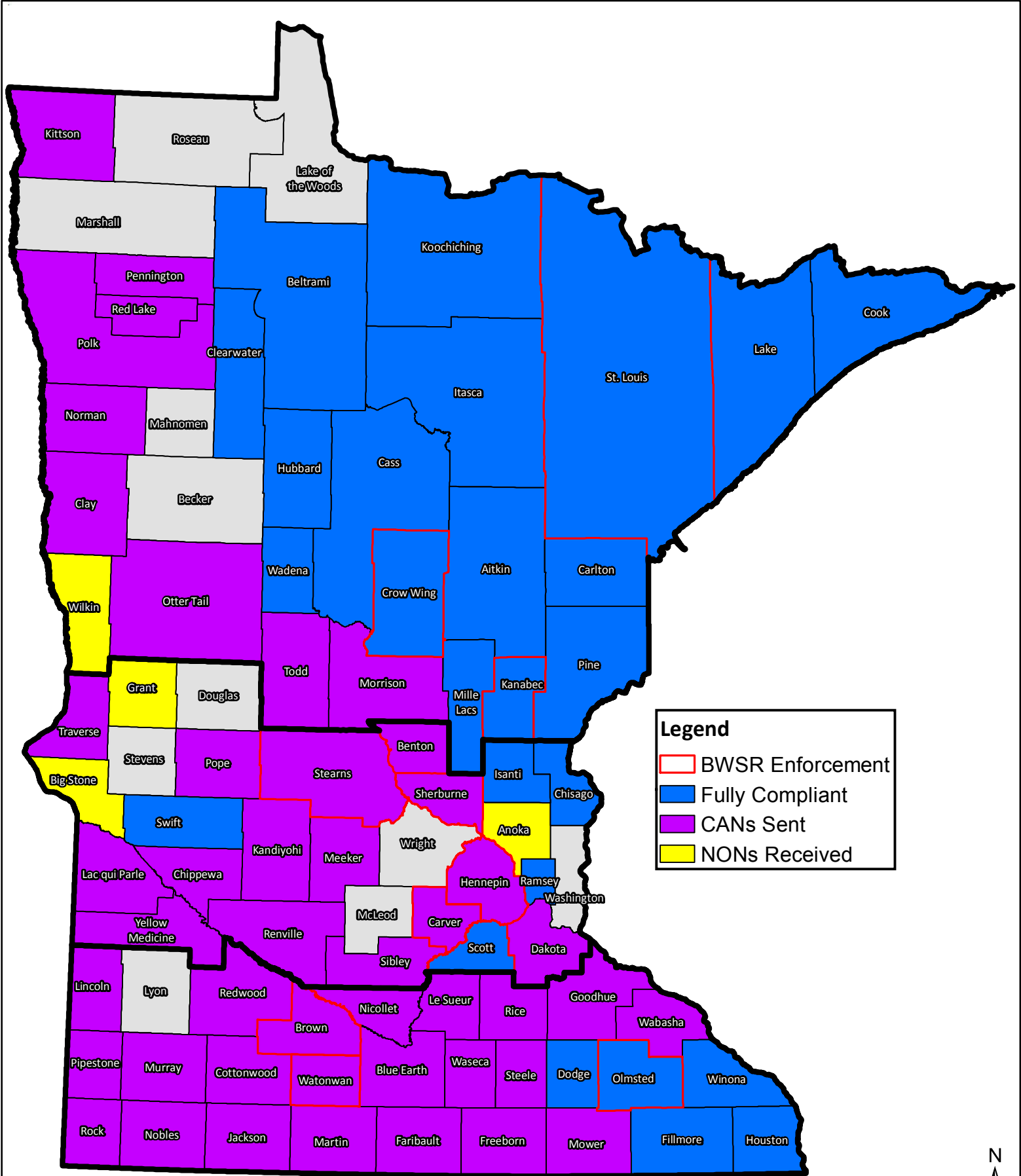
Type of Decision	Total for Calendar Year 2019	Total for Calendar Year 2020
Order in favor of appellant		
Order not in favor of appellant		3
Order Modified	1	
Order Remanded		1
Order Place Appeal in Abeyance	3	4
Negotiated Settlement		
Withdrawn/Dismissed	1	2

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 99 parcels from the 12 counties BWSR is responsible for enforcement. Staff continue to actively reach out to landowners to resolve any noncompliance on a voluntary basis prior initiating enforcement action through the issuance of Correction Action Notices (CANs). So far 52 CANs have been issued by BWSR and 14 Administrative Penalty Orders (APO). Of the actions being tracked over 31 of those have been resolved.

*Statewide 26 counties are fully compliant, and 46 counties have enforcement cases in progress. Those counties have issued a total of 1,167 CANs and 33 Administrative Penalty Orders. Of the actions being tracked over 870 of those have been resolved.

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

STATEWIDE BUFFER ENFORCEMENT



Legend

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



COMMITTEE RECOMMENDATIONS

RIM Reserve *Committee*

1. Jeff Hanratty RIM Easement Alteration (43-02-87-01) – Karli Tyma – ***DECISION ITEM***
2. 2019 Clean Water Fund Appropriation Easement Type Realignment – Sharon Doucette – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Jeff Hanratty RIM Easement Alteration (43-02-87-01)

Meeting Date: October 28, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Conservation Easement Section

Contact: Sharon Doucette, Section Mgr.

Prepared by: Karli Tyma, Easement Specialist

Reviewed by: RIM Committee(s)

Presented by: Karli Tyma

Time requested: 15 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Board approval to amend RIM easement 43-02-87-01 in Section 13, T115N, R35W, McLeod County, to remove 1.5 acres from the 9.3 acre easement to allow the landowner the ability to utilize the only access to the property from the public road and the land immediately adjacent to the access. The landowner proposes to replace this with 9.0 acres of tillable cropland and existing wetland adjacent to the current RIM easement boundary.

LINKS TO ADDITIONAL INFORMATION

Easement Alteration Policy <https://bwsr.state.mn.us/easement-alteration-policy>
Hanratty Support Docs.pdf (attached)

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

BWSR acquired the 9.3 acre RIM Reserve easement in McLeod County on May 6, 1988. In November of 2019, the current landowner, Jeff Hanratty, purchased the parcel containing the RIM easement.

The RIM easement abuts a public road right-of-way and the only access from the public road onto the parcel runs directly into the easement area. The landowner is interested in utilizing an area on the property as a permanent site to park his trailer which would involve frequent mowing, constructing an outhouse or septic and potentially installing a concrete slab in the future. He is proposing to release 1.5 acres of easement land immediately adjacent to the sole access point to utilize for these purposes. The other upland areas of the parcel, not under easement, which the landowner considered utilizing for these purposes would not be accessible as they are either landlocked due to the RIM easement being in place along with an existing wetland near the center of the parcel or do not have an existing access from the public road.

The landowner has offered to add 3.9 acres of cropland acres and another 5.1 acres of existing wetland to the easement, for a total of 9 acres, in exchange for releasing the 1.5 acres for the purposes described. He had originally considered enrolling those tillable acres into the current MN CREP program, but would rather offer those acres as replacement acres and receive no financial gain, if it would allow him to release the area adjacent to the access for his future enjoyment of the property. Adding these 9.0 acres to the easement would greatly exceed the required 2:1 replacement ratio under BWSR's Easement Alteration Policy, at 6:1.

The landowner has identified in his proposal how the public benefit and general welfare would be better served by this change to the easement area. The change will add over 500 feet of riparian buffer along Clear Lake as well as the preservation of land around an existing wetland in the center of parcel. The added acres will reduce soil erosion and nutrient runoff into Clear Lake by decreasing sheet flow across the property. In addition to pheasant and other songbird nesting habitat that the easement provides, this will create a significant increase in waterfowl nesting habitat directly adjacent to Clear Lake where currently none exists. Additionally, it will create an additional grassland corridor for wildlife travel along the southwest side of Clear Lake. The 1.5 acre portion proposed for removal would have less overall value in terms of habitat or riparian protection.

Both the McLeod SWCD and the MN DNR Area Wildlife Supervisor have submitted letters in support of Mr. Hanratty's original proposal, which has since been revised to reduce the number of acres released and increase the replacement area at the request of the RIM Reserve Committee. The RIM Reserve committee unanimously approved the revised proposal at their September 30, 2020 meeting.

Recommendation

Staff recommend approval of this request. The 9 acres being offered as replacement well exceeds the 2:1 acreage replacement criteria and would increase and enhance the wildlife habitat value and riparian protection of Clear Lake. The landowner's proposal meets all other requirements of the Easement Alteration Policy and is supported by the McLeod SWCD, DNR Area Wildlife Supervisor, and BWSR RIM Reserve committee.

Board Resolution # 20- _____

RIM Reserve Easement 43-02-87-01 Alteration, Hanratty

WHEREAS, BWSR acquired a 9.3-acre RIM Reserve Easement in Section 13, T115N, R35W, McLeod County, on May 6, 1988; and

WHEREAS, the current landowner, Mr. Hanratty, purchased the parcel containing the RIM easement in November 2019; and

WHEREAS, the only existing access to the parcel from the public road runs directly into the easement area; and

WHEREAS, Mr. Hanratty has requested the release of 1.5 acres of the RIM easement adjacent to the road in order to utilize the existing access and to allow for other potential future uses of the property immediately adjacent to that access; and

WHEREAS, MN Rule 8400.3610 states that the board may alter, release, or terminate an easement only if the state board determines that the public interests and general welfare are better served by the alteration; and

WHEREAS, Mr. Hanratty has offered to add an additional 3.9 acres of cropland and 5.1 acres of existing wetland to the easement, for a total of 9 acres in exchange for releasing the 1.5 acres. This far exceeds the minimum 2:1 replacement ratio required under the Easement Alteration Policy; and

WHEREAS, the additional 9 acres added to the easement would provide additional riparian protection and valuable wildlife habitat adjacent to Clear Lake and increase and enhance the wildlife travel corridor through the parcel; and

WHEREAS, Mr. Hanratty had submitted a previous alteration proposal requesting release of a larger number of acres from the easement and offering a lesser number of replacement acres; and

WHEREAS, the RIM Reserve Committee was not in favor of the initial proposal when presented at their 7/31/20 meeting and suggested changes to the original proposal, including offering up additional lands as replacement and a smaller area for release; and

WHEREAS, Mr. Hanratty agreed to those suggestions, resulting in the current proposal being considered; and

WHEREAS, Mr. Hanratty also agreed that there would be no future improvements of a small existing field road that runs from the proposed release area through the RIM easement, and that said route is only used to access the utility shed to the north of the easement; and

WHEREAS, the McLeod SWCD Board and DNR Area Wildlife Supervisor have both submitted letters in support of the easement boundary change; and

WHEREAS, BWSR has received the required \$500 application fee for the alteration request and the landowner's proposal meets or exceeds all other requirements of the Easement Alteration Policy; and

WHEREAS, the BWSR RIM Reserve Committee unanimously approved the proposal at their September 30, 2020 meeting;

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources (BWSR) approves the alteration of RIM easement 43-02-87-01 as proposed, removing 1.5 acres of land adjacent to the existing access and replacing it with 9 additional acres, and authorizes staff to work with Mr. Hanratty and McLeod SWCD staff to officially amend the necessary RIM easement documents; and

BE IT FURTHER RESOLVED THAT, Mr. Hanratty shall be responsible for removing or correcting any objectionable title defects, liens, or encumbrances, as specified by BWSR, prior to amending this easement; and agrees to pay any necessary title and recording fees.

Dated at Saint Paul, Minnesota this 28th day of October 2020

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources




Date: _____

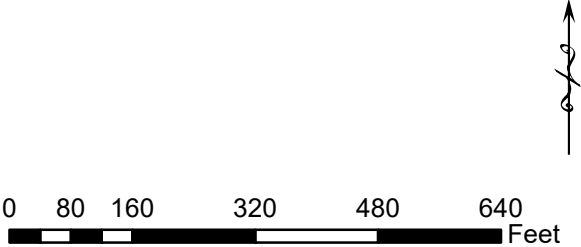
Hanratty Easement Alteration Proposal - Revised

RIM Easement #43-02-87-01
McLeod County, T115N, R35W, Section 13



Legend

-  Existing RIM Easement Boundary
-  Release Area
-  Replacement Area



McLeod Soil & Water Conservation District
2385 Hennepin Avenue N
Glencoe, MN 55336

RE: Hanratty Easement Proposal - Request for Approval Letter
McLeod PID #130101400

To Whom It May Concern:

I am requesting approval of an additional 5.5 acres permanent easement in conjunction with the removal of 2 acres of existing permanent easement on the referenced property.

Proposal:

Enroll 5.5 acres of tillable land into permanent conservation easement and remove 2 acres of existing permanent easement along 100th St.

Requirements: According to [RIM Reserve Rule Affecting Alteration Requests MN Rule 8400.3610 - Alteration, Release or Termination of Conservation Easements](#)):

A. A copy of the letter from the landowner to the district Board justifying the change and identifying how the public interest and general welfare will be better served.

This letter.

Please see the attachment: Hanratty Easement Proposal.ppt. This change will add over 500 feet of riparian buffer along Clear Lake as well as the preservation of land along an existing wetland in the center of the quarter section. There are multiple benefits in the public's interest and this proposal will improve the general welfare of the lake and the surrounding environment. All the benefits of the remaining 7.3 acre easement will be preserved as the grassland/habitat in the 2 acres portion proposed for removal is thin and likely not preferred by wildlife. Benefits:

- Easement will reduce soil erosion and nutrient runoff into Clear Lake and to the wetland in the center of the quarter section. Sheet flow to Clear Lake will be substantially decreased.
- Easement will create additional habitat for upland birds, songbirds, waterfowl and other wildlife
- Additional grassland immediately adjacent to the lake should improve waterfowl nesting along the shore of Clear Lake
- Additional preserved land should improve the wildlife travel corridor along the southwest side of Clear Lake

B. A letter from the district Board recommending either approval or disapproval of the proposed change.
Attached.

C. A letter from the department of Natural Resources area wildlife manager recommending either approval or disapproval of the proposed change.
Attached.

D. Other Supporting documents, including:

See the attachment Hanratty Easement Proposal.ppt

1. An aerial photo identifying the requested change.
2. A soil survey map of the area.

3. *Cropping history and information.*
4. *Other pertinent documentation that will support the request.*

E. Non-refundable \$500 application fee to BWSR to consider the request:

Received by BWSR 7/16/20

All requests must meet the following conditions for BWSR approval:

1. The resource protection, conservation, and habitat benefits for which the easement was originally acquired will remain the same or be enhanced by the proposed alteration. For example;

- *Restored wetland acres will not be drained or filled by the proposal: No wetlands are drained or filled in this proposal*
- *riparian buffers will be preserved or enhanced: This proposal will add over 500' of riparian buffer to Clear Lake and significantly reduce sheet flow during large precipitation events to the lake.*
- *easement configuration will be preserved or enhance wildlife benefits (larger blocks of habitat, not fractured puzzle-like boundaries): This proposal will greatly enhance wildlife benefits along Clear Lake. In addition to pheasant and other songbird nesting habitat that easements provide, this will create a significant increase in waterfowl nesting habitat directly adjacent to Clear Lake where currently none exists. Additionally, it will create an additional grassland corridor for wildlife travel along the southwest side of Clear Lake. All the benefits of the remaining 7.3 acre easement will be preserved and a much larger preserved plot will result including the existing wetland. The grassland in the 2 acres portion proposed for removal is thin and likely not preferred by wildlife.*

2. Replacement acres will increase by a minimum factor as follows:

- *Released cropland acres replaced with cropland acres: A minimum of 2:1 (replacement acres to released acres): The ratio proposed exceeds this minimum (2.75:1). Released land will not be cropped.*

3. Replacement cropland acres proposed as replacement acres must meet crop history requirements, cropped 2 of last 5 years: See the attachment: Hanratty Easement Proposal.ppt. The acres have been cropped 5 of the last 5 years.

4. Replacement acres should be adjacent to or as near as possible to the existing easement: See the attachment: Hanratty Easement Proposal.ppt. Replacement acres are as near as possible to the existing easement (separated by wetland acres ineligible for permanent easement) and create a contiguous preserve.

6. Landowners will be required to pay necessary title insurance and recording fees, and all costs associated with establishment of conservation cover practices on replacement acres according to an approved conservation plan: Understood by landowner

Thank you for your consideration of this request. I sincerely appreciate your time reviewing it.

Sincerely,

Jeffrey L. Hanratty

Jeffrey L. Hanratty
5000 Shady Island Pt
Shorewood, MN 55364
612-730-4537
hanrattys@mediacombb.net

cc: Kayla Blocker, Pheasants Forever Farm Bill Biologist
Marc Telecky, Environmental Services Director, McLeod County



Division of Fish and Wildlife

501 – 9th St.

Nicollet, MN 56074

May 28, 2020

Ryan Freitag

District Manager

McLeod County Soil and Water District

2385 Hennepin Ave. N

Glencoe, MN 55336

Greetings,

Thank you for the opportunity to review the proposed alteration of the Hanratty RIM easement located in Section 13 of T115N R29W, adjacent to Clear Lake in McLeod County. This easement is ideally located for wildlife use associated with the lake and nearby wetlands, and I appreciate the efforts made by the District and Mr. Hanratty to preserve this important habitat complex. I agree that the increased protection of the riparian zone provided by this alteration of the easement is of great benefit to the ecological health of Eagle Lake. Once this 5.5 acre addition is converted to native grassland the wildlife response should be significant, and of greater overall value than the 2.0 acres of grassland proposed for removal from the easement. I am therefore recommending that the Hanratty RIM easement be modified as described in the proposal submitted for my review on May 20, 2020.

Sincerely,

Stein H. Innvaer

Stein H. Innvaer

Area Wildlife Supervisor

CC:

Tim Koppelman, Assistant Area Wildlife Manager

Joe Stangel, Assistant Regional Wildlife Manager

Equal Opportunity Employer



McLeod Soil & Water Conservation District

2385 Hennepin Ave. N, Glencoe, MN 55336

Phone: 320/864-1224

Website: www.co.mcleod.mn.us

6-11-2020

BWSR
520 Lafayette Road North
St Paul, MN. 55155

RE: Jeff Hanrady Easement #43-02-87-01

BWSR Easement Staff,

The McLeod SWCD reviewed the application for alteration to easement #43-02-87-01.

After reviewing the application, the McLeod SWCD Board of Supervisors voted to locally approve this easement alteration at their regular 6-1-2020 board meeting. The board felt that this would provide additional riparian protection to Clear Lake and subsequent watershed.

Should you have any additional questions, feel free to contact the office.

Sincerely,

Ryan Freitag

Ryan Freitag
District Manager
McLeod SWCD

320-864-1214

ryan.freitag@co.mcleod.mn.us

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2019 Clean Water Fund Appropriation Easement Type Realignment

Meeting Date: October 28, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Conservation Easements

Keywords for Electronic Searchability: Clean Water Fund, Buffers, CREP

Contact: Sharon Doucette

Prepared by: Sharon Doucette

Reviewed by: RIM Reserve Committee(s)

Presented by: Sharon Doucette

Time requested: 10 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input 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

Approval of the Board Resolution: Conservation Reserve Enhancement Program (CREP) – Shift Clean Water Fund Buffer Funds to Expanded Conservation Practice Acquisition Board Resolution, that would authorize the use of funds from Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Sect. 7(f) (Buffers) to be available for all four eligible Conservation Reserve Enhancement Program (CREP) practices.

LINKS TO ADDITIONAL INFORMATION

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

Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(f) appropriated Reinvest in Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) from the Clean Water Fund to “purchase, restore, or preserve riparian land adjacent to lakes, rivers, streams, and tributaries, by

easements or contracts, to keep water on the land to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge.”

Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(p) allows the Board to “shift grant, cost-share, or easement funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.”

The Minnesota Conservation Reserve Program (CREP) began in May 2017. Four water quality conservation practices are eligible for enrollment: CP2 – Establishment of Permanent Native Grasses (Wellhead Protection Areas), CP21 – Filter Strips, CP23 – Wetland Restoration, Floodplain, and CP23A – Wetland Restoration, Non-Floodplain.

The initial MN CREP proposal anticipated Conservation Reserve Program (CRP) acreage enrollment to be as follows:

- CP2 – 3,000 acres – 5%
- CP21 – 30,000 acres – 50%
- CP23 & CP23A – 27,000 acres – 45%
 - CP23 – 9,000 acres – 30%
 - CP23A – 18,000 acres – 15%

CRP acreage selected for funding through batching period 20-04 (August 10) is as follows:

- CP2 – 378.9 acres – 2%
- CP21 – 700.8 acres – 4%
- CP23 & CP23A – 17,745.5 acres – 94%
 - CP23 – 4,939.5 acres – 26%
 - CP23A – 12,806.1 acres – 68%

With 68% of the acres enrolled being in the form of the CP23A – Wetland Restoration, Non-Floodplain practice and 94% of the acres enrolled being in the form of both wetland practices (CP23 and CP23A), appropriations specifically for wetland practices have been utilized at a much higher rate than anticipated. Shifting easement funds to better align with CREP practice interest and enrollment will allow the state to leverage additional federal funds and meet the needs of landowners.

