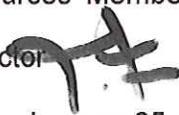




DATE: January 17, 2012
 TO: Board of Water and Soil Resources' Members, Advisors, and Staff
 FROM: John Jaschke, Executive Director 
 SUBJECT: BWSR Board Meeting Notice – January 25, 2012

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, January 25, 2012, beginning at 9:00 a.m. The meeting will be held in the lower level Board Room at 520 Lafayette Road N., St. Paul. Parking is available in the lot directly in front of the building (see hooded parking area).

The following information pertains to agenda items:

COMMITTEE MEETINGS

Metro Water Planning Committee

1. Pioneer-Sarah Creek WMO Plan Amendment - An Amendment to the Pioneer-Sarah Creek WMO Watershed Management Plan was filed with the Board on November 28, 2011. The draft Order contains a summary of the changes and the reviewing agencies' comments. No comments were received during the public hearing that resulted in revisions to the draft Amendment. The Metro Water Planning Committee recommends approval of the Plan Amendment per the attached draft Order. ***DECISION ITEM***

2. Rice Creek Watershed District Watershed Plan Amendment - The Rice Creek Watershed District (District), located in the northeast portion of the Metropolitan Area, was established in 1972 by the Minnesota Water Resources Board. The District Board consists of two representatives each from Anoka and Ramsey counties and one representative from Washington County. The mission of the District is to prevent flooding and enhance water quality in harmony with development for the common good. The Plan Amendment establishes watershed management districts for drainage systems ACD 10-22-32, ACD 31/46, and ACD 53-62. These water management districts provide the framework for an equitable method to generate revenues for funding a portion of the repair projects from the properties benefiting from or contributing to the need for repair projects. The Metro Water Planning Committee recommends approval of the plan amendment per the attached draft Order. ***DECISION ITEM***

<i>Benidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>Mankato</i>	<i>New Ulm</i>	<i>Rochester</i>
4 West Building 403 Fourth St. NW, Suite 200 Benidji, MN 56601 (218) 755-2600	1601 Minnesota Drive Brainerd, MN 56401 (218) 828-2383	394 South Lake Ave., Room 403 Duluth, MN 55802 (218) 723-4752	1004 Frontier Drive Fergus Falls, MN 56537-2505 (218) 736-5445	1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	1160 Victory Drive S., Suite 5 Mankato, MN 56001-5358 (507) 389-1967	261 Highway 15 South New Ulm, MN 56073 (507) 359-6074	2300 Silver Creek Rd N.E. Rochester, MN 55906 (507) 206-2889

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

Northern Water Planning Committee

1. **Benton County Five Year Plan Update** - On August 28th, 2008, the Board of Water and Soil Resources approved Benton County's Comprehensive Local Water Management Plan for a ten year period from 2008-2018 with a required amendment by August 2013. On April 15th, 2011, the County passed a resolution to begin the amendment process. The amended plan was submitted to the Brainerd field office on October 27th, 2011. The Northern Water Planning Committee will be meeting on January 19th to review the plan amendment and make a recommendation on the update through July 31st, 2018. **DECISION ITEM**
2. **Hubbard County Water Management Plan Extension** - Hubbard County submitted a resolution requesting a two year extension of their county water plan on October 13, 2011. The Hubbard County Local Water Management Plan would expire on January 24, 2012. The Northern Water Planning Committee will meet on January 19th to review the Hubbard County extension request and make a recommendation to the full Board on January 25th. **DECISION ITEM**
3. **City of Sauk Rapids Comprehensive Wetland Protection and Management Plan** - On July 27, 2009, the Sauk Rapids City Council moved to develop a Comprehensive Wetland Protection and Management Plan (CWPMP). The draft CWPMP was submitted to the BWSR, other state agencies and local governmental units on March 10, 2011. The agency comments were addressed in writing on July 1, 2011. A public hearing was held on July 11, 2011. On October 6, 2011, a final draft plan, ordinance and all required documentation was submitted to the Board. On November 23, 2011, an extension was granted until February 29, 2012, to accommodate the Army Corps of Engineers public notification process. Based on the comments received, several changes were made to the plan and ordinance by the City of Sauk Rapids. On January 19, 2012, The Board's Northern Water Planning Committee meets with City representatives and BWSR staff. Based upon review and a recommendation of approval by BWSR staff, the Committee will present their recommendation of the Plan to the full Board. **DECISION ITEM**
4. **Sand Hill River Watershed District Water Management Plan** - Pending recommendation of the Northern Water Planning Committee (Committee) after the January 19th committee meeting, the Sand Hill River Watershed District is seeking approval of the District's revised Water Management Plan. The Plan identifies quantifiable desired future conditions related to flood damage reduction and natural resource enhancement for the four planning region of the District, establishes these planning regions as Water Management Districts, and identifies by planning region the actions needed to accomplish the District's goals. The Plan meets the requirements of 103D.405, follows the guidelines provided by the Board of Water and Soil Resources, and upholds the intent of the "Red River Basin Flood Damage Reduction Work Group Agreement of December 9, 1998". **DECISION ITEM**
5. **Marshall County Amendment of Local Water Management Plan** - By Board Order, the Board of Water and Soil Resources (Board) approved the Marshall County Comprehensive Local Water Management Plan (Plan) on December 20, 2006. This plan covers the ten-year period of 2007-2015 and contained a 2007-2011 five-year implementation section. The Board Order stipulated that the County was required to revise/update the implementation section for the period 2012-2015. Following the guidelines established by the Board, Marshall County has completed the local water management plan amendment process and submitted their 2012 Amendment, which is for a four-year period of 2012-2015. The Board's Northern Water Planning Committee (Committee) will meet on January 19, 2012 to review

the Marshall County Plan 2012 Amendment. The Committee's recommendation will be presented at the January 25th Board meeting. **DECISION ITEM**

