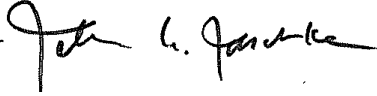


DATE: March 16, 2021

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

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice – March 24, 2021

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, March 24, 2021, beginning at 9:00 a.m. The meeting will be held in the lower level Board Room, at 520 Lafayette Road North, St. Paul and by WebEx. Due to COVID-19, access to the MPCA/BWSR office is limited. Individuals interested in attending the meeting should do so by either 1) logging into WebEx by going to the following website: <https://minnesota.webex.com/minnesota/onstage/g.php?MTID=e8ce35f1efe6793d1c99836fb4675fc4e>, and entering the password: webex, or 2) join by audio only conference call by calling telephone number: 415-655-0003 and entering the access code: 187 994 3760.

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

- Update to One Watershed, One Plan Operating Procedures** – The proposed updates to the One Watershed, One Plan Operating Procedures focus on involvement of Minnesota Tribal Nations in One Watershed, One Plan. Previous versions of the policy were silent about tribes as formal participants in planning efforts; the updated version clarifies that tribal involvement is encouraged but optional (tribes must be invited to participate and can decide whether to participate and terms of participation). The update also makes some minor edits to be more inclusive of tribal governments and to clarify the intent of policy elements. **DECISION ITEM**
- 2021 Request for Proposals for One Watershed, One Plan Planning Grants** – The purpose of this agenda item is for the Board to approve the 2021 Request for Proposals for One Watershed, One Plan Planning Grants. This is the fifth year BWSR is offering planning grants. The RFP has evolved over time to encourage more discussion among prospective planning groups during proposal development and to refine BWSR selection criteria. **DECISION ITEM**
- Reallocation of Previous Years' Clean Water Funds** – The purpose of this agenda item is for the Board to approve the reallocation of returned grants funds and Clean Water Funds that were carried forward from previous years. The Board Order will authorize the use of carry forward and returned Clean Water Funds for current or future Clean Water fund programs for purposes consistent with the statutory appropriation conditions. **DECISION ITEM**

Central Region Committee

1. **Clearwater River Watershed District Watershed Management Plan** – The Clearwater River Watershed District (CRWD) submitted a revised Watershed Management Plan for State review and approval. The Plan identifies six priority issues with specific strategies for implementation. The priorities are: Threatened and Impaired Surface Water Quality and Natural Resources, Climate Change, Localized Flooding and Navigation Obstructions, Aquatic Invasive and Nuisance Species Management, Sustainable Administration and Funding, and Operation and Maintenance. The Plan will build on the success of the CRWD’s past work within the 158 square mile watershed in central Minnesota just northwest of the Twin Cities metro area. ***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 March 24.

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
ST. PAUL, MN 55155
WEDNESDAY, MARCH 24, 2021**

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF JANUARY 27, 2021 BOARD MEETING

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

INTRODUCTION OF NEW STAFF

- Amanda Deans, Regional Training Engineer
- Pat Schultz, Regional Training Engineer

REPORTS

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

AGENCY REPORTS

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

ADVISORY COMMENTS

- Association of Minnesota Counties – Brian Martinson
- Minnesota Association of Conservation District Employees – Nicole Bernd
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Nathan Redalen
- Minnesota Association of Watershed Districts – Emily Javens
- Natural Resources Conservation Service – Troy Daniell

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

1. Update to One Watershed, One Plan Operating Procedures – Julie Westerlund – ***DECISION ITEM***
2. 2021 Request for Proposals for One Watershed, One Plan Planning Grants – Julie Westerlund – ***DECISION ITEM***
3. Reallocation of Previous Years' Clean Water Funds – Kevin Bigalke – ***DECISION ITEM***

Central Region Committee

1. Clearwater River Watershed District Watershed Management Plan – Steve Christopher – ***DECISION ITEM***

UPCOMING MEETINGS

- BWSR Board meeting is scheduled for April 28, 2021, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.

ADJOURN

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

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

STAFF PRESENT:

John Jaschke, Angie Becker Kudelka, Rachel Mueller, Kevin Bigalke, Tom Gile, Travis Germundson, Pete Waller, Ryan Hughes, Sharon Doucette, Dale Krystosek, Brett Arne, Dan Shaw, Suzanne Rhees, David Weirens, Karli Tyma, Jenny Gieseke, Jon Voz

OTHERS PRESENT:

Jeff Berg, MDA; Brian Martinson, AMC; Emily Javens, MAWD; Jamie Beyer, Stephanie Hatzenbihler, Judy Sventek, Hadley Mensing

Chair Gerald VanAmburg called the meeting to order at 9:03 AM

PLEDGE OF ALLEGIANCE

**
21-01 **ADOPTION OF AGENDA** - Moved by Jill Crafton, seconded by Harvey Kruger, 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			
Steve Robertson (MDH)	X			
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson	X			
Neil Peterson	X			
Nathan Redalen				X
Tom Schulz	X			
Thom Petersen	X			
Rich Sve	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
TOTALS	16			1

**
21-02 **MINUTES OF DECEMBER 17, 2020 BOARD MEETING** – Moved by Jill Crafton, seconded by Rich Sve, to approve the minutes of December 17, 2020, as amended. *Motion passed on a voice vote.*

Roll Call Vote: Approval of the Minutes of December 17, 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			
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson	X			
Neil Peterson	X			

Nathan Redalen				X
Tom Schulz	X			
Thom Petersen	X			
Rich Sve	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
TOTALS	16			1

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

REPORTS

Chair & Administrative Advisory Committee – Chair Gerald Van Amburg reported the committee has not met.

On January 20 Chair Van Amburg attend the Minnesota Climate Adaptation Conference. Keynote speaker Sam Grant, Executive Director of MN350, gave a presentation on environmental justice. There was a panel that Katrina Kessler was a part of that offered perspectives on climate adaptation. Also attended the EQB retreat where board members had an opportunity to interact.

January 21 attended Red River Basin Conference. Numerous good topics were prerecorded and available for viewing. The Leadership Award was presented to Linda Kingery, Executive Director of the Northwest Regional Partnership. BWSR staff Tara Perriello and Dan Shaw presented the Lawns to Legumes Pilot Project update.

New committee assignments were sent out and Chair Van Amburg thanked members for serving on committees.

Performance evaluation of the Executive Director is done annually. An email will be sent to complete the evaluation form and a report will be brought back to the board at a future meeting.

Kathryn Kelly thanked staff for their presentations at both events.

Audit and Oversight Committee – Joe Collins reported the committee met on January 25. The PRAP report will be presented later in the agenda.

Executive Director's Report - John Jaschke reported the survey for Executive Director evaluation will be sent to all Board Members and the BWSR Senior Management Team through Survey Monkey.

Governor announced budget recommendations for state government and will receive another update to the budget forecast in late February. In the BWSR budget there were no adjustments to existing programs. As recommended by the Governor's office via the Climate Subcabinet, BWSR will be working to develop a water storage initiative and soil health initiative. Governor put forth the recommendations from Clean Water Council on the Legacy Amendment Funds. There is a policy bill BWSR is seeking to allow the two dedicated conservation easement funds the ability to fix a structure if needed on those easements.

Received staffing exemption for two Easement Processing Specialists and the Central Region Manager position. A Financial Services position is being announced again. BWSR chose not to participate in the early retirement incentive. BWSR is attending training and connecting through virtual means when possible.

Reviewed the day-of packet that included supplemental documents, Snapshots, org chart, phone list, and an expense form.

Dispute Resolution and Compliance Report – Travis Germundson reported there are presently six appeals pending. All the appeals involve the Wetland Conservation Act (WCA). There has been one new appeal filed since the last Board Meeting (December 17, 2020).

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

File 20-12 (12-1-2020) This is an appeal of Administrative Penalty Order (APO) issued under the Buffer Law in Pennington County. The APO requires the placement of a 16.5' vegetated buffer along a public drainage system. The appeal was denied and the APO affirmed.

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

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

Statewide 29 counties are fully compliant, and 46 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 987 CANs and 40 APOs actively in place. Of the actions being tracked over 1,231 of those have been resolved.

Jill Crafton asked if the buffers have diversity. Travis stated perennial vegetation needs to be natural without invasive species or noxious weeds. Resources are available online to build better buffers.

Grants Program & Policy Committee – Tom Schulz reported the committee has not met.

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

Water Management & Strategic Planning Committee – Andrea Date reported the committee has not met.

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

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

Drainage Work Group (DWG) - Tom Gile reported they met on January 14. This meeting was the last of this year's DWG meetings.

The DWG had a discussion on the use of MDM/CWF dollars for Drainage related activities. Of particular interest to this discussion is the dismissal due to an inadequate outlet and dismissal due to benefits of the proposed drainage project being less than the total cost, including damages awarded.

If a proposed drainage project does not meet the cost benefits or does not have an adequate outlet the project is dismissed. Clean Water Fund dollars can clearly be used for water quality projects within the provisions of the drainage law and CWF. The question up for discussion is eligibility to use CWF dollars to provide for an adequate outlet or to buy down the cost benefits in order to make a project feasible if it would otherwise be dismissed for these reasons. CWF is intended to supplement traditional funding sources and is not a substitute. Similarly, infrastructure and aspects of storm water projects which are required to meet minimum regulatory standards are not eligible. However, supplemental aspects that go above and beyond required minimums are eligible. How do these aspects of 103E reconcile with the CWF? Some future discussion may be warranted.

The DWG had a very good discussion on the use of MDM/CWF The Drainage Management Team returned to provide further discussion on the "Watershed Hydrology: Considerations in Watershed Planning" document from the previous meeting. A one page overview document was provided to DWG membership which helped clarify the purpose/scope and intent and seemed to alleviate most concerns from the previous discussion.

BWSR staff provided a status update on the Drainage Maintenance Policy document which was discussed earlier in the year. An anticipated timeline of sharing final versions with the DWG and a future agenda topic to provide one last brief discussion on the purpose is intended.

Group think/discussion for topics to consider in 2021. BWSR staff will generate an online survey for DWG members this spring to rank and prioritize anticipated activities for the next DWG season. Meetings for next year are anticipated to start in June or July of 2021 and go through Dec/January.

Currently anticipating that the next DWG meetings will begin in a virtual format in June/July of 2021.

Tom Gile thanked Emily Javens for her suggestions on virtual meetings.

Gerald Van Amburg asked if Drainage Viewers take part in the drainage work group routinely. Tom stated that Membership from the State Viewers Association has been an active participant in the group.

AGENCY REPORTS

Minnesota Department of Agriculture – Thom Petersen reported the Governor is recommending a onetime fund appropriation to establish the Climate Smart Farms Project through the Minnesota Water Quality Certification Program. Governor is also requesting additional \$2 million for the Ag BMP Loan Program.

Minnesota Department of Health – Steve Robertson reported COVID caseloads have been declining. Supply and distribution have had some problems.

New rule from EPA, the lead and copper rule revision effects public drinking water systems across the country. Changes to rule were remedies to strengthen the rule and will roll out in the next several months.

National Source Water Collaborative has a new learning exchange on forestry. Adding this exchange and focusing on the critical role of well managed forests in watershed health and insuring safe and reliable supplies in drinking water.

Minnesota Department of Natural Resources – Sarah Strommen reported they held their annual Minnesota DNR Roundtable virtually. Theme focused on the intersections between public health, social equity, and natural resources management.

Gave overview of the budget proposals for DNR. Need to maintain critical service, there is a new forestry initiative on climate change, fee increase proposals for state park vehicles, and watercraft permit fees. In the new climate change proposal, the Governor has recommended a general fund investment to expand tree growing capacity at the Badoura State Forest Nursery. The proposed Reinvest in Minnesota Critical Habitat Program policy changes to the match ratio dollars from critical habitat license plates and other private donations and funding sources to invest dollars in land protection and management to improve critical habitat.

Jill Crafton stated she attended the Roundtable and enjoyed the panel. Jill asked about the tree project and if there would be a diversity in the trees. Commissioner Strommen said they will plant a variety of trees and the climate proposal is not just about density but also enhancing resiliency on the landscape.

Minnesota Pollution Control Agency – Katrina Kessler gave an overview of the Governor’s budget. Working on addressing the high level of mercury in the St. Louis River. MPCA is working with agency partners on a PFAS workplan. Working on establishing a climate adaptation fund to provide resources to local government partners. Will be attending the House Legacy Committee with Clean Water Council Administrator Paul Gardner to talk about the impacts to clean water fund work from the COVID pandemic.

Jill Crafton asked if the agency has been considering labeling PFAS products so consumers know. Katrina stated that is one of their policy proposals they are working on.

Chair Van Amburg asked with shutting down coal plants and electrical generation will it have a measurable impact on the mercury problem? Katrina stated 90% of mercury in Minnesota comes from outside of Minnesota. Most sources are air sources that get deposited into water. Need to continue working with federal partners and other states.

Minnesota Extension – Joel Larson reported they held their Climate Adaptation conference. Keynote speaker was Sam Grant from MN350. He spoke of the importance of addressing racial justice alongside climate change. There was a panel lead by the new Climate Extension Specialist Heidi Roop. Joel stated they will be restarting monthly webinar series and will send information out once available. One of the projects they are looking into is continuing a team that developed a detailed down-scaled climate projection data for the state.

Nitrogen Conference is on February 9 and the Nutrient Management Conference is on February 16. The Water Resources Conference is being planned for next fall.

ADVISORY COMMENTS

Association of Minnesota Counties – Brian Martinson reported they appreciate that there are no general fund reductions to the appropriations that support local government environmental work or the work with partners in the state. Glad to see in the BWSR budget an investment in the water storage initiative. Appreciates the investment in the Ag BMP loan program.