Board Resolution # 20- _____

Conservation Reserve Enhancement Program (CREP) – Shift Clean Water Fund (CWF) Buffer Funds to Allow Expanded Conservation Practice Acquisition

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

WHEREAS, Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(f) appropriated Clean Water Funds “to purchase, restore, or preserve riparian land adjacent to lakes, rivers, streams, and tributaries, by easement or contracts, to keep water on the land to decrease sediment, pollutant, and nutrient transport reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge”; and,

WHEREAS, Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(k) appropriated Clean Water Funds “to purchase and restore permanent conservation sites via easements or contracts to treat and store water on the land for water quality improvement purposes and related technical assistance. This work may be done in cooperation with the United States Department of Agriculture with a first-priority use to accomplish a conservation reserve enhancement program, or equivalent, in the state.”; and,

WHEREAS, Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(p) authorizes the Board to “shift grant, cost-share, or easement funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.”; and,

WHEREAS, the Minnesota Conservation Reserve Program (CREP) is a voluntary, federal-state funded natural resource conservation program that began accepting landowner applications in May 2017 for four eligible water quality conservation practices: CP2 – Establishment of Permanent Native Grasses (Wellhead Protection Areas), CP21 – Filter Strips, CP23 – Wetland Restoration, Floodplain, and CP23A – Wetland Restoration, Non-Floodplain; and,

WHEREAS, CREP provides a significant leverage of federal funds, the state contribution of \$175 million will result in up to \$350 million in federal dollars available for direct payments to landowners; and,

WHEREAS, the anticipated Conservation Reserve Program (CRP) acreage enrollment in the MN CREP was initially:

- CP2 – 5%
- CP21 – 50%
- CP23 & CP23A – 45%; and,

WHEREAS, the CRP acreage of accepted applications through MN CREP batching period 20-04 (August 10) is:

- CP2 – 2%
- CP21 – 4%
- CP23 & CP23A – 94%; and,

WHEREAS, the departure of the expected versus actual acreage resulted from the following:

- The Buffer Law accomplished the installation of practice benefits similar to CP21,
- Landowners are greatly interested in taking low wet areas out of production which resulted in more applications for wetland practices, and
- CP23 and CP23A practices are typically larger easement areas than CP21 practices and include buffer areas adjacent to the wetland areas to be restored; and,

WHEREAS, shifting the CWF Buffer Funds will allow these funds to be used more efficiently, to meet landowner interest and ensure the leverage of federal funds; and,

WHEREAS, the RIM Reserve Committee met on September 30, 2020 and is recommending the Board adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources shifts up to \$3,617,000 of funds appropriated via Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(f) to implement the CREP through easement acquisition of all four CREP eligible conservation practices consistent with the appropriation in Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(k).

Dated at Saint Paul, Minnesota this 28th day of October 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair

Board of Water and Soil Resources

COMMITTEE RECOMMENDATIONS

Northern Region *Committee*

1. Buffalo-Red River Comprehensive Watershed Management Plan – Neil Peterson, Ryan Hughes, and Brett Arne – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Buffalo-Red River Comprehensive Watershed Management Plan

Meeting Date: October 28, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Buffalo-Red River Watershed Comprehensive Watershed Management Plan

Section/Region: Regional Operations/Northern

Contact: Ryan Hughes

Prepared by: Brett Arne

Reviewed by: Northern Regional Committee(s)

Presented by: Neil Peterson/Ryan Hughes/Brett Arne

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 Buffalo-Red River Comprehensive Watershed Management Plan as recommended by the Northern Regional Committee.

LINKS TO ADDITIONAL INFORMATION

<http://www.brrwd.org/project-post/one-watershed-one-plan/>

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

The Buffalo-Red River Watershed is a diverse mix of agriculture, urban and rural settings, lakes, forests, and wetlands. The BRRW planning area drains 1,786 square miles and covers significant portions of Becker, Clay, and to a lesser extent Otter Tail and Wilkin Counties. The planning group received a grant through the One Watershed, One Plan program in 2017 to begin the process of developing a comprehensive watershed management plan.

On September 18, 2020, BWSR received the final Plan, a recording of the required public hearing, and copies of all written comments pertaining to the Plan for final State review. The planning partnership has responded to all comments received during the 60-day review period and incorporated appropriate revisions to the final Plan.

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

On October 7, 2020, the Northern Regional Committee met to review and discuss the Plan. The Committee's decision was to recommend approval of the Buffalo-Red 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 Buffalo-Red 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 Buffalo-Red River Watershed (BRRW) submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on September 18, 2020, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #16-17, and;

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

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

FINDINGS OF FACT

- Partnership Establishment.** The BRRW Watershed Partnership (Partnership) was established in March 2018, through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Becker Soil and Water Conservation District (SWCD), Clay SWCD, West Otter Tail SWCD, Wilkin SWCD, Becker County, Clay County, Otter Tail County, Wilkin County, Buffalo-Red River Watershed District.
- Authority to Plan.** Minnesota Statutes, Sections 103B.101, Subdivision 14 allows the Board to adopt resolutions, policies or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan. Minnesota Statutes, Sections 103B.801, established the Comprehensive Watershed Management Planning Program; also known as the One Watershed, One Plan (1W1P) program. And, on March 23, 2016 Board Resolution #16-17 adopted Version 1.0 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- Nature of the Watershed.** The BRRW is a diverse mix of agriculture, urban and rural settings, lakes, forests, and wetlands. The BRRW planning area drains 1,786 square miles and covers significant portions of Becker, Clay, and to a lesser extent Otter Tail and Wilkin Counties. There are two major watersheds that make up the planning area: the Buffalo and Upper Red rivers, and one minor watershed: Otter Tail River (downstream from Orwell Dam). Primary municipalities include Moorhead, Hawley, Callaway, Rothsay, and Barnesville.

3. **Plan Development.** The Plan was developed as a single, concise, and coordinated approach to watershed management. The Plan consolidates policies, programs, and implementation strategies from existing data, studies and plans, and incorporates input from multiple planning partners to provide a single plan for management of the watershed. The Plan focuses on prioritized, targeted, and measurable implementation efforts and lays out specific actions to manage water quantity, protect and restore water quality, natural habitat, recreational uses and drinking water sources in the watershed.

4. **Plan Review.** On September 18, 2020, the Board received the Plan, a recording of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Board Resolution #16-17. During the development of the Plan, State agency representatives attended and provided input at advisory committee meetings. The following state review comments were received during the comment period.
 - A. Minnesota Department of Agriculture (MDA): The MDA reviewed the responses to their comments and had no additional comments or concerns. MDA recommended approval of the plan.
 - B. Minnesota Department of Health (MDH): MDH provided clarity on a source water protection comment and recommended that language only be used in reference to a public water system. MDH encouraged the group to determine the best course of action in working with the city of Moorhead on source water protection. MDH had no additional comments or concerns.
 - C. Minnesota Department of Natural Resources (DNR): The DNR appreciated the opportunity to participate and provide input to the planning process. They had no additional comments to provide and DNR recommended approval of the plan.
 - D. Minnesota Pollution Control Agency (MPCA): The MPCA appreciated the opportunity to participate and provide input to the planning process. They noted the plan was well written, concise, and thorough. MPCA had no additional comments and recommended approval of the plan.
 - E. Minnesota Environmental Quality Board (EQB): EQB did not reply to requests for confirmation of receipt and did not provide comments for the final review.
 - F. Minnesota Board of Water and Soil Resources regional staff: BWSR staff provided comments throughout the planning process and had no suggested or required changes to the submitted Plan. We commend the partners for their trust level and commitment to the resources of the Plan area. BWSR staff recommended approval of the Plan and look forward to working with the Partnership during implementation.

5. **Plan Summary and Highlights.** The highlights of the Plan include:
 - A thorough narrative description of the land and water resource features that shape the planning area and inform the broad priorities within the plan.
 - A collection of 12 priority issues split between two distinct levels as selected by the group to focus efforts and define measurable goals:
 - Priority A issues include Sediment, Altered Hydrology, Flooding, Streambank/Channel stability, Phosphorus, and Soil Health.
 - Priority B issues include Wetlands, Groundwater, Dissolved Oxygen, Bacteria, Ditch Banks/Outlets, Lake Shoreland.
 - The plan includes focused priorities for nine (9) planning regions to ensure issue prioritization is specific to the needs of each geographical area.
 - Each planning region has unique short and long-term goals and implementation schedules.

- The Prioritize, Target, and Measure Application (PMAp) was used to identify, prioritize, and target possible locations of upland structural projects and field management conservation practices in each specific planning region in the plan as the product of a separate Clean Water Fund grant.
 - A thorough discussion of capital improvement projects within the watershed.
 - A thorough discussion of regulatory and enforcement measures to meet the needs of county and watershed district obligations including shoreland management, public drainage, buffers, and land use planning to name a few.
6. **Northern Regional Committee.** On October 7, 2020, the Northern Regional Committee met to review and discuss the Plan. Those in attendance from the Board's Committee were Chair Rich Sve, Todd Holman, Gerald Van Amburg, Neil Peterson, Jeff Berg, Tom Schulz and Theresa Ebbenga. Board staff in attendance were Northern Region Manager Ryan Hughes, Board Conservationist Brett Arne and Clean Water Specialist Henry Van Offelen. The representatives from the Partnership planning process that were in attendance were Aaron Larsen, West Otter Tail SWCD; Kevin Kassenborg, Clay SWCD; Lynn Foss, Clay SWCD; Erik Jones, Houston Engineering, Inc.; Rachel Olm, Houston Engineering, Inc.; and Moriya Rufer, Houston Engineering, Inc. Board regional staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee's decision was to present a recommendation of approval of the Plan to the full Board.
7. This Plan will be in effect for a ten-year period until October 28, 2030.

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 Buffalo-Red River Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Resolution #16-17.
3. The Buffalo-Red River Watershed Comprehensive Watershed Management Plan attached to this Order states water and water-related problems within the planning area; priority resource issues and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Resolution #16-17.
5. The attached Plan when adopted through local resolution by the members of the Partnership will serve as a substitute for the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan and consistent with the One Watershed, One Plan Suggested Boundary Map.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Buffalo-Red River Watershed, submitted September 18, 2020.

Dated at St. Paul, Minnesota, this 28th day of October 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair
Board of Water and Soil Resources



October 28, 2020

Buffalo-Red River Watershed Policy Committee
c/o Aaron Larsen, West Otter Tail SWCD
506 Western Ave
Fergus Falls, MN 56537

RE: Approval of the Buffalo-Red River Watershed Comprehensive Watershed Management Plan

Dear Buffalo-Red River Watershed Policy Committee:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Buffalo-Red River Watershed Comprehensive Watershed Management Plan (Plan) was approved at its regular meeting held on October 28, 2020. 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 October 28, 2030. Please be advised, the partners must adopt and begin implementing the plan within 120 days of the date of the Order in accordance with Minnesota Statutes § 103B.101, Subd. 14 and 103B.801, and the One Watershed, One Plan Operating Procedures.

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

Please contact Board Conservationist Brett Arne of our staff at 218-850-0934 or brett.arne@state.mn.us for further assistance in this matter.

Sincerely,

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

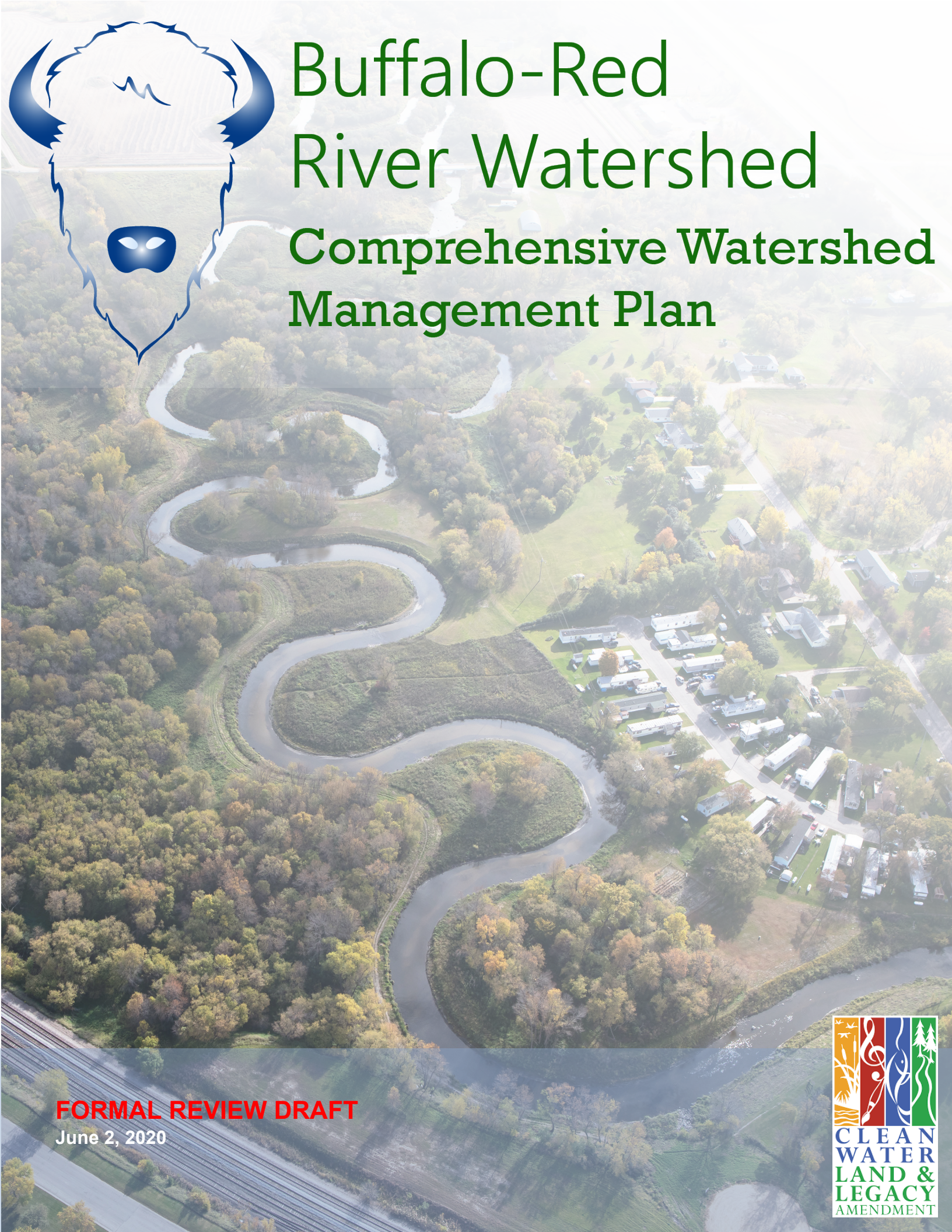
Enclosure: BWSR Board Order

CC: Margaret Wagner, MDA (via email)
Ryan Lemickson, MDA (via email)
Carrie Raber, MDH (via email)
Annette Drewes, DNR (via email)
Nathan Kestner, DNR (via email)
Barbara Weisman, DNR (via email)
Nicole Blasing, MPCA (via email)
Juline Holleran, MPCA (via email)
Jeff Risberg, MPCA (via email)
Scott Schroeder, MPCA (via email)
Erik Dahl, EQB (via email)
Ryan Hughes, BWSR (via email)
Brett Arne, BWSR (via email)
Rachel Mueller, BWSR (file copy)
Julie Westerlund, BWSR (via email)
Donna Caughey, BWSR (via email)

Equal Opportunity Employer



Buffalo-Red River Watershed Comprehensive Watershed Management Plan



FORMAL REVIEW DRAFT

June 2, 2020



Buffalo-Red River Watershed Comprehensive Watershed Management Plan Table of Contents



Acknowledgements



Executive Summary



Section 1.0 Introduction



Section 2.0 Issues and Resource Concerns



Section 3.0 Measurable Goals
Measurable Goal Factsheets



Section 4.0 Implementation Schedule
Northern Planning Region
Moorhead Planning Region
Mainstem Planning Region
Lakes Planning Region
Western Planning Region
Central Planning Region
Southern Planning Region
Otter Tail Planning Region



Section 5.0 Implementation Programs



Section 6.0 Plan Administration



Buffalo-Red
River Watershed
Comprehensive Watershed
Management Plan



Acknowledgements

ACKNOWLEDGEMENTS

Project Partners

BECKER COUNTY, MN



Prepared by



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

APPENDICES

- Appendix A** Land and Water Resources Narrative
- Appendix B** Planning Memorandum of Agreement
- Appendix C** Participation Plan
- Appendix D** Planning Process Comments and Responses
- Appendix E** Original Issue List
- Appendix F** Public Comments during Public Kickoff Meeting
- Appendix G** Technical Resources Reviewed
- Appendix H** Geospatial Prioritization Criteria
- Appendix I** Cropland Erosion Risk Analysis Maps
- Appendix J** Priority Resource Points
- Appendix K** Buffalo-Red River Watershed District Rules
- Appendix L** Local Funding Authorities

PLAN ABBREVIATIONS

1W1P	One Watershed, One Plan
ACOE	Army Corps of Engineers
AIS	Aquatic Invasive Species
AUID	Assessment Unit Identification Number
BMP	Best Management Practice
BRRW	Buffalo-Red River Watershed
BRRWD	Buffalo-Red River Watershed District
BWSR	Board of Water and Soil Resources
CC	Crop Consultant
COLA	Coalition of Lake Associations
DNR	Department of Natural Resources
DU	Ducks Unlimited
DWSMA	Drinking Water Supply Management Area
EPA	Environmental Protection Agency
EQIP	Environmental Quality Incentives Program
FEMA	Federal Emergency Management Agency
GRAPS	Groundwater Restoration and Protection Strategies
HSPF	Hydrologic Simulation Program--Fortran
HUC	Hydrologic Unit Code
IWI	International Water Institute
LGU	Local Government Unit
LSOHC	Lessard-Sams Outdoor Heritage Council
MDA	Minnesota Department of Agriculture
MDH	Minnesota Department of Health
MnDOT	Minnesota Department of Transportation
MPCA	Minnesota Pollution Control Agency
NGO	Non-Governmental Organization
NRCS	Natural Resources Conservation Service



NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
PF	Pheasants Forever
PTMApp	Prioritize, Target, Measure Application
RRB	Red River Basin
SNA	Scientific and Natural Areas
SSTS	Subsurface Sewage Treatment Systems
SWCD	Soil and Water Conservation District
TMDL	Total Maximum Daily Load
TNC	The Nature Conservancy
TP	Total Phosphorus
TU	Trout Unlimited
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
WASCOB	Water and Sediment Control Basin
WRAPS	Watershed Restoration and Protection Strategy



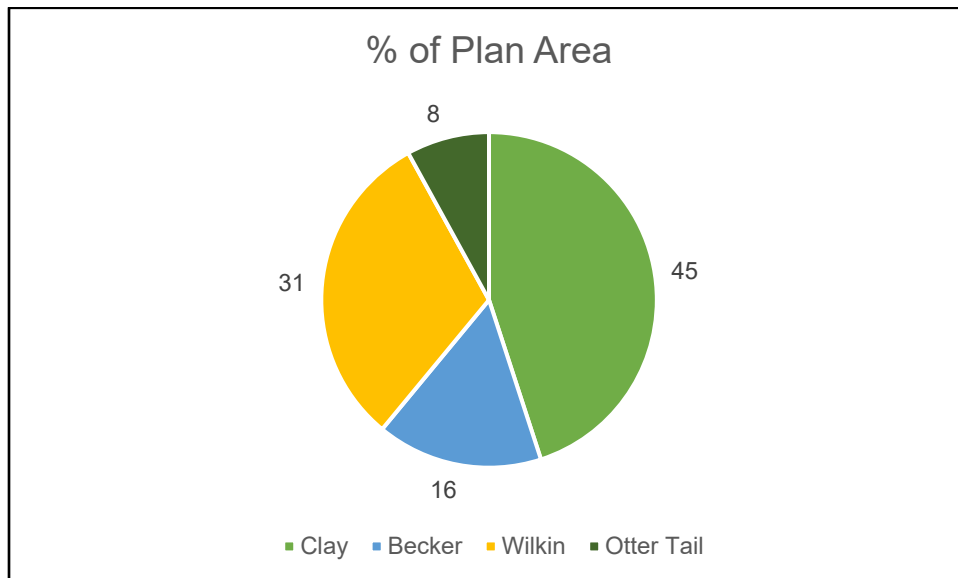
Executive Summary

EXECUTIVE SUMMARY

Over the millennia, water has been a driving force in forming the Buffalo-Red River Watershed, One Watershed, One Plan Area (BRRW 1W1P). From the ice age ending just 10,000 years ago to the extensive drainage ditching beginning in the early 20th century, there's no doubt water has always played a major role in this area. Historically water management has occurred along political boundaries. However, water adheres to a different set of rules, flowing along the path of least resistance from high to low elevations. This comprehensive watershed management plan represents a paradigm change in water management across the state of Minnesota and in the BRRW: to base water management on a watershed rather than a political scale.

The BRRW 1W1P plan area (**Figure ES-1**, below) covers 1,786 square miles of the Red River Basin in northwest Minnesota. The planning boundary is identical to the jurisdictional boundary of the Buffalo-Red River Watershed District (BRRWD) within Becker (16%), Clay (45%), Wilkin (31%), and Otter Tail (8%) counties (**Figure ES-2**).

Figure ES-2: County land areas comprising BRRW Plan Area



In 2018, local government units in the BRRW (BRRW 1W1P LGUs) joined for purposes of developing this comprehensive watershed management plan. The BRRW 1W1P LGUs were developed under and through a Memorandum of Agreement (MOA) adopted by the governing boards of the participating entities:

- **The counties of Becker, Clay, Otter Tail, and Wilkin** by and through their respective County Board of Commissioners;



- **The Becker, Clay, West Otter Tail, and Wilkin Soil and Water Conservation Districts (SWCD)s**, by and through their respective SWCD Board of Supervisors; and
- **The BRRWD**, by and through its Board of Managers.

The intent of planning on a watershed basis is to create **a more unified, effective, and science-based approach to address resources that are most important locally.**

The plan area is comprised of nine planning regions, based on distinct physical differences in ecoregions, hydrology, and land use. This comprehensive watershed management plan is organized around these planning regions, described further in Section 1. The plan identifies and prioritizes issues, sets measurable goals, and targets implementation actions aimed at protecting and restoring resources within the BRRW.