6. **Red Lake Watershed District Territory Withdrawal** - Beltrami County has submitted a petition "Withdrawal of Certain Territories within The Red Lake Watershed District" which petitions the withdrawal of approximately 2,200 acres in Beltrami and Itasca counties from the Red Lake Watershed District. Reasoning is that this territory actually drains into the Mississippi River Basin not the Red River of the North via the Red Lake River of the North which is in the jurisdictional boundary of the Red Lake Watershed District. **DECISION ITEM**
7. **Cormorant Lakes Watershed District (District) Watershed Management Plan** – The District was established on August 22, 1966 by the Water Resources Board. The last plan was adopted in 1999 and this is a required ten year revision of the plan. The mission of the CLWD is to protect and enhance the quality of waters within its jurisdiction; to ensure that appropriate decisions are made concerning the management of streams, wetlands, lakes, groundwater, and related land resources which impact these waters; and to accomplish the purposes for which a watershed district is established. The Plan identifies eight major goals that relate to: Maintain or Improve Surface Water Quality, Groundwater Resources, Erosion and Sedimentation, Prevention and Management of Aquatic Invasive Species, Damage from High Water, Maintain Channels and Water Flow, Habitat Improvement and Education. The Northern Water Planning Committee's recommendation will be presented to the full Board on January 25th. **DECISION ITEM**
8. **Buffalo Red River Watershed District Enlargement and Increase in Number of District Managers Order for Hearing** - On January 4, 2012, BWSR received a joint petition from the Buffalo Red River Watershed District (BRRWD), Otter Tail County and Wilkin County to enlarge the Buffalo Red River Watershed District and increase the number of watershed district managers by two. This is the same area Wilkin County petitioned to establish the Upper Red Lower Otter Tail Watershed District. At the September 7, 2011 establishment hearing Otter Tail County suggested enlarging the BRRWD as an alternative to establishing a new watershed district. Wilkin County agreed to have their establishment petition held in abeyance to allow time for Wilkin and Otter Tail Counties and the BRRWD to further explore Otter Tail County's suggestion. The Northern Water Planning Committee meets January 19th to review and determine recommendation. **DECISION ITEM**

Public Relations, Outreach & Strategic Planning Committee

1. **2012 PRAP Report to the Legislature** - The annual PRAP Report to the Legislature is required by statute as a summary of local government performance in water management. This is the 5th such report. Each year at the January meeting the Board is given the opportunity to approve this report before it is sent to the legislature by the February 1 deadline. This year the PROSP Committee has primary responsibility for the report and will be meeting on the evening before the board meeting to act on a recommendation to the full board regarding this report and resolution. **DECISION ITEM**
2. **BWSR 2012 Strategic Plan Update** - The Public Relations, Outreach and Strategic Planning Committee of the Board has been working on updating the BWSR 2007 Strategic Plan for two years. This 2012 Update of the Plan is the culmination of that work. Preliminary steps to this Board action have been the identification of additional strategies for inclusion in the plan, revision of the plan's executive summary and the review of that document by other state agencies and key stakeholder groups, and review by the

board of a status report of accomplishments for each of the strategies in the 2007 Plan. The Committee will be meeting on Tuesday, January 24 to vote on a recommendation for Board action on the Strategic Plan Update. **DECISION ITEM**

RIM Reserve Management Planning Committee

1. **RIM-WRP Partnership: Bond Fund Allocations** – The RIM Reserve Management Planning Committee met on January 13, 2012, to review and recommend bond fund allocations to implement the RIM-WRP Partnership in Minnesota. **DECISION ITEM**

NEW BUSINESS

1. **CWF Measures – INFORMATION ITEM**

Minnesotans want to know if our water is getting cleaner and how Clean Water Funds are being spent. These questions and many others are being addressed by a multi-agency team whose goal is to develop a clean water tracking framework that will help clarify the connections between funds invested, actions taken, and clean water outcomes achieved. The heart of the Framework is a suite of 36 quantifiable performance measures that tell a cohesive, meaningful story about Minnesota's water bodies, watershed and groundwater health and the actions of agencies and partners working to restore and protect Minnesota's waters. This presentation will describe the Framework and the related "Clean Water Performance Report," to be released in February 2012.

2. **Evaluation of Water Related Programs – INFORMATION ITEM**

Legislation was passed in Special Session 2011 that directs the Pollution Control Agency to accomplish an evaluation of water related programs in conjunction with other water agencies and the University of Minnesota. The legislation began as a rule moratorium but that aspect of the legislation was set aside. MPCA Deputy Commissioner John Stine will overview the plans developed thus far for the \$75,000 study and provide some perspective on how the Board and local governments may be best able to contribute.

3. **Ag Water Quality Certification – INFORMATION ITEM**

On January 17th, Minnesota Governor Mark Dayton , U.S. Agriculture Secretary Tom Vilsack and U.S. Environmental Protection Agency Administrator Lisa Jackson signed a memorandum of understanding (MOU) committing the state and federal government to develop a new program that will enhance Minnesota's water quality by accelerating farmers' voluntary adoption of on-farm conservation practices. The MOU is the first step toward implementation of the Minnesota Ag Water Quality Certification Program. The initiative will be designed to accelerate progress toward water quality goals while also giving Minnesota farmers greater regulatory and cost stability.

If you have any questions regarding the agenda, please feel free to give me a call at 651-296-0878. The Board meeting will adjourn about noon. I look forward to seeing you on January 25th!

P.S. The Grants Program & Policy Committee will meet immediately following adjournment of the Board Meeting.

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, JANUARY 25, 2012

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF DECEMBER 14, 2011 BOARD MEETING

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

CONFLICT OF INTEREST DECLARATION

INTRODUCTION OF NEW BWSR STAFF

- Dave Rickert, Easement Acquisition Specialist
- Kyle Skov, Conservation Drainage Engineer

RECOGNITION OF BWSR MEMBERS

- Paul Brutlag *Term 2004 - 2011*
- Louise Smallidge *Term 2004 - 2011*
- LuAnn Tolliver *Term 2004 - 2011*

NOMINATION OF VICE-CHAIR

REPORTS

- Chair – Brian Napstad
- Administrative Advisory Committee – Brian Napstad
- Executive Director – John Jaschke
- Dispute Resolution Committee – Paul Brutlag
- Wetlands Committee – LuAnn Tolliver
- Grants Program & Policy Committee – Louise Smallidge
- Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth
- RIM Reserve Management Planning Committee – Paul Brutlag
- Drainage Work Group – Tom Loveall

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. Pioneer-Sarah Creek WMO Plan Amendment – Bob Burandt and Brad Wozney –
DECISION ITEM
2. Rice Creek Watershed District Watershed Plan Amendment – Melissa Lewis –
DECISION ITEM

Northern Water Planning Committee – Quentin Fairbanks

1. Benton County Comprehensive Local Water Management Plan Update – **DECISION ITEM**
2. Hubbard County Local Water Planning Extension Request – **DECISION ITEM**
3. City of Sauk Rapids Comprehensive Wetland Protection and Management Plan – Dale Krystosek and Keith Grow – **DECISION ITEM**
4. Sand Hill River Watershed District Water Management Plan – **DECISION ITEM**
5. Marshall County Comprehensive Local Water Management Plan Amendment – **DECISION ITEM**
6. Red Lake Watershed District Territory Withdrawal – **DECISION ITEM**
7. Cormorant Lakes Watershed District (District) Watershed Management Plan – **DECISION ITEM**
8. Buffalo Red River Watershed District Enlargement and Increase in Number of District Managers Order for Hearing – **DECISION ITEM**

Public Relations, Outreach & Strategic Planning Committee

1. 2012 PRAP Report to the Legislature – Don Buckhout – **DECISION ITEM**
2. BWSR Strategic Plan Recommendation – Keith Mykleseth and Don Buckhout – **DECISION ITEM**