One of the topics AMC is working on this year is the Public Waters Inventory work the DNR has undertaken. Local government and the public was given an opportunity to offer comments and are engaging in the process. Comment period closed on November 30. Also working on the ordinary high water mark issue that was started last year but was slowed due to the pandemic. AMC is working closely with BWSR to get an extension for the 404 Assumption and that it's a priority for AMC.

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

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

Minnesota Association of Townships – Nathan Redalen reported the Minnesota Association of Townships ED David Hann has resigned and they are in the process of finding new ED.

Minnesota Association of Watershed Districts – Emily Javens reported Harvey Kruger was not reappointed on the Heron Lake Board and this will be his last BWSR Board meeting. Emily thanked Harvey for his work.

Minnesota Association of Watershed Administrators want to get more involved and work on state issues. The first committee put together is the Education Committee where their first task is to make sure they understand the different components of their training programs.

Jill Crafton and Chair Van Amburg thanked Harvey Kruger for his work.

Natural Resources Conservation Service – No report was provided.

Chair Van Amburg recessed the meeting at 10:42 a.m. and called the meeting back to order at 10:50 a.m.

COMMITTEE RECOMMENDATIONS

Northern Region Committee

Bois de Sioux - Mustinka Comprehensive Watershed Management Plan – Neil Peterson, Pete Waller, and Ryan Hughes presented Bois de Sioux - Mustinka Comprehensive Watershed Management Plan.

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

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

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

On January 6, 2021, the Northern Regional Committee met to review and discuss the Plan. The Committee's decision was to recommend approval of the Bois de Sioux - Mustinka Watershed Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

Jill Crafton thanked them for their work.

**

21-03 Moved by Neil Peterson, seconded by Rich Sve, to approve the Bois de Sioux - Mustinka Comprehensive Watershed Management Plan. **Motion passed on a voice vote.**

Roll Call Vote: Bois de Sioux - Mustinka 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			
Katrina Kessler (MPCA)				X
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen	X			
Rich Sve	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
TOTALS	16			1

RIM Reserve Committee

Working Lands RIM Easement Pilot Program – Sharon Doucette presented Working Lands RIM Easement Pilot Program.

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

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

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

Easement staff have been working with The Nature Conservancy to develop a Working Lands Easement pilot program to utilize \$1M of bonding in the Redeye, Crow Wing and Pine River watersheds. Program

materials, including program description, scoresheet and revised agreement and easement documents have been developed for the pilot program. The working lands perpetual easement would allow for haying and grazing of lands through an approved conservation plan as well as solar installations and would prevent conversion of land to row-crop agricultural uses.

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

Jill Crafton stated she appreciates the haying and grazing option and asked if they will be monitoring soil organic matter or assessing the progress on how well its performing. Sharon stated they have not discussed that as an option but could look into some monitoring through conservation plans.

Chair Van Amburg stated that it's an important pilot project that moves us in the direction of using RIM in another way adding a lot of benefit.

Tom Schulz stated it's a good step to getting perennial cover on the ground that will work into the future.

**
21-04 Moved by Tom Schulz, seconded by Kathryn Kelly, to approve the Working Lands RIM Easement Pilot Program. **Motion passed on a voice vote.**

Roll Call Vote: Working Lands RIM Easement Pilot Program

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			
Katrina Kessler (MPCA)				X
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen	X			
Rich Sve	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
TOTALS	16			1

Audit and Oversight Committee

2020 Performance Review and Assistance Program Legislative Report – Dale Krystosek and Brett Arne presented 2020 Performance Review and Assistance Program Legislative Report.

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

Kathryn Kelly thanked Dale for his work.

Joe Collins thanked Dale for his work. Joe noted the high compliance on the level one assessments and stated part of that was Dale preparing the report early in preparation for his retirement. Joe stated at the Audit and Oversight Committee meeting Chair Van Amburg mentioned the need to have local government agencies update their website and was a good recommendation from this report.

Jayne Hager Dee noted a correction in number one of page 24. At the December 17, 2020 board meeting the Dakota County Ground Water Plan was approved and the report should reflect this. Dale stated he would make the correction in the final report. Jayne Hager also stated she would like to see the WMO and the Watershed Districts at higher compliance level.

**
21-05 Moved by Joe Collins, seconded by Kathryn Kelly, to approve the 2020 Performance Review and Assistance Program Legislative Report. ***Motion passed on a voice vote.***

Roll Call Vote: 2020 Performance Review and Assistance Program Legislative Report

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			
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen	X			
Rich Sve	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
TOTALS	17			

NEW BUSINESS

BWSR's Climate Change Trends and Action Plan and State Climate Initiatives – Dan Shaw and Suzanne Rhees presented BWSR's Climate Change Trends and Action Plan and State Climate Initiatives.

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

Jill Crafton stated she appreciates the work they've put into this. There are a lot of opportunities and think the Lawns to Legumes program is one of the best things to come along to help. Jill stated there is a GreenStep Cities program under MPCA that is having a soil health workshop in February.

Joe Collins asked with the water storage will there be some way to inventory how much will eventually be stored. Suzanne stated it is ultimately one of their goals. Governor's budget would provide funding for grants to do multipurpose storage.

UPCOMING MEETINGS

- Next BWSR meeting is scheduled for 9:00 AM, March 24, 2021 in St. Paul and by WebEx.

Chair VanAmburg adjourned the meeting at 11:55 AM

Respectfully submitted,

Gerald Van Amburg
Chair

Dispute Resolution and Compliance Report

March 9, 2021

By: Travis Germundson

There are presently **four** appeals pending. All the appeals involve the Wetland Conservation Act (WCA). There have been **no** new appeals filed since the last Board Meeting (January 27, 2021).

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

~~File 20-13 (12-21-2020) This is an appeal of a restoration order in Washington County. The appeal regards the alleged placement of fill in wetlands associated with development of a residential property. The appeal was denied, and the restoration order affirmed.~~

~~File 20-12 (12-1-2020) This is an appeal of Administrative Penalty Order (APO) issued under the Buffer Law in Pennington County. The APO requires the placement of a 16.5' vegetated buffer along a public drainage system. The appeal was denied, and the administrative penalty order affirmed.~~

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

File 20-09 (9-23-2020) This is an appeal of a WCA exemption decision in Polk County. The appeal regards the denial of an agricultural exemption request to tile several wetlands. At issue is the qualification of planting history associated with the exemption being claimed. *The appeal was initially placed in abeyance for submittal of additional supporting information and then later remanded back to the LGU to develop an adequate record and issue a new decision. The time frame on the remand proceedings were extended by mutual agreement.*

~~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. The restoration order was rescinded, and the appeal dismissed. The appellant obtained approval of an after-the-fact exemption determination.~~

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

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

Summary Table for Appeals

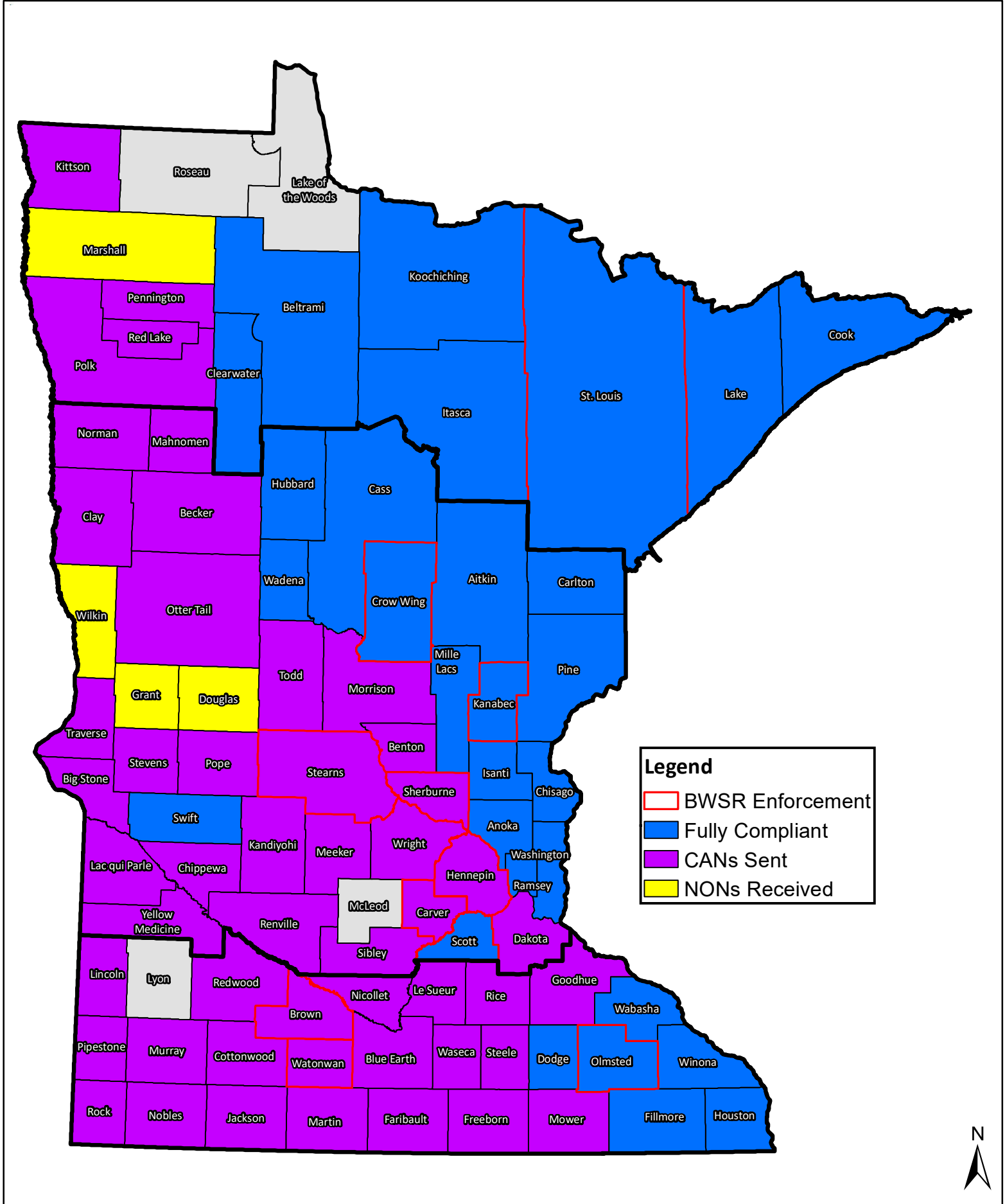
Type of Decision	Total for Calendar Year 2019	Total for Calendar Year 2020
Order in favor of appellant		
Order not in favor of appellant	1	7
Order Modified	2	
Order Remanded		3
Order Place Appeal in Abeyance	3	4
Negotiated Settlement		
Withdrawn/Dismissed	4	4

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 93 parcels from the 12 counties BWSR is responsible for enforcement. Currently there are two Corrective Action Notices (CANs) and 25 Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 65 of those have been resolved.

*Statewide 28 counties are fully compliant, and 50 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 945 CANs and 67 APOs actively in place. Of the actions being tracked over 1,404 of those have been resolved.

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

STATEWIDE BUFFER ENFORCEMENT



Legend

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



COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

1. Update to One Watershed, One Plan Operating Procedures – Julie Westerlund – ***DECISION ITEM***
2. 2021 Request for Proposals for One Watershed, One Plan Planning Grants – Julie Westerlund – ***DECISION ITEM***
3. Reallocation of Previous Years' Clean Water Funds – Kevin Bigalke – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Update to One Watershed, One Plan Operating Procedures

Meeting Date: March 24, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: One Watershed, One Plan, Operating Procedures

Section/Region: Central Region – Local Water Management Section

Contact: Julie Westerlund

Prepared by: Julie Westerlund

Reviewed by: Water Management and Strategic Planning Committee(s)

Presented by: Julie Westerlund

Time requested: 10 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|--|---|
| <input type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input checked="" 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 version 2.1 of the One Watershed, One Plan Operating Procedures.

LINKS TO ADDITIONAL INFORMATION

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

The proposed updates to the One Watershed, One Plan Operating Procedures focus on involvement of Minnesota Tribal Nations in One Watershed, One Plan. Previous versions of the policy were silent about tribes as formal participants in planning efforts; the updated version clarifies that tribal involvement is encouraged but optional (tribes must be invited to participate and can decide whether to participate and terms of participation). The update also makes some minor edits to be more inclusive of tribal governments and to clarify the intent of policy elements.

BOARD ORDER

Amendment to the *One Watershed, One Plan – Operating Procedures*

PURPOSE

Adopt amended *One Watershed, One Plan – Operating Procedures*.

RECITALS /FINDINGS OF FACT

1. Minnesota Statutes §103B.801 establishes the Comprehensive Watershed Management Planning Program, also known as the One Watershed, One Plan Program, and provides that the Board shall develop policies for coordination and development of comprehensive watershed management plans and required comprehensive watershed management plan content.
2. The Board approved the *One Watershed, One Plan – Operating Procedures* on March 23, 2016 and amended them on March 28, 2018.
3. The agency's Water Planning Team identified the need to clarify BWSR's expectations for involvement in One Watershed, One Plan by Minnesota Tribal Nations and other minor changes to policy elements to improve clarity.
4. Changes to the *One Watershed, One Plan – Operating Procedures* were reviewed by the Board's Senior Management Team on February 9, 2021 and recommended to forward to the Board's Water Management and Strategic Planning Committee for consideration.
5. The Water Management and Strategic Planning Committee met on March 9, 2021 and reviewed the staff recommendation to amend the *One Watershed, One Plan – Operating Procedures* and recommended approval to the full board.