Identifying and Prioritizing Issues

The BRRW plan area encompasses a multitude of diverse resources. Over 12,000 years ago, the western extent of the BRRW was covered by the massive Glacial Lake Agassiz. The glacial lake plain left fertile, yet poorly drained soils, rich for agricultural production yet prone to destructive overland flooding. The landscape left by the Glacial Lake Agassiz lake bottom gives way to the Agassiz beach ridge, one of the last bastions of native prairie, thus is home to several sensitive animal and plant species.









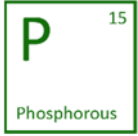



Beyond the beach ridges, the landscape ascends further in elevation and is dotted with lakes, wetlands, and bogs. Plant and animal species abound in this diverse mosaic of deciduous forest, rolling prairie, and open water. The watercourses of the plan area include an intermingling of natural streams and public and private drainage systems.

With all these resources, there are many issues to manage. In recognition of staff, time, and resource limitations, this plan prioritizes issues as the focus of implementation efforts during the 10-year timeframe of this plan.

The BRRW 1W1P LGUs developed a comprehensive inventory of 73 issues impacting the watershed using a combination of existing local water management plans, state agency reports, and stakeholder input. The original list of 73 issues was collapsed down to 30 issues, which were prioritized (Priority Level A, B, or C) based on stakeholder input.

This plan identifies 12 priority issues (Priority Level A or B) (**Table ES-1**). These issues were assigned a measurable goal and will be considered the focus for initial implementation efforts.

Table ES-1: Priority issues for the BRRW Comprehensive Watershed Management Plan

Priority Level A	Priority Level B
 <p>Sediment - Increased erosion and sedimentation from upland sources in excess of natural rates.</p>	 <p>Wetlands – Reduced integrity, health, and functionality of high-value wetlands.</p>
 <p>Altered Hydrology - Altered hydrology associated with a change in the water quantity, timing, and variability of flow in water courses, which impacts stream geomorphology and is a stressor for aquatic life.</p>	 <p>Groundwater – The need to prioritize protection of surface water and groundwater drinking water supplies.</p>
 <p>Flooding - Increased surface runoff contributes to flood conditions, which has economic, environmental, social, and health, and safety implications.</p>	 <p>Dissolved Oxygen – Low dissolved oxygen conditions in streams not attributable to natural conditions.</p>
 <p>Streambank/Channel - Instability impacting stream, riverbank, and channel integrity.</p>	 <p>Bacteria – Increased bacteria (<i>E. coli</i>) loading contributing to elevated concentrations in waterbodies approaching (protection) or exceeding (restoration) water quality standards for aquatic recreation.</p>
 <p>Phosphorous - Increased phosphorus loading contributing to elevated concentrations in waterbodies approaching (protection) or exceeding (restoration) water quality standards for aquatic life and aquatic recreation.</p>	 <p>Ditch Banks/Outlets – Instability impacting public drainage system performance.</p>
 <p>Soil Health - Decreased soil health and its impact on agricultural productivity, water quality and water-holding capacity.</p>	 <p>Lake Shoreland- Instability impacting lake shore integrity.</p>

Establishing Measurable Goals

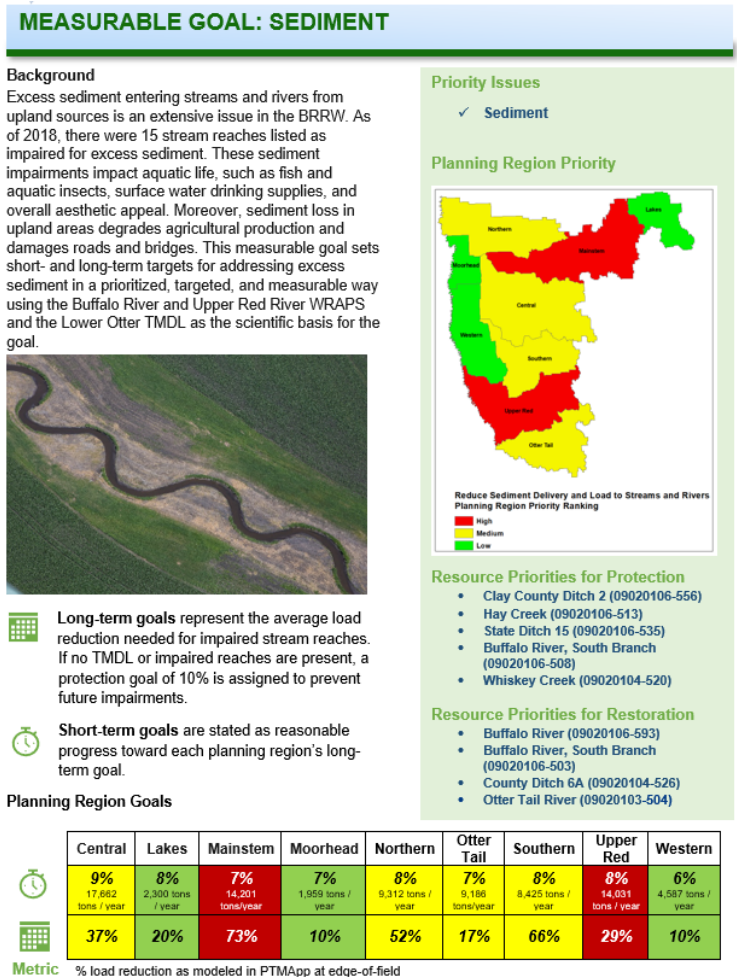
This plan establishes measurable goals for each priority issue. Measurable goals are statements of intended accomplishments, and are either short-term or long-term:

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

This plan outlines and describes the **11 measurable goals for this comprehensive plan**, which collectively provide background for and address all priority issues. Because the BRRW 1W1P area is large and issues impact certain areas more than others, this plan prioritizes measurable goals at the planning region scale. Each goal is weighted by impact and urgency in each planning region using existing reports and data, model results, and stakeholder input. Measurable goal planning region prioritization is a guide and not a mandate for where implementation actions should be employed to address priority issues and make progress toward measurable goals.

An example of a measurable goal is provided (**Figure ES-3**). For a full list of plan measurable goals, see **Section 3**.

Figure ES-3: Example measurable goal for the BRRW Plan



Targeting Implementation

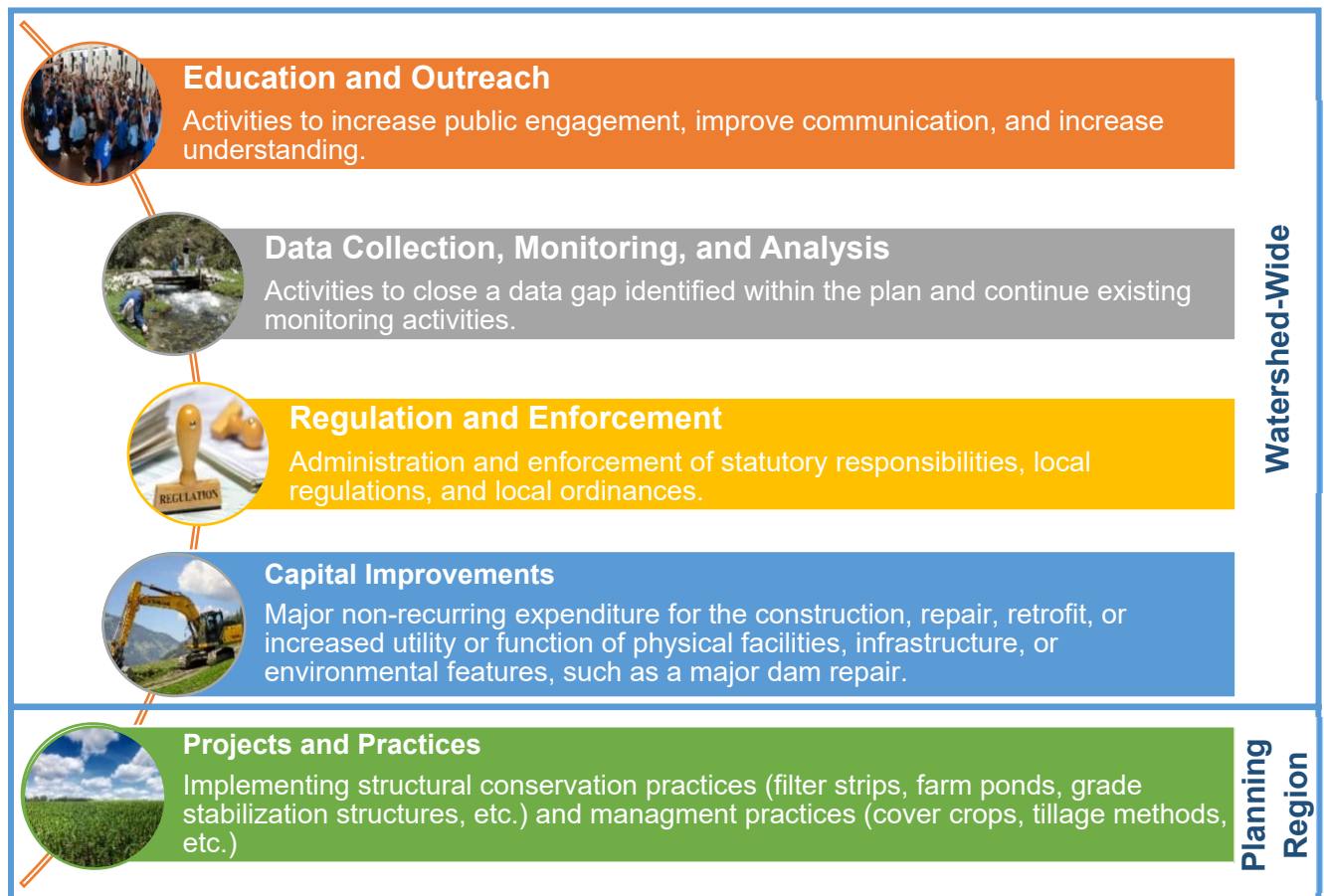
This plan contains a targeted implementation schedule to summarize the most effective actions for making progress toward goals, including where and when each action will occur, who will be responsible for implementation, how it will be measured, and how much it will cost.

The ability to achieve measurable goals—and the speed at which they are realized—largely depends on the amount of funding available to implement actions. If more funds are available for

implementation, more actions can be implemented, and more progress can be made toward goals. The amount of funding for implementing this plan is uncertain, presenting a challenge for planning purposes. To address this challenge, three funding levels are provided in this plan.

- **Funding Level 1:** Actions in this scenario are the **highest priority** for implementation. Assumes plan funding is similar in magnitude to current funding focused on water issues within the plan area.
- **Funding Level 2:** Actions in this scenario are the **second-highest priority** for implementation. Assumes plan funding is like current funding focused on water issues within the plan area, plus estimated watershed-based implementation dollars (approximately \$425,000/year).
- **Funding Level 3:** Actions in this scenario are the **third-highest priority** for implementation. Assumes plan funding in Level 2, plus approximately \$1,000,000 in competitive grants.

Similar actions are grouped below, representing the implementation programs used to fund the action. Actions pertaining to education and outreach; data collection, monitoring, and analysis; regulation and enforcement; and capital improvements are implemented watershed-wide, to create consistency and opportunity for shared services.



Actions that summarize projects and practices are planning region specific. The who, what, when, where, and cost of each action dealing with projects and practices are described in an implementation profile for each planning region (**Figure ES-4**).

The Prioritize, Target, and Measure Application (PTMApp)¹ was used to prioritize and target possible locations of upland structural and field management conservation practices in each planning region. The BRRW PTMApp implementation approach was designed to select the most cost-effective structural projects for removing sediment, total phosphorus, and total nitrogen until the cost of projects equaled what planning partners are currently spending annually on projects within each planning region (Funding Level 1). Additional projects were added to the implementation approach to match additional funds available in Funding Levels 2 and 3. For nonstructural management practices, acres were targeted based on the short-term soil health measurable goal. Like structural projects, additional practice acres were added to reflect additional dollars in Funding Level 2 and 3.

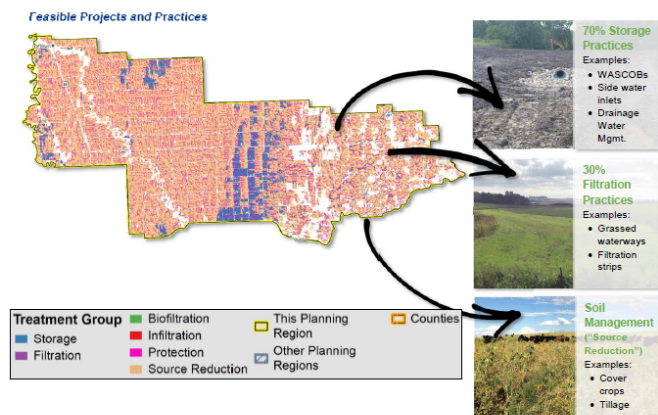
The types, numbers, cost, and locations of projects and practices shown will inevitably shift during plan implementation due to a variety of factors, including landowner willingness and field verification. As such, **an investment guide was also developed for this plan to provide a guide for evaluating if potential alternative projects and practices provide a cost-effective solution for making progress toward goals.**

Figure ES-4: Example excerpt from the planning region implementation profile

Northern Planning Region

Feasible Projects and Practices

Implementing projects and practices makes progress toward plan goals and protecting or restoring prioritized resources. PTMApp identified 7,589 feasible project and practice opportunities within the Northern Planning Region. To prioritize and target implementation efforts, the PT defined the best, most cost-effective projects to target, based on what practices are most likely to be selected for voluntary implementation efforts, shown below.



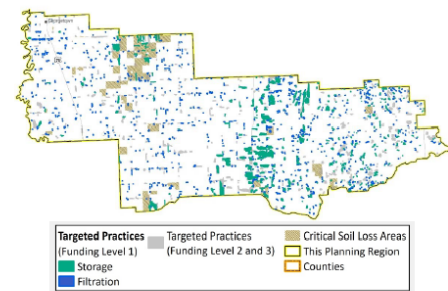
Targeted Projects and Practices- Funding Level 1

Shown on the map below are the best, most cost-effective PTMApp-identified projects in the Northern Planning Region that align with voluntary implementation effort trends. While these are the most cost-effective practices, any alternative practice is deemed worthy of implementation if it falls within the investment guide ranges shown in Table 4-1.

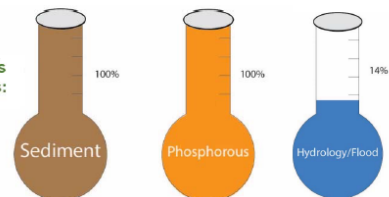
Implementing these targeted projects and practices would make considerable progress toward multiple planning region goals, as shown below and expanded upon in the targeted implementation schedule.

Note: These are not the only projects and practices that will make progress toward plan goals. The following targeted implementation schedule summarizes these and additional actions the PT will pursue in this planning region during implementation.

Targeted Projects and Practices



Progress Towards Short-Term Goals:



Below are the estimated costs for implementing actions for Funding Levels 1, 2, and 3 (Table ES-2). Costs are also included for the operations and maintenance of natural and artificial waterways (e.g. ditch repair) at or near their current expenditure level. This plan assumes local, state, and/or federal fiscal support of regulation and enforcement remains unchanged and includes funding for plan administration costs (assumes up to 10% of overall plan budget). Costs also include the construction capital improvement projects, at or near current expenditure levels.

¹ <https://ptmapp.bwsr.state.mn.us>

Table ES-2: Estimated costs for implementing actions in the plan for Funding Levels 1, 2, and 3

	\$ Funding Level 1 Baseline Budget		\$\$ Funding Level 2 Baseline + WS Funding		\$\$\$ Funding Level 3 Baseline + WS Funding + Large Grant	
	Est. Annual Cost	Est. 10-Year Cost	Est. Annual Cost	Est. 10-Year Cost	Est. Annual Cost	Est. 10-Year Cost
Implementation Program*						
Projects and Practices	\$2,868,900	\$28,689,000	\$3,283,175	\$32,831,750	\$4,301,950	\$43,019,500
Education and Outreach	\$393,000	\$3,930,000	\$399,200	\$3,992,000	\$406,200	\$4,062,000
Data Collection, Monitoring, and Analysis	\$122,000	\$1,220,000	\$134,500	\$1,345,000	\$140,500	\$1,405,000
Regulation and Enforcement	\$395,000	\$3,950,000	\$395,000	\$3,950,000	\$395,000	\$3,950,000
Capital Projects	\$3,080,000	\$30,800,000	\$3,080,000	\$30,800,000	\$3,080,000	\$30,800,000
Additional Expenses						
Operations and Maintenance	\$2,015,000	\$20,150,000	\$2,015,000	\$20,150,000	\$2,015,000	\$20,150,000
Total	\$8,873,900	\$88,739,000	\$9,306,875	\$93,068,750	\$10,338,650	\$103,386,500

*Plan administration included in all program costs, and is expected to be up to 10% of overall plan cost

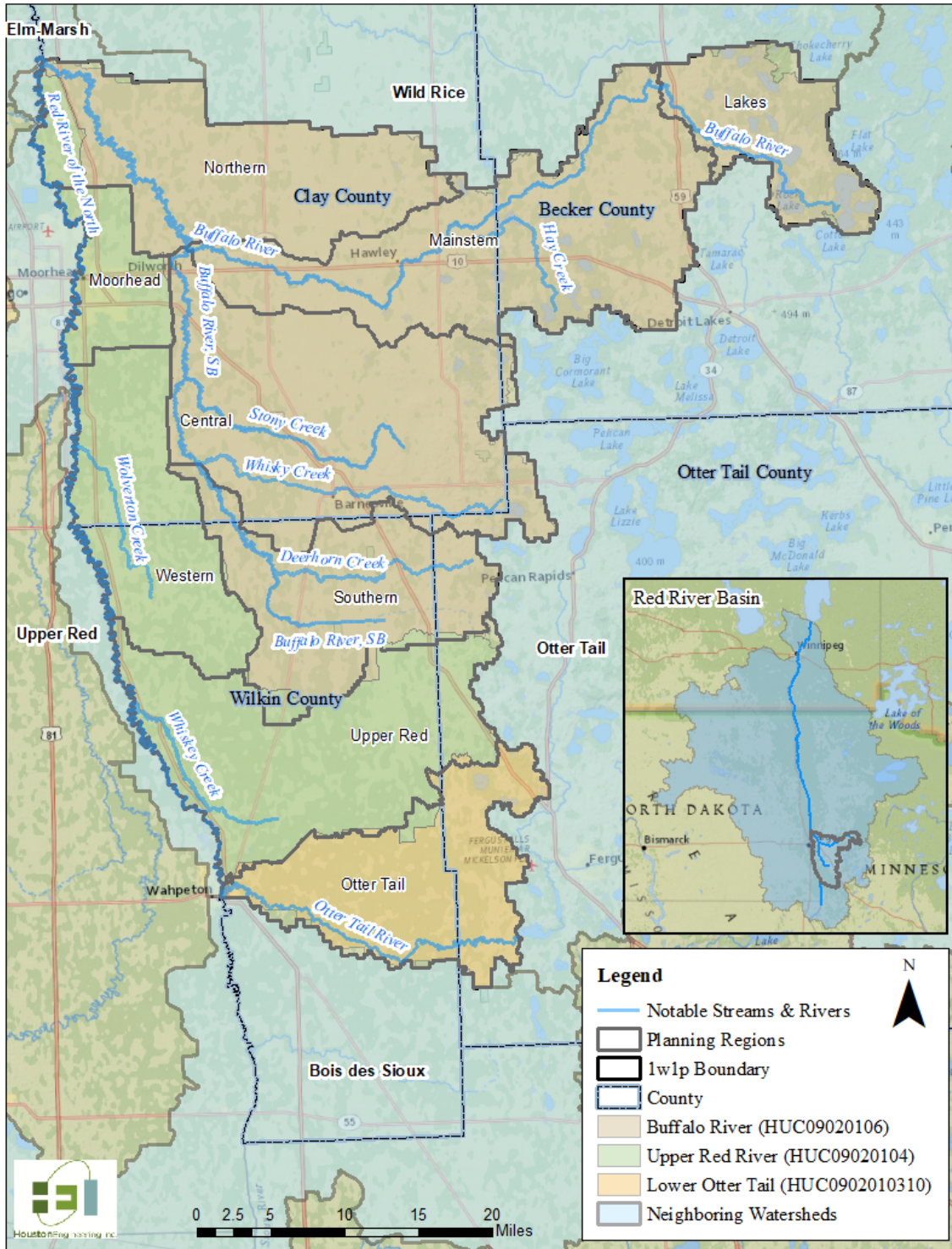
The BRRW 1W1P LGUs previously entered into a formal agreement through a Memorandum of Agreement for purposes of developing this plan. The parties will be entering into an agreement for purposes of implementing this plan. Expectations are that the roles of the local Policy Committee, Advisory Committee, and Planning Team will shift and change focus during plan implementation. **Table ES-3** shows the probable roles and functions related to plan implementation.