RIM Reserve Management Planning Committee

1. RIM-WRP Partnership: Bond Fund Allocations - Kevin Lines – **DECISION ITEM**

NEW BUSINESS

1. CWF Measures – Marcey Westrick, BWSR; Suzanne Hanson, MPCA; and Andy Holdsworth, DNR – **INFORMATION ITEM**
2. Evaluation of Water Related Programs – John Linc Stine, MPCA – **INFORMATION ITEM**
3. Ag Water Quality Certification – John Jaschke; Matt Wohlman, MDA; and Rebecca Flood, MPCA – **INFORMATION ITEM**

AGENCY REPORTS

- Minnesota Department of Agriculture – Matthew Wohlman
- Minnesota Department of Health – Chris Elvrum
- Minnesota Department of Natural Resources – Tom Landwehr
- Minnesota Extension Service – Faye Sleeper
- Minnesota Pollution Control Agency – Rebecca Flood

ADVISORY COMMENTS

- Association of Minnesota Counties – Annalee Garletz
- Minnesota Association of Conservation District Employees – Matt Solemsaas
- Minnesota Association of Soil and Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Tim Koehler

UPCOMING MEETINGS

- Next Board Meeting – March 28, 2012

Noon **ADJOURN**

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, DECEMBER 14, 2011**

BOARD MEMBERS PRESENT:

Chris Elvrum, MDH; Paul Brutlag, Quentin Fairbanks, Rebecca Flood, PCA; Sandy Hooker, Paul Langseth, Tom Loveall, Keith Mykleseth, Brian Napstad, Tom Landwehr, DNR; Faye Sleeper, MES; Louise Smallidge, Gene Tiedemann, LuAnn Tolliver, Gerald Van Amburg, Matt Wohlman, MDA

BOARD MEMBERS ABSENT:

Bob Burandt
Christy Jo Fogarty
Todd Foster
John Meyer

STAFF PRESENT:

Mary Jo Anderson, Julie Blackburn, Don Buckhout, Natasha DeVoe, Travis Germundson, Jim Haertel, John Jaschke, Al Kean, Melissa Lewis, Jeff Nielsen, Dave Weirens, Marcey Westrick, Steve Woods, Brad Wozney

OTHERS PRESENT:

Lance Yohe and Julie Goehring, RRBC
Kent Francis, President Lower MN River WD
Terry Schwalbe, District Administrator, Lower MN River WD
Della Young, Consultant, Lower MN River WD
LeAnn Buck, MASWCD
Tim Kelly and Harley Ogeta, Coon Creek WD

Chair Napstad called the meeting to order at 9:05 a.m.

PLEDGE OF ALLEGIANCE

****** **ADOPTION OF AGENDA** – Moved by Louise Smallidge, seconded by Paul Langseth,
11-85 to adopt the agenda as presented. Motion passed on a voice vote.

****** **MINUTES OF OCTOBER 26, 2011** – Moved by Paul Langseth, seconded by LuAnn
11-86 Tolliver, to approve the minutes of October 26, 2011, as circulated. Motion passed on a voice vote.

CONFLICT OF INTEREST DECLARATION -

Chair Napstad reported that there are three agenda items today that need the Conflict of Interest Declaration form submitted. Chair Napstad stated that the declaration process is being used on the following decisions:

- FY2012 Clean Water Fund Competitive Grant Awards
- FY2012 Cooperative Weed Management Area Grants
- FYs '12 and '13 Red River Basin Commission Administrative Grants

Chair Napstad read the statement:

“A conflict of interest whether actual or perceived occurs when someone in a position of trust has competing professional or personal interests and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to identify any potential conflicts of interest they may have regarding today’s business.”

Chair Napstad asked board members to submit their completed Conflict of Interest Declaration forms to John Jaschke. John explained BWSR’s conflict of interest policy for grant authorizations. The Conflict of Interest Declaration document will be filed for the grant decision items.

REPORTS

Chair’s Report – Brian Napstad reported that he attended the Environmental Quality Board (EQB) meeting in November. EQB meeting discussions included: a project turned over to MPCA; rulemaking by EQB regarding EAWs to comply with legislative modifications; John Jaschke presented BWSR’s Strategic Plan Update. Chair Napstad stated that BWSR was the first agency to present their Strategic Plan and EQB appreciated John’s presentation. Chair Napstad stated that EQB discussion also included Governor Dayton’s recommendations for streamlining the environmental review programs; improvement of environmental permitting process; governance, and the energy report card.

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Chair Napstad reported that he attended the AMC convention; ongoing discussions regarding timber sales, wetland mitigation, and NCLUCB topics. Chair Napstad reported that Al Kean attended the AMC convention and conducted a drainage workshop; and Julie Blackburn presented information regarding the Environmental and Natural Resources Policy Committee. Chair Napstad appreciated BWSR's involvement at AMC.

Administrative Advisory Committee (AAC) – Brian Napstad reported that the AAC met this morning. Items discussed included legislation/budget forecast; Legacy Audit reports, Disaster Audit in-process; Committee meetings; and succession planning. Four board members' terms expire in January 2012: LuAnn Tolliver, Paul Brutlag, Louise Smallidge, and Sandy Hooker. Chair Napstad will need to appoint new Committee chairs and assignments to Committees will be reviewed. Board members interested in serving on certain Committees should contact Chair Napstad.

Executive Director's Report – John Jaschke reviewed information in board members' packets, "For Your Information". John reported that the Office of the Legislative Auditor (OLA) completed two audits: 1) "Legacy Funds: Outdoor Heritage, Clean Water, and Parks and Trails" and 2) "The Legacy Amendment". The audit reports are now available on the OLA website, if board members would like a hard copy of the audits, copies will be provided.

DNR Commissioner Landwehr asked how agencies make sure we have the right roadmap to impact funding, as noted in the program audit of the Clean Water Council; accountability and transparency. John stated that BWSR will be hiring an auditor position in early 2012 to assist with auditing programs/grants. Keith Mykleseth stated that extra funding causes extra work, thus more staff needed.

John reported that the Outdoor Heritage Council has a list of \$97M worth of projects; BWSR involved in some of those endeavors. John reported that wetland mitigation policy adjustments are beginning to move forward. John reported that BWSR has been in contact with USDA regarding a "Certainty MOU" providing an opportunity for private landowners and agriculture producers that have sufficient conservation to be recognized.

Dispute Resolution Committee – Paul Brutlag reported that BWSR's decision at the October 26, 2011, Board meeting regarding the Waseca SWCD matter has been appealed and sent to the Court of Appeals; however, the request for stays by Waseca SWCD and DNR have been withdrawn. The DRC meeting scheduled for today has been cancelled.

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Travis Germundson reported that 13 appeals are pending; all involve WCA, and one new appeal has been received. Travis provided an update on the pending appeals.