ORDER

The Board hereby:

1. Adopts the *One Watershed, One Plan, Operating Procedures version 2.1, dated March 24, 2021*.

Dated at St. Paul, Minnesota, this March 24, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

One Watershed, One Plan Operating Procedures

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

Version: 2.1
Effective Date: 3/24/2021
Approval: Board Decision # **XX-XX**

Policy Statement

These are the minimum procedural requirements for developing a comprehensive watershed management plan through the Minnesota Board of Water and Soil Resources' (BWSR) One Watershed, One Plan program. The One Watershed, One Plan vision is to align local water planning on major watershed boundaries with state strategies towards prioritized, targeted, and measurable implementation plans. These procedures are based on the *One Watershed, One Plan Guiding Principles* adopted by BWSR on December 18, 2013.

[Minnesota Statutes §103B.101 Subd. 14](#) permits BWSR to adopt methods to allow comprehensive plans, local water management plans, or watershed management plans to serve as substitutes for one another, or to be replaced with one comprehensive watershed management plan and requires BWSR to establish a suggested watershed boundary framework for these plans. [Minnesota Statutes §103B.801](#) outlines the purpose of, and requirements for, comprehensive watershed management plans and directs BWSR to establish operating procedures for plan development.

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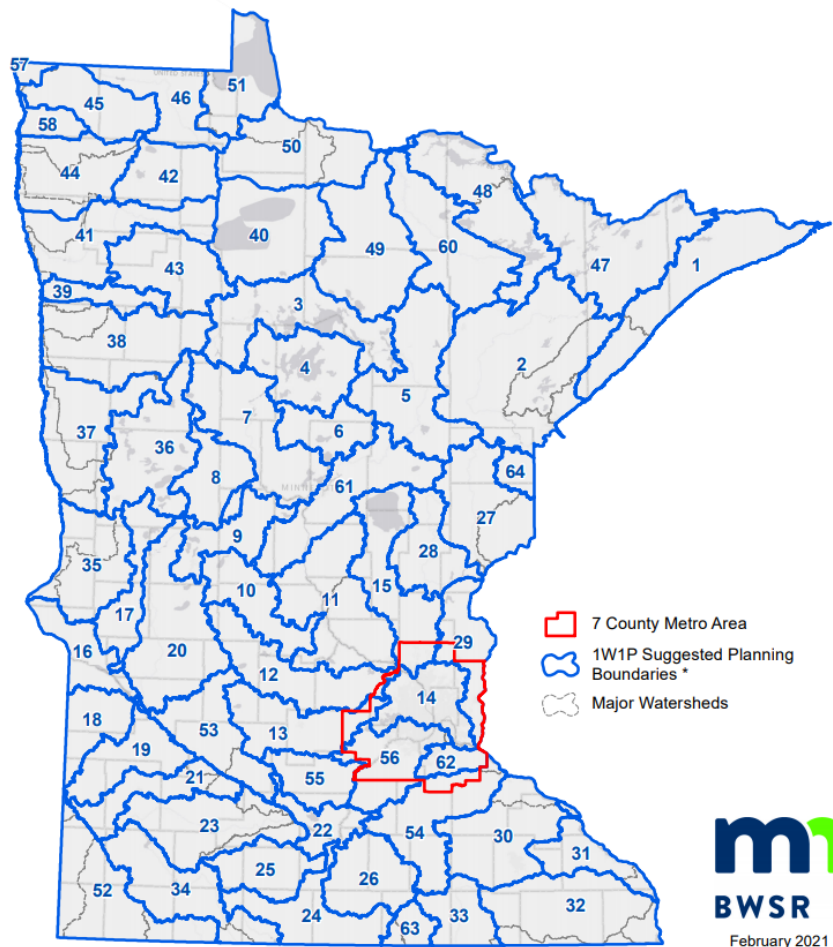
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I. Boundary Framework

The One Watershed, One Plan Boundary Framework consists of three parts: the suggested boundary map; procedures for establishing boundaries, requesting variances on boundaries, and appealing boundaries; and the criteria used to establish and consider requested variances from the suggested boundary map.

A. Suggested Boundary Map

Local governments partnering to develop a comprehensive watershed management plan through the One Watershed, One Plan program must begin with the planning boundaries identified in the suggested boundary map adopted by the BWSR Board on April 23, 2014 and as subsequently revised (Figure 1). Boundaries within this map are recommended but not mandated; procedures for establishing and deviating from the boundaries are in this section.



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

Figure 1. Suggested Boundary Map

B. Boundary Establishment and Adjustment Procedures

As per Minnesota Statute §103B.101 Subd. 14, BWSR “shall, to the extent practicable, incorporate a watershed approach when adopting the resolutions, policies, or orders, and shall establish a suggested watershed boundary framework for development, approval, adoption, and coordination of plans.” The procedures for determining boundaries will conform to the following:

1. **Planning Boundary Establishment.** BWSR Board adopted the One Watershed, One Plan Suggested Boundary Map on April 23, 2014. This map establishes the suggested planning boundaries for plans developed through One Watershed, One Plan.
 - a. Before commencing planning under Minnesota Statutes §103B.101 Subd. 14, local governments participating in the plan (section II) shall notify the BWSR board conservationist and regional manager of the intent to initiate planning. This notification shall include:
 - i. Local concurrence of all participants that they will use the planning boundary established in the BWSR Board adopted map, or
 - ii. A new map delineating a revised planning boundary with local concurrence of all participants as well as required participants in adjacent planning boundaries that would be affected by a deviation from the BWSR Board adopted map. If submitting a new map, participants must provide written documentation of the rationale and justification for deviation from the BWSR Board adopted map.
 - b. BWSR staff shall have 60 days to determine if a proposed plan boundary conforms with the requirements of Minnesota Statutes §103B.101 Subd. 14 and notify the participants of the determination.
 - c. If the participants disagree with the determination, they may submit a request for review to the executive director. The executive director may bring the issue before the BWSR Board if resolution cannot be found.
 - d. The final planning boundary will be approved by the BWSR Board concurrent with plan approval and incorporated into the BWSR Board order and adopted map.
2. **Planning Boundary Amendment or Adjustment.** After a plan has been approved, participants may find adjustments or amendments to the boundary are necessary. Procedures for changing a boundary will follow the boundary establishment procedure above. The final adjusted boundary will be approved by the BWSR Board concurrent with a plan amendment or the next plan approval. BWSR comments on the boundary may include findings that an amendment to the plan is necessary to address the newly included or excluded area(s).
3. **Appeals.** Participants may appeal a BWSR Board decision to deny approval of a plan or the establishment of a plan boundary. Appeals and disputes of decisions follow existing authorities and procedures of the BWSR Board.

C. Boundary Criteria

The following criteria, based on the criteria used for establishing the suggested boundary map, should be used to justify planning boundary adjustments.

1. **Full Coverage.** The adjustment will not leave small, orphaned watershed areas between planning boundaries or areas that are in more than one planning boundary.
2. **Smaller Boundaries.** For adjusted boundaries smaller than the suggested planning boundary:
 - a. Smaller area does not conflict with the purposes/intent of 1W1P
 - b. Significant dissimilarities or complexities in resource issues and solutions within suggested planning boundary justify the smaller area
 - c. Suggested planning boundary crosses a major river, e.g. on both sides of the Mississippi River
 - d. Existing watershed district in the area
 - e. Suggested planning boundary crosses Metro Water Planning area
 - f. Boundary for the smaller area closely follows a minor watershed, e.g. a 10 or 12-digit hydrologic unit code or watersheds defined by drainage systems managed pursuant to Minnesota Statutes §103E.
3. **Larger boundaries.** For adjusted boundaries larger than a suggested planning boundary, e.g. one boundary plus additional minor or major watershed(s):
 - a. Inclusion of a partial watershed on a state line
 - b. Confluence of major basins
 - c. Efficiencies due to similarity of issues and solutions
 - d. Existing watershed district that includes larger area
 - e. Major watersheds/8-digit hydrologic unit codes already lumped for PCA 10-year watershed approach/WRAPs
 - f. Boundary for the larger area closely follows a minor watershed, e.g. a 10 or 12-digit hydrologic unit code.
4. **Seven County Metro Area.** When a suggested planning boundary crosses into the seven-county metropolitan area, the area within the seven-county metro may or may not be considered for inclusion in the boundary. If included, the area within the seven-county metro is not excluded from Metro Surface Water Management Act.

II. Participation Requirements

When the One Watershed, One Plan planning process is initiated within a watershed area, all potentially affected units of government within the planning boundary are entitled to participate.

For the purposes of this section, levels of participation are defined as:

- **Required Participant** - The local government unit must formally agree to a role in plan development and subsequent implementation. “Formally agree” means an in-writing consent to participate (section III).
- **Optional Participant** - The government unit is encouraged to be directly involved in the planning process but is not required to formally agree. All municipalities (cities and townships) and Minnesota Tribal Nations (“tribes” or “tribal governments”) are optional participants.

As planning partnerships come together, required participants must extend an invitation to Minnesota Tribal Nations with reserved lands within the proposed planning boundary. Participants must also invite municipalities to become involved.** All municipalities must be included in the planning notification (sections IV.A.2 and section V); if not previously invited, a municipality may join the partnership early in the planning process.

Table 1. Participation Requirements by Government Type

Government Type	Participation Requirement
Soil & Water Conservation District	Required (Metro* SWCDs optional)
County	Required (Metro* counties optional)
103D Watershed District	Required
103B (Metro*) Watershed District or Watershed Management Organization	Optional***
Municipality (city or township)**	Optional***
Minnesota Tribal Nation	Optional***

*Metro refers to the seven-county metropolitan area.

** See “Guidance for Committees and Getting Ready to Plan” for considerations for municipal participation.

***Required participants must invite these groups to participate.

A. Participation by Land Area

It may not be practical for required local governments with a small portion of their land area in the watershed to participate in plan development, especially if that area will not play an important role in implementing the plan. If less than 10% of the jurisdictional land area of the local government is within the One Watershed, One Plan planning boundary, participation by that local government is optional unless the area will be important to the success of the plan. Important areas are those identified in a Watershed Restoration and Protection Strategies (WRAPS) report, a completed TMDL, a local diagnostic study, and/or another study or plan as being important places to take watershed management actions and include those areas in close proximity to the watershed outlet.

B. Participation Requirements Procedure

Participation requirements will be discussed as part of the plan initiation process with final determinations made by the board conservationist in consultation with the participants and BWSR regional manager. Disputes of staff decisions will be reviewed by the executive director and brought before the BWSR Board if resolution cannot be found.

Lack of willingness or interest of one required participant should not be used as an initial basis for denying participation of the majority in One Watershed, One Plan. Additional factors or criteria may be considered, including the anticipated impact to the planning process or perceived challenges with implementation of the

resulting plan if certain critical stakeholders are unwilling to participate. At the request of the majority of participants, BWSR may conduct an assessment of the potential impact of the nonparticipation and make a determination as to if the remaining participants should be able to proceed. This assessment and the final recommendation will be reviewed by the executive director and brought before the BWSR Board if resolution cannot be found. In some situations, a watershed planning group may not be able to proceed until One Watershed, One Plan participation requirements are met.

C. Participation by Minnesota Tribal Nations

Executive Order 19-24 affirms the government-to-government relationship between the State of Minnesota and Minnesota Tribal Nations. BWSR is committed to promoting consultation, coordination, and cooperation among tribes, state agencies, and local governments via the One Watershed, One Plan process.

Minnesota Tribal Nations have natural resource management authorities (including those delegated under the Clean Water Act), responsibilities, programs and information for lands within reservation boundaries and ceded territories. Each tribal government has a unique structure; the nature of tribal participation in a planning effort will be determined by the tribe(s). See “Guidance for Committees and Getting Ready to Plan” for more information.

D. Participation Requirements and Plan Adoption

After a plan has been completed by participants and approved by the BWSR Board, it will need to be formally adopted within 120 days by all parties. Whether the plan is adopted individually by each county, soil and water conservation district, and/or watershed district, or by an established joint powers board on behalf of the participants, is a decision of the participants as outlined in the formal agreement and the authorities provided therein (section III).

In the case that a required participant decides not to formally adopt the plan after it has been approved by BWSR, the remaining local governments will need to reassess whether the plan can be successfully implemented without adoption by the particular local government. If it is possible the plan will work to a degree without the participant, the plan may need to be amended to function without the participant, and/or the remaining participants may need to work with the non-participant to address issues or concerns. BWSR staff may be available to assist in assessment or mediation at the request of the local governments involved. The decision to adopt the plan or not is an individual government decision. Any repercussions, such as ineligibility for state grants, will be specific to the individual participant(s) who chose not to adopt the plan.

See section IV for more detailed and specific plan adoption information.

III. Planning Agreement and Organizational Structures for Implementation

A formal agreement for planning describes the relationships, responsibilities, and structure of the partners during the development of comprehensive watershed management plan. It is not intended to address or mandate consolidation or changes to existing authorities of local or tribal governments.

A. Planning Agreement

Prior to initiating plan development, participating partners must enter into a Memorandum of Agreement (MOA) or other type of formal agreement. Planning agreements must include the following:

1. **Purpose.** The purpose statement of the agreement must include participation in developing a watershed plan.
2. **Participants.** The agreement must include all required participants (section II; agreement may include more than the required participants, e.g. a regional agreement that encompasses multiple One Watershed, One Plan planning boundaries or one or more cities).
3. **Procedures.** The agreement must include or refer to operating procedures and/or bylaws that outline a method for decision-making that gives each participant equal status in the planning partnership and include procedures for plan submittal (section IV.C). Bylaws may also include procedures for stakeholder processes, committees, etc.
4. **Fiscal Agent.** The agreement must identify a fiscal agent and/or requirement for an audit meeting the provisions of Minnesota Statutes §6.756 if the agreement creates an entity or organization that will be receiving funds directly.