Table ES-3: Probable committee roles for implementation of the BRRW Comprehensive Watershed Management Plan

Committee Name	Primary Implementation Roles
Policy Committee	<ul style="list-style-type: none"> Review the implementation funds from plan participants Approve the annual work plan Approve annual fiscal reports Approve annual reports submitted to BWSR Annual review and confirmation of PT priority issue recommendations Direction to PT on addressing emerging issues Approve plan amendments Implement county ordinances and state statutory responsibilities separately from plan implementation Approve grant applications Approve annual assessment
Advisory Committee	<ul style="list-style-type: none"> Review and provide input for the annual work plan Review and identify collaborative funding opportunities Recommendations to PT on program adjustments Assist with execution of the targeted implementation schedule

Committee Name	Primary Implementation Roles
Planning Team	<ul style="list-style-type: none"> • Review the status of available implementation funds from plan participants • Review opportunities for collaborative grants • Review annual fiscal reports • Review annual reports submitted to BWSR • Annual review and confirmation of priority issues • Evaluate and recommend response to emerging issues • Prepare plan amendments • Implement the targeted implementation schedule
Local Fiscal/ Administrative Agent	<ul style="list-style-type: none"> • Convene committee meetings • Prepare the annual work plan • Prepare and submit grant applications/funding requests • Research opportunities for collaborative grants • Compile annual results for annual assessment

Figure ES-1: BRRW Plan Area



COMMITTEE RECOMMENDATIONS

Central Region *Committee*

1. Rice Creek Watershed District boundary change – Annie Felix-Gerth – ***DECISION ITEM***
2. Lower St. Croix River Comprehensive Watershed Management Plan – ***DECISION ITEM***
3. Capitol Region Watershed District Watershed Management Plan – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Rice Creek Watershed District boundary change

Meeting Date: October 28, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: RCWD, boundary change, 2020, watershed district, rice creek

Section/Region: Regional Ops, Central Region

Contact: Annie Felix-Gerth

Prepared by: Annie Felix-Gerth

Reviewed by: Central Region Committee(s)

Presented by: Annie Felix-Gerth

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 Rice Creek Watershed District boundary change request.

LINKS TO ADDITIONAL INFORMATION

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

A petition for a boundary change of the Rice Creek Watershed District (RCWD) and Vadnais Lakes Area Watershed Management Organization (VLAWMO) has been filed with Minnesota Board of Water and Soil Resources (BWSR) by the two watershed organizations. The proposed boundary change, located in Ramsey County, Minnesota, would correct the assessment designation of five parcels along the common boundaries of the watershed management organizations.



BOARD ORDER

Boundary change for the Rice Creek Watershed District

PURPOSE

Approve a boundary change between the Rice Creek Watershed District (RCWD) and Vadnais Lakes Area Watershed Management Organization (VLAWMO).

RECITALS /FINDINGS OF FACT

1. The Rice Creek Watershed District (RCWD) filed a petition with the Board of Water and Soil Resources (Board) on August 28, 2020, for a boundary change between the RCWD and the VLAWMO.
2. The petition was accompanied by supporting resolutions from the VLAWMO and the City of White Bear Lake.
3. The proposed boundary change, located in Ramsey County, Minnesota, would correct the assessment designation of five parcels along the common boundaries of the watershed management organizations.
4. The petition is valid in accordance with Minn. Stat. §§ 103B.215.
5. Legal notice of filing on the petition, pursuant to Minn. Stat. §§ 103B.215, was published in the Pioneer Press and White Bear Press on the weeks of September 14th and 21st, 2020. Further, a copy of the notice of filing was sent to several addressees including the affected county, city and watershed organizations.
6. The legal Notice of Filing requires within 20 days of the last date of publication of the Notice of Filing of the petition that at least one request for hearing be received by the Board before a hearing will be held. BWSR did not receive any requests for a hearing nor any comments, therefore no hearing was held.
7. Staff participated with the RCWD through the process, providing guidance, comments, and recommendations. All relevant, substantive and procedural requirements of law and rule have been fulfilled. The Board has proper jurisdiction in the matter of approving a boundary change. The requested boundary change is consistent with the purpose and the requirements of Minn. Stat. §§ 103B.215. The boundary change as proposed in the petition would be for the public welfare and public interest and would advance the purpose of Minnesota Statutes Chapter 103B. The proposed boundary change should be approved per the petition. Therefore, staff recommends approval of the boundary change as petitioned.
8. On October 13, the BWSR Central Region Committee members discussed the proposed boundary change. They determined that it meets the requirements of Minn. Stat. §§ 103DB.215. The committee unanimously recommended approval of the RCWD boundary change.

ORDER

The Board hereby:

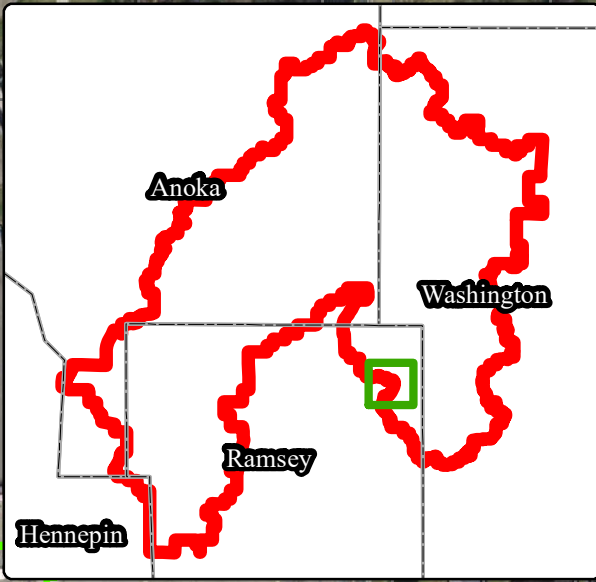
The Board hereby orders that the boundaries of the Rice Creek Watershed District and the Vadnais Lakes Area Watershed Management Organization are changed per the Petition as depicted on the map and parcel information attached to this Order.

Dated at St. Paul, Minnesota, this 28th day of October 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

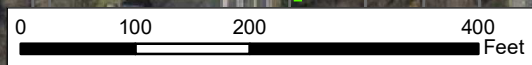
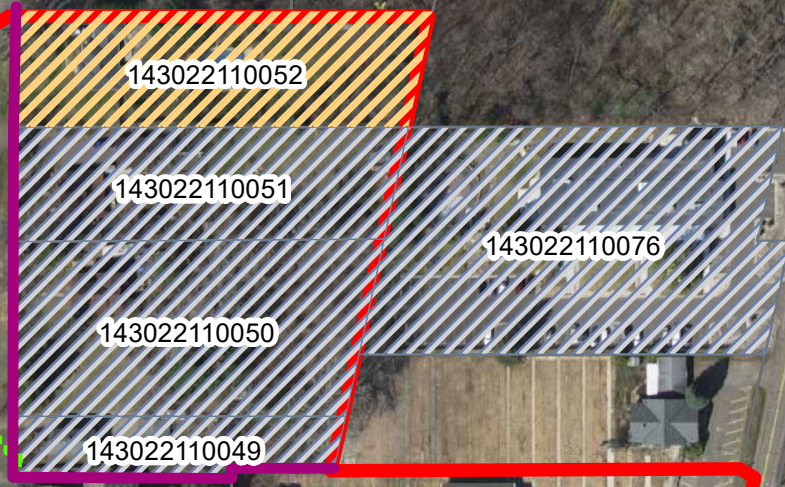
Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources



RICE CREEK WATERSHED DISTRICT

VADNAIS LAKES AREA WMO



RCWD Boundary Petition at White Bear Center for the Arts

Scale: AS SHOWN	Drawn by:	Checked by:	Project No.: 5555-279	Date: 7/9/2020	Sheet:
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Houston Engineering Inc.
Maple Grove
P: 763.493.4522
F: 763.493.5572

Legend

- Petitioned Boundary Change
- RCWD Hydrologic Boundary
- Parcels to be Combined
- Other WBCA Parcel
- RCWD Boundary
- Parcels

BOARD MEETING AGENDA ITEM**AGENDA ITEM TITLE:** Lower St. Croix River Comprehensive Watershed Management Plan**Meeting Date:** October 28, 2020**Agenda Category:** Committee Recommendation New Business Old Business**Item Type:** Decision Discussion Information**Keywords for Electronic Searchability:** Lower St. Croix One Watershed One Plan**Section/Region:** Central Region**Contact:** Barb Peichel**Prepared by:** Barb Peichel**Reviewed by:** Central Region Committee(s)**Presented by:** Barb Peichel**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

Approval of the Lower St. Croix River Comprehensive Watershed Management Plan (Plan) as recommended by the Central Region Committee.

LINKS TO ADDITIONAL INFORMATION

Plan is on the Lower St. Croix Watershed Implementation Partnership's website:

<https://www.lsc1w1p.org/guidance-documents>

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

The Lower St. Croix River Watershed planning boundary encompasses approximately 915 square miles including parts of Pine, Chisago, Isanti, Anoka, and Washington Counties. Less than half of one percent of the watershed lies in Ramsey County. There are 60 municipalities and townships located completely or partially within the boundaries of the watershed. Additionally, there are seven watershed management organizations in the watershed.

The Lower St. Croix Comprehensive Watershed Management Plan (Plan) was developed as part of the State of Minnesota's One Watershed One Plan (1W1P) program. The State's vision and purpose of the 1W1P program is to align local water planning on major watershed boundaries with state strategies towards prioritized, targeted, and measurable implementation plans. The process results in a comprehensive watershed plan and offers the opportunity for groups and organizations to work together in both planning and implementation across jurisdictional boundaries. While the Plan is comprehensive in that it includes improvements and protection for a variety of natural resources across a large geographic area, it also incorporates detail in its prioritization and targeting actions and outcomes for specific waterbodies.

Priority activities to meet Plan goals include providing financial and technical assistance for installing, implementing, or retrofitting targeted BMPs, upgrading SSTS, restoring shorelines along priority lakes, restoring or creating wetlands, improving ditch maintenance practices to reduce impacts on water resources, and providing cost share for land restoration or easement establishment in critical habitat areas. Priority Plan activities also include sharing services to increase engagement with agricultural landowners, enhance education and engagement programs, and provide support for ordinance development in urban areas. Additional Plan Priorities include conducting subwatershed analyses and other prioritization methods to target best management practices (BMPs) within priority subwatersheds and addressing internal nutrient loading in priority lakes.

Measurable outcomes will be realized in priority locations across the watershed with quantifiable implementation and change measured in a variety of ways including annual pollution reduction goals of 1,363 pounds total phosphorus in regionally significant lakes and 4,140 pounds total phosphorus in key subwatersheds draining to the St. Croix River by the end of the 10-year period. Some of the more significant priority locations where the bulk of the implementation will be focused include the Sunrise River Watershed (highest contributor of total phosphorus in Lake St. Croix), subwatersheds of tributaries draining directly to the St. Croix River, regionally significant lakes, areas where groundwater is sensitive to pollution, and lands where critical habitat needs protection or areas suitable for wetland restoration or creation. The total estimated cost of the 10-years of implementation activities is \$15.58M of which \$8.85M will need to come from external (non-local) sources of funding.

On August 6, 2020, BWSR received the Plan, a recording of the public hearing, and copies of all written comments pertaining to the Plan for final State review. The planning partnership has responded to all comments received during the 60-day review period and incorporated appropriate revisions to the final Plan. BWSR staff completed its review and subsequently found the Plan meets the requirements of Minnesota Statutes and BWSR Policy.

On October 13, 2020, the Central Region Committee met to review and discuss the Plan. The Committee's decision was to recommend approval of the Lower St. Croix 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 Lower St. Croix 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 Lower St. Croix Watershed Implementation Partnership submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on August 6, 2020 pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #16-17, and;

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

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

FINDINGS OF FACT

- Partnership Establishment.** In March of 2018 the Lower St. Croix (LSC) Watershed Implementation Partnership (Partnership) was established through the adoption of a Memorandum of Agreement (MOA) between 15 local partners for the purposes of writing a Comprehensive Watershed Management Plan for the LSC Watershed. The Partnership includes: Chisago, Isanti, Pine, and Washington counties; the Anoka, Chisago, Isanti, Pine and Washington Soil and Water Conservation Districts (SWCD); the Brown's Creek, Carnelian-Marine-St. Croix, Comfort Lake-Forest Lake, and South Washington Watershed Districts (WD); and the Middle St. Croix and Sunrise River Watershed Management Organizations.
- Authority to Plan.** Minnesota Statutes, Sections 103B.101, Subdivision 14 allows the Board to adopt resolutions, policies or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan. Minnesota Statutes, Sections 103B.801 established the Comprehensive Watershed Management Planning Program; also known as One Watershed, One Plan (1W1P) Program. And, on March 23, 2016 Board Resolution #16-17 adopted Version 1.0 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- Nature of the Watershed.** The Lower St. Croix River Watershed planning boundary follows the boundary of the Lower St. Croix River Watershed (HUC 07030005) encompassing approximately 915 square miles lying primarily in the North Central Hardwood Forest Ecoregion. The watershed includes parts of Pine (78 sq. mi.), Chisago (433 sq. mi), Isanti (66 sq. mi), Anoka (57 sq. mi), and Washington Counties (280.0 sq. mi). Less than half of one percent of the watershed lies in Ramsey

County. There are 60 municipalities/townships located completely or partially within the boundaries of the watershed. Additionally, there are seven watershed management organizations in the watershed and the Chisago Lakes Lake Improvement District (CLLID). The watershed's surface waters are abundant with 127 lakes, over 1,000 miles of rivers, streams, and judicial/public ditches, and approximately 152,000 acres of wetlands. A regionally significant big river, the entire length of the St. Croix River is officially designated as a National Wild and Scenic Riverway by the federal government.

4. **Plan Development.** The development process was initiated with the Partners' January 24, 2018 notification of plan development and invitation to State Review Agencies and Metropolitan Council to submit any priority issues and plan expectations they had for the Lower St. Croix CWMP. To help identify issues facing natural resources across the watershed, the Partnership coordinated a robust stakeholder process. During the Lower St. Croix planning process, the Partners collected input from more than 730 stakeholders, including 440 farmers and 160 community leaders at cities, townships and community organizations. During the development of the Plan State agency representatives also attended and provided input at advisory committee meetings. As a result of those workshops, interviews, and surveys, several key themes emerged that were incorporated into the Plan.

The Advisory Committee members also referred to the wealth of already completed groundwater and surface water studies including nine Total Maximum Daily Load studies (TMDLs), four Watershed Restoration and Protection Strategies (WRAPS), and the Lower St. Croix Groundwater Restoration and Protection Strategy (GRAPS) when identifying priority resources and concerns. Identified issues were ranked and prioritized into tiers A, B, and C for seven resource areas: groundwater, lakes, rivers and streams, wetlands, uplands, St. Croix River and Lake St. Croix, and social capacity.

While the Plan is comprehensive in that it includes improvements and protection for a variety of natural resources across the watershed, it also incorporates detail in its prioritization and targeting actions and outcomes for specific waterbodies.

5. **Plan Review.** The Partnership held a 60-day review process that ended on June 3, 2020, and the required public hearing on June 29, 2020. The final draft of the updated Plan, a record of the public hearing, and copies of all written comments and a summary of the Partnerships response to each of those comments were submitted on August 6, 2020 to the state review agencies and the Metropolitan Council (MC) for final State review and approval pursuant to Board Resolution #16-17. The following state and MC review comments on the final draft Plan were received by BWSR:
 - A. **Minnesota Environmental Quality Board (EQB):** Policy requires that EQB be notified of the final draft document. EQB confirmed receipt of the Plan and did not provide comments on the Plan.
 - B. **Minnesota Department of Agriculture (MDA):** MDA expressed thanks for the opportunity to provide review and comment on the Plan. The MDA indicated they were satisfied with the responses to their 60-day review comments, did not have any additional comments and recommended approval of the Plan.
 - C. **Minnesota Department of Health (MDH)** commended the LSC Partners for including drinking water as a priority concern and appreciated the opportunity to participate in the Advisory Committee. MDH stated that their input was well received during the Plan's development and that they had no further comments.
 - D. **Minnesota Department of Natural Resources (DNR):** DNR comments stated that they are satisfied with the responses to issues raised during the 60-day review, has no additional

comments, and recommends that BWSR approve the plan. The DNR also thanked the Partnership for the opportunity to participate in the process and said they looked forward to working with the partners on implementation of the Plan.

- E. **Minnesota Pollution Control Agency (MPCA):** The MPCA believed that their input was well received during the Plan development process and were committed to working with the LSC Partners as a supporting agency in the implementation of the Plan. The MPCA was satisfied with the responses to their 60-day review comments on the Plan, did not have any additional comments and recommended approval of the Plan.
- F. **Metropolitan Council (MC):** During the final draft Plan review the MC mentioned they value the work that went into responding to the significant number of comments received from the Plan's stakeholders, and feels the Plan makes significant progress towards addressing the concerns raised. The MC had one review comment pertaining to the need to notify the MC if an amendment is needed and to add them to the list of commenting review agencies for a proposed Plan amendment. The MC said they were thankful for the opportunity to participate in the planning process and indicated that the Plan should move forward with approval.
- G. **Board of Water and Soil Resources (BWSR):** During the 60-day review period BWSR staff submitted a total of 48 comments all of which were addressed in the response to comments. During the final draft Plan review BWSR Staff expressed thanks to the LSC partners, staff and especially their consultants for the excellent job they did in developing the plan and in soliciting and responding to the 60-day comments received from the Plan's stakeholders.

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

- The LSC Policy Committee adopted a mission statement to help guide the work of the Plan development and a vision statement to help imagine the future condition of the watershed.
- The Plan starts with Section I, a 12-page Executive Summary. It includes the required information, nicely summarizing the plan development process, resource concerns and issues, goals, measurable outputs, and implementation.
- Section II – Identification and Prioritization of Resource Areas and Issues, lays out in detail the plan development process previously mentioned. It includes a summary of the efforts to gather agency and stakeholder input and prioritize resource areas and issues. Of particular note are the additional efforts to engage the agricultural community once it was realized that stakeholder group was not well represented in the feedback.
- Section III – Establishment of Measurable Goals, Outputs, and Priority Locations presents in detail the goals and measurable outputs established to address the priority resource/location issues in a quantifiable manner. It also clarifies that the priority locations selected are those specific resources considered to be regionally significant, or types of resources or areas where work is needed most in order to realize change and “move the needle” toward improved or protected water resources. Table 3-1 lists by resource area, each goal and the issue it is addressing. The table also links each issue and goal to the related implementation actions for measurable outputs and priority locations identified in the implementation Table 5-1.
- Section IV – Implementation Programs: In order to achieve the many goals in the LSC Plan, the implementation actions are broken out across a series of four work areas or programs. Three of the implementation programs relate to dominant land uses (agricultural lands, developed and developing lands, and ecosystem services), while the fourth refers to the background information, assessments, and ongoing data collection that is needed to further target and prioritize individual projects and to track progress toward achieving the goals. These four programs correspond to the four parts (A-D) of the implementation Table 5-1. The

implementation activities were grouped into five types: Implementation of Projects and Programs; Shared Services and Staff Capacity; Education, Engagement, and Social Capacity; Ordinances, Regulations, and Policy; and Data Collection, Analysis, and Planning. An icon was established for each activity type and it was used throughout the rest of the plan to help tie things together.

- Section V – Implementation Schedule: This section starts with a very useful tutorial on how to read/use the implementation Table 5-1. The rest of the section pertains to the Implementation Table 5-1 and supporting tables and figures. As previously mentioned, the implementation table is divided into four parts (A-D) one for each of the 4 program areas. In addition to identifying various implementation actions and associated biennial budgets Table 5-1 identifies the measurable output and associated priority location.
 - Section VI – Funding Sources and Prioritizing Watershed Based Implementation Funds includes a description of the various funding sources available to the Partnership for implementation of the Plan. For Watershed Based-Implementation Funding (WBIF) in particular it identifies that these funds will be allocated across program areas with a distribution of approximately 70% towards “Implementation”, 25% towards “Prioritization and Analysis” with 5% for “Administration” with expenditures based on the prioritization developed in the Plan.
 - Section VII – Work Planning and Targeting: Implementation of this Plan is based on collaboration and coordination among the members of the LSC Partnership. This section describes how an annual work plan will be developed including deciding, who will do what, as well-as how and where to spend funds (esp. WBIFs) to accomplish the desired outcomes for the Plan. The annual work plan will target funds to get the right projects and programs in the right places, at the right time to capitalize on opportunities and maximize impact given cost benefit. Gate keeper questions are established which must be satisfied before any project is considered for funding. One of those questions is that a Subwatershed Analysis (or similar accepted analysis) must have been completed to prioritize and target where funded projects are installed. A Project Targeting and Scoring Matrix that will be used to help rank projects for implementation funding is provided in Appendix – C.
 - Section VIII – Local Implementation Programs: This section identifies which of the local plans the LSC-CWMP is expected to substitute for.
 - Section IX – Plan Administration and Collaboration identifies that the Plan will be implemented through a joint powers collaboration (JPC) agreement establishing the new Lower St. Croix Watershed Implementation Partnership. The JPC sets the ground rules for how the Partnership will be established and function during implementation of the Plan. The Partnership intends to review the effectiveness of the JPC structure after 18-months. If needed they will consider entering into a different implementation agreement. The section also covers annual work plan development as well as plan evaluation, reporting and future plan amendments.
7. **Central Region Committee.** On October 13, 2020, the Central Region Committee met to review and discuss the Plan. Those in attendance from the Board’s committee were Jill Crafton, Joel Larson, Jayne Hager Dee, Andrea Date, Kathryn Kelly, Nicole Blasing, Steve Robertson, and Committee Chair Joe Collins. Board staff in attendance were Assistant Director for Regional Operations Kevin Bigalke, Clean Water Specialist Barb Peichel, Board Conservationist Melissa King, and Water Programs Coordinator Annie Felix-Gerth. Representatives from the Partnership presenting highlights of the Plan and Plan development process were Washington Conservation District Administrator Jay Riggs, Washington County Commissioner Fran Miron, and Chisago SWCD Administrator Craig Mell. Also present from the partnership were Comfort Lake - Forest Lake WD (CLFLWD) Board Manager Jackie Anderson, South Washington WD Administrator Matt Moore, and CLFLWD Administrator Mike

Kinney. Board regional staff provided their 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 October 28, 2030.