Wetland Committee – LuAnn Tolliver reported that the Wetland Committee met in October, recommendations are on the agenda later today. The Wetland Committee will meet in January; date to be determined.

Grants Program & Policy Committee – Louise Smallidge reported that the Grants Program & Policy Committee met last month, the recommendations will be presented on the agenda later today. The Grants Program & Policy Committee will meet again in January. Louise stated that she needs to leave the Board Meeting today at 11:30 to attend the Washington Conservation District monthly meeting.

Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth reported that the Public Relations, Outreach & Strategic Planning Committee met in September and will meet again in January. Keith stated that Don Buckhout will provide an update on the BWSR Strategic Plan later today.

RIM Reserve Management Planning Committee – Paul Brutlag reported that the RIM Reserve Management Planning Committee will meet on January 4 to review the current process.

Drainage Work Group – Tom Loveall reported that Drainage Work Group met twice since the last Board meeting. Tom acknowledged the great work of Al Kean and his expertise on drainage issues. Tom reported that the Drainage Work Group discussed: 1) sharing information about recent and upcoming conferences and forums where drainage was or is on the agenda; 2) Smith Partners LCCMR report recommendations MN Drainage Law Analysis and Evaluation; and 3) Julie Blackburn provided an update regarding Swampbuster and WCA coordination associated with the contribution agreement between NRSC and BWSR. Al Kean reported that a drainage management engineer has been hired. Kyle Skov, will start in January and be located in the BWSR Rochester office. Chair Napstad thanked Al Kean for his presentation at the AMC annual meeting.

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

Valley Branch WD Watershed Management Plan Amendment – Melissa Lewis reported that the Metro Water Planning Committee met on November 29, 2011, reviewed the plan amendment that incorporates natural resource data, issues, and goals for approximately five square miles of the former Lower St. Croix Watershed Management Organization (LSCWMO) into the Plan. The information incorporated is

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consistent with the former LSCWMO Watershed Management Plan. The Metro Water Planning Committee unanimously recommends approval of the Valley Branch WD Watershed Management Plan Amendment. Moved by Louise Smallidge, seconded by Keith Mykleseth, to approve the Valley Branch Watershed District Watershed Management Plan amendment. Motion passed on a voice vote.

Lower Rum River WMO Revised Watershed Management Plan – Melissa Lewis reported that the Metro Water Planning Committee reviewed Lower Rum River WMO Revised Watershed Management Plan, and unanimously recommends approval. Moved by Rebecca Flood, seconded by Louise Smallidge, to approve the Lower Rum River WMO Revised Watershed Management Plan. Motion passed on a voice vote.

Lower Minnesota River WD Revised Watershed Management Plan – Brad Wozney introduced representatives from the Lower Minnesota River WD (LMRWD): Kent Francis, President; Terry Schwalbe, District Administrator; and Della Young, Consultant. Brad reported that the LMRWD has taken a proactive leadership role in resource management. Brad reported that the Metro Water Planning Committee reviewed the revised plan and unanimously recommends approval of the Watershed Management Plan dated November 2011 for the Lower Minnesota River Watershed District. The Committee further recommends that the LMRWD amend the implementation program of the Watershed Management Plan and have it approved by the Board by the end of 2014 to incorporate the results of the “Strategic Resource Evaluation and Management Process” to be completed in 2012 and 2013. Moved by LuAnn Tolliver, seconded by Matt Wohlman, to approve the Lower Minnesota River WD Revised Watershed Management Plan, as recommended by the Metro Water Planning Committee. LuAnn Tolliver acknowledged the diligence in working through the process. Terry Schwalbe stated that the LMRWD is committed to implementation of the Plan in a positive way. Motion passed on a voice vote.

Coon Creek Watershed District Enlargement Petition – Jim Haertel introduced Tim Kelly, Coon Creek WD Manager. Jim reported that the Cities of Blaine, Coon Rapids, Fridley and Spring Lake Park filed a petition to enlarge the Coon Creek Watershed District (CCWD). The petition follows the dissolution of the Six Cities WMO that the four cities had been members of. The Metro Water Planning Committee held a public hearing after proper notice had been given. No opposition is contained in the record. The Metro Water Planning Committee recommends approval of the Coon Creek WD enlargement petition. Moved by Louise Smallidge, seconded by Paul Brutlag, to approve the Coon Creek WD enlargement petition and orders the Coon Creek WD amend its watershed management plan within one year of the date of this Order to include the enlarged order. Motion passed on a voice vote.

Southern Water Planning Committee

- Dodge County Comprehensive Local Water Management Plan Amendment** – Paul Langseth reported that the Southern Water Planning Committee met on November 3, 2011, reviewed the plan amendment and recommends approval of the five-year plan.
- **
11-90 Moved by Paul Langseth, seconded by Keith Mykleseth, to approve the Dodge County Comprehensive Local Water Management Plan Amendment for January 1, 2012 – December 31, 2016. Dodge County will be required to provide a complete update of its Water Management Plan prior to December 31, 2016. Discussion followed. Tom Landwehr asked for a one-page summary of the changes/amendments to the Plan. Paul Langseth stated that plan amendments will be requested to provide a summary of the change/amendment. Motion passed on a voice vote.

- Faribault County Comprehensive Local Water Management Plan Amendment** – Paul Langseth reported that Southern Water Planning Committee reviewed the Faribault County Comprehensive Local Water Management Plan Amendment and recommends approval. Moved by Paul Langseth, seconded by Sandy Hooker, to
- **
11-91 approve the Faribault County Comprehensive Local Water Management Plan Amendment for January 1, 2012 – December 31, 2016. Faribault County will be required to provide a complete update of its Water Management Plan prior to December 31, 2016. Tom Loveall, Faribault County Commissioner, abstained from the vote. Motion passed on a voice vote.

- Lyon County Comprehensive Local Water Management Plan Amendment** – Paul Langseth reported that the Southern Water Planning Committee reviewed the Lyon County Comprehensive Local Water Management Plan Amendment and recommends approval. Moved by Paul Langseth, seconded by Tom Loveall, to approve the Lyon
- **
11-92 County Comprehensive Local Water Management Plan Amendment for December 2011 – December 2015. Lyon County will again amend their Plan by December 2015 for the final three years through December 2018. Motion passed on a voice vote.

- Martin County Comprehensive Local Water Management Plan Amendment** – Paul Langseth reported that the Southern Water Planning Committee reviewed the Martin County Comprehensive Local Water Management Plan Amendment and recommends approval. Moved by Paul Langseth, seconded by Louise Smallidge, to approve the
- **
11-93 Martin County Comprehensive Local Water Management Plan Amendment for January 1, 2012 – December 31, 2016. Martin County will be required to provide a complete update of its Water Management Plan prior to December 31, 2016. Motion passed on a voice vote.