Partners may use an existing formal agreement (e.g. a Joint Powers Agreement) if it includes the required elements listed above.

B. Organizational Structures for Implementation

During the planning process, partners will identify programs essential to achieving goals and implementing the projects for the watershed. The partners must determine and identify in the plan the organizational structures, whether existing or new, that will most effectively and efficiently implement the plan (section IV.B.3).

IV. Plan Development Procedures

The intent of the One Watershed, One Plan program is to develop a high quality, long-term comprehensive watershed management plan that builds off of existing local, state, and tribal plans and data as well as existing services and capacity, emphasizes watershed management and implementation through shorter-term work plans and budgeting, and can be updated via a streamlined process to incorporate or reference new data, trend analysis, changes in land use, and watershed priorities.

These procedures reflect the vision that the procedures for developing a plan through One Watershed, One Plan should not be any less rigorous than those of the implementation plans that are being substituted for or replaced.

A. Committees, Notifications, and Initial Planning Meeting

The following steps assume the formal agreement and/or bylaws establishing the planning partnership and outlining the process and procedures for committee involvement and decision-making are in place.

1. **Establish committees and workgroups.** The following committees and workgroups are all critical to successful development and implementation of the plan.
 - a. Steering Team – A small group of local and tribal government (if applicable) staff {typically local water planners and lead staff from participating local governments, tribal natural resources staff (if applicable), BWSR board conservationist, and possibly consultants} is strongly recommended for the purposes of **logistical** and process (not policy) decision-making in the plan development process.

- b. Policy Committee – This is a required committee of local plan authorities and tribal and/or municipal governments (if applicable) for the purposes of **making final decisions** about the content of the plan and its submittal and regarding expenditure of funds allocated for plan development. The committee membership and the committee’s decision-making process must clearly be a part of the formal agreement for planning and associated bylaws (section III). This committee may or may not continue after plan adoption.
 - c. Advisory Committee(s) – An advisory committee is required to meet public and stakeholder participation goals and requirements identified in rule and statute for existing local water plans. The purpose of an advisory committee is to **make recommendations** on the plan content and plan implementation to the policy committee. Full establishment of the advisory committee may not be finalized until after Steps 2 and 4 (below).
 - i. More than one advisory committee may be formed (e.g. regional committees, and/or separate citizen and technical advisory subcommittees).
 - ii. Advisory committee members should include members of the steering team, drainage authority representatives, county highway and planning and zoning staff, and potentially other stakeholders as noted in Step 2 below.
 - iii. Advisory committee membership must include state agency representatives. The state’s main water agencies, or plan review agencies, are committed to bringing state resources to the planning process. Each agency will designate a lead contact for their agency to participate on the advisory committee; however, specific participation may vary depending on local needs. Consideration should also be given to including federal agency representatives and tribal representatives if they choose not to participate at the policy committee level.
 - iv. In the initial meeting of the advisory committee(s), a basic set of ground rules should be adopted that identify a decision-making process and a chair should be appointed. The position of chair can be rotating.
2. **Notify plan review authorities and other stakeholders.** Prior to the development of the plan, notification must be sent to the plan review authorities of plan initiation. The notification must include an invitation to submit priority issues and plan expectations and must allow 60 days for response to the notification. The notification may also be sent to other stakeholders or alternative methods for receiving input may be used for these interested parties.
- a. Stakeholders: drainage authorities, federal agencies, tribal governments, lake or river associations, citizen-based environmental group(s), sporting organization(s), farm organization(s) and agricultural groups, other interested and technical persons such as current and former county water plan taskforce members.
 - b. Additional methods for public input should also be considered along with the formal notification process, such as web surveys, workshops with specific interest groups, and other citizen surveys.
3. **Start to aggregate watershed information.** Make use of existing water plans, input received from agencies, TMDL studies, WRAPS, and other local, agency, and tribal (if applicable) or other natural resource plans. Information to be aggregated includes land and water resources inventories, data,

issues, goals, strategies, actions, etc. This aggregation of plan information is not intended to be exhaustive, but rather a compilation for the purposes of understanding current priorities and goals for the watershed and orientation to the watershed. This step and the previous step generally occur concurrently.

4. **Hold initial planning meeting.** The meeting is often referred to as the public information meeting for county water planning or a kickoff meeting in watershed district planning after the priority issues of stakeholders have been gathered and should be held after steps 2 and 3 above.
 - a. The planning meeting must be legally noticed to meet the requirements of MN Statutes §103B.313, Subd. 3 (county water planning).
 - b. In consideration of the size of the watersheds, participants may want to consider more than one initial planning meeting and/or options for participating through video conference. Be sure to thoroughly document this participation.
 - c. Talk to BWSR staff about potential resources available to assist in planning and facilitating this initial planning meeting in order to achieve effective participation.

B. Draft Plan

This section outlines the high-level steps for drafting the plan. Specifics on the plan content requirements can be found in the *One Watershed, One Plan – Plan Content Requirements* document. Steps are not always linear; some steps may be repeated more than once throughout the planning process and others may occur concurrently.

1. **Review information.** Review and assess aggregated watershed information for commonalities, conflicts, and gaps, and to better support understanding, discussion, and prioritization. Make use of input received at the initial planning meeting, existing water plans, input received from agencies, TMDL studies, WRAPS, and other natural resource plans.
2. **Draft the plan.** Analyze gathered information and draft the plan using available tools for prioritizing, targeting, and assessing measurability. Refer to the *One Watershed, One Plan – Plan Content Requirements* document for required elements and to the *One Watershed, One Plan Guidebook* for more information on the requirements and suggestions for planning.
3. **Determine organizational structure for implementation.** Determine the most effective and efficient organizational structure(s), existing and/or new, to implement the actions identified in the plan, such as shared services or collaborative grant-making. Modifications to an existing agreement and/or a new agreement may or may not be necessary depending on the implementation plan and needs of the participating governments. Partners may request help from the Minnesota Counties Intergovernmental Trust (MCIT) and/or the legal counsel of the participating organizations.

C. Formal Review and Public Hearing

After the plan has been drafted, the policy committee submits the plan on behalf of the local plan authorities to the plan review authorities and Minnesota Tribal Nations with reserved lands within the planning boundary for formal review. Depending on the decision-making outlined in the formal agreement for plan development, the participating local governments may need to approve the draft prior to submittal.

1. **Submit the draft plan.** The draft plan may be submitted to the plan review authorities electronically via email attachment, website link, or digital storage device. BWSR must receive a paper copy, email attachment or digital storage device of all submitted documents (website link not acceptable) in order to maintain a record of the submittal. If paper copies are requested, they must be provided. Partnerships are encouraged to make a copy of the draft plan available online with a clear process for stakeholder comments.
2. **60 day review.** Plan review authorities have 60 days to provide comment on the plan. Comments must be submitted to both the policy committee (can be via a staff or consultant contact - does not mean submitting to each member of the policy committee) and BWSR (board conservationist).
3. **Public hearing(s).** The policy committee will schedule and hold a public hearing(s) on the draft plan no sooner than 14 days after the 60-day review period of the draft plan. Responses to comments received during the review period must be provided to BWSR, the state review agencies, and anyone who provided comments 10 days before the public hearing.
 - a. Depending on the formal agreement, the participating local governments may need to hold individual public hearings.
 - b. If the formal agreement allows the policy committee to ‘host’ the public hearing, the committee may want to consider more than one hearing in a large watershed.

D. Approval by BWSR

After the public hearing, the policy committee submits the final draft plan to the plan review agencies for final review on behalf of the local plan authorities according to the process outlined in IV.C.1. Submittal must include: a copy of all written comments received on the draft plan, a record of the public hearing(s), and a summary of responses to comments including comments not addressed and changes incorporated as a result of the review process. The revised responses to comments will be published to the BWSR website. Depending on the decision-making outlined in the formal agreement, the participating local governments may need to approve the final draft prior to submittal.

1. **BWSR Board Review.** The BWSR Board shall review the plan for conformance with the requirements of Minnesota Statutes §103B.101, Subd. 14 and §103B.801, final input from the state review agencies, this policy, and the *One Watershed, One Plan – Plan Content Requirements* document. The review process includes BWSR staff review and recommendation to a regional BWSR committee where the plan will be presented to the committee by representatives of the planning partnership. The regional BWSR committee makes a recommendation to the BWSR Board where final decision is made.
2. **BWSR Board Decision.** The BWSR Board may approve or disapprove a plan which it determines is not in conformance. The BWSR Board shall complete its review and approval within 90 days or the next scheduled BWSR Board meeting.
3. **Appeals and Disputes.** Appeals and dispute of plan decision follow existing authorities and procedures of BWSR Board.

E. Local Adoption and Implementation

1. **Local Adoption.** Local adoption by the local plan authority is required within 120 days of BWSR Board approval. If so granted through a joint powers agreement, the adoption may be by a watershed joint powers entity. If no joint powers entity with the authorities of the local plan authority was created, each local government unit shall adopt the plan individually. A copy of resolution(s) to adopt the plan must be sent to BWSR in order to be eligible for grants.
2. **Implementation.** Implementation may occur individually or cooperatively for all or parts of the plan depending on ongoing agreement(s) between the planning partners.

F. Assessment, Evaluation, Reporting, and Plan Amendments and Updates

Assessment, evaluation and reporting should be completed according to the approach described in the plan (see the *One Watershed, One Plan – Plan Content Requirements*).

Updates to the plan are required every ten years. The extent of the required update (or amendments) will depend on evidence that implementation is occurring. BWSR can issue “findings” when a complete update is not required based on the strength of the plan and amendments that have occurred since the plan was last approved.

V. Definitions

- **Local plan authority.** A local plan authority is a county, soil and water conservation district, or watershed organization with authority to write and implement a local plan. County local water planning may be delegated with restrictions as per Minnesota statutes §103B.311.
- **Local water plan.** A local water plan is a county water plan authorized under Minnesota statutes §103B.311, a watershed management plan required under §103B.231, a watershed management plan required under §103D.401 or 103D.405, a county groundwater plan authorized under §103B.255, or a soil and water conservation district “comprehensive plan” under Minnesota statutes §103C.331, Subd. 11.
- **Metropolitan Council.** The Metropolitan Council was created by Minnesota Statutes, section 473.123.
- **Plan review agencies.** Plan review agencies are: the Department of Agriculture, the Department of Health, the Department of Natural Resources, the Pollution Control Agency and the Board of Water and Soil Resources, and the Metropolitan Council if substituting for or replacing a plan under MN Statutes §103B.231. The Environmental Quality Board must also receive final submittal.
- **Plan review authorities.** Plan review authorities are: the Department of Agriculture, the Department of Health, the Department of Natural Resources, the Pollution Control Agency, the Board of Water and Soil Resources, counties, cities, towns, soil and water conservation districts, watershed districts, and watershed management organizations partially or wholly within the watershed, and the Metropolitan Council if substituting for or replacing a plan under MN Statutes §103B.231.

- **Reserved Lands.** Land reserved for a tribe or tribes under treaty or other agreement with the United States, executive order, or federal statute or administrative action as permanent tribal homelands, and where the federal government holds title to the land in trust on behalf of a tribe.

History

Version	Description	Date
2.1	<ul style="list-style-type: none">■ Clarified requirements for tribal and municipal participation■ Updated Suggested Boundary Map to reflect approved boundary changes to date■ Minor edits to improve clarity and readability	March 24, 2021
2.00	<ul style="list-style-type: none">■ Formatted with new policy template and logo; edited to improve clarity and readability■ Removed background information not directly relevant to the policy (in addition to minor text modifications, the following sections from Version 1.00 were removed: Introduction, Overview, and Table 3 – Formal Agreement Types and Recommended Uses)■ Simplified and clarified participation requirements and planning agreements (II.A and III.A.3, respectively)■ Added requirements for sharing public comments during the plan review and approval process (IV.C.3 and IV.D)	March 28, 2018
1.00	<ul style="list-style-type: none">■ Pilot Program Operating Procedures modified to reflect transition to program	March 23, 2016
0.00	<ul style="list-style-type: none">■ Pilot Program Operating Procedures	June 25, 2014

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2021 Request for Proposals for One Watershed, One Plan Planning Grants

Meeting Date: March 24, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: One Watershed, One Plan, Request for Proposals, Planning Grants

Section/Region: Central Region – Local Water Management Section

Contact: Julie Westerlund

Prepared by: Julie Westerlund

Reviewed by: Grants Program and Policy Committee(s)

Presented by: Julie Westerlund

Time requested: 10 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approve the 2021 Request for Proposals for One Watershed, One Plan planning grants.

LINKS TO ADDITIONAL INFORMATION

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

The purpose of this agenda item is for the Board to approve the 2021 Request for Proposals for One Watershed, One Plan Planning Grants. This is the fifth year BWSR is offering planning grants. The RFP has evolved over time to encourage more discussion among prospective planning groups during proposal development and to refine BWSR selection criteria.

BOARD ORDER

One Watershed, One Plan Program 2020 Request for Proposals

PURPOSE

Authorize the 2021 Request for Proposals (RFP).

FINDINGS OF FACT / RECITALS

1. Minnesota Statutes §103B.801 establishes the Comprehensive Watershed Management Planning Program, also known as the One Watershed, One Plan Program.
2. The Board has authority under Minnesota Statutes §103B.3369 to award grants to local units of government with jurisdiction in water and related land resources management.
3. The Laws of Minnesota Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(i) appropriated funds to the Board for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach.
4. The One Watershed, One Plan Grant 2021 RFP was reviewed and approved by the Board's Senior Management Team on February 9, 2021 to forward to the Board's Grants Program and Policy Committee for consideration.
5. The Board's Grants Program and Policy Committee reviewed the 2021 One Watershed, One Plan Grant RFP on March 9, 2021 and recommended approval to the Board.