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 Lower St. Croix Watershed Implementation Partnership pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Resolution #16-17.
3. The Lower St. Croix Comprehensive Watershed Management Plan attached to this Order states water and water-related problems within the planning area; priority resource issues and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Resolution #16-17.
5. The attached Plan, when adopted through local resolution by the members of the Partnership will serve as a substitute for the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan and consistent with the One Watershed, One Plan Suggested Boundary Map.
6. With exception to #5 above, the attached Plan, when adopted through local resolution by the members of the Partnership within the Metropolitan area as defined in Minnesota Statutes Section 103B.205, Subd. 8 or a Metropolitan county as defined in Minnesota Statutes 473.121 Subd. 4 is not required to, but may, serve as a substitute for the comprehensive plan, local water management plan, watershed management plan, or county groundwater plan developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D for the geographic area of the Plan and consistent with the One Watershed, One Plan Suggested Boundary Map.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Lower St. Croix Watershed Implementation Partnership, dated July 28, 2020.

Dated at St. Paul, Minnesota, this twenty-eighth of October 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair
Board of Water and Soil Resources



October 28, 2020

Lower St. Croix Policy Committee
c/o Tiffany Determan, District Manager
Isanti SWCD
110 Buchanan Street North
Cambridge, MN 55008

RE: Approval of the Lower St. Croix River Comprehensive Watershed Management Plan

Dear Lower St. Croix Policy Committee:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Lower St. Croix River Comprehensive Watershed Management Plan (Plan) was approved at its regular meeting held on October 28, 2020. 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 October 28, 2030. 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 Lower St. Croix 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 Dan Fabian of our staff at 651-332-0786 or dan.fabian@state.mn.us for further assistance in this matter.

Sincerely,

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

Enclosure: BWSR Board Order

CC: Listed on next page

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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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I. Executive Summary

The Lower St. Croix Comprehensive Watershed Management Plan (Plan) was developed as part of the State of Minnesota’s One Watershed One Plan (1W1P) program. The State’s vision and purpose of the 1W1P program is to align local water planning on major watershed boundaries with state strategies towards prioritized, targeted, and measurable implementation plans. The process results in a comprehensive watershed plan and offers the opportunity for groups and organizations to work together in both planning and implementation across jurisdictional boundaries. While the resulting Plan is comprehensive in that it includes improvements and protection for a variety of natural resources across a large geographic area, it also incorporates detail in its prioritization and targeting actions and outcomes for specific waterbodies.

This Plan was developed through a memorandum of agreement and collaborative partnership among 15 local governments including 4 counties, 5 soil and water conservation districts (SWCD), 2 watershed management organizations (WMO), and 4 watershed districts (WD). Partners included Anoka SCWD, Brown’s Creek WD, Carnelian-Marine-St. Croix WD, Chisago County, Chisago SWCD, Comfort Lake-Forest Lake WD, Isanti County, Isanti SWCD, Middle St. Croix WMO, Pine County, Pine SWCD, South Washington WD, Sunrise River WMO, Washington County, and Washington Conservation District. Together, these groups are known as the Lower St. Croix (LSC) Partners or Partnership. Note that not all local government units within the watershed boundaries chose to participate in the LSC Partnership.

A. Mission and Vision Statements

Early in the process, the Lower St. Croix 1W1P Policy Committee adopted a mission statement to help guide the work of the plan development and a vision statement to help imagine the future condition of the watershed.

Mission

Through the Lower St. Croix “One Watershed, One Plan” process, partners will develop a collaborative and comprehensive plan to guide the protection and restoration of priority natural resources in our region over the next ten years.

Vision

The St. Croix River, groundwater, lakes, streams, rivers, wetlands, and upland habitat in the Lower St. Croix watershed sustain healthy ecosystems, recreation, public health, tourism, agriculture, the economy, and quality of life in our communities.

B. Land and Water Resources in Lower St. Croix River Watershed

The Lower St. Croix River (LSC) One Watershed, One Plan (1W1P) boundary follows the boundary of the Lower St. Croix River Watershed (HUC 07030005) (Figure 1-1). The Lower St. Croix River Watershed is one of four major watersheds on the Minnesota side of the St. Croix River Basin. It begins just downstream of the confluence of the St. Croix and Snake rivers near Pine City and runs parallel to the St. Croix River to the confluence with the Mississippi River near the city of Prescott, Wisconsin. This watershed consists of several major tributaries that drain into the Lower St. Croix River including Rock, Rush, and Goose Creeks; the Sunrise River; Brown's Creek, Valley Creek, Trout Brook, and O'Connor's Creek; and several small streams.

The LSC Watershed is approximately 915 square miles and lies primarily in the North Central Hardwood Forest Ecoregion. The watershed includes parts of Pine (77.8 sq. mi.), Chisago (432.8 sq. mi.), Isanti (65.9 sq. mi.), Anoka (56.7 sq. mi.), and Washington Counties (280.0 sq. mi). Less than half

Additional information and multiple layers of mapping data can be viewed in an *interactive* map for the Lower St. Croix Watershed at: <https://maps.barr.com/LSCWD/1W1P/index.html>

of one percent of the watershed lies in Ramsey County. There are 60 municipalities and townships located completely or partially within the boundaries of the watershed. Additionally, there are seven watershed organizations in the watershed including the Sunrise River Watershed Management Organization (WMO), Comfort Lake-Forest Lake Watershed District (WD), Carnelian-Marine-St. Croix WD, Brown's Creek WD, Middle St. Croix WMO, Valley Branch WD, and South Washington WD. The Chisago Lakes Lake Improvement District (LID) also lies in the watershed (Figure 1-1.)

The watershed's surface waters are abundant with 127 lakes, over 1,000 miles of rivers, streams, and judicial/public ditches, and approximately 152,000 acres of wetlands. A regionally significant big river, the entire length of the St. Croix River is officially designated as a National Wild and Scenic Riverway by the federal government. In the upper reaches of the 97-mile reach of the St. Croix River along the LSC Watershed, the river meanders through a narrow floodplain with numerous oxbow lakes, back channels and sloughs. Upon reaching the Arcola sandbar north of the city of Stillwater, the river opens up to become Lake St. Croix, a large open water basin with little flow or gradient change. Lake St. Croix covers the southernmost 25 miles of the river from Stillwater, MN to Prescott, WI. The channel constricts flow at a few locations throughout the lake creating four distinct pools.

Unfortunately, the St. Croix River and Lake St. Croix (below Taylors Falls dam) are included on the state's list of impaired waters because of high levels of phosphorus which can create nuisance algae blooms, decreasing water clarity and degrading habitats and recreational suitability. Still, the river and lake have relatively good water quality as compared to other metropolitan resources and the Mississippi River. They provide extensive habitat and attract recreational tourists seeking opportunities for paddling, boating, fishing, and swimming. Four Minnesota state parks (Wild River, Interstate, William O'Brien, and Afton) and numerous natural areas and public lands dot the St. Croix River shoreline in the Lower St. Croix Watershed.

Lakes are abundant throughout much of the watershed and range from small pristine lakes with little or no development, to large lakes important for recreation and ringed with developed shoreland. The more significant lakes in the Lower St. Croix River Watershed include Big Marine, Big Carnelian, the Chisago Lakes Chain, Coon, Elmo, Forest, Goose, Little Carnelian, Rush, Rock, and Square located in the central and southern

parts of the watershed. Most of these lakes are linked through a chain of small connector waterways, and several are connected by buried bedrock valleys with significant groundwater flowing through them. Small impoundments are also a part of the Sunrise River System. These lakes and impoundments contribute to the biological communities of the adjacent tributaries. Not surprisingly, many of these lakes are impaired for high nutrients due to non-point source pollution (runoff) from agricultural and developed lands.

The watershed's numerous rivers, streams, and ditches directly connect the land to the St. Croix River. Rock, Rush, and Goose Creeks drain the northern portion of the watershed. These creeks are impaired for bacteria (*E. coli*) and are also considered sources of nutrient pollution (including total phosphorus) to the St. Croix River and Lake St. Croix. At 385 square miles, the Sunrise River Watershed makes up a significant portion of the whole LSC Watershed. Within the Sunrise River Watershed, the 24,000-acre Carlos Avery Wildlife Management Area includes 20 actively managed pools. Numerous water quality impairments exist in the Sunrise River Watershed, and it is considered the highest contributor of nutrient pollution to Lake St. Croix, mainly due to its size (MPCA, 2012). Many other streams enter the St. Croix River and Lake St. Croix throughout the southern portion of the watershed including several cold water creeks: Browns Creek, Valley Creek, and Trout Brook.

As the land changes from agricultural uses in the low gradient headwater areas of the watershed to more forests near the mouths of the tributaries, the stream gradients increase as the elevation drops on the path to the St. Croix River. Gradient is particularly low in the central portion of the watershed creating landscapes dominated by wetlands and multiple branches of the Sunrise River watershed. There are numerous springs along the St. Croix River corridor, creating cool water and coldwater conditions, particularly in the southern part of the watershed. Due to the presence of these springs in the forested areas of the watershed, there are 15 designated trout streams recognized by the MnDNR.

Before western settlement, the river valley was dominated by hardwood forests and mixed savannah with large white pine stands in the far northern portion of the watershed. The area produced an estimated 15 billion board feet of timber between 1839-1916. Today land cover in the watershed is a mix of agriculture, developed areas, and open land and water including: 25 percent forest/shrubland, 22 percent grassland/hay fields/pastures, 19 percent wetland, 17 percent row crops, 10 percent developed/mining, and 7 percent open water.

Groundwater is an important resource throughout the Lower St. Croix River Watershed. It accounts for 100% of the region's drinking water and more than 80% of groundwater withdrawal is for public water supply use. Adequate supplies of high-quality groundwater are needed for the region's residents, businesses and natural resources. Contamination of groundwater from various pollution sources is a growing concern in much of the watershed, and large areas of contamination are currently a known and significant problem in much of Washington County. Groundwater is at greater risk to contamination in areas of high pollution sensitivity. A large band of high pollution sensitivity extends through the middle portion of the watershed through Anoka, Isanti and Chisago Counties. Much of Washington County is also sensitive to groundwater pollution.

The complete Land and Water Resource Inventory can be found in [Appendix A](#). Additional information and multiple layers of mapping data can be viewed in an interactive map for the Lower St. Croix Watershed at: <https://maps.barr.com/LSCWD/1W1P/index.html>.

C. Identifying and Prioritizing Issues, Goals, Measurable Outcomes, and Locations

After laying the foundations for working together, the LSC Partners worked diligently to gather input from agencies, various stakeholders, and among their own organizations in order to identify issues facing natural resources across the watershed. Issues were prioritized through a series of discussions and a review of current conditions and existing data in seven resource areas: groundwater, lakes, rivers and streams, wetlands, uplands, St. Croix River and Lake St. Croix, and social capacity ([Table 2-2](#)). Desired future conditions were developed for each resource area in order to discover shared values and to envision attributes the group will strive to attain, regardless of time frame ([Table 2-2](#)). [Section II](#) provides a full description of the process used to identify and prioritize resource areas and issues, including the robust stakeholder engagement process.

Issues: A summary of issues for various resource areas include:

- **Groundwater** – quality, quantity, data needs
- **Rivers and Streams** – water quality, ecosystem quality, altered hydrology
- **Lakes** – water quality, ecosystem quality, water levels, data needs
- **Wetlands** – quality, quantity, data needs
- **Uplands** – habitat loss, encroachment, degradation
- **St. Croix River/Lake St. Croix** – water quality, ecosystem quality, extreme fluctuations, data needs

Goals: Once issues were identified and desired future conditions were envisioned, broad goals were developed to address each of the issues and to mitigate current and future threats to the resources ([Table 3-1](#)). In general, the Plan’s goals are statements to improve water quality by addressing agricultural and urban/suburban runoff, reduce groundwater contamination, protect and restore uplands and wetlands, prevent the spread of aquatic invasive species, and gather data in all resource areas to better understand resources and target projects and programs.

Measurable Outcomes: Although goals in this Plan are generally broad, work will be focused on making progress toward the goals by accomplishing measurable outputs that address resource issues with more specific and quantifiable outcomes. Measurable outcomes will be realized in priority locations across the watershed with quantifiable implementation and change measured in a variety of ways including annual pollution reduction goals of 1,363 pounds total phosphorus in regionally significant lakes ([Table 5-3](#)); and 4,140 pounds total phosphorus in key subwatersheds draining to the St. Croix River ([Table 5-2](#)) by the end of the 10-year period.

Priority Locations: Priority locations where work will be focused are those specific resources considered to be regionally significant, or types of resources or areas where work is needed most in order to realize change and “move the needle” toward improved or protected water resources. The priority locations vary depending on the issue being addressed. In some cases, the work is planned to be accomplished watershed-wide. In most cases, however, work will be focused in particular subwatersheds ([Table 5-1](#)). Some of the more significant priority locations where the bulk of the implementation will be focused include:

- Sunrise River Watershed - due to its size and land use, it is identified as the highest contributor of total phosphorus in Lake St. Croix (Chisago County, MPCA, USACE, 2013)
- Subwatersheds of tributaries draining directly to the St. Croix River (downstream of lakes, impoundments, or large wetland complexes)

- Thirty-one regionally significant lakes including those in need of restoration and others in need of protection
- Areas where groundwater is sensitive to pollution
- Lands where critical habitat needs protection or areas suitable for wetland restoration or creation

[Table 3-1](#) includes the goals developed to address each issue. Measurable outputs and priority locations are shown in [Table 5-1](#). Both [Tables 3-1](#) and [5-1](#) include cross references to the other table.

D. Implementation Programs, Priority Activities, and Costs

[Section IV](#) reviews the implementation programs, priority actions, extreme weather and water storage goals, incentive programs, operation and maintenance, and regulation and enforcement.

The complete Implementation Table ([Table 5-1](#)) in [Section V](#) includes the schedule of activities per biennium for the life of this Plan, along with the estimated existing funding and external funding needs per activity.

In order to achieve the many goals in the Lower St. Croix Comprehensive Plan, the implementation actions are broken out across a series of programs. Three of the implementation programs relate to dominant land uses (agricultural lands, developed and developing lands, and ecosystem services), while the fourth refers to the background information, assessments, and ongoing data collection that is needed to further target and prioritize individual projects and to track progress toward achieving the goals.

Types of Implementation Actions



Implementation of Projects and Programs

Actions such as technical assistance, cost share programs, funded best management practices, and other efforts which directly result in the implementation of physical projects



Shared Services and Staff Capacity

Actions that add to existing staff capacity, whether through shared services, training, or partnerships



Education, Engagement, and Social Capacity

Actions that increase public awareness and understanding of resource LSC 1W1P goals and issues, as well as their voluntary participation in efforts to reach those goals



Ordinances, Regulation, and Policy

Actions referencing existing or new regulations or policies



Data Collection, Analyses, and Planning

Actions which include evaluation of sites, collection of data, development of plans, and monitoring

Although a variety of funding sources will be used to implement this Plan, including existing local funds, and state and federal funding, use of the Board of Water and Soil Resources (BWSR's) Watershed Based Implementation Funds (WBIFs) allocated to the LSC Watershed is a primary driver for collaboration and the

development of this Plan. The LSC Partnership prioritized the use of WBIFs for a variety of programs that will have the greatest impact on the priority water resources in the watershed.

In general, WBIFs are expected to be allocated across program areas with a distribution similar to:

- 70% Implementation (approximately 25% shared services + 45% BMPs & restoration/protection activities)
- 25% Prioritization and Analysis
- 5% Administration

Priority Activities slated for funding from WBIFs include:

- Sharing services to increase engagement with landowners by hiring or contracting with an agricultural conservationist and agronomist
- Sharing services to improve social capacity and increase education and engagement programs by expanding the East Metro Water Resources Education Program (EMWREP)
- Sharing services to provide education and ordinance development on Minimal Impact Design Standards
- Conduct subwatershed analyses and other prioritization methods to target best management practices (BMPs) within priority subwatersheds
- Providing financial and technical assistance for installing, implementing, or retrofitting targeted BMPs
- Providing financial assistance to upgrade SSTS
- Providing education, financial, and technical assistance for restoring shorelines along priority lakes
- Improving ditch maintenance practices to reduce impacts on water resources
- Providing cost share for land restoration or easement establishment in critical habitat areas
- Restore or create wetlands
- Study and address internal loading in priority lakes

Implementation Costs shown in [Table 1-1](#) include a 10-year cost for the activities considered the highest priority for use of BWSR’s WBIF. It should be noted that the actual additional external funding need is often significantly higher in some areas of the watershed than in others due to existing local funding sources. Activities involving prioritization and analysis are not included here because they were not assigned a priority level; those needs will be determined within annual work plans. A total of \$8,844,500 in additional external funding over 10 years is needed to implement the high priorities activities (excluding prioritization and analysis costs).

Table 1-1. 10-year Implementation Costs for Activities Considered Highest Priority for WBIFs

Area of Implementation	10-year Estimated Cost	10-year Estimated Local Funds	10-year Existing Stable External Funding	Additional External Funds Needed
Agricultural Lands	\$6,450,000	\$475,000	\$390,000	\$5,585,000
Developed & Developing Lands	\$4,800,000	\$3,569,000	\$715,000	\$516,000
Ecosystem Services	\$4,330,000	\$1,431,500	\$155,000	\$2,743,500
TOTAL	\$15,580,000	\$5,475,500	\$1,260,000	\$8,844,500



Evaluation and Adaptive Management will be employed throughout the implementation of this Plan. Understanding the cumulative impact (or lack of impact) of projects and programs on priority resources is a critical step in working to meet planning goals and outcomes. Through an iterative process of planning, implementing, assessing and adapting, adaptive management promotes flexible decision making and implementation that can be adapted as outcomes from management actions become better understood.

Specifically, for this Plan, adaptive management will be used to further target funding and other resources once data are gathered and analyses are complete. Collecting water monitoring data in the watershed, in addition to desktop analyses, will target the most cost-effective practices to be implemented. Additionally, as practices that prove to be extremely effective for a given situation are documented, that learning will help target effective strategies for the next round of implementation. This will allow for changes to the schedule or implementation as new issues develop or as field work begins and better data become available. Plan amendments may be needed if priority locations change due to additional knowledge (see [Section IX.E.](#)) Evaluation and reporting (see [Section IX.D.](#)) are an important component of adaptive management.

E. Plan Administration and Targeted Implementation

Joint Powers Collaboration: Implementation of this Plan will be facilitated through a joint powers collaboration (JPC) agreement to officially establish the new Lower St. Croix Partnership. The JPC agreement will be a formal and outward commitment to work together and will be a legally binding document that assigns decision making authorities and procedures, voting structure, and liability for the LSC Partnership.

Committees: Three committees of the LSC Partnership will guide the implementation of this Plan and individual LSC Partners (or groups of partners) will carry out the implementation activities through local agreements. Membership and function of the committees and local staff are presented in [Table 1-2. Section IX](#) includes details on Plan administration and collaboration.

Table 1-2. LSC Partnership Committees and Functions

Committee	Membership	Function
Policy Committee (PC) -Meets at least quarterly	One representative from each JPC signatory (LSC Partner), except Chisago County Three representatives from Chisago County One vote per representative	Act as governing body of LSC Partnership Review annual reports and implementation progress Review and consider recommendations from Steering Committee on budgets, staffing, administration, work plans, grant applications Develop recommendations for consideration by governing boards of LSC Partners With approval from local boards, approve budgets, work plans, agreements with local entities, grant agreements, etc. to implement the Plan

Committee	Membership	Function
<p>Steering Committee (SC)</p> <p>-Meets monthly or as needed</p>	<p>Staff of LSC Partners including:</p> <p>County water planners</p> <p>WD/WMO administrators, staff</p> <p>SWCD managers, staff</p> <p>(BWSR staff will be invited to SC meetings)</p>	<p>Evaluate, track progress, and report on implementation outcomes</p> <p>Use adaptive management as new data, analyses, and progress tracking are reported</p> <p>Develop annual work plans and biennial budget requests for WBIFs for administration, shared services, data gathering & analysis</p> <p>Prioritizes and targets projects and programs with project targeting criteria and scoring matrix*</p> <p>Draft collaborative grant applications</p> <p>Make recommendations to PC on work plans, budgets, grant applications, etc.</p>
<p>Advisory Committee (AC)</p> <p>-Meets annually and as needed</p>	<p>Steering Committee members</p> <p>State agency staff (BWSR, MPCA, MnDNR, MDH, MDA)</p> <p>Met Council staff</p> <p>Other technical stakeholders and partners (e.g., SCRA)</p>	<p>Provide input on implementation programs, as requested</p> <p>Assist with technical analyses, data gathering, and studies</p> <p>Assist with avoiding duplication of efforts</p>
<p>LSC Partners</p>	<p>Local governments that sign on to the LSC Joint Powers Collaborative including:</p> <ul style="list-style-type: none"> -Soil water conservation districts -Counties -Watershed Districts -Watershed Management Organizations 	<p>Through approved agreements, implement the activities of this Plan</p> <p>Through agreements, house and direct the work of shared staff, as needed</p> <p>Perform Plan administration including fiscal agent and day-to-day contact responsibilities</p> <p>Prioritize and target projects in approved SWAs (or other analysis) with project targeting criteria and scoring matrix*</p>

**Project Targeting and Scoring:* During annual work plan development, the Steering Committee will review and discuss possible projects and programs for use of Watershed Based Implementation Funds (WBIFs) in the next fiscal year. Each LSC Partner will bring information and analyses related to their proposed project, “set” of projects (such as projects identified in a subwatershed analysis), or program. Only activities that meet all of the following “gatekeeper criteria” will be further reviewed for WBIFs.