Steele County Comprehensive Local Water Management Plan Amendment – Paul Langseth reported that the Southern Water Planning Committee reviewed the Steele County Comprehensive Local Water Management Plan Amendment and recommends approval. Moved by Paul Langseth, seconded by Sandy Hooker, to approve Steele County Comprehensive Local Water Management Plan Amendment for January 1, 2012 – December 31, 2016. Steele County will be required to provide a complete update of its Water Management Plan prior to December 31, 2016. Motion passed on a voice vote.

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11-94

Sibley County Comprehensive Local Water Management Plan Extension – Paul Langseth reported that the Southern Water Planning Committee reviewed the Sibley County Comprehensive Local Water Management Plan request for a two-year extension (due to staffing and workload issues); deemed the request for extension acceptable, and recommends approval. Moved by Paul Langseth, seconded by Paul Brutlag, to approve the two-year extension of Sibley County Comprehensive Local Water Management Plan until December 31, 2013. Sibley County shall strive to complete the update of their Comprehensive Local Water Management Plan in a timely manner. Motion passed on a voice vote.

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11-95

John Jaschke reported that the Conflict of Interest Declaration forms have been received, all board members are eligible to vote on the upcoming decision items.

Grants Program & Policy Committee

FY2012 Clean Water Fund Competitive Grant Awards – Dave Weirens reported that the Board authorized staff to proceed with a Request for Proposals for the FY2012 Clean Water Fund Competitive Grants on June 22, 2011. Applications were accepted from August 8, 2011 through September 20, 2011. A total of 248 applications were received requesting \$48,464,872 across the seven grant program funds. BWSR staff conducted multiple processes to review and score the applications involving staff from other agencies. The Grants Program and Policy Committee reviewed the staff recommendations on November 17, 2011, and recommends approval. In addition, the Grants Program & Policy Committee recommendation includes shifting funds between funding categories.

Tom Landwehr asked if some of the projects are not worthy, as they cannot all be funded. John stated that the perception of the projects scoring process will be reviewed and ideas generated for subsequent years. John is very confident the projects recommended for funding are solid and will provide water quality benefits. Discussion followed. Dave provided an overview of the Grants Program and Policy Committee recommendations for the FY2012 Competitive Grants Program. The Clean Water Fund projects in seven different program categories include: Clean Water Assistance,

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Livestock Waste Management, SSTS Abatement, Accelerated Implementation, Community Partners Conservation Program, Minnesota Department of Health Well Sealing, and Conservation Drainage. Rebecca Flood stated that the funding is targeted by criteria selection. Tom Landwehr asked if partial funding could cover the drainage component of the application, regardless of percentage. John Jaschke stated that the work plan criteria is in the grant agreement. Chair Napstad asked if we disqualify some applications, are we consistently treating the partially funded projects. Dave stated that the applicant will have to rework the application for partial funding; the funding component is consistent. Dave reviewed the resolution as follows:

- 1) Approves allocations to implement the FY 2012 CWF Competitive Grant Program according to the attached funding recommendation spreadsheets for the following programs and recommended allocation amounts shown below:

<u>Grant Program</u>	<u>Allocated Funds</u>
A. Clean Water Assistance Grants	\$9,498,484
B. Livestock Waste Management Grants	\$2,000,000
C. SSTS Abatement Grants	\$1,500,000
D. Accelerated Implementation Grants	\$1,336,033
E. Conservation Drainage Grants:	\$ 638,267
F. Community Partners Conservation Program Grants	\$ 860,575
G. MDH Well Sealing Grants	\$ 176,575

- 2) Shift funds as follows:
 - A. Up to \$557,441 of Community Partners Conservation Program Grant funds to fund Accelerated Implementation projects; and
 - B. Up to \$307,077 of Conservation Drainage Grant funds to fund Accelerated Implementation projects, and;
- 3) Authorizes staff to forward a recommendation to the MDA to allocate \$600,068 of Agricultural BMP Loan Program funds to projects and activities proposed through BWSR-led competitive grant making processes, and
- 4) Authorizes staff to:
 - A. approve project workplans,
 - B. enter into grant agreements consistent with this resolution and Legislative appropriations, and
 - C. assign funds, noted in (1) or (2) that may become available, to unfunded projects, in rank order, if funded projects are withdrawn, do not receive workplan approval by March 31, 2012 unless extended for cause, or are modified to reduce the state funding needed to accomplish the project.

- ** Moved by Louise Smallidge, seconded by Rebecca Flood, to approve the Grants Program and Policy Committee's recommendations as presented. Tom Landwehr asked for a friendly amendment to the resolution, adding "the attached scoring results and funding recommendations document" be included, and added as Attachment 8 – FY2012 Clean Water Fund: Scoring Results and Funding Recommendation. Tom Loveall, Faribault County Commissioner, abstained from the vote on the FY2012 Clean Water Fund Competitive Grant Awards. Motion on the amended resolution passed on a voice vote. Chair Napstad thanked the Grants Program and Policy Committee, Dave, and staff for their efforts on the grant funding recommendations.
- 11-96

Chair called for a break at 11:15 a.m. The meeting reconvened at 11:22 a.m. Matt Wohlman left the meeting at 11:22 a.m.

John Jaschke reported that the Conflict of Interest Declaration forms have been received, all board members are eligible to vote on the upcoming decision item.

- FY2012 Cooperative Weed Management Area Grants** – Dave Weirens distributed the FY2012 Cooperative Weed Management Grants map and Grant Recipient map. Dave reported that the Grants Program and Policy Committee recommends \$232,470 of the Cost-Share Roll-Over Funds be awarded to 14 Cooperative Weed Management Area grant applicants. Moved by Louise Smallidge, seconded by Sandy Hooker, to authorize grants to the 14 Cooperative Weed Management Areas applicants as presented. Motion passed on a voice vote.
- **
- 11-97

Louise Smallidge left the meeting at 11:25 a.m.

Public Relations, Outreach & Strategic Planning Committee

BWSR Strategic Plan Update: Status Report – Don Buckhout reported that the Strategic Plan status report was created by the Public Relations, Outreach, and Strategic Planning Committee as a means to communicate BWSR's progress in carrying out the 2007 Strategic Plan. Don provided an overview of the BWSR Strategic Plan Executive Summary 2012 Plan Update. Don reported that there has been an opportunity to present the BWSR Strategic Plan Update to various entities. The spreadsheet is for information; if board members have questions regarding the Strategic Plan, they should contact Don. Tom Landwehr strongly agrees with the Executive Summary 2012 Plan Update; he emphasized the challenges and appreciates the need to address these items. Chair Napstad stated that people have contacted him about letting others know of the Strategic Plan as it brings awareness to BWSR. Keith Mykleseth stated that we need to continually update the Strategic Plan. Gerald Van Amburg, as a new board member, appreciates this very informative Strategic Plan. Paul Langseth suggested that legislators receive a copy of the BWSR Strategic Plan.