ORDER

The Board hereby:

1. Authorizes staff to finalize, distribute, and promote a 2021 Request for Proposals.

Dated at St. Paul, Minnesota, this March 24, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

Attachments:

- 2018 One Watershed, One Plan Grant Policy
- 2021 Request for Proposals

2018 Grants Policy

One Watershed, One Plan Planning Grants

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

Version: 1.00

Effective Date: 03/28/2018

Approval: Board Decision #18-15

Policy Statement

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

Reason for this Policy

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

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

Requirements

1. Applicant Eligibility Requirements

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

2. Match Requirements

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

3. Eligible Activities

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

4. Ineligible Expenses

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

5. Grantee Administration of Clean Water Fund Grants

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

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

6. BWSR Grant Administration Requirements

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

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

History

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

One Watershed, One Plan Planning Grants

Request for Proposals

March 26, 2021

Request for Proposals (RFP) General Information

The Clean Water Fund was established to implement part of Article XI, Section 15 of the Minnesota Constitution, with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams in addition to protecting ground water and drinking water sources from degradation. The appropriation language governing the use of these funds is in Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7 (i). These funds must supplement traditional sources of funding and may not be used as a substitute to fund activities or programs. Final funding decisions will be dependent on the actual funds available. Approximately \$1,200,000 is currently available; additional funding may be available pending legislative appropriation.

Proposal Guidelines

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

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

Grant Execution

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

Policies for participating in the program as well as additional resources for planning, can be found at: www.bwsr.state.mn.us/planning/1W1P/index.html. Successful respondents will be subject to version 2.1 of the *One Watershed, One Plan Operating Procedures* and the version 2.1 of the *One Watershed, One Plan - Plan Content Requirements*.

Project Period

The project period starts when the grant agreement is executed, meaning all required signatures have been obtained. Work that occurs before this date is not eligible for reimbursement with grant funds. All grants must be completed by June 30, 2024.

Payment Schedule

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

Incomplete Proposals

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

Clean Water Fund Project Reporting Requirements

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

5. Grantees will be required to document local involvement in the plan development process in order to demonstrate that the grant is supplementing/enhancing water resource restoration and protection activities and not supplanting traditional sources of funding.

Grants and Public Information

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

Conflict of Interest

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

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

Submittal

All responses must be electronically delivered to: BWSR.Grants@state.mn.us and must be received no later than 4:30 p.m. June 11, 2021. Late responses will not be considered. The burden of proving timely receipt is on the respondent.

Comprehensive Watershed Management Plan Development Proposals

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

1. Provide a general watershed map of the proposed planning boundary (map may be separate from the written information). If the proposed planning boundary deviates from the *1W1P Suggested Planning Boundaries*, provide a brief narrative of the reasons for the deviation, and whether all partners and affected or potentially affected partners in adjacent planning boundaries concur with the revised planning boundary.
2. Provide the name for your watershed planning boundary. Each planning partnership determines the name for the planning boundary (prior to participation in the program, boundaries are only numbered).
3. In consideration of the local government units (LGUs) within the boundary, provide a table with a list of all counties, soils and water conservation districts, watershed districts, and watershed management

organizations, and the percentage of the jurisdictional land area of each local government within the boundary. The table must include:

- a. Whether each LGU is a required participant (see section II of the *One Watershed, One Plan Operating Procedures*)
- b. Indication of interest of each LGU (e.g. verbal, letter, resolution, etc.) or why a given LGU is not interested
- c. Name and contact information for the primary contact(s) for each LGU

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

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

Selection Criteria

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

1. Responses to questions in this RFP, considered as follows (failure to include information that addresses each of the elements below will be considered an incomplete proposal):
 - a. Inclusion of general watershed map and description of any boundary changes consistent with question 1.
 - Minimum: map (including proposed boundary changes if applicable) included with proposal
 - b. Inclusion of a name for the watershed planning boundary consistent with question 2.
 - c. Inclusion of a table of local government information consistent with question 3.

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

4. Recommendation of BWSR staff and recommendation of the inter-agency review committee.

BWSR Grant Administration

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

Timeline

- March 26, 2021– Proposal period begins
- June 11, 2021 – Proposal deadline at 4:30 PM
- June – August – Proposal review
- August 24, 2021 - BWSR Board approval of planning grant recipients
- Plans submitted to BWSR by June 30, 2024

Questions

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

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Reallocation of Previous Years' Clean Water Funds.

Meeting Date: March 24, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Clean Water Fund

Section/Region: Central Region – Local Water Management Section

Contact: Kevin Bigalke

Prepared by: Kevin Bigalke

Reviewed by: Grants Program and Policy Committee(s)

Presented by: Kevin Bigalke

Time requested: 10 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approve reallocation of previous years' Clean Water Funds

LINKS TO ADDITIONAL INFORMATION

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

The purpose of this agenda item is for the Board to approve the reallocation of returned grants funds and Clean Water Funds that were carried forward from previous years. The Board Order will authorize the use of carry forward and returned Clean Water Funds for current or future Clean Water fund programs for purposes consistent with the statutory appropriation conditions.

BOARD ORDER

Reallocating Previous Years' Clean Water Funds

PURPOSE

Authorize the use of carry forward and returned Clean Water Funds.

FINDINGS OF FACT / RECITALS

1. The Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sec. 7(b) appropriated funds to the Board for Clean Water Fund Competitive Programs (Projects and Practices) of which an estimated \$40,569 is available, and Sec. 7(s) sets the appropriation deadline as June 30, 2022 and allows returned grant funds to be regranted with a consistent purpose.
2. The Laws of Minnesota 2015, 1st Special Session, Chapter 2, Article 2, Sec. 7(a) appropriated funds to the Board for the Clean Water Fund Targeted Watershed Program of which an estimated \$571,882 is available, and Sec. 7(b) appropriated funds to the Board for Clean Water Fund Competitive Grants Programs (Projects and Practices) of which an estimated \$137,254 is available, and Sec. 7(s) allows the Board to shift grant funds between grant programs, and Sec. 7(u) allows returned grant funds to be available until expended and to be regranted with a consistent purpose.
3. The Laws of Minnesota 2013, Regular Session, Chapter 137, Article 2, Sec. 7(a) appropriated funds to the Board for the Clean Water Fund Targeted Watershed Program of which an estimated \$1,400,762 is available, and Sec. 7(l) allows the Board to shift grant funds between grant programs, and Sec. 7(n) allows returned grant funds to be available until expended and to be regranted with a consistent purpose.

ORDER

The Board hereby:

- A. Authorizes staff to reallocate an estimated \$138,273 in carry forward and returned funds from previous years' Clean Water Projects and Practices grants to the Clean Water Fund Projects and Practices competitive grant program (#1 and #2 above).
- B. Authorizes staff to reallocate an estimated \$571,882 in funds from previous years' Clean Water Targeted Watershed Program to the One Watershed, One Plan Planning grant program (#2 above).
- C. Authorizes staff to reallocate an estimated \$1,400,762 in funds from previous years' Clean Water Targeted Watershed Program to the Watershed-Based Implementation Funding program (#3 above).
- D. Authorizes staff to reallocate, for purposes consistent with the statutory appropriation conditions including authorized shifts, all carry forward and returned Clean Water Funds with account balances less than \$100,000.

Dated at St. Paul, Minnesota, this March 24, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

COMMITTEE RECOMMENDATIONS

Central Region Committee

1. Clearwater River Watershed District Watershed Management Plan – Steve Christopher –
DECISION ITEM

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Clearwater River Watershed District Watershed Management Plan

Meeting Date: March 24, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Clearwater River Watershed District Plan

Section/Region: Central Region

Contact: Steve Christopher

Prepared by: Steve Christopher

Reviewed by: Central Region Committee(s)

Presented by: Steve Christopher

Time requested: 5 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of the Clearwater River Watershed District Watershed Management Plan 2021-2030

LINKS TO ADDITIONAL INFORMATION

Full Plan Link as follows:

https://www.crawd.org/uploads/1/3/0/2/130247478/2020_comp_plan_final_draft_12172020.pdf

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

Background:

The Clearwater River Watershed District (CRWD) was established on April 9, 1975 by Order of the Minnesota Water Resources Board. The 158.8 square mile watershed district fully encompasses the drainage area of the Clearwater River as it begins southwest of Watkins, Minnesota and extends to its discharge point of the Mississippi River at the City of Clearwater. The CRWD includes parts of Meeker, Stearns and Wright Counties

and encompasses the Clearwater Chain of Lakes. The upper portions of the watershed are dominated by agricultural land use while the lower portions trend toward suburban developments. The mission of the District is to promote, preserve and protect water resources within the boundaries of the District in order to maintain property values and quality of life. The current Plan was approved by the Board in June 2011.

Plan Process and Highlights:

The Plan was developed in collaboration with the District's partners and stakeholders to ensure that the District continues to focus on the highest priorities. The process that the CRWD used included three key elements: Science, Stakeholder Input and Board Direction. The Plan carries forward many of the issues and goals included in the District's current Watershed Management Plan.

The Plan identifies six priority issues and includes specific strategies to address them.

Priority Issue 1: Threatened and Impaired Surface Water Quality and Natural Resources

- Our long history of studies, data collection, projects and programs have historically focused on achieving nutrient load reduction to recreational lakes, reducing in stream and upland erosion, and rough fish management. As science and our understanding of the issues and their drivers evolve, our planning and implementation expands and evolves.

Priority Issue 2: Climate Change

- Projects and programs to achieve District goals are designed based on an understanding of the drivers of both healthy ecosystems and impairments to those ecosystems. As precipitation and temperature change, design standards and best practices will also change. While new stressors may emerge, new opportunities are also possible.

Priority Issue 3: Localized Flooding and Navigation Obstructions

- Localized flooding that threatens property is sometimes an issue in the District. The District has addressed this in partnership with area residents and in collaboration with DNR and other regulatory stakeholders. The District operates and maintains two lake outlets which were petitioned by residents for flood control. Localized flooding in urban or rural areas can also present issues. Several District lakes also have large bogs which sometimes break lose and can impair navigation and cause flooding.

Priority Issue 4: Aquatic Invasive and Nuisance Species Management

- Aquatic invasive and nuisance species management continues to be an issue of primary concern for residents and stakeholders in the District. In 1993 the District initiated its first AIS management program to manage and treat Eurasian Water Milfoil in Clearwater Lake. As the needs and science around AIS and nuisance species management continue to evolve, the District has shifted from species specific projects to more general AIS and nuisance species projects. Several of the original petitioned AIS species specific projects have been changed to more general plans for AIS and nuisance species early detection, mapping, and management plans. Currently

Priority Issue 5: Sustainable Administration and Funding

- Financing for sustainable operation, administration, operation and maintenance of District Core Functions, and capital projects and programs is critical to achieving District goals and performing core functions.

Priority Issue 6: Operation and Maintenance

- The District has constructed many capital projects. Operation and maintenance are both priority issues and a core function for the District. The age of projects, shifting climate, and emerging issues necessitate ongoing evaluation of operation and maintenance for all District projects. Legacy projects, new projects, and the four community wastewater systems the District is tasked with operating and maintaining all require funding, experienced contractors, and staff.

The Plan also includes a one-page summary for implementation of each of its five 12-digit HUCs that includes a prioritized list of resources, impairments, proposed projects, and a schedule. A substantial amount of success of the Clearwater River Watershed District's implementation should be credited to their commitment to their landowners and partnerships.

Attachments:

1. Draft order for approval of the Clearwater River Watershed District (CRWD) Watershed Management Plan.
2. CRWD Plan Executive Summary.

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

In the Matter of the review of the
Watershed Management Plan for the
Clearwater River Watershed District pursuant
to Minnesota Statutes Section 103D.405

**ORDER
APPROVING A
WATERSHED MANAGEMENT
PLAN**

Whereas, the Board of Managers of the Clearwater River Watershed District (CRWD) filed a proposed revised Watershed Management Plan (Plan) dated September 28, 2020, with the Minnesota Board of Water and Soil Resources (Board) on September 28, 2020 pursuant to Minnesota Statutes (M.S.) Section 103D.405, 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. **District Establishment.** The CRWD was established on April 9, 1975 by Order of the Minnesota Water Resources Board. The CRWD is located in the central portion of Minnesota and includes parts of Meeker, Stearns and Wright Counties and encompasses the Clearwater Chain of Lakes. The mission of the District is to promote, preserve and protect water resources within the boundaries of the District in order to maintain property values and quality of life.
2. **Requirement to Plan.** A watershed district is required to revise their watershed management plan at least once every ten years pursuant to M.S. 103D.405, Subd. 1(a). The current CRWD Watershed Management Plan was approved by the Board in June 2011. The draft Plan includes an inventory of the CRWD's physical features and water resources, describes water-related problems and possible solutions, describes activities and projects that the District has completed, and states objectives for current and future water resources management.
3. **Nature of the Watershed.** The CRWD lies in central Minnesota with the headwaters located in Meeker County. The 158.8 square mile watershed district fully encompasses the drainage area of the Clearwater River as it begins southwest of Watkins, Minnesota and extends to its discharge point of the Mississippi River at the City of Clearwater. The upper portions of the watershed are dominated by agricultural land use while the lower portions trend toward suburban developments.
4. **Local Review.** The CRWD sent a copy of the draft Plan to local units of government for their review pursuant to M.S. 103D.405.