Gatekeeper Criteria:

1. The proposed projects or program is located in a priority location for the specific activity as listed in the Implementation Table ([Table 5-1](#)).
2. The activity is listed as a high or medium priority for watershed-based funds (assigned an “A” or “B” in the Implementation Table ([Table 5-1](#))).
3. An analysis is complete and/or data are gathered to target and prioritize specific projects where they will have most benefit using specific analyses components; or the project is outside an area with a completed prioritization but has a similar cost/benefit as a previously analyzed project and benefits the same water resource as the completed analysis.

Examples of analyses used to target and prioritize projects include a subwatershed analysis (SWA), diagnostic study, feasibility study, etc. These analyses will include spatial and desktop analysis (including historical aerial photo review), water quality modeling or monitoring for pollution reduction analysis, field evaluation, and cost benefit analysis.

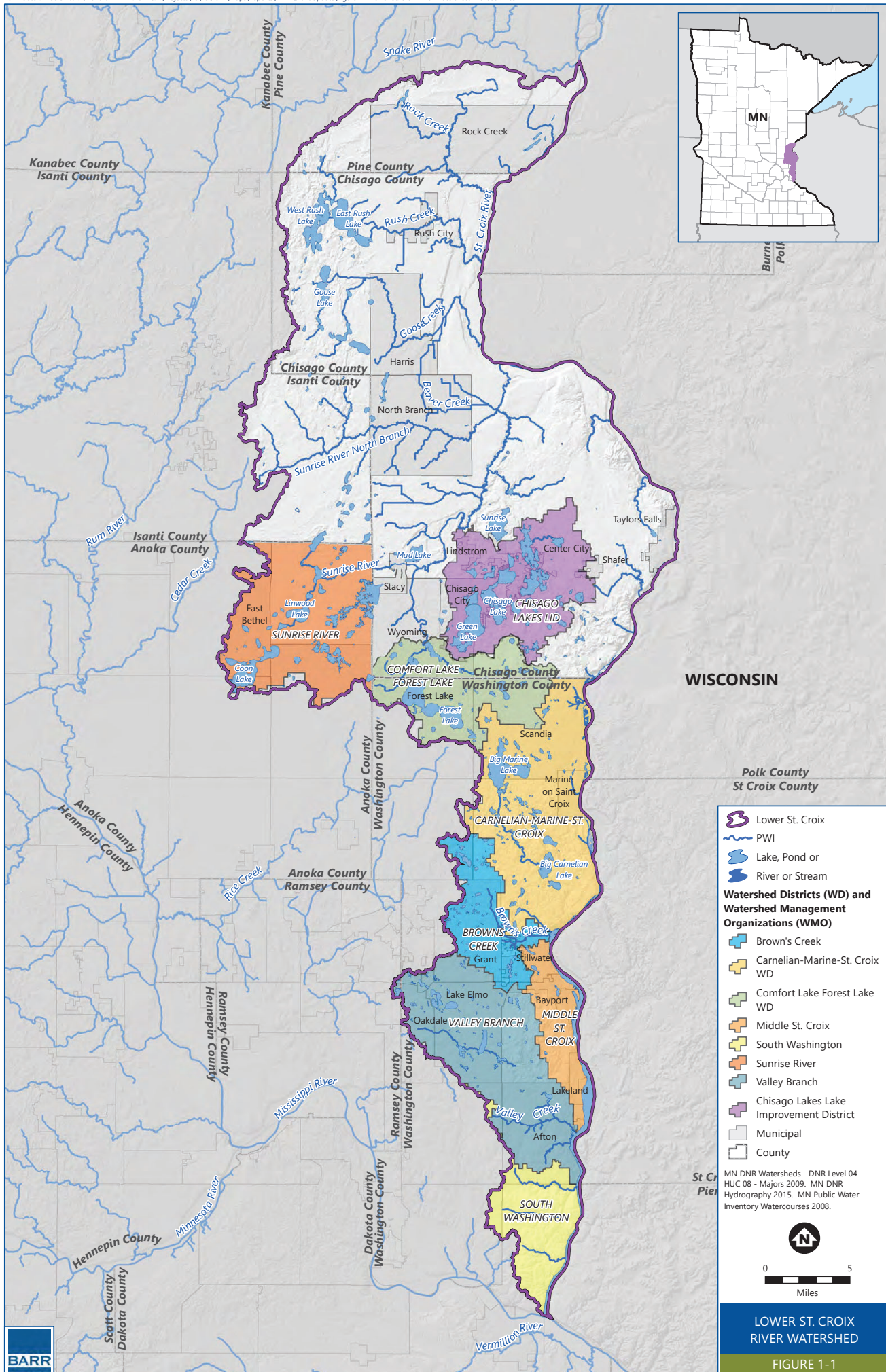
When appropriate, proposed projects that meet the gatekeeper criteria will be scored using the targeting criteria and scoring matrix (Appendix C). Resulting scores for projects will be used as guidance to compare and contrast various projects being considered for inclusion in the annual work plan. The complete process for annual work plan development and project/program targeting can be found in [Section VII](#).

Additional Collaboration: In addition to the work described in [Table 1-2](#), collaboration, coordination, and communication on grant opportunities, studies, research, outreach and engagement, or other activities will be a critical component of the LSC Partnership. This collaboration may be among LSC Partners, or with other stakeholders or groups performing similar work or having similar goals. The LSC Partners seek to develop and maintain relationships that will promote effective coordination to accomplish Plan goals.

F. Local Implementation Programs

This Lower St. Croix Comprehensive Watershed Management Plan can serve as a comprehensive plan, local water management plan, or watershed management plan developed or amended, approved, and adopted, according to MN Statutes chapters 103B, 103C or 103D. This Plan will be adopted by some counties and soil and water conservation districts (SWCD) as their sole water plan for areas within the LSC Watershed. This is the case for Chisago County, Chisago SWCD, Isanti County, Isanti SWCD, Pine County, Pine SWCD, and Washington Conservation District. Since this Plan does not cover all local priorities and planned activities for Chisago County, additional content specific to Chisago County is provided in [Appendix D](#).

For other organizations, such watershed districts (WD) and watershed management organizations (WMO), this Plan will augment, but not replace their current and future watershed management plans. In these cases, their plans, along with their prioritized and targeted projects and programs, and their capital improvement programs, remain in effect. Similarly, this Plan will not replace the Washington County Groundwater Plan.



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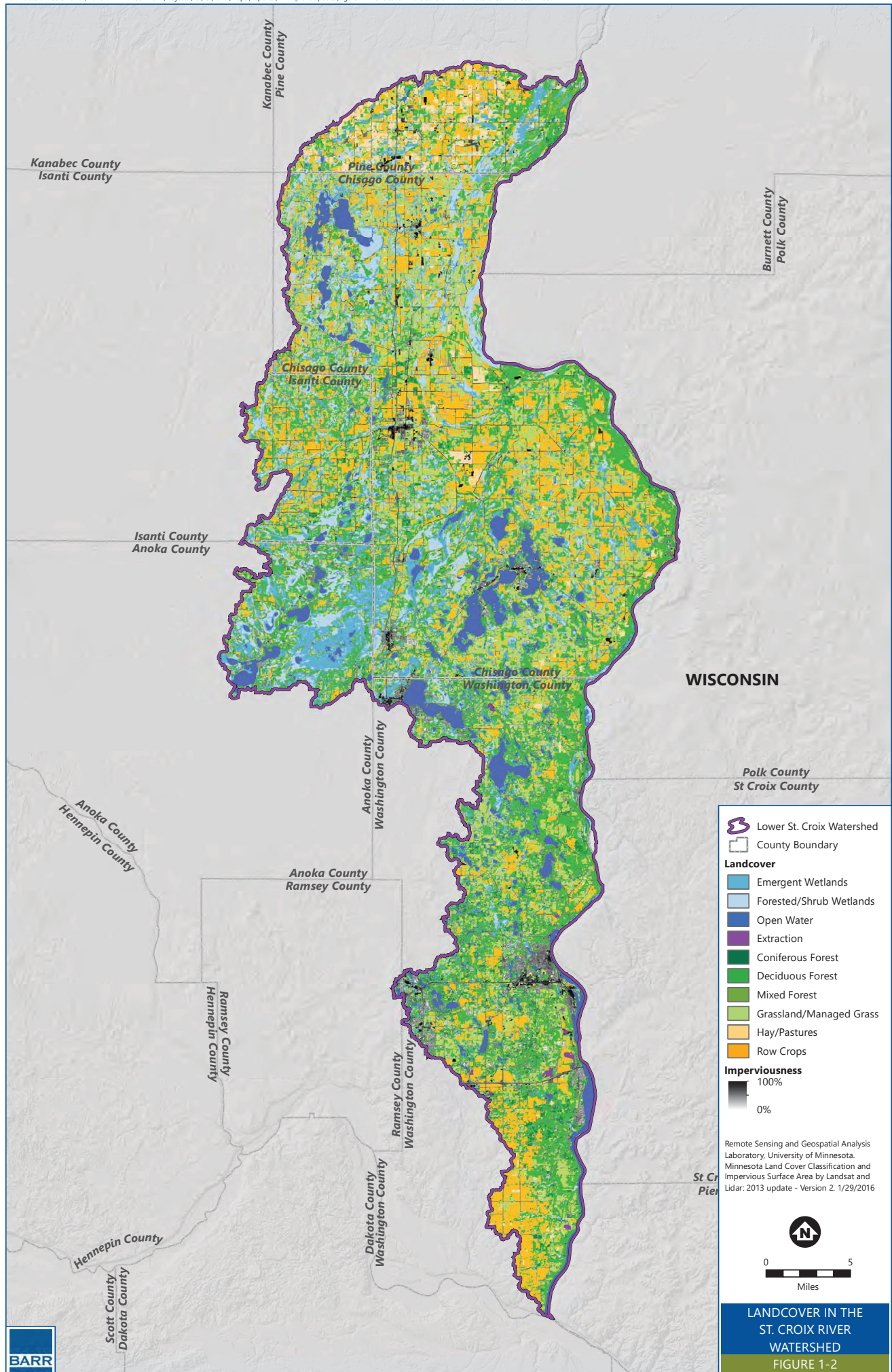
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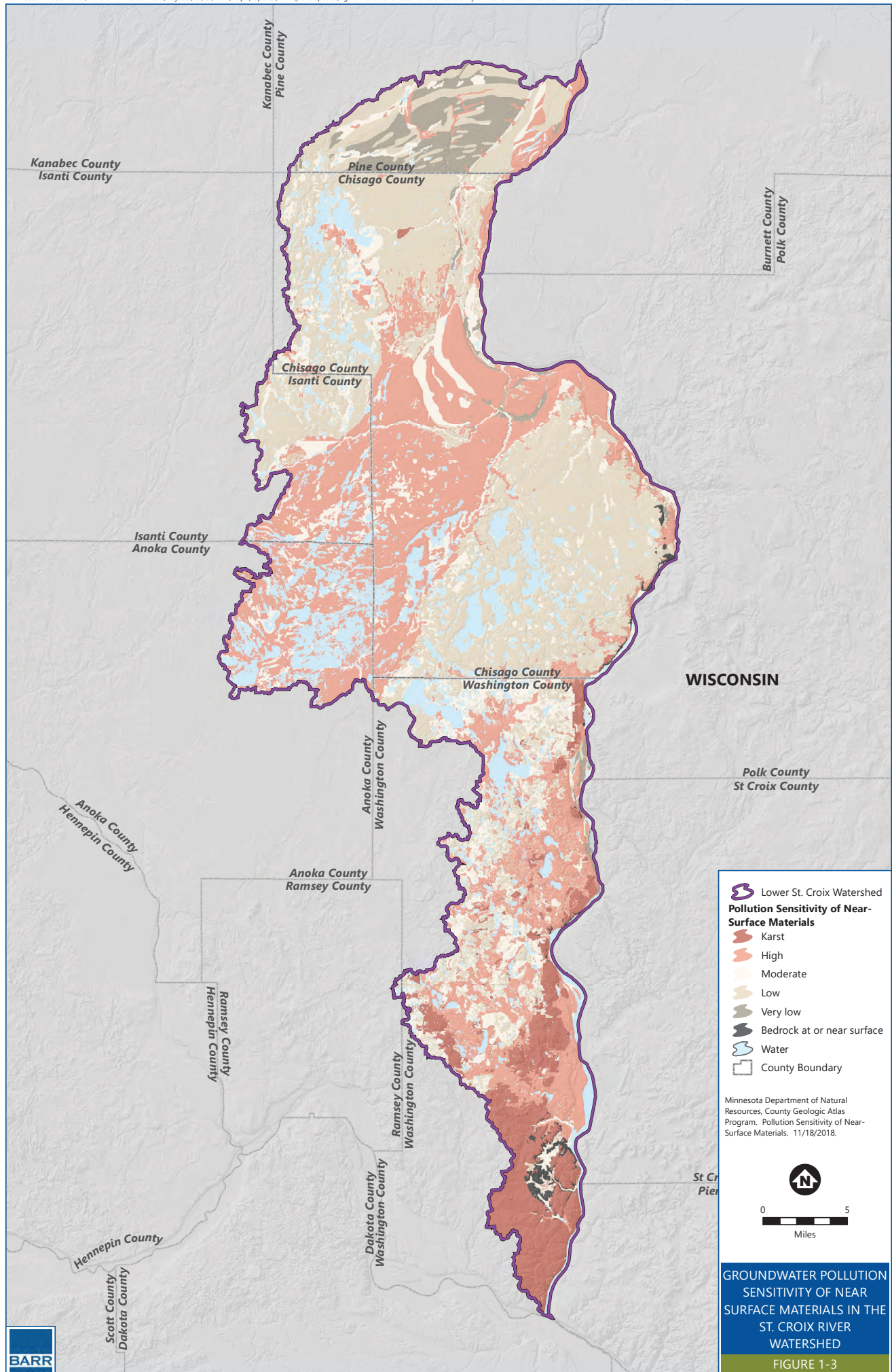
- Lower St. Croix
- PWI
- Lake, Pond or
- River or Stream
- Watershed Districts (WD) and Watershed Management Organizations (WMO)**
- Browns Creek
- Carnelian-Marine-St. Croix WD
- Comfort Lake Forest Lake WD
- Middle St. Croix
- South Washington
- Sunrise River
- Valley Branch
- Chisago Lakes Lake Improvement District
- Municipal
- County

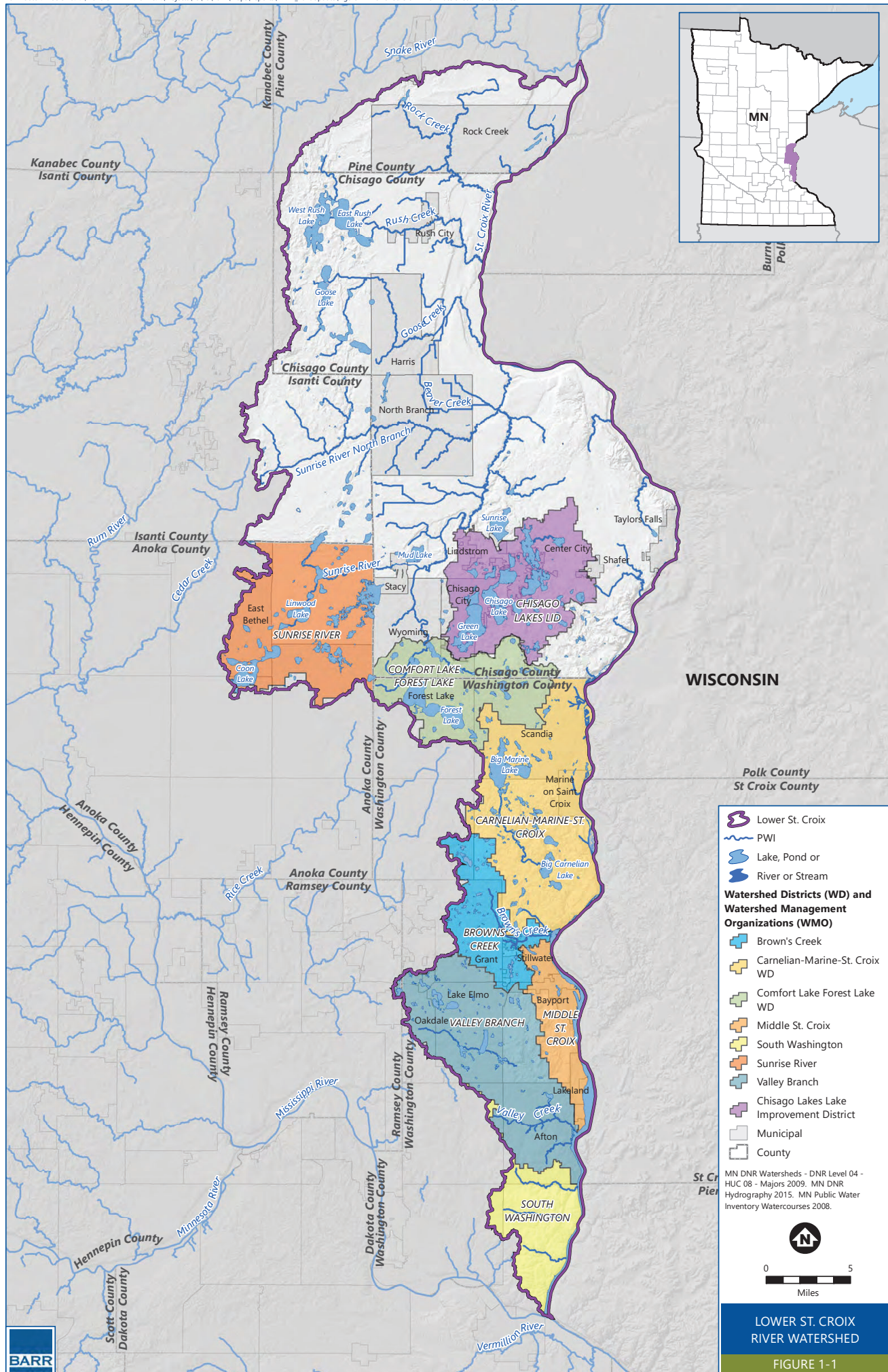
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MN DNR Watersheds - DNR Level 04 - HUC 08 - Majors 2009. MN DNR Hydrography 2015. MN Public Water Inventory Watercourses 2008.

LOWER ST. CROIX RIVER WATERSHED
FIGURE 1-1









LOWER ST. CROIX RIVER WATERSHED

FIGURE 1-1

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:	Capitol Region Watershed District Watershed Management Plan		
Meeting Date:	October 28, 2020		
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
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 Capitol Region Watershed District Watershed Management Plan

LINKS TO ADDITIONAL INFORMATION

Link to the final draft plan:

https://www.capitolregionwd.org/wp-content/uploads/2020/09/CRWD_WatershedManagementPlan_BWSR-Submittal_Full_reduced.pdf

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

Background

The Capitol Region Watershed District (CRWD) is a special purpose unit of government that was established on September 23, 1998 by order of the Board of Water and Soil Resources (BWSR) in response to a petition filed by residents within the watershed who sought to improve the quality of Como Lake. The CRWD seeks to achieve its vision of *‘Cleaner waters through innovative, resilient, effective and equitable watershed management in collaboration with diverse partners’*. CRWD’s first watershed management plan was approved in 2000. The most recent watershed management plan was approved by the Board on August 26, 2010.

The CRWD is 40.6 square miles, located in southwestern Ramsey County and includes portions of the Cities of Falcon Heights, Lauderdale, Maplewood, Roseville, and St. Paul and the Minnesota State Fairgrounds and University of Minnesota St. Paul Campus. The confluence of the Mississippi and Minnesota Rivers is near the District's southern boundary and a number of water resources are present in the CRWD, including Como, McCarrons, Loeb and Crosby lakes as well as several wetlands. The watershed is fully developed and contains areas of dense urban development, including St. Paul's Central Business District. Land use in the District is primarily single-family residential (46%), with commercial and industrial land uses generally located along the major roadway and rail corridors. The Metropolitan Council has identified areas of concentrated poverty (ACP50) – census tracts where greater than 50% of the residents are people of color and at least 40% of the residents living below 185% of the federal poverty threshold—which are present in the eastern half of the watershed.

Plan Process and Highlights

CRWD formally initiated the planning process for the 2021-2030 Watershed Management Plan (Plan) on January 16, 2019. As required by MR 8410, a specific process was followed to identify and assess priority issues. Beginning in February 2019, the CRWD implemented a robust stakeholder outreach effort to solicit input for the 10-year update to the Plan. Notification and request for input was sent to State review agencies and municipal and regional stakeholders on February 8, 2019. Beginning in April 2019, multiple outreach activities were also conducted which included: workshops with the CRWD Board of Managers, staff, technical advisory committee (TAC), and citizen advisory committee (CAC); four community conversation events with watershed residents; face-to-face meetings with three St. Paul District Councils and six community organizations representing different cultural and ethnic groups; and in-person and online surveys. The initial kick-off and planning meeting was held on May 22, 2019 as a workshop for the TAC and local partners. The CRWD received over 800 comments from the combined variety of outreach activities completed from February through June 2019.

CRWD utilized the input received to categorize, define and identify the nine Plan themes (nine), eight resource and organization issue categories, 64 goals and many Plan implementation activities. Implementation activities and projects were prioritized into one of three classification levels: critical, important, or beneficial. Five subwatershed areas were also targeted with consideration to natural resources, water quality goals, stakeholder input and/or geographic distribution of water quality improvement projects. Three of the five subwatersheds (Phalen Creek, Saint Anthony Hill, Trout Brook) correspond to areas of racially concentrated poverty (ACP50) within CRWD; which were targeted to help CRWD achieve goals that seek to improve representation and diversity, inclusion and equity and to focus Plan implementation including CRWD program, community engagement, and planning efforts.