John stated that a good time to present the Strategic Plan to the Legislature is during BWSR's biennial budget overview.

Wetland Committee

Wetland Bank Fee Policy: Update Calculated Values – LuAnn reported that the Wetland Committee is adopting the new information from the Department of Revenue on land values, no new policy changes. Dave reported that Statute requires BWSR to collect fees for the management of the wetland banking system. Some of the fees are based on the value of the wetland credits that have been deposited into the Bank. The Board annually updates calculated wetland credit values that account holders can use to pay the required fees. Moved by LuAnn Tolliver, seconded by Paul Brutlag, to adopt the fee schedule - that BWSR update the wetland credit values by taking the 2011 tillable land values, rural/vacant land values when the ratio of tillable acres to rural/vacant acres is less than 20%, or the average of the before and after deferral green acres values, multiplied by the wetland credit value coefficient of 6.0, with a maximum increase of 75% over the values established in the fee schedule. Discussion followed. Motion passed on a voice vote.

**
11-98

NEW BUSINESS

Red River Basin Commission (RRBC) Long Term Flood Solutions (LTFS) Report – Lance Yohe, RRBC Executive Director, reported that the basin of the Red River of the North, historically subject to widespread chronic flooding, regularly sustains millions of dollars in economic damages for each flood event. The Red River Basin Commission (RRBC) received funding from the MN and ND legislatures to identify structural and nonstructural strategies needed for permanent flood solutions in the basin and recommendations for action for states (individually and collectively) and the federal government to consider as they fund and implement Long Term Flood Solutions (LTFS) for the Red River Basin in Minnesota and North Dakota. These recommendations are built around the basin-wide LTFS "Level of Protection Goals" adopted by the RRBC in 2010 together with related flood risk reduction needs. The recommendations aim to move basin leaders from the usual response of reacting to the most recent major flood experience to a proactive, long-term plan with appropriate protection levels basin wide. If implemented, the recommendations will significantly reduce the risk of flood damages, and minimize disruption and economic loss and thus facilitate and expedite recovery after spring and summer floods.

Lance reported that the Annual Red River Basin Land & Water International Summit Conference will be held January 24-26, 2012, in Winnipeg. Keith Mykleseth stated if numbers are inaccurate in protection levels, people need to know now what changes will be made with the RRBC recommendations. Keith stated that DNR has a great program in flood damage reduction. Tom Landwehr stated that the benefit to MN for the

BWSR Meeting Minutes
December 14, 2011
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proposed Corps of Engineers Fargo-Moorhead Diversion project is not the same in ND because of the limited benefit MN would receive in regards to the amount contributed. Discussion followed.

John Jaschke reported that the Conflict of Interest Declaration forms have been received, all board members are eligible to vote on the upcoming decision item.

FYs '12 and '13 Red River Basin Commission Administrative Grants – John Jaschke reported that since 2002 the State of Minnesota has been supporting the Red River Basin Commission (RRBC) to address land and water issues in the basin. The 2011 Legislature appropriated \$200,000 to BWSR for RRBC administration in the FY '12 and '13 biennium. The RRBC requests approval of their 2012 and 2013 Workplan, 2012 Budget, and authorization of their FYs '12 and '13 allocations. Moved by Quentin Fairbanks, seconded by Paul Brutlag, to authorize the FY'12 allocation of \$100,000 to the RRBC, and authorize their FY'13 allocation of \$100,000, pending RRBC adoption and Board staff approval for the RRBC 2013 Budget, to be incorporated hereto by reference and located in the Board's office in St. Paul. Motion passed on a voice vote.

Proposed 2012 BWSR Board Meeting Dates – John Jaschke stated that the BWSR Board meets the fourth Wednesday of the month, unless noted. John presented the proposed 2012 meeting dates: January 25; no meeting in February; March 28; April 25; May 23; June 27; no meeting in July; August 22-23 tour and meeting; September 26; October 24; no meeting in November; and December 12. Moved by LuAnn Tolliver, seconded by Paul Brutlag, to approve the 2012 BWSR Board Meeting dates as presented. Paul Brutlag abstained from voting. Motion passed on a voice vote.

AGENCY REPORTS

Minnesota Department of Health (MDH) – Chris Elvrum distributed promotional water bottles on behalf of MDH and highlighting the Clean Water Land & Legacy Amendment.

Minnesota Extension Service – Faye Sleeper reported that University of Wisconsin received a grant from NRCS for a federally funded project for CRP readiness nationally. Faye will be project-lead for one of the training team groups working in the upper Midwest. The project is happening very quickly, in a two-month time staff will be hired. Faye will bring more information to the January Board meeting; this will be of great interest to BWSR and other agencies.

Minnesota Department of Natural Resources (DNR) –Tom Landwehr reported on a conservation effort regarding a prairie strategic plan, focused on grassed land areas. DNR representatives at the field level, as well as BWSR, John Jaschke and Kevin Lines, are involved. Tom reported that participating agencies are working to develop a

**BWSR Meeting Minutes
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Page Twelve**

memorandum of understanding. This overall prairie conservation effort brings about good collaboration, efficiency, and promotes economic use of conservation lands. Tom stated that DNR is considering signing-on to this strategic plan and requests that BWSR consider signing-on as well. John Jaschke stated that BWSR is reviewing this; it's a good faith agreement as it does not contractually bind participants. More information to come. Chair Napstad requested that a presentation be made to the Board again.

ADVISORY COMMENTS

Minnesota Association of Soil and Water Conservation Districts (MASWCD) –

LeAnn Buck reported the MASWCD annual meeting was held December 4-6. Policy discussions included TMDL standards and established goals. Highlights of the MASWCD annual meeting included a wetland restoration presentation from John Jaschke, Don Baloun, USDA NRCS State Conservationist; and Tamara Cameron, U.S. Army Corps of Engineers Regulatory Branch Chief; on Swampbuster/Wetland Conservation Act coordination, Clean Water Act jurisdictional guidance/rules, agricultural wetland banking, and mitigation policies. LeAnn commends BWSR for the grant funding today; and for the work and support provided to MASWCD on the programmatic efforts. LeAnn, on behalf of MASWCD, thanked all agencies for their representation at the MASWCD convention.

Minnesota Association of Townships (MAT) – Sandy Hooker reported that there was good attendance at the MAT annual meeting; policy resolutions will go before the Legislature in 2012.

UPCOMING MEETINGS – Chair Napstad stated that the next BWSR Board Meeting is January 25, 2012. Chair Napstad wished everyone "Happy Holidays"!

** Moved by Tom Loveall, seconded by Sandy Hooker, to adjourn the meeting at 12:38 pm.
11-101 Motion passed on a voice vote.