5. **Department of Natural Resources (DNR) Review.** The DNR provided numerous language change suggestions as well as clarification on several technical items. All necessary changes were made and comments adequately responded to.
6. **Minnesota Pollution Control Agency (MPCA) Review.** MPCA staff suggested several language corrections and additions to the definitions. Language revisions were made and all comments were addressed.
7. **Department of Agriculture (MDA) Review.** The MDA did not provide comments.
8. **Department of Health (MDH) Review.** The MDH did not provide comments.
9. **Board of Water and Soil Resources.** Written comments were provided by BWSR staff recommending approval of the Plan. Staff has provided information and assistance as needed throughout the planning process through meeting attendance and informal discussion. Staff has reviewed agency and local government comments. BCWD responses were not provided due to the supportive comments and a lack of suggested changes or negative comments.
10. **Publish Notice of Filing.** Legal Notice of Filing was published in the Tri-County News on January 21 and 28, 2021. The Legal Notice of Filing was also mailed in a letter from Board staff Annie Felix-Gerth dated January 19, 2021, to several addressees, including the Meeker, Stearns and Wright County Auditors and County Administrators as well as the Meeker, Stearns and Wright County Soil and Water Conservation Districts. The notice was also provided to the chief executive official of the cities of Annandale, Clearwater, Kimball, South Haven, and Watkins.
11. **Public Hearing.** The Legal Notice of Filing was published pursuant to Minnesota Statutes Section 103D.105, Subd. 2 and 103D.401, Subd. 4 which require within 30 days of the last date of publication of the Notice of Filing of the Plan that at least one request for hearing be received by the Board before a hearing will be held. No request for a hearing during the specified period of time and no hearing was held.
12. **Central Region Committee Meeting.** On March 4, 2021, the BWSR Central Region Committee and staff met in St. Paul and via teleconference to review and discuss the final Plan. Those in attendance from the Board's committee were Joe Collins (chair), Jill Crafton, Jayne Hager Dee, Andrea Date, Joel Larson, Glenn Skuta, Steve Robertson, and Grant Wilson. Board staff in attendance were Assistant Director Kevin Bigalke, Board Conservationist Steve Christopher and Office and Administrative Specialist Cecelia Rost. CRWD Treasurer Dale Homuth, CRWD Engineer Rebecca Carlson and Minnesota Association of Watershed Districts Executive Director Emily Javens were also in attendance. Rebecca Carlson provided highlights of the Plan and past accomplishments. Board staff noted that the Plan meets all statutory requirements and recommended approval of the Plan. After presentation and discussion, the committee unanimously voted to recommend the approval of the Plan to the full board.

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 Watershed Management Plan for the Clearwater River Watershed District pursuant to Minnesota Statutes 103D.401.
3. The Clearwater River Watershed District Watershed Management Plan attached to this Order defines water-related problems within the CRWD boundaries, possible solutions thereto, and an implementation program.
4. The CRWD Watershed Management Plan will be effective March 24, 2021 through March 24, 2031.
5. The attached Plan is in conformance with the requirements of Minnesota Statutes 103D, BWSR guidelines for Watershed District Plan content, and is consistent with the affected counties comprehensive water plan.

ORDER

The Board hereby prescribes the attached Plan as the Management Plan for the Clearwater River Watershed District.

Dated at St. Paul, Minnesota this 24th day of March 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair

March 24, 2021

Clearwater River Watershed District Board of Managers
3235 Fernbrook Lane
Plymouth, MN 55447

RE: Approval of the Clearwater River Watershed District Revised Watershed Management Plan

Dear Chair and Board Members:

I am pleased to inform you that the Minnesota Board of Water and Soil Resources (Board) has approved the Clearwater River Watershed District (CRWD) revised Watershed Management Plan (Plan) at its regular meeting held on March 24, 2021. Attached is the signed Board Order that documents approval of the Plan revision and indicates it meets all relevant requirements of applicable state statutes, policies, and rules.

Once affirmative action is taken by the board in accordance with M.S. 103D.405 the revised watershed management plan will be prescribed to the Clearwater River Watershed District and effective for a period of ten years to March 24, 2031.

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 Steve Christopher of our staff at 651-249-7519, 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: Barbara Weisman, DNR (via email)
Dan Lais, DNR (via email)
Jeff Risberg, MPCA (via email)
George Minerich, MDH (via email)
Jeff Berg, MDA (via email)
Kevin Bigalke, BWSR (via email)
Steve Christopher, BWSR (via email)
File Copy

Executive Summary

The Comprehensive Watershed Management Plan (Plan) describes how the Clearwater River Watershed District (District) will manage activities in the watershed from the years 2021 through 2030. The Plan describes the natural resources and core activities of the watershed, the issues and goals that the District will focus on for the next ten years, and the implementation strategies and subwatershed activities which will be used to meet those goals. This Executive Summary provides an overview of the Plan.

The District was formed April 9, 1975, by order of the Minnesota Water Resources Board, acting under authority of Chapter 112, MSA (the Minnesota Watershed Act). Residents noticed a decrease in the clarity of the area lakes and streams, an increase in the number of rough fish (bullheads and carp), and an increase in the number of algae blooms. The District was the first founded with mission to protect and improve water quality. Most other Districts were formed to control flooding and expanded their scopes to include water quality.

Land use in the 158.8 square mile watershed is emblematic of central Minnesota's economic and recreational heritage: Rich agricultural lands concentrated in the upper, western portion of the watershed with high value recreational lakes and rivers in the central and lower watershed. The District is 18% water and 57% working agricultural lands. It is located about 40 miles northwest of the Twin Cities Metropolitan Area in Stearns, Wright, and Meeker Counties in Central Minnesota. The watershed encompasses the Cities of Clearwater, Annandale, Kimball, South Haven and Watkins, as well as numerous townships, and includes 19 lakes, 98 miles of the Clearwater River and tributary creeks and over 7,700 acres of wetlands.

The mission of the Clearwater River Watershed District is to promote, preserve and protect water and natural resources within the boundaries of the district in order to maintain property values, recreational opportunities, and quality of life as authorized by Minnesota State Statute 103D.

The substantial successes of the Clearwater River Watershed District to date have come through projects and programs accomplished with landowners and partners. This organization:

- respects landowners, local, state, and federal government partners.
- benefits individuals and the community by promoting, preserving, and protecting water and natural resources.
- supports stakeholders in cultivating resilient systems around soil, water, and infrastructure to benefit water and natural resources.

Achieving our goals has always required the coordination and cooperation of many. To that end, our focus is on the people and institutional relationships in the District and on developing strategies that benefit the greater good. This does not reflect an unwillingness to make unpopular decisions sometimes required to achieve our goals, but when we do so, we do it in service of our stakeholders in a fiscally responsible manner, for the greater good.

At the time of the District’s establishment in 1975, water clarity was low and aquatic recreation was impaired. The figure below shows graphically the distribution of water clarity in the District when water quality data was first measured in advance of the District’s 1980s Project.

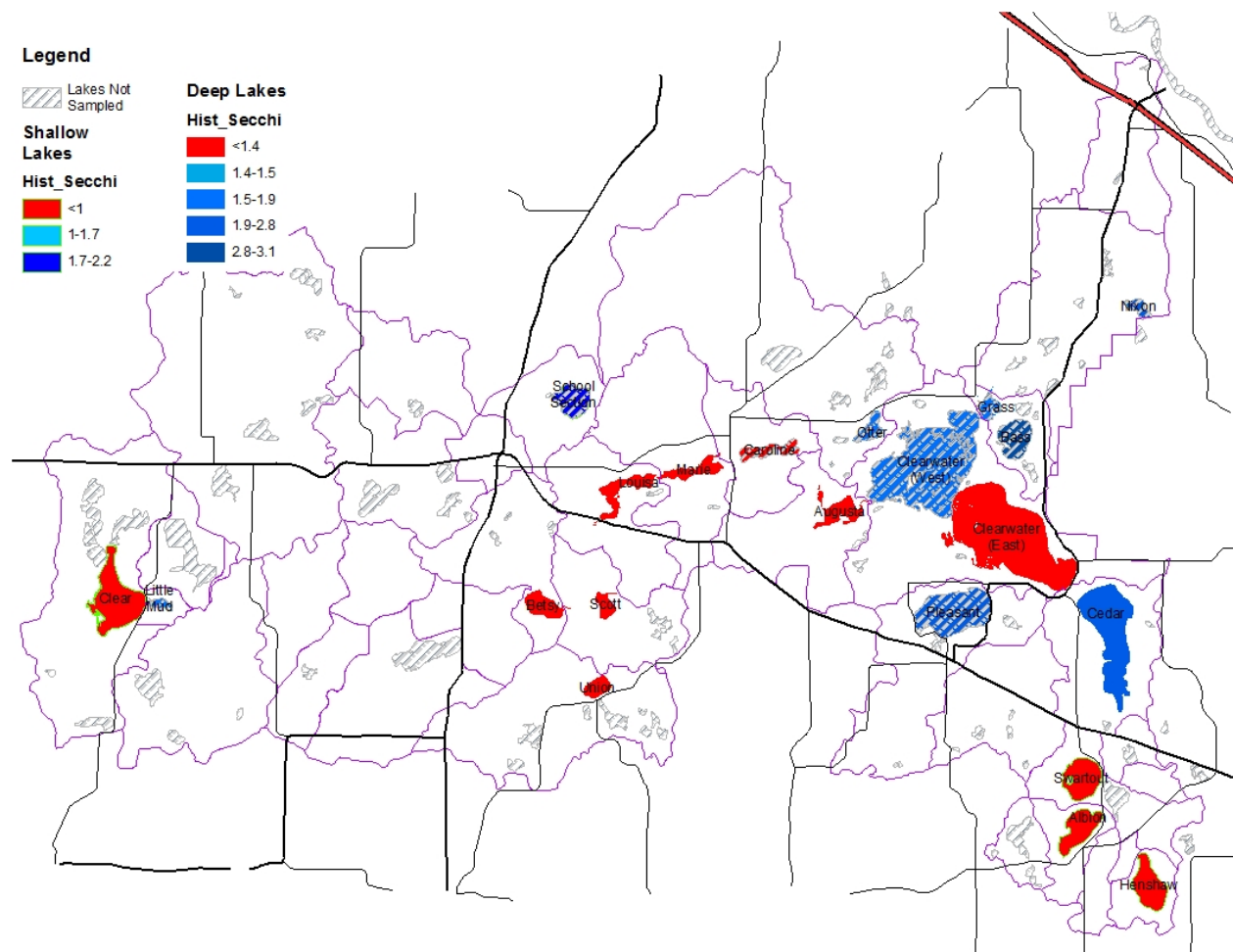


Figure E.1 Water Clarity Prior to District Projects

The 1980’s Project, with its Total Maximum Daily Load (TMDL) style combination of setting target nutrient load reductions and achieving them through projects and programs, brought

significant improvements in water quality to District lakes in the late 1980’s and early 1990’s. An intensive period of hydrologic, hydraulic and water quality monitoring in the District provided data for the 2003 MPCA Watershed Wide TMDL studies. Implementing the District’s 2009 TMDL Plan brought Lake Betsy Phosphorus levels in the upper watershed from a 10-year summer average of 269 ug/L (1998-2007, TMDL Study), down to a low of 92 ug/L in 2017 and a 10-year average of 140 ug/L (2010-2019).

Owing to District projects and programs, in full cooperation and coordination with local partners, often funded in part by state and federal partners, water clarity meets state standards in most District lakes as shown in the figure below. While nutrient, sediment, dissolved oxygen, *E. coli*, aquatic life and recreation impairments persist, ***the District and partners have made measurable improvements in water quality.***

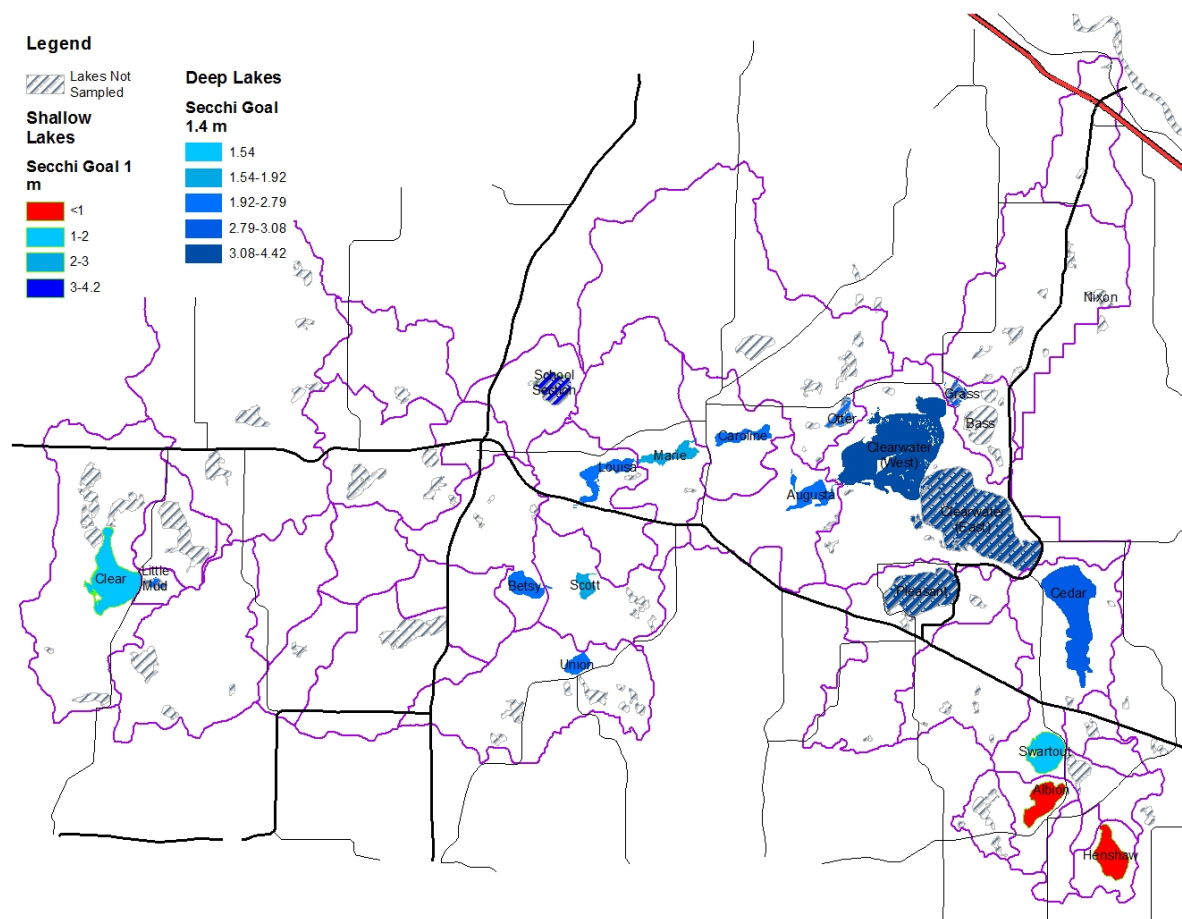


Figure E.2 2019 Water Clarity Resulting from District Projects

In the coming 10 years, the District will continue with the policies and practices that have yielded measurable improvements in water quality. This plan expands the District’s focus on natural resource protection and restoration and accommodates a changing climate.