Some Plan highlights include:

- Continuation of the 'Bring Water Back' campaign and promotion of the physical restoration of water resources and wetlands and daylighting piped streams
- A commitment to achieve specific water quality standards and ecological health goals for Como, McCarrons and Crosby Lakes.
- A commitment to offset the stormwater impacts of development by maximizing the natural water retention, storage and infiltration capacity of the watershed.
- Continued implementation of a robust Monitoring, Assessment, and Research Program.
- Implementation of a Diversity & Inclusion Program with a commitment to provide greater representation, diversity, inclusion and equity to CRWD operations, programs and activities.
- A community engagement program that integrates art and innovative methods to communicate with and educate residents.
- A commitment to develop relationships with audiences that have been and provide grant program outreach and implementation in underserved areas.
- Strengthening community resiliency and mitigating the impacts of climate change.

- Consideration of requirements for land-disturbances less than 1 acre, for chlorides and to incentivize green infrastructure.
- A diversified funding plan that recognizes cost savings through partnerships and coordination.

Formal Plan Review Process

The draft Plan was submitted to the Board, other state agencies, and local governments for the formal 60-day review on July 14, 2020 pursuant to Minnesota Statutes Section 103B.231, Subd. 7. The draft Plan was also made available for comment by the general public. The CRWD prepared a written response to the 60-day comments and then held a public hearing on August 19, 2020. Once the Plan revisions to address comments received were completed, the CRWD Board of Managers passed a resolution to send the revised draft Plan to BWSR (and State Review Agencies) for the final 90-day review and approval. This was received by the Board on September 9, 2020. Comments received during the 90-day review period indicated that the reviewers had no further comments.

Recommendation

On October 13, 2020, the Board's Central Region Committee and staff met with representatives from the CRWD in St. Paul and virtually via WebEx, to review and discuss the final Plan. The Committee's decision was to recommend approval of the CRWD Watershed Management Plan by the Board per the attached draft Order.

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 Capitol Region Watershed District, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.

**ORDER
APPROVING
A WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Managers of the Capitol Region Watershed District (CRWD) submitted a Watershed Management Plan (Plan) dated September 8, 2020 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 CRWD is a special-purpose unit of government that was established by the Minnesota Board of Water and Soil Resources (BWSR) on September 23, 1998 based on a nominating petition filed by residents within the watershed. The district was created for the general purposes of conserving the waters and natural resources of the watershed. CRWD's first watershed management plan was approved in 2000. The most recent watershed management plan was approved by the Board on August 26, 2010.
- 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.
- 3. Nature of the Watershed.** The CRWD is 40.6 square miles, located in southwestern Ramsey County and includes portions of the Cities of Falcon Heights, Lauderdale, Maplewood, Roseville, and St. Paul and the Minnesota State Fairgrounds and University of Minnesota St. Paul Campus. The confluence of the Mississippi and Minnesota Rivers is near the District's southern boundary and a number of water resources are present in the CRWD, including Como, McCarrons, Loeb and Crosby lakes as well as several wetlands. The watershed is fully developed and contains areas of dense urban development, including St. Paul's Central Business District. Land use in the District is primarily single-family residential (46%), with commercial and industrial land uses generally located along the major roadway and rail corridors. The Metropolitan Council has identified areas of concentrated poverty (ACP50) – census tracts where greater than 50% of the residents are people of color and at least 40% of the residents living below 185% of the federal poverty threshold—which are present in the eastern half of the watershed.
- 4. Plan Development and Review.** CRWD formally initiated the planning process for the 2021-2030 Watershed Management Plan (Plan) on January 16, 2019. As required by MR 8410, a specific process was followed to identify and assess priority issues. CRWD implemented a robust stakeholder outreach effort to

solicit input for the 10-year update to the Plan. Notification and request for input was sent to State review agencies and municipal and regional stakeholders on February 8, 2019. Beginning in April 2019, multiple outreach activities were also conducted which included: workshops with the CRWD Board of Managers, staff, technical advisory committee (TAC), and citizen advisory committee (CAC); four community conversation events with watershed residents; face-to-face meetings with three St. Paul District Councils and six community organizations representing different cultural and ethnic groups; and in-person and online surveys. The initial kick-off and planning meeting was held on May 22, 2019 as a workshop for the TAC and local partners. The CRWD received over 800 comments from the combined variety of outreach activities completed from February through June 2019.

The draft Plan was submitted to the Board, other state agencies, and local governments for the formal 60-day review on July 14, 2020 pursuant to Minnesota Statutes Section 103B.231, Subd. 7. The CRWD prepared a written response to the 60-day comments and then held a public hearing on August 19, 2020. Once the Plan revisions to address comments received were completed, the CRWD Board of Managers passed a resolution to send the revised draft Plan to BWSR (and State Review Agencies) for the final 90-day review and approval. This was received by the Board on September 9, 2020. Comments received during the 90-day review period indicated that the reviewers had no further comments.

5. **Local Review.** The CRWD distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B.132, Subd. 7. Local written comments and edits were received from the Ramsey County, Ramsey County Soil and Water Conservation Division, the Saint Paul Port Authority, the City of Saint Paul, and the Lower Mississippi River Watershed Management Organization. The draft Plan was also made available for comment by the general public. Additional written comments were received from the CRWD's CAC, the Gloria Dei Church, the Capitol River Council, and five individuals. The CRWD 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 CRWD for preparation of an excellent plan that is consistent with Council policies and the Council's Water Resources Policy Plan. The CRWD noted the comment. During the 90-day review, the Council indicated that they had no further comments.
7. **Department of Agriculture (MDA) Review.** The MDA did not provide formal comment.
8. **Department of Health (MDH) Review.** The MDH did not provide formal comment.
9. **Department of Natural Resources (DNR) Review.** The DNR did not provide formal comment during the 60-day review. During the 90-day review, the DNR indicated that they had no comments and that they looked forward to working with the CRWD on implementing the approved Plan.
10. **Pollution Control Agency (PCA) Review.** During the 60-day review the PCA noted that they found the plan to be adequate. The PCA also requested specific revisions to two footnotes in one table of the Plan. The CRWD revised the table footnotes to address comments.
11. **Department of Transportation (DOT) Review.** The DOT did not provide formal comment.
12. **Board Review.** During the 60-day review Board staff commended the CRWD on outreach efforts to obtain input and for the effort taken to create a visually appealing, well thought out, and plain language Plan. Board staff provided a comprehensive review of the plan by section. Board staff comments were related to identifying any missing content, correction of invalid links, a request for more specific statutory references,

and also identified areas and suggestions within the Plan Goals and self-evaluation of Plan implementation which required additional conversation and clarifying language. This included a request to state the goals, so they would be more clearly measurable and implementation progress could be more clearly evaluated. The CRWD and Board had several discussions and the Plan was revised as necessary to address all comments.

13. **Plan Summary.** CRWD utilized the input received to categorize, define and identify the nine Plan themes, eight resource and organization issue categories and issue statements, 64 goals and many Plan implementation activities. Implementation activities and projects were prioritized into one of three classification levels: critical, important, or beneficial. Five subwatershed areas were also targeted with consideration to natural resources, water quality goals, stakeholder input and geographic distribution of water quality improvement projects. Three of the five subwatersheds (Phalen Creek, Saint Anthony Hill, Trout Brook) correspond to areas of racially concentrated poverty (ACP50) within CRWD; which were targeted to help CRWD achieve goals that seek to improve representation and diversity, inclusion and equity and to focus Plan implementation including CRWD program, community engagement, and planning efforts.

Some Plan highlights include:

- Continuation of the 'Bring Water Back' campaign and promotion of the physical restoration of water resources and wetlands and daylighting piped streams
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- A commitment to offset the stormwater impacts of development by maximizing the natural water retention, storage and infiltration capacity of the watershed.
- Continued implementation of a robust Monitoring, Assessment, and Research Program.
- Implementation of a Diversity & Inclusion Program with a commitment to provide greater representation, diversity, inclusion and equity to CRWD operations, programs and activities.
- A community engagement program that integrates art and innovative methods to communicate with and educate residents.
- A commitment to develop relationships with audiences that have been and provide grant program outreach and implementation in underserved areas.
- Strengthening community resiliency and mitigating the impacts of climate change.
- Consideration of requirements for land-disturbances less than 1 acre, for chlorides and to incentivize green infrastructure.
- A diversified funding plan that recognizes cost savings through partnerships and coordination.

14. **Central Region Committee Meeting.** On October 13, 2020, the Board's Central Region Committee and staff met in St. Paul and via teleconference to review and discuss the final Plan. Those in attendance from the Board's committee were Joe Collins (chair), Nicole Blasing, Jill Crafton, Andrea Date, Jayne Hager Dee, Kathryn Kelly, Joel Larson, and Steve Robertson. Board staff in attendance were Assistant Director Kevin Bigalke, Board Conservationist Melissa King, Clean Water Specialist Barb Peichel, and Water Programs Coordinator Annie Felix-Gerth. CRWD representatives in attendance were District staff Mark Doneux and Anna Eleria and District Board Managers Shawn Murphy, Rick Sanders, and Mary Texer. CRWD Administrator Mark Doneux and CRWD Planning, Projects & Grants Division Manager Anna Eleria provided an overview of past CRWD accomplishments and highlights of the Plan and process. Board staff recommended approval of the Plan. After presentation and discussion, the committee's decision was to recommend 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 Capitol Region Watershed District (CRWD) pursuant to Minnesota Statutes Section 103B.231, Subd. 9.
3. The CRWD Watershed Management Plan, attached to this Order, defines the water and water-related problems within the CRWD’s boundaries, possible solutions thereto, and an implementation program through 2030.
4. The CRWD Watershed Management Plan will be effective October 28, 2020 through October 31, 2030.
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 Capitol Region Watershed District Watershed Management Plan dated September 8, 2020.

Dated at Saint Paul, Minnesota this 28th day of October 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

October 28, 2020

Capitol Region Watershed District
C/o Mark Doneux, Administrator
595 Aldine Street
Saint Paul, MN 55104

Dear Chair and Managers:

I am pleased to inform you that the Minnesota Board of Water and Soil Resources (Board) has approved the Capitol Region Watershed District (CRWD) revised Watershed Management Plan (Plan) at its regular meeting held on October 28, 2020. For your records I have enclosed a copy of the signed Board Order that documents approval of the Plan. Please be advised that the CRWD 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
Minnesota Board of Water and Soil Resources

Enclosure

CC: John Gleason, DNR (via email)
Jeff Risberg, MPCA (via email)
John Freitag, MDH (via email)
Jeff Berg, MDA (via email)
Judy Sventek, Met Council (via email)
Beth Neuendorf, MN DOT (via email)
Kevin Bigalke, BWSR (via email)
Ryan Hughes, BWSR (via email)
Melissa King, BWSR (via email)
File Copy

2021–2030

Watershed Management Plan

Formal 90-Day Review Plan

**Capitol Region Watershed District
Saint Paul, MN**

September 8th, 2020



ACKNOWLEDGEMENTS

In accordance with Minnesota Statutes, the draft Plan was submitted for formal review to the following. Additional reviewers are noted.

District Cities

Falcon Heights
Lauderdale
Maplewood
Roseville
Saint Paul

District Counties:

Ramsey County
Ramsey County Parks and Recreation Department
- Soil and Water Conservation Division

Additional Reviewers:

District Citizens Advisory Committee
Saint Paul Port Authority
University of Minnesota

Adjacent WMOs:

Ramsey Washington Metro Watershed District
Lower Mississippi River Watershed Management Organization
Mississippi Watershed Management Organization
Minnehaha Creek Watershed District
Rice Creek Watershed District

State/Regional Agencies:

Metropolitan Council
MN Board of Water and Soil Resources
MN Department of Agriculture
MN Department of Health
MN Department of Natural Resources
MN Pollution Control Agency
MN Department of Transportation

Consultant: Barr Engineering

CERTIFICATIONS

This Plan was created under the direct guidance of Capitol Region Watershed District's Board, Administrator and Planning, Projects and Grants Division Manager.

Joe Collins, Board of Managers President

Date

Mark Doneux, Administrator

Date

Anna Eleria, Planning, Projects and Grants Division Manager

Date



CleanWater, Land and Legacy Amendment projects include:

- [Green Line Green Infrastructure Project](#)
- [Highland Ravine Stabilization Project](#)
- [Central High School Stormwater Improvement Project](#)
- Como Senior High School Stormwater Management Project
- [Upper Villa Stormwater Improvement Project](#)
- [Allianz Field/Snelling-Midway Rainwater Harvesting and Reuse Project](#)
- [Parkview Stormwater Improvement Project](#)
- Seminary Pond Improvement Project

CONTENTS

EXECUTIVE SUMMARY	1
INTRODUCTION.....	10
1.1. District Organization	11
1.2. Focus for the Next 10 Years.....	17
WATERSHED ISSUES & GOALS	32
2.1. Issue Identification.....	33
2.2. Built Environment Issues and Goals	34
2.3. Water Quality Issues and Goals	38
2.4. Water Quantity and Flood Risk Issues and Goals.....	45
2.5. Ecosystem Health Issues and Goals.....	48
2.6. Communications and Engagement Issues and Goals	53
2.7. Regulation Issues and Goals.....	56
2.8. Infrastructure Management Issues and Goals.....	58
2.9. Organization Issues and Goals	61
2.10. Goal Measurability	63
IMPLEMENTATION PLAN	64
3.1. Implementation Plan Structure	65
3.2. Prioritization and Targeting.....	69
3.3. Administration (100 level).....	71
3.4. Programs (200 level).....	73
3.5. Projects and Capital Improvements (300, 400)	84
3.6. Work Planning and Adaptive Management.....	106
3.7. Funding	107
3.8. Plan Reporting and Assessment.....	109
3.9. Plan Amendments and Updates	110
3.10. Local Controls and Water Management Plans.....	111

Image credits:

Plan cover page: Sara Rubinstein

Watershed Issues & Goals cover page: Sara Rubinstein

Implementation Plan cover page: Sara Rubinstein

LIST OF APPENDICES

- Appendix A:** Land and Water Resource Inventory
- Appendix B:** 2021-2030 Plan Stakeholder Engagement Summary
- Appendix C:** Strategic Plan
- Appendix D:** Diversity Strategic Plan
- Appendix E:** Communications and Engagement Plan
- Appendix F:** Wetland Management Strategy
- Appendix G:** Plan Goals and Implementation Activity Outputs Correlation Table

LIST OF TABLES

Table ES-1: Notable Plan Goals.....	6
Table 2-1: Impaired Waters within or Adjacent to the District	41
Table 2-2: District Stormwater Quality Monitoring Results (2010-2019).....	42
Table 3-1 : District 2021-2030 Implementation Categories	66
Table 3-2: District 2021-2030 Implementation Categories.....	68
Table 3-3: District Grant and Cost Share Program Summary.....	75
Table 3-4: Local Water Plan Status	112
Table 3-5: CRWD 2021-2030 Plan Implementation Table and Capital Improvement Program	114
Table 3-6: CRWD 2021-2030 Plan Implementation Table and Capital Improvement Program	143

LIST OF FIGURES

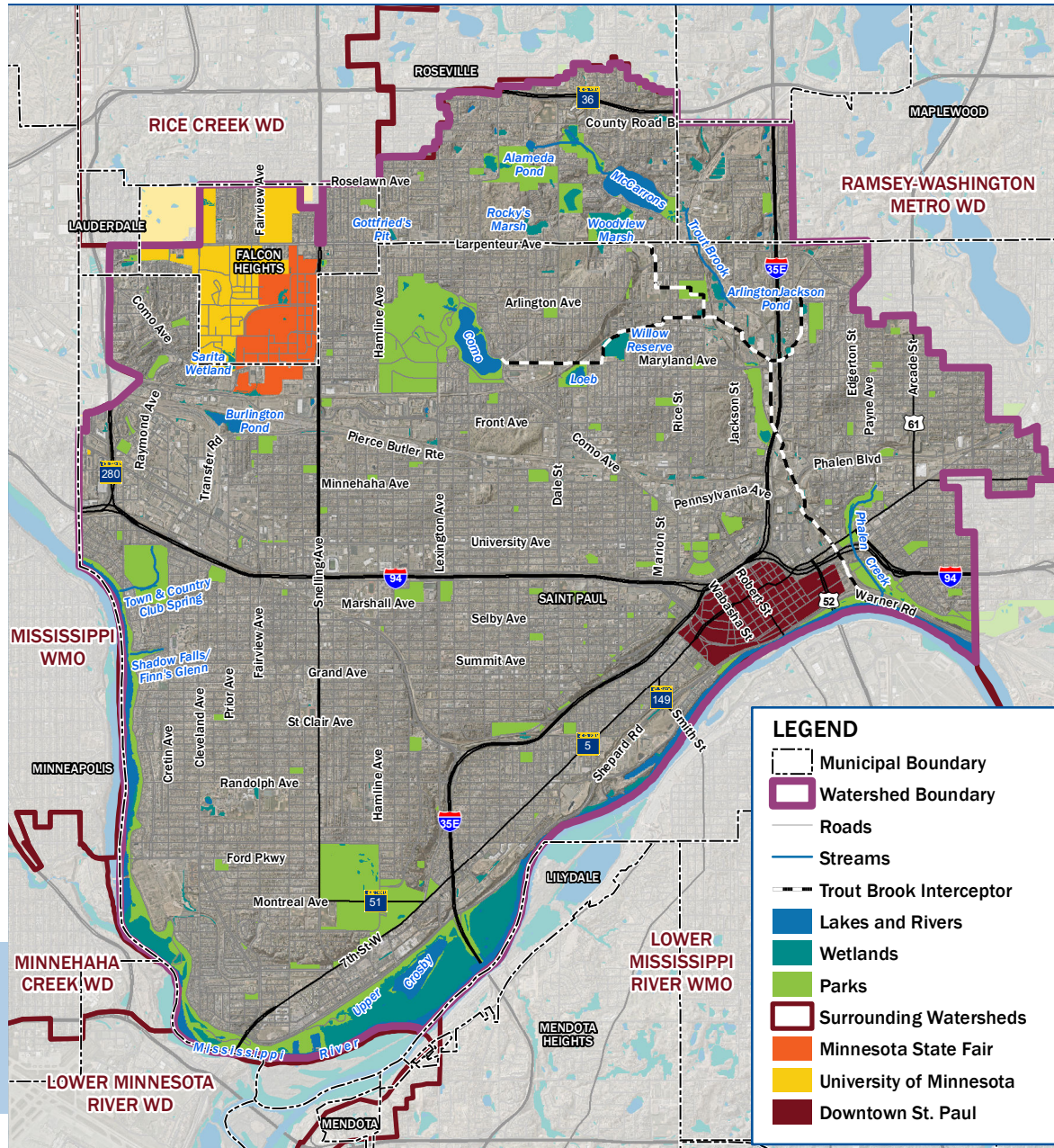
Figure ES-1: Capitol Region Watershed District.....	2
Figure 1-1: District Organizational Chart.....	12
Figure 1-2: Capitol Region Watershed District.....	13
Figure 1-3: Distribution of land in the district.....	14
Figure 1-4: District location within the Mississippi River watershed.....	21
Figure 1-5: Fate of Precipitation in the TBI.....	22
Figure 1-6: Race and Ethnicity in the District.....	23
Figure 1-7: Areas of Racially Concentrated Poverty (ACP50).....	24
Figure 1-8: Open Spaces and Recreational Areas.....	25
Figure 1-9: 100-year Rainfall Depths are Increasing as our Climate Changes.....	28
Figure 1-10: Adaptive Management Approach.....	31
Figure 2-1: Current (2018) Land Use.....	34
Figure 2-2: District Impervious Area.....	35
Figure 2-3: Potential Redevelopment Opportunities.....	36
Figure 2-4: Potential Pollutant Sources.....	38
Figure 2-5: District Lake Water Quality Data (2009-2019).....	39
Figure 2-6: District Monitoring Locations.....	40
Figure 2-7: District and FEMA Floodplains.....	46
Figure 2-8: Remaining Vegetation and Sites of Biological Significance.....	48
Figure 2-9: District Wetlands.....	49
Figure 2-10: Historic Resources.....	50
Figure 2-11: Trout Brook Interceptor (TBI).....	58
Figure 2-12: Measurability of qualitative and quantitative goals.....	63
Figure 3-1: Watershed Planning Area.....	67
Figure 3-2: District Plan Implementation Priority Areas.....	70

ABBREVIATIONS

ACP	Areas of Concentrated Poverty	MDH	Minnesota Department of Health
ACP50	Areas of Racially Concentrated Poverty (ACP50 is defined by Metropolitan Council as areas where 40% or more of the residents have incomes below 185% of the federal poverty threshold and 50% or more are people of color)	MDNR	Minnesota Department of Natural Resources
AIS	Aquatic Invasive Species	MNRRRA	Mississippi National River and Recreation Area
BMP	Best Management Practices	MPCA	Minnesota Pollution Control Agency
BWSR	Board of Water and Soil Resources	MS4	Municipal Separate Storm Sewer System
CAC	Citizen Advisory Committee	MWMO	Mississippi Watershed Management Organization
C&E	Communication and Engagement	NOAA	National Oceanic and Atmospheric Administration
CEZ	Creative Enterprise Zone	NPDES	National Pollutant Discharge Elimination System
CIP	Capital Improvement Project	NRI	Natural Resource Inventory
CRWD	Capitol Region Watershed District (District)	PFAS	Perfluoroalkyl Substances
CRWMO	Central Ramsey Watershed Management Organization	PRAP	Performance Review and Assistance Program
FEMA	Federal Emergency Management Agency	RCWD	Rice Creek Watershed District
IBI	Indices of Biological Integrity	RWMWD	Ramsey-Washington Metro Watershed District
IDDE	Illicit Discharge Detection and Elimination	SSGI	Shared, Stacked Green Infrastructure
LGU	Local Government Unit	SWPPP	Stormwater Pollution Prevention Program
LID	Low-Impact Development	TAC	Technical Advisory Committee
LWMP	Local Water Management Plan	TBI	Trout Brook Interceptor
LVMP	Lake Vegetation Management Plan	TMDL	Total Maximum Daily Load
		TP	Total Phosphorus
		TSS	Total Suspended Solids
		WBIF	Watershed-Based Implementation Funding
		WMP	Water Management Plan



EXECUTIVE SUMMARY



Capitol Region Watershed District (District) is a special purpose local government unit (LGU) that manages water resources within portions of Ramsey County per authorities given in [Minnesota Statutes 103B](#), [Minnesota Statutes 103D](#), and [Minnesota Rules 8410](#) (Figure ES-1). The District was established in 1998 by the Minnesota Board of Water and Soil Resources (BWSR) and is governed by a five-member Board of Managers. The District seeks to achieve its vision of:

Cleaner waters through innovative, resilient, effective and equitable watershed management in collaboration with diverse partners.