Respectfully submitted,

Mary Jo Anderson
Recorder



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report

Meeting Date: January 25, 2012
Agenda Category: Committee Recommendation, New Business, Old Business
Item Type: Decision, Discussion, Information
Section/Region: Land and Water Section
Contact: Travis Germundson
Prepared by: Travis Germundson
Reviewed by: Committee(s)
Presented by: Travis Germundson/Paul Brutlag

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution, Order, Map, Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

None

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

Dispute Resolution Committee Report. The report provides a monthly update on the number of appeals filed with the BWSR.

Dispute Resolution Report
January 12, 2012
By: Travis Germundson

There are presently **15** appeals pending. All of the appeals involve WCA except File 10-10. There has been **2** new appeal filed since the last report (December 14th Board Meeting).

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 12-01 (1-5-12) This is an appeal of a restoration order in Rice County. The appeal regards the installation 2000 linear feet of drain tile through a Type 2 wetland for agricultural purposes. No decision has been made on the appeal.

File 11-10 (12-19-11) This is an appeal of a restoration order in Redwood County. The appeal appeal regards the filling, draining, and excavation of a Type 2 wetland associated with the development of a residential property. No decision has been made on the appeal.

File 11-9 (10-27-11) This is an appeal of a restoration order in Stearns County. The appeal regards the filling of approximately 24,196 sq. ft. of wetland for the development of a residential property. A wetland replacement plan application has been submitted to the LGU for impacts identified in the restoration order. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on the application.

File 11-1 (1-20-11) This is an appeal of a restoration order in Hennepin County. The appeal regards the filling of approximately 1.77 acres of wetland and 0.69 acres of excavation. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the-fact wetland application.

File 10-10 (6-10-10) This is an appeal filed under Minn. Stat. 103D.535 regarding an order of the managers of the Wild Rice Watershed District not to go forward with the Upper Becker Dam Enhancement Project as proposed. Appeals filed under 103D.535 require that the Board follow the Administrative Procedures Act. The Act requires that the hearing be conducted by an Administrative Laws Judge through the Office of Administrative Hearings. The appeal has been placed in abeyance pending settlement discussions. A verbal settlement agreement has been reached by the parties. (at the December 2010 Board meeting, Managers voted 6 to 1 to move forward with Option D)

File 10-7 (2-19-10) This is an appeal of a restoration order in Stearns County. The appeal regards draining and filling impacts to approximately 18.44 acres of Type2/3 wetland and 3.06 acres of Type 2 wetland. The appeal has been placed in abeyance and the restoration order stayed for submittal of “as built” or project information pertaining to a public drainage system.

File 10-3 (2-1-10) This is an appeal of a restoration order in Stearns County. The appeal regards the placement of agricultural drain tile and the straightening and rerouting of a county ditch that resulted in over 12 acres of wetland impacts. The appellant has granted BWSR additional time to make a decision on the appeal. No decision has been made on the appeal.

File 09-22 (10-02-09) This is an appeal of a restoration order in Carlton County. The appeal regards three separate investigation areas encompassing over 18 acres of wetland impacts from excavation, filling, and ditching. The replacement order has been stayed and the appeal has been placed in abeyance pending further technical work and for submittal of complete wetland replacement plan, exemption, or no-loss application.

File 09-13 (8-20-09) This is an appeal of an exemption decision in Otter Tail County. The appeal regard the denial of an exemption request for agricultural/drainage actives. A previous denial of the same exemption decision had been appealed (File 09-6). The appeal was remanded for further technical evaluation and a hearing, and now the current denial has been appealed. The appeal has been granted. A pre hearing conference convened on November 12, 2009. At which time parties agreed to hold off scheduling written briefs until the petition before NRCS is concluded. The appeal has been placed in abeyance by mutual agreement until there is a final decision by the Department of Agriculture National Appeals Division.

File 09-10 (7-9-09) This is an appeal of a banking plan application in Aitkin County. The appeal regards the LGU's denial of a banking plan application to restore 427.5 acres of wetlands through the use of exceptional natural resource value. The appeal has been accepted and pre-hearing conferences convened on October 13 and 30, and December 14, 2009. Settlement discussions are on hold while the appellant addresses permitting issues with the Corps of Engineers. The appeal has been placed in abeyance by mutual agreement on determining the viability of a new wetland banking plan application.

File 09-3 (2-20-09) This is an appeal of a replacement plan decision in Anoka County. The appeal regards the approval of a wetland replacement plan for 11,919 square feet of impacts associated with a residential development. The appeal has been placed in abeyance and the replacement plan decision stayed for submittal of a revised replacement plan application. The three owners are also in the process of splitting up the property.

File 08-9. (03/06/08) This is an appeal of a replacement order in Pine County. The appeal regards impacts to approximately 11.26 acres of wetland. The replacement order has been stayed and the appeal has been placed in abeyance pending disposition with the U.S. Dept of Justice.

File 06-23. (05/19/06) This is an appeal of a replacement plan decision in Kanabec County. The LGU denied the wetland replacement plan application. A previous denial of the same replacement plan application had been appealed, the appeal was remanded for a hearing, and now the current denial has been appealed. The appeal has been placed in abeyance pending the outcome of a lawsuit between the landowner and the county. The lawsuit concerns the county's possible noncompliance with the 60-day rule. The county prevailed in district court; however the decision was appealed to the Court of Appeals where the county again prevailed. An appeal to the Minnesota Supreme Court was denied review.

File 06-17. (05/27/06) This is an appeal of a replacement plan decision in the City of Montgomery in LeSueur County. The LGU denied an after-the-fact wetland replacement plan application based on a lack of sufficient reasons why the restoration could not be completed. The appeal was been remanded for further processing at the local level. The City of Montgomery has gradually been working on removing the debris and restoring the wetland in accordance with MPCA requirements.

File 05-1. (01/13/05) This is an appeal of a replacement plan decision by the Rice Creek Watershed District. The District previously made a decision that was appealed which resulted in a remand for an expanded TEP. Now there is an appeal of the decision made under remand since the decision differed from the TEP report. At issue are wetland delineation and the Comprehensive Wetland Protection and Management Plan that BWSR approved. After a hearing before the DRC, the board remanded the matter for new wetland delineation and for submission on an updated, complete replacement plan application. On 12-9-09 the District made a new wetland delineation decision. The applicant has not yet submitted an updated replacement plan application.

Summary Table

Type of Decision	Total for Calendar Year 2011	Total for Calendar Year 2012
Order in favor of appellant	2	
Order not in favor of appellant	2	
Order Modified	1	
Order Remanded		
Order Place Appeal in Abeyance	4	
Negotiated Settlement	1	
Withdrawn/Dismissed	1	

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. Pioneer-Sarah Creek WMO Plan Amendment – Bob Burandt and Brad Wozney –
DECISION ITEM
2. Rice Creek Watershed District Watershed Plan Amendment – Melissa Lewis –
DECISION ITEM



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Pioneer-Sarah Creek WMO Plan Amendment

Meeting Date: January 25, 2012
Agenda Category: [X] Committee Recommendation [] New Business [] Old Business
Item Type: [X] Decision [] Discussion [] Information
Section/Region: Metro
Contact: Brad Wozney, Board Conservationist
Prepared by: Brad Wozney, Board Conservationist
Reviewed by: Metro Water Planning Committee(s)
Presented by: Bob Burandt and Brad Wozney

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [] Resolution [X] Order [X] Map [X] Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of Plan Amendment to the Pioneer-Sarah Creek Watershed Management Organization's Watershed Management Plan

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

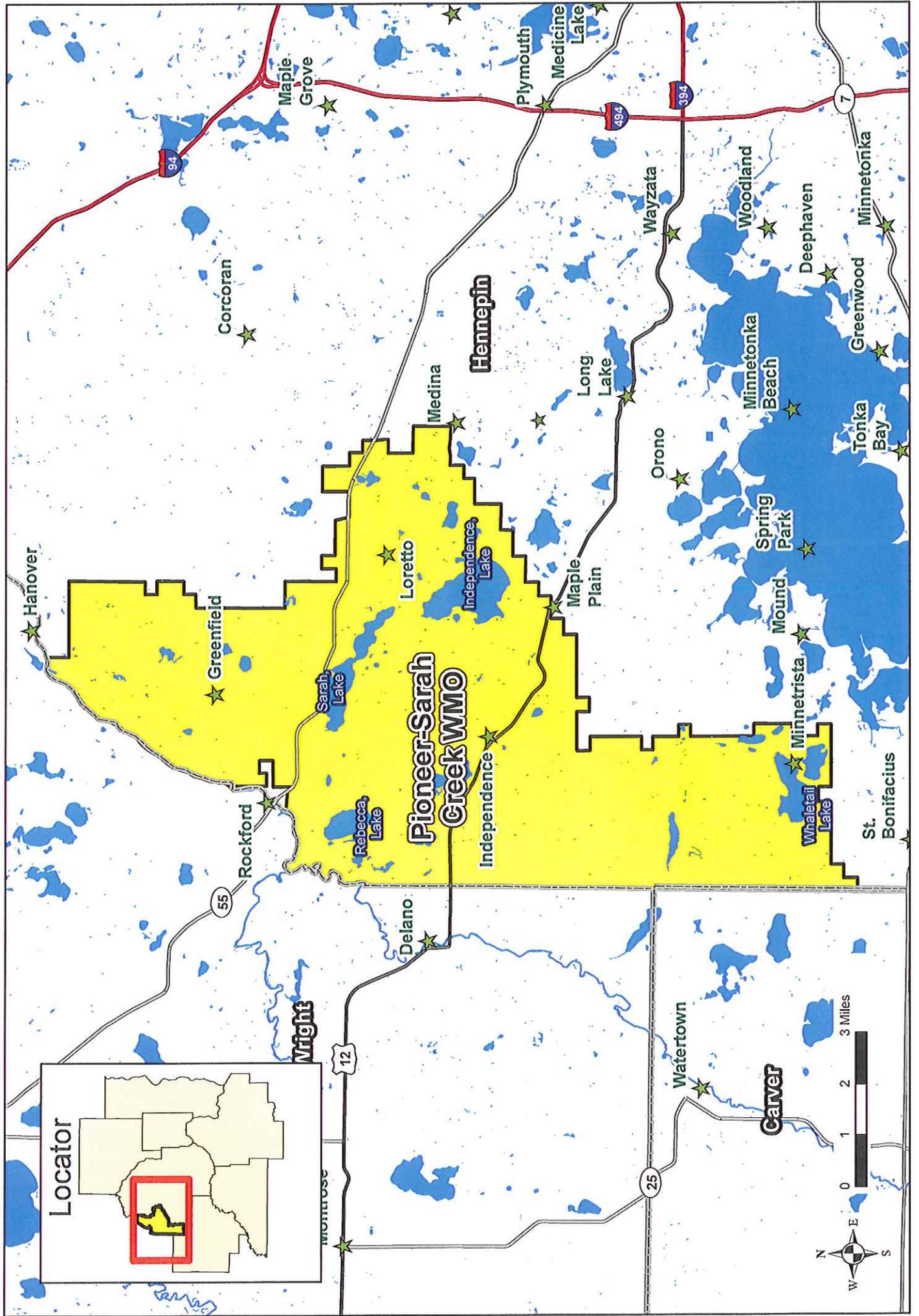
The cities of Independence, Minnetrista, Medina and the Hennepin Conservation District created the Pioneer Creek Watershed Management Commission on January 13, 1978. On June 7, 1983, the City of Greenfield offered a resolution to the Pioneer Creek Commission requesting a merger of the Sarah Creek and Pioneer Creek Watersheds. This merger combined administrative services and avoided the creation of numerous small watershed organizations. In December 1984, the Pioneer-Sarah Creek Watershed Management Commission was formally established through a Joint Powers Agreement. Since that time, Watertown Township in Carver County and the city of Corcoran elected to leave the Commission, becoming members of adjacent WMOs. The current plan was approved by the Board in October 2004.

The Amendment proposes to revise the implementation program by adding details and re-prioritizing programs, studies, capital improvement projects, and other implementation activities in the Watershed Management Plan. In addition the Amendment clarifies the plan's amendment process and extends the plan

expiration to October 27, 2014, which is the maximum timeframe of ten years allowed under statute following the Board's original plan approval. The current plan was scheduled to be originally Board approved in 2002; however, the Board required the joint powers agreement to be fully executed prior to plan approval and this did not occur until 2004. All comments on the amendment were fully addressed.

The Metro Water Planning Committee met on January 4, 2012. After review of the information, BWSR staff was in favor of and the Committee unanimously voted to recommend approval of the Plan Amendment dated November 2011 to the full Board per the attached draft Order.

Pioneer - Sarah Creek Watershed Management Organization



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

In the Matter of the review of the
Amendment to the Watershed Management
Plan for the **Pioneer-Sarah Creek Watershed
Management Organization**, pursuant to
Minnesota Statutes Section 103B.231,
Subdivision 11.

**ORDER
APPROVING
AMENDMENT TO
WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Commissioners of the Pioneer-Sarah Creek Watershed Management Organization (Commission) submitted an Amendment to the Watershed Management Plan (Amendment) dated November 2011 to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 11, and;

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

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

FINDINGS OF FACT

- 1. Watershed Management Organization Establishment.** The cities of Independence, Minnetrista, Medina and the Hennepin Conservation District created the Pioneer Creek Watershed Management Commission on January 13, 1978. On June 7, 1983, the City of Greenfield offered a resolution to the Pioneer Creek Commission requesting a merger of the Sarah Creek and Pioneer Creek Watersheds. This merger combined administrative services and avoided the creation of numerous small watershed organizations. In December 1984, the Pioneer-Sarah Creek Watershed Management Commission was formally established through a Joint