Priority Issues

The District identified priority issues of equal and critical importance through a stakeholder process and analysis of the available data, set goals, and identified strategies to meet them. Priority issues in the District are summarized below and presented in more detail in Section 2 of this plan:

Priority Issue 1: Threatened and Impaired Surface Water Quality and Natural Resources

The Clearwater River Watershed District is one of the few Minnesota watershed districts founded to improve water quality. Our long history of studies, data collection, projects and programs have historically focused on achieving nutrient load reduction to recreational lakes, reducing in stream and upland erosion, and rough fish management. As science and our understanding of the issues and their drivers evolve, our planning and implementation expands and evolves. The most recently completed plan cycle included capital projects to:

- Continue the work done under previous plans to protect and restore lake water quality and recreational uses of District lakes and streams through watershed nutrient and sediment load reduction
- Combat low oxygen and restore habitat in the Clearwater River and tributary streams, with special focus on District trout streams
- Reduce internal nutrient cycling (the release of phosphorus) from lakes and wetlands to downstream waters and the corresponding oxygen demand from wetlands impairing habitat in downstream waters
- Manage rough fish populations where they threaten water quality
- Reduce watershed loads of bacteria and sediment
- Protect and restore native habitat for in lake, emergent, and terrestrial project areas.

Strategies:

While studies, projects and programs implemented in the next 10 years will continue to focus on the drivers of surface water impairments that threaten recreational uses; this plan expands work on overall health for all water and natural resources.

- Oxygen demand and the release of biologically available nutrients from lake bottoms and wetlands continues to be a primary driver of multiple impairments issues in the watershed. The tools for addressing this issue are limited due to the science and limited application. Existing projects like iron enhanced sand filters and other filtration systems can be maintenance intensive. As one of the first Minnesota Districts to recognize this issue and use filtration, and hydrologic restoration to address the transport of soluble P, the District will continue to pioneer field methods to combat the issue as it is necessary to achieve our goals.

Projects to target this loading are underway for several district lakes already and will continue. These lakes include Clear Lake, Lake Betsy, Lakes Louisa & Marie, Lake Augusta, Pleasant Lake, and Swartout Lake. This list may expand as more data is collected.

- In-stream, shoreland and upland erosion in the watershed threatens habitat in lakes, rivers and wetlands, reduces the productivity in agricultural lands, creates difficulties for townships and municipalities managing infrastructure, and impairs recreation. The District will:
 - Implement a program, in partnership with the local DNR, which will offer education and technical resources to shoreline landowners for lakes, streams and wetlands to reduce erosion and excess sediment and nutrient transport. Include county and SWCD staff as they are willing and able to provide resources.
 - Update stormwater management plans for cities and draft new ones for townships to reduce erosion and cultivate resilience in stormwater management in urbanized and residential areas.
 - Continue to implement projects identified in a 319-funded District study completed in 2016 to reduce sediment and bacteria load in the upper watershed.
 - Several projects were completed with individual landowners, some are in progress. The District will continue to work with landowners in these high priority areas.
 - Continue to work with County and State transportation engineers to incorporate stormwater management and erosion reduction into projects. Meeker County reconstructed County Road 17 during 2019, the District offered technical support to add erosion control and alternative design to reduce erosion in our high priority areas.
- Robust annual collection of water quality, hydrology, hydrologic and climate data will continue to support the development of projects and programs. Hydrologic, hydraulic and watershed load modeling that supports design and implementation and prioritization of projects and programs will continue.
- Protection and restoration of the District's three trout streams will continue and be a priority in this planning cycle.
 - Phase I and II of the Kimball Stormwater Retrofits targeted infiltration of excess stormwater, stormwater capture and reuse to protect Willow Creek, a trout stream near the City.
 - The District will work with partners to secure grant funding to reduce sediment loads and stormwater runoff to Thiel Creek.

- The District will continue to collect data in all three trout streams (Thiel, Willow and Fairhaven) to identify needs for protection and restoration and implement programs and projects.
- Agriculture continues to be the largest single land use in the District. Reducing nutrient and sediment loads from these lands continues to be the largest lever the District must pull to continue to demonstrate measurable improvements to water and natural resources. The District will expand programs to support resilience in soils, water quality, and habitat protection. For example:
 - Expand the District's award-winning Targeted Fertilizer Application program from just the upper watershed (the target of the previous plan), to the entire district.
 - The District will continue to support alternative tile intakes through cost share,
 - Initiate the "odd piece program" which will offer cost share incentives to install perpetual cover and/or native habitat on oddly shaped, hard to farm, highly erodible lands near surface waters.
 - Support SWCD efforts to promote cover crops and other practices to promote resilience in soil, water, and natural resources.
 - Continue to pursue unique partnerships with public and private entities to expand project uptake and keep costs low, for example, local Co-Ops engaged in the Targeted Fertilizer Program to enroll new program participants.
- Look for retrofit opportunities for projects installed in the 1980's to improve efficiency and achieve newer District goals. Two priority treatment systems include:
 - Annandale Wetland Treatment System
 - Watkins Wetland Treatment System

Priority Issue 2: Climate Change

Precipitation has changed both in frequency and intensity since the last plan implementation period. Temperature changes further impact water chemistry and biology.

Projects and programs to achieve District goals are designed based on an understanding of the drivers of both healthy ecosystems and impairments to those ecosystems. As precipitation and temperature change, design standards and best practices will also change. While new stressors may emerge, new opportunities are also possible. Recording precipitation, lake levels and stream flow at a limited number of individual stations does not capture the spatial and temporal variation in precipitation or the hydrologic response. Expanded precipitation, lake level and flow monitoring and

evaluation of data collected will be critical to understanding the hydraulic response to changing precipitation patterns.

Measuring and quantifying the hydrologic response to precipitation is the basis of good design and implementation. Hydrologic and hydraulic data needs are greater, as is the need to understand how changing temperature will impact water and natural resource management. All projects and programs will be designed and maintained for climate resilience with water and natural resources, flood prevention, stormwater management and infrastructure in mind.

Strategies:

- Expanded Monitoring- monitoring and data collection around precipitation and hydrology will be expanded. Additional Citizen Precipitation Recorders will be recruited, and additional evaluation of data collected by local, state and federal partners will be considered.
- Resilience-based design – Promote Infrastructure design that better handles the more intense storms that climate change causes. Project and program design shall be based on recent climate data and standards. While using Atlas 14 precipitation frequency estimates are the recommended standard of care now for developing design targets, that may change during the timeframe of plan implementation. Evaluate design criteria and adjust as needed. This evaluation process includes not only design standards and normal precipitation, but also evolving needs related to how water and natural resources interact with infrastructure and soils.
- Expanded Analysis – every two years, the following will be evaluated and updated based on the newest best practices around climate change:
 - Monitoring and data collection practices
 - Density and location of monitoring stations
 - Design standards
 - Best practices and programs for agricultural cost share
 - Best practices around supporting entities managing stormwater in urban and residential areas
 - Operation and maintenance of current district projects
 - Data analysis and reporting
- Expanded Modeling – Hydrologic and hydraulic modeling will be updated and expanded to better support design, operation, maintenance and planning. Models are currently and will continue to be updated on a 5-year basis or as needed for specific projects or programs, unless recommendations change.
- Communications – Discuss climate resilience with landowners, local, state and federal partners as well as residents to identify their needs and determine the District’s role in meeting them.

Priority Issue 3: Localized Flooding and Navigation Obstructions

Localized flooding that threatens property is sometimes an issue in the District. The District has addressed this in partnership with area residents and in collaboration with DNR and other regulatory stakeholders. The District operates and maintains two lake outlets which were petitioned by residents for flood control. Localized flooding in urban or rural areas can also present issues. Several District lakes also have large bogs which sometimes break lose and can impair navigation and cause flooding.

Strategies:

- Continue to inspect, operate, and maintain District projects related to flood management like the School Section and Pleasant Lake Outlets. These outlets will be operated in accordance with DNR permits.
- The District will serve as a technical support and fiscal agent and partner to residents and partner with federal, state, and local regulatory partners that address and manage flooding such as the bog control project for Lake Augusta.
- The District will look for opportunities to support townships, cities and counties in stormwater studies in high priority areas where other water and natural resource goals might be achieved with additional technical support or funding.

Priority Issue 4: Aquatic Invasive and Nuisance Species Management

Aquatic invasive and nuisance species management continues to be an issue of primary concern for residents and stakeholders in the District. In 1993 the District initiated its first AIS management program to manage and treat Eurasian Water Milfoil in Clearwater Lake. As the needs and science around AIS and nuisance species management continue to evolve, the District has shifted from species specific projects to more general AIS and nuisance species projects. Several of the original petitioned AIS species specific projects have been changed to more general plans for AIS and nuisance species early detection, mapping, and management plans.

Currently AIS and nuisance aquatic species management plans exist for the following lakes:

- Bass Lake
- Cedar Lake
- Clearwater Lake
- Lake Augusta
- Chain of Lakes (Louisa & Marie)
- Clear Lake (self-administered)

The District's model is to respond specifically to the needs of the landowners and serve as a fiscal agent for projects initiated by resident petition under 103D process for establishing projects initiated by petition. The District adopted standards around AIS and nuisance management Projects for Lake Associations to follow and serves as both a technical support and a fiscal agent for these Projects.

Locally driven support of aquatic invasive and nuisance species management within the District, conducted in full cooperation and coordination with state and local partners.

Strategies:

- Continue to serve as a technical support and fiscal agent to local residents and partner with federal, state, and local regulatory partners, landowners and lake associations to manage AIS and aquatic nuisance species. This includes staff and Board training and participation in educational seminars from time to time on AIS and nuisance aquatic species management.

Priority Issue 5: Sustainable Administration and Funding

Financing for sustainable operation, administration, operation and maintenance of District Core Functions, and capital projects and programs is critical to achieving District goals and performing core functions.

Strategies:

- Plan and provide for adequate staffing and professional services
- Provide for project and program funding and administration
- Provide for infrastructure and equipment funding
- Continue board training, staff training if necessary, and funding for qualified consultants
- Continue to apply for and administer grants
- Seek alternative sources of funding

Priority Issue 6: Operation and Maintenance

The District has constructed many capital projects. Operation and maintenance are both priority issues and a core function for the District. The age of projects, shifting climate, and emerging issues necessitate ongoing evaluation of operation and maintenance for all District projects.

Legacy projects, new projects, and the four community wastewater systems the District is tasked with operating and maintaining all require funding, experienced contractors and staff.

Strategies:

- Conduct a regular inspection program to identify maintenance and operational needs.
- Evaluate, every two years at least, projects and programs that require operation and maintenance to identify opportunities for adjustments to better serve local needs around water and natural resource goals, infrastructure needs and climate resilience.
- Adequately fund operation and maintenance and maintain projects in accordance with regulatory requirements.

District Core Functions

<p>Sustainable Administration + Financing</p>	<ul style="list-style-type: none"> • Plan and provide for adequate staffing and professional services • Provide for project and program funding and administration • Provide for infrastructure and equipment funding • Continue to apply for and administer grants • Seek alternative sources of funding
<p>Monitoring + Studies</p>	<ul style="list-style-type: none"> • Sound data collection is the source of good decisions for the District • Continue to implement Foundational Monitoring Program to track trends in target water bodies • Conduct Special Studies and Feasibility Studies to identify the drivers of the District issues, prioritize and implement solutions • Quantify impacts on and benefits for groundwater resources as they relate to projects and programs to meet surface water quality goals
<p>Operation + Maintenance</p>	<ul style="list-style-type: none"> • Operate and maintain flood management projects like lake outlets • Operate and maintain Legacy Projects and New Projects • Maintain a high level of service and regulatory compliance for community Sewer Systems • Conduct a robust inspection program for District projects with maintenance if necessary
<p>Capital Projects + Programs</p>	<ul style="list-style-type: none"> • Identify and implement existing and new projects and programs to address District Issues and achieve District goals • Periodically evaluate existing projects for opportunities to achieve additional goals or address issues
<p>Education + Outreach</p>	<ul style="list-style-type: none"> • Support stakeholders and enhance partnerships • Engage with landowners, in person when possible, District Wide • Convene special stakeholder groups to target specific issues • Engage with regulatory stakeholders and partners at federal, state and local level • Develop electronic collateral and outreach for the purpose of education and engagement
<p>Other Programs</p>	<ul style="list-style-type: none"> • The District has and will continue to participate proactively in state and federal programs including TMDL studies, OWOP, WRAPS

Watershed wide plan summary table

Upper Clearwater River 07010203 Clear Lake to Upstream of Lake Betsy						Implementation Schedule										
Waterbody	ID	County	Parameter	Impairment Driver	Strategy	Budget	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Kingston Wetland	47-0312-00	Meeker	Phosphorus, Sediment	Watershed load, legacy wetland export of Soluble P and oxygen demand	319 funded project completed in 2017, reduce watershed loads, maintain project and manage water levels and coordinate with DNR. Project maintenance will continue.	\$25,000	x	x	x	x	x	x	x	x	x	x
Little Mud Lake	47-0096	Meeker	Phosphorus	Watershed loads	reduce watershed loads. No projects identified specifically for Little Mud, though watershed load reductions targeting Little Mud's watershed will yield load reductions for the lake.											
County Ditch 20	738 AQL	Meeker	Aquatic Life-Impaired	Watershed loads, impaired habitat	Reduce watershed loads and maintain channel stability, augment drainage authority work to improve water quality where possible. Work with City of Watkins on stormwater management.	\$123,000			x	x						
County Ditch 44	550 AQL, Fishes and Inverts	Meeker	Aquatic Life-Impaired	Watershed loads, impaired habitat	Reduce watershed loads and maintain channel stability, augment drainage authority work to improve water quality where possible.	\$146,000					x	x				
Clearwater River, CD 44 to Lake Betsy	549, AQL, AQR, DO & FC Approved	Meeker	Aquatic Life/Aquatic Recreation, DO, FC (Sediment/ bacteria/ nutrients)	Oxygen demand from Kingston Wetland, limited re-aeration	Reduce watershed loads and maintain channel stability. Construct channel stability projects in main channel, and tributaries. Conduct channel morphometry study.	\$210,000							x	x		
Clear Lake	47-0095	Meeker	Phosphorus	Soluable P loading from northern wetland complex	Manage soluable P loading to the lake via main tributaries. Manage watershed export of P. Continue rough fish management.	\$375,000	x	x								

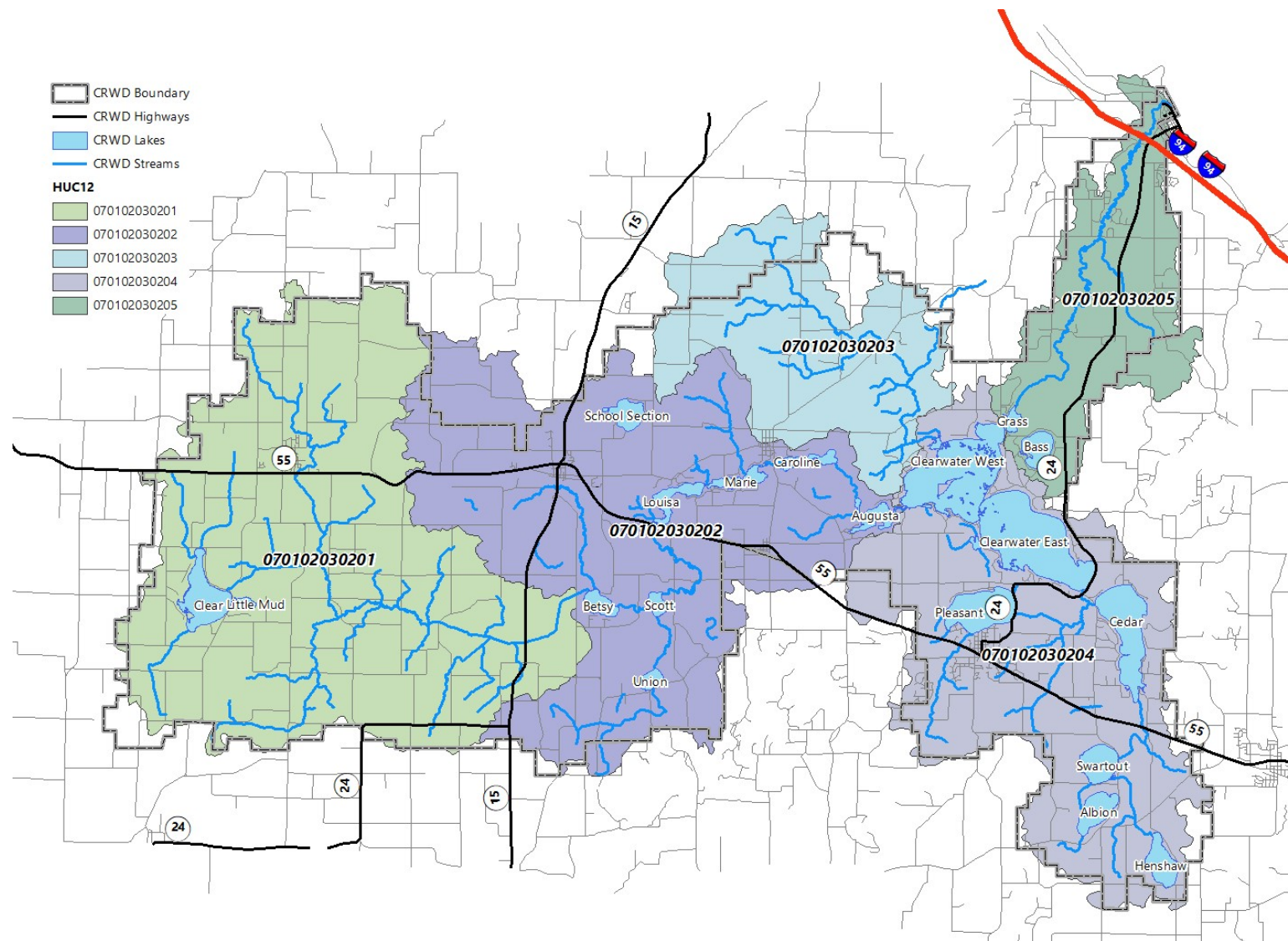
Middle Clearwater River 070102030202 Lakes Betsy through Augusta and the Clearwater River							Implementation Schedule									
Waterbody	ID	County	Parameter	Impairment Driver	Strategy	Budget	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Marie Lake	73-0014	Stearns/Wright	Total Phosphorus	Upstream, internal and watershed loads	Manage watershed sediment and nutrient loads	\$175,000	x	x	x	x	x					
Lake Louisa	86-0282	Stearns/Wright	Total Phosphorus	Upstream, internal and watershed loads	Manage watershed sediment and nutrient loads	\$175,000	x	x	x	x	x					
Union Lake	86-0298	Meeker/Wright	Total Phosphorus	Upstream, internal and watershed loads	Manage watershed nutrient loads	\$25,000						x	x			
Scott Lake	86-0297	Meeker/Wright	Total Phosphorus	Upstream, internal and watershed loads	Manage watershed nutrient loads	\$25,000						x	x			
School Section Lake	73-0035	Stearns	NA	NA	Ongoing operation of outlet and required monitoring, continue to reduce nutrient loads to lake. Seek permit modification.	\$30,000										
Thiel Creek (headwaters to Thiel, and Thiel to Lake Marie Class 1B, 2Ag, 3B Trout Stream)	556, 619	Stearns	Nutrients, <i>E. coli</i> , temperature, sediment & morphometry (AQR)	Climate change, land use in the watershed.	Reduce sediment and chloride loads, conduct stream survey to assess habitat and channel morphometry. Projects on riparian roadways and steep slopes to mitigate high temperature, sediment laden stormwater from entering creek directly. Develop projects and programs to improve water quality and habitat.	\$150,000		x	x							
Fairhaven Creek (headwaters to Lake Marie)	565	Stearns	Nutrients, temperature, sediment & morphometry	Watershed Loads	Reduce sediment and chloride loads, conduct stream survey to assess habitat and channel morphometry. Develop projects and programs to improve water quality and habitat.	\$125,000		x		x						

Middle Clearwater River 070102030202 Lakes Betsy through Augusta and the Clearwater River							Implementation Schedule									
Waterbody	ID	County	Parameter	Impairment Driver	Strategy	Budget	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Clearwater River: Caroline to Augusta		Stearns	Nutrients, soluble P export, hydrology, sediment & morphometry		Evaluate soluble P export through data collection and analysis. Identify capital projects/programs to mitigate.	\$375,000		x	x	x						
Clearwater River: Lake Betsy to Scott Lake	715	Stearns	Nutrients, hydrology, sediment & morphometry		Evaluate soluble P export through data collection and analysis. Identify capital projects/ programs to mitigate. Identify opportunities to reduce rough fish populations	\$350,000				x	x	x				
Clearwater River Scott Lake to Lake Louisa	717	Stearns	Nutrients, soluble P export, hydrology, sediment & morphometry AQR Fisheries/ Invertebrates	Upper watershed and internal wetland loading	Evaluate soluble P export through data collection and analysis. Identify capital projects/ programs to mitigate.	\$159,000			x	x						
Willow Creek 1B, 2Ag, 3B (Trout Stream), Headwaters to Betsy	515	Meeker	Nutrients, hydrology, temperature, sediment & morphometry		Reduce sediment and chloride loads, conduct stream survey to assess habitat and channel morphometry. Develop projects and programs to improve water quality and habitat.	\$210,000							x	x		
Betsy Lake	47-0042	Meeker	Total Phosphorus	Upper watershed and internal loads	Reduce upstream and internal phosphorus loads	\$95,000	x	x	x	x						
					Manage rough fish populations	\$45,000		x	x			x	x		x	x
Caroline Lake	86-0281	Stearns/ Meeker/ Wright	Total Phosphorus	Upper watershed and internal loads	Manage upstream and internal phosphorus loads	\$126,000							x	x	x	
Augusta Lake	86-0284	Stearns/ Meeker/ Wright	Total Phosphorus		Manage internal phosphorus, manage upland wetland soluble P export, manage upland erosion. AIS Project support and Bog Project support	\$225,000	x	x	x							

Clearwater Lake – Clearwater River 070102030203 Three Mile Creek							Implementation Schedule									
Waterbody	ID	County	Parameter	Impairment Driver	Strategy	Budget	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Otter Lake	73-0015	Stearns	Total Phosphorus	NA	Monitor, adjust as needed. No projects identified, though some budget is included in the event of an AIS need.	\$5,000										
Three Mile Creek	545, 571, 564	Stearns	Aquatic Life	NA	Additional stressor assessment work needed; likely stressors are due to land use in watershed.	\$5,000										x

Clearwater Lake – Clearwater River 070102030204 Clearwater – Cedar – Pleasant Lakes							Implementation Schedule									
Waterbody	ID	County	Parameter	Impairment Driver	Strategy	Budget	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Swartout Lake	86-0208	Wright	Total Phosphorus	Hydrologic disturbance, tributary wetland and internal loads	Manage Internal Phosphorus, manage bird populations to reduce loading, rough fish management, vegetative management, reduce watershed loads	\$125,000	x	x	x	x	x	x	x	x	x	x
Albion Lake	86-0212	Wright	Total Phosphorus	Hydrologic disturbance, tributary wetland and internal loads	Rough fish and vegetative management	\$15,000	x	x	x	x	x	x	x	x	x	x
Henshaw Lake	86-0213	Wright	Total Phosphorus	Hydrologic disturbance, tributary wetland and internal loads	Manage internal phosphorus, rough fish and vegetation	\$35,000	x	x	x	x	x	x	x	x	x	x
Cedar Lake	86-0227	Wright	Total Phosphorus		Ongoing maintenance and operation of Cedar Lake Restoration Project as well as AIS project support	\$450,000	x	x	x	x						
Pleasant Lake	86-0251	Wright	Total Phosphorus		Continue lake outlet operation	\$15,000						x	x	x		
Clearwater Lake	86-0252	Wright	Total Phosphorus		Watershed and upland water load reductions. AIS support.	\$175,000			x	x	x					

Lower Clearwater River 070102030205						Implementation Schedule											
Waterbody	ID	Area	Parameter	Impairment Driver	Strategy	Budget	2021	2022	2023	2024	2025	2026	2027	2028	2028	2030	
Clearwater River: Clearwater Lake to Mississippi	511	Stearns/ Wright	Dissolved Oxygen		Nitrogen Load reduction, re-aeration, channel morphology restoration	\$35,000										X	X
Weigand Lake	86-0242	Wright	Total Phosphorus		Monitor, adjust as needed	\$9,000											
Nixon Lake	86-0238	Wright	Total Phosphorus		Monitor, adjust as needed	\$9,000											
Grass Lake	86-0243	Wright	Total Phosphorus		Monitor, adjust as needed	\$9,000											
Bass Lake	86-0234	Wright	Total Phosphorus		Continued support of Bass AIS Project, monitor, adjust as needed	\$9,000											



The Plan is divided up into an Executive Summary, 6 main chapters and contains 4 appendices. The sections and appendices are listed below:

1. Introduction & Background
 2. Priority Issues, Goals, and Implementation Strategies
 3. District Core Activities
 4. Priority Resources and Sub-watershed Activities
 5. Plan Implementation and Roles
 6. Amendments to the Plan
- Appendix A: Project History
Appendix B: Land and Natural Resources Inventory and Assessment
Appendix C: Acronyms and Definitions
Appendix D: 2020 Monitoring Plan

During implementation of the most recent 10-year comprehensive plan, annual planning sessions were key to set the direction for the year ahead. The result of these annual planning sessions resulted in measurable progress towards goals. During that planning period, the District collected additional data and implemented studies which deepened and expanded its understanding of issues. Science and tools available for implementation expanded. Climate also changed. These changes will continue. This plan is meant to be a guide to set the direction each year.

Figure E.3 CRWD Map with HUC 12 Identification