To achieve its vision, District staff implement a range of programs, projects, and capital improvements designed to protect, manage, and improve the resources within its jurisdiction, including creeks, wetlands, lakes, natural areas, and the Mississippi River.

The District has developed this Watershed Management Plan (Plan) to guide its actions in a coordinated, thoughtful, and effective manner over the period from 2021-2030. The District developed the plan in collaboration with stakeholders and partners who serve key roles in achieving District goals. This Plan carries forward many of the issues,

Figure ES-1: Capitol Region Watershed District

The District covers 40.6 square miles of St. Paul, Falcon Heights, Lauderdale, Maplewood, and Roseville.

goals, and themes included in the [District's 2010 Plan](#). This document builds on a strong foundation of programs, projects, and partnerships to address the most immediate water resource management needs and increase the effectiveness of its efforts in the face of new and evolving challenges.

Stakeholder Engagement and Plan Themes

The District crafted and implemented a comprehensive stakeholder engagement plan (CRWD, 2019) to involve residents, Technical Advisory Committee (TAC) members, Citizen Advisory Committee (CAC) members, the Board of Managers and staff in the identification, assessment, and prioritization of issues consistent with the process in [Minnesota Rules 8410.0045](#). Outreach activities included workshops with the Board of Managers, staff, TAC, and CAC, four “community conversations” events with District residents, face-to-face meetings with community organizations representing different cultural and ethnic groups, and in-person and online surveys. Results of the stakeholder engagement activities are detailed in [Appendix B](#) and were used by the Board of Managers to identify Plan priorities.

During Plan development, stakeholders identified

several recurring topics that affect a wide range of District operations, programs, and projects. These topics are included in this Plan as themes because it is anticipated that they will be considered in every aspect of District work over the next 10 years. They include:



Bring water back—The District's highly urbanized landscape and few waterbodies limit community connections to water. The District seeks to reconnect the community to its water resources, including the Mississippi River, through physical restoration of the resources as well as communication and engagement efforts to bring water back into the consciousness of the community.



Image credit: Adrian Danciu

Rain as a resource—Large areas of impervious surfaces (i.e., surfaces that water cannot pass through such as parking lots, roads, roofs and driveways) occupy the District's urban landscape and contribute to excessive stormwater runoff. By maximizing the natural water retention, storage, and infiltration capacity of the watershed, the District will keep precipitation on the landscape. This reduces stormwater runoff and the negative local and downstream impacts of flooding and poor water quality.



Image credit: Anita Jader

Community equity and engaging underrepresented groups—The District values diversity, equity, and inclusion and can achieve cleaner waters through engagement across communities. Historically, fewer structural and non-structural clean water projects have been implemented in some areas and communities within the watershed have been underserved. Engaging residents in the central and eastern portions of the District, people of color, immigrants, young adults, those who are poor, and youth will be a focus during the implementation of this plan.



Image credit: Caroline Yang

Recreation—Many residents identified recreation as one of the primary ways that the health and quality of water resources and natural areas affect them and their community. The District recognizes the important role of water resource management on recreation and supports partner efforts to improve water-based recreation access and opportunities.



Quality of life—Plan stakeholders noted the connection between the health of water and natural resources and the quality of life in the community. Healthy natural resources are often associated with cleaner neighborhoods, decreased urban heat island effects, and reduced flood risk. The District recognizes this connection and seeks to positively affect the quality of life of watershed residents beyond the measurable water quality and quantity benefits.



Image credit: Adrian Danciu

Climate change and community resilience—Changing climate patterns, including warmer winters and larger, more intense precipitation events pose significant water resource management challenges. Median estimates of the 100-year rain event expected in the mid 21st century have increased by more than 30% over current design values. Mitigating the impacts of climate change now and into the future is a high priority for the District, its partners, and stakeholders.



Image credit: Caroline Yang

Partnerships—The successful implementation of the [2010 Plan](#) was, in large part, due to the emphasis on partnerships. The District is well-positioned to convene stakeholders including cities, government agencies, institutions, neighborhood groups, residents, and others to address common goals. The District will continue to leverage such partnerships to more effectively and efficiently implement its programs and projects.



Image credit: Sara Rubinstein

Innovation—Technology and innovative water resource management methods have become mainstays in the District’s work and are continually evolving. The District seeks to remain informed about advances in science, design, and engineering related to water resource management. The District will evaluate the practical application of such innovations in its operations, programs, and projects.



Adaptive management—Over the next 10 years, changing conditions may necessitate adjustments to the District’s planned activities. The District recognizes this inevitability and will use an adaptive management approach to make decisions about District operations, programs, and projects.

Several of these themes are directly or indirectly reflected in the values and high level goals included in the District Strategic Plan (see [Section 1.2.1](#) and [Appendix C](#)). Throughout the execution of this Plan, the District will consider how each of the above themes is incorporated into District operations, programs, and projects.

Land and Water Resources Inventory

[Appendix A](#) of the Plan summarizes the land and water resources located within the District. It contains information on location, topography and drainage, climate and precipitation, land use and demographics, soils, geology, groundwater resources, natural communities and rare species, fish and wildlife habitat, and potential pollutant sources. It also presents monitoring data, including stormwater monitoring results and water quality, aquatic vegetation, and fisheries data for key District resources including Como Lake, Lake McCarrons, Loeb Lake, Crosby Lake, and Little Crosby Lake.

Land and water resource information is important because it describes the condition of the watershed and how those conditions impact decisions about infrastructure, development, and resource management. This information helped to inform the watershed issues and goals.

Watershed Issues and Goals

District staff reviewed stakeholder engagement results in the context of past District accomplishments (see [Section 1.1.2](#)), resource monitoring and assessment data, and current District programs. Staff interpretation, recommendations, and supporting information were presented at a Board workshop. Through discussion and consensus the Board of Managers identified priority issues to be addressed by the Plan and organized them into eight topics identified as either “resource issues” or “organization issues.” Issues presented in [Section 2](#) include an evolution of existing issues and new issues and reflect the unique challenges applicable to a diverse, highly urbanized watershed. Some notable issues include the following :

- The ability of the landscape to provide water quality benefits through infiltration, filtration, and other natural processes of stormwater runoff is minimized because of urban development within the watershed.

- Peak runoff rates and total runoff volumes are increasing due to current and projected future climate and precipitation trends.
- Some wetlands and other natural resources within the District have diminished in extent and quality due to development, hydrologic alterations, climate change, polluted stormwater runoff, and invasive species.
- Engagement in activities and actions that protect and improve water resources is not happening to the extent possible due to many factors including lack of community awareness, ability, interest and proximity to water.
- Water quality goals may not be achieved because current stormwater regulations do not adequately address all pollutants, emerging contaminants of concern, loading sources, and environmental pressures present in a highly urbanized watershed.
- Stormwater infrastructure that is reaching the end of its expected life will need to be replaced or rehabilitated at significant cost due to age and degradation.
- Areas and communities within the watershed have been underserved by District projects

The Plan establishes multiple goals to address the issues presented in [Section 2](#). Many of the District’s goals address multiple issues, reinforcing the interconnection of water, natural resource, and land-use management. District goals range in specificity; some are applicable District-wide, while others are specific to individual water resources. Where applicable, the District has established measurable goals that identify quantifiable changes in District lakes, streams, and stormwater discharges. For measurable goals, the District has identified indicators to assess progress towards goals (e.g., monitoring data). For goals that are not explicitly measurable, the District has identified outcomes that will indicate progress towards achieving the goal.

The Plan includes updated, measurable, resource goals for key District resources (e.g., Como Lake, Mississippi River). Some other notable Plan goals are presented or summarized by issue category in [Table ES-1](#).

Table ES-1: Notable Plan Goals

Resource Issues	Built Environment	Manage stormwater runoff from District owned, permitted and grant- funded projects with green infrastructure practices and other approaches that mimic natural hydrology by retaining a minimum volume equivalent of 1.1 inches over new, redeveloped, or existing impervious surfaces
		Explore private-public partnerships on redevelopment projects to implement shared, stacked green infrastructure (SSGI) projects with environmental, economic, and social benefits
	Water Quality	Manage District lakes to improve and sustain their ecological health and achieve the watershed and in-resource water quality goals identified in their lake management plans and defined in Section 2.3
		Reduce sediment and pollutant loading to the Mississippi River as defined by its TMDLs and defined in Section 2.3
		Quantify and reduce the amount of trash entering District lakes, wetlands, ponds, and the Mississippi River
	Water Quantity and Flood Risk	Establish a baseline and reduce chloride loading to Como Lake and make progress towards meeting the 2,233 pounds/day MS4 waste load allocation to Como Lake through actions identified in the Twin Cities Metro Area Chloride Implementation Plan
		Adapt to changing climate by evaluating flood risk and designing all new applicable District projects under present and anticipated climate and precipitation trends
	Ecosystem Health	Ensure that the Trout Brook storm sewer system, a District-owned and operated storm sewer system, adequately and safely conveys stormwater flows by inspecting at least once every five years and monitoring stormwater quality and quantity annually
		Improve ecosystem health in the District’s high priority subwatersheds of Trout Brook, Saint Anthony Hill, and Phalen Creek, by conducting at least one natural resource inventory and developing and implementing a management plan in each priority subwatershed
		Investigate and pursue opportunities to restore portions of historic streams in the Phalen Creek, Hidden Falls, and East Kittsondale subwatersheds, implementing two projects over 10 years
		Manage District lakes to achieve ecosystem health goals identified in their lake management plans and defined in Section 2.5

Table ES-1: Notable Plan Goals (continued)

Organization Issues	Communications and Engagement	Increase the visibility of the District and its work to better engage a variety of stakeholders through a variety of actions defined in Section 2.6
		Increase community understanding of, and connection to, natural resources, environmental issues, and public health through actions defined in Section 2.6
		Enhance the District’s public affairs and community relationships and increase community engagement through actions defined in Section 2.6
	Regulation	Work with agency partners to evaluate and consider regulations for deicing practices
		Work with agency partners to evaluate and develop requirements for stormwater management on sites disturbing less than 1 acre of land
		Work with partners to improve coordination and processes on overlapping aspects of regulatory programs
	Infrastructure Management	Establish effective and efficient long-term management approach(es) for publicly owned stormwater management systems, including individual, shared, and/or regional systems
		Support our partners in the maintenance of stormwater infrastructure by developing and implementing a stormwater infrastructure maintenance service program
	Organization	Foster equitable implementation of all District programs and projects across the watershed by engaging traditionally underserved populations and expanding geographic reach into the Trout Brook, Saint Anthony Hill, and Phalen Creek subwatersheds
		Maintain and enhance the capacity of the District to achieve water and natural resource management goals through the actions defined in Section 2.9

Implementation Plan

Individual District implementation activities are described in [Section 13](#). Estimated costs, year(s) of implementation, partners, priority level, and measurable outputs of each activity are presented in [Table 3-5](#). For assessment and reporting purposes, the District cross references all activities in the implementation plan to applicable District issues and goals ([Table 3-6](#)).

The District implementation plan includes the continuation of ongoing activities as well as new activities to address emerging issues and changing priorities. Notable activities in the District's implementation plan include:

- Further implementation of the District's diversity and inclusion program.
- Regulatory updates that consider a new land-disturbance threshold and target other pollutants.
- Continuation of robust stormwater, lake, wetland, and BMP performance monitoring programs.
- Grants focused on increasing participation from underrepresented community groups by expanding outreach and promotion of the Stewardship Grant Program in underserved areas.
- Expansion of the communications and engagement program to increase the visibility of the District and its resources, participation from diverse audiences, and the ease with which residents can communicate with the District.
- Development of a facility-management program for District-owned, shared ownership, and partner-owned facilities.
- Major planning efforts and projects
 - In-lake management activities for Como Lake and Lake McCarrons, including lake vegetation and aquatic invasive species (AIS) management, balanced fishery target development, and alum treatment
 - Updated lake management plans for Loeb Lake and Crosby Lake
 - Development and implementation of District-wide chloride source assessment and prevention plan
 - Development and implementation of trash management plan for areas adjacent to water resources
 - Subwatershed stormwater and natural resource planning and implementation in the District's high-priority subwatersheds, Trout Brook, Saint Anthony Hill, and Phalen Creek subwatersheds.
- Capital improvements throughout the watershed, including many performed in coordination with large-scale redevelopment opportunities
 - Major repairs to the Trout Brook Interceptor
 - Improvements to Seminary Pond and nearby ravines to improve water quality and flood control of an existing regional stormwater system in Lauderdale.
 - Implementation of a central water feature and District stormwater system at the Ford Redevelopment Site
 - Restoration of Hidden Falls Creek utilizing captured and treated stormwater runoff from the Ford Redevelopment Site.
 - Support of the City of Saint Paul in the implementation of the Great River Passage Master Plan, including planning, construction, and outreach for the River Balcony and River Learning Center

The District plans to fund its administration, programs, projects, and capital improvements through the following four primary funding mechanisms:

- Property tax levy
- Local partner funding
- Bonds and loans
- Grants

The District also plans to explore new, alternative funding sources or mechanisms, such as environmental impact bonds, to broaden and diversify existing funding sources. The estimated cost of implementation is \$109M (assuming 3% annual inflation), or \$10.9M per year.

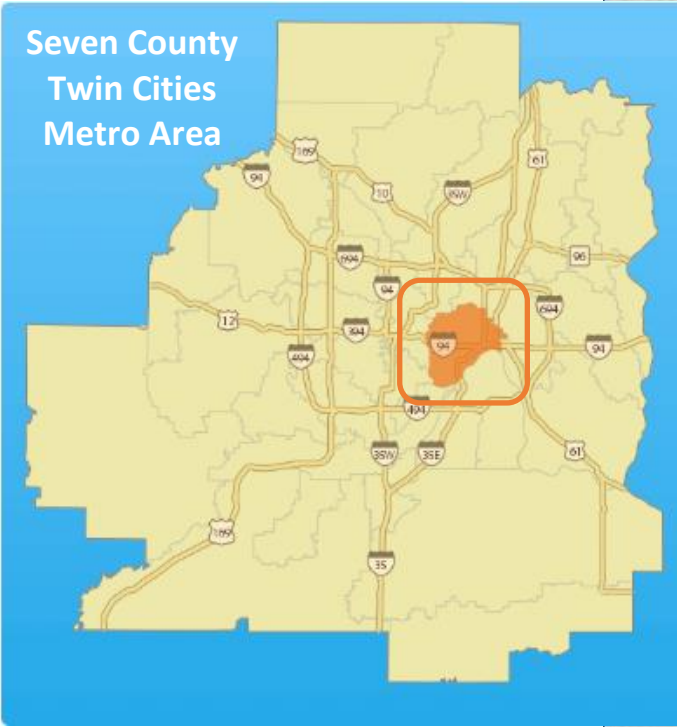
The District conducts sound and prudent fiscal management during its annual budgeting and working planning (see Section 3.6), which is based on the District's needs, priorities, and external economic factors. The District evaluates its annual tax levy and property tax impacts as a measure of fiscal responsibility. The District will continue to be sensitive to the economic climate of its partners, businesses, and residents as it sets the annual tax levy.

The District is responsible for evaluating progress towards achieving its goals and reporting annually to BWSR. Biennially, the District will perform a more detailed evaluation to assess the level of progress achieved on each of its stated goals (see Section 2). The format of this evaluation is based on the organization of District goals and cross-referenced to the most applicable implementation activities and associated measurable outputs. The assessment of District progress may include quantitative values and qualitative evaluation of progress towards each goal. This information will be used in annual work planning and determining future revisions and amendments to the Plan.

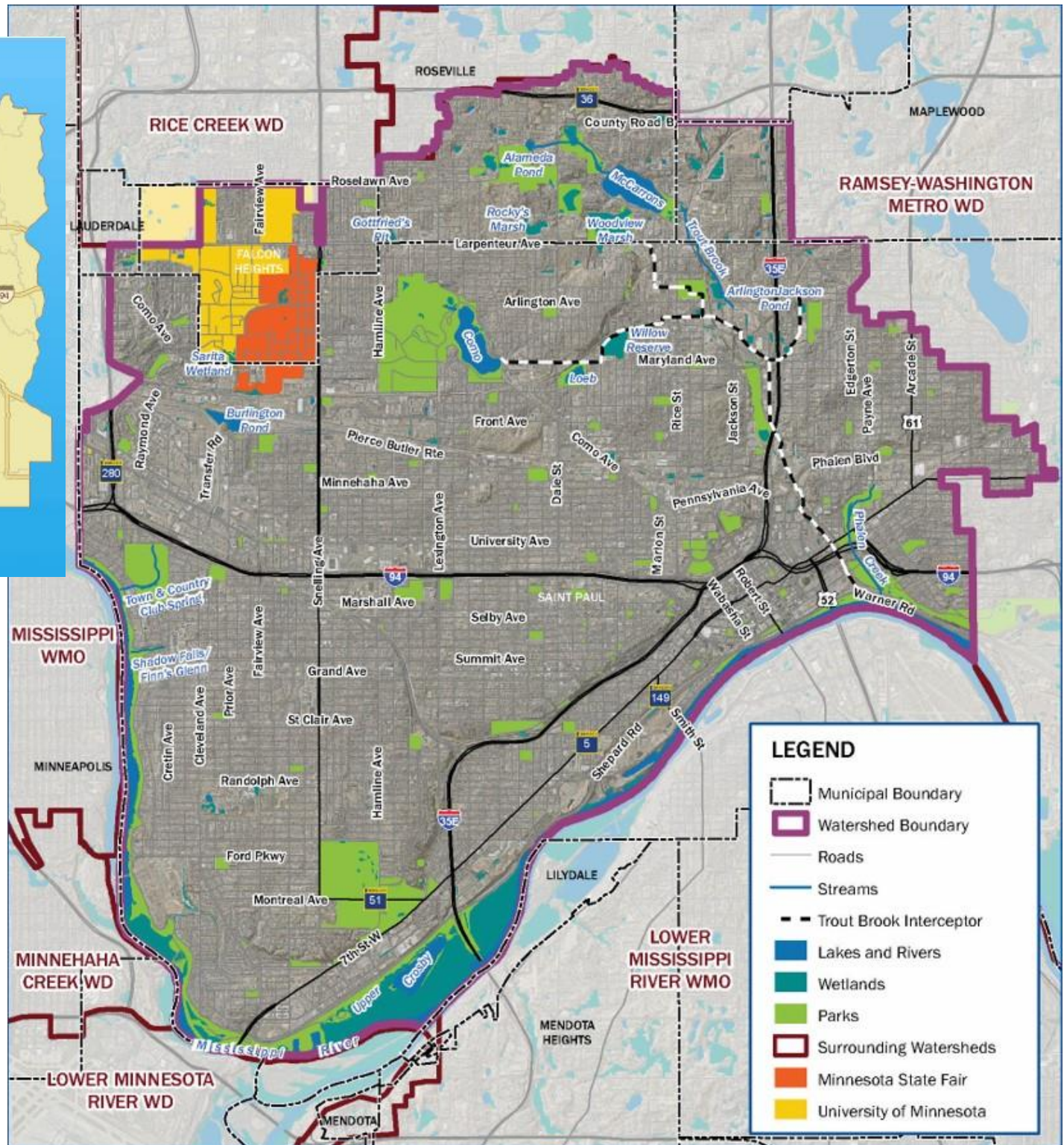


Public Art Saint Paul, a partner Grant recipient, leads art-making at Western Sculpture Park. Image credit: Caroline Yang

Seven County
Twin Cities
Metro Area



Capitol Region Watershed District



NEW BUSINESS

1. 2021 BWSR Board Meeting Schedule – Rachel Mueller/John Jaschke – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2021 Proposed BWSR Board Meeting Schedule

Meeting Date: October 28, 2020

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: Rachel Mueller/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

Approve the 2021 board meeting dates.

LINKS TO ADDITIONAL INFORMATION

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

Meeting dates are being proposed for board meetings in 2021. Most meetings are the fourth Wednesday of the month, unless otherwise noted. The proposed calendar has meetings held in the same months as the 2020 calendar.



Board Resolution # _____

Board of Water and Soil Resources

Proposed 2021 meeting dates

January 27

February – no meeting

March 24

April 28

May 26

June 23

July – no meeting

August 25-26 (Wed-Thurs) – Tour and meeting

September 22

October 27

November – no meeting

December 16 (third Thursday)

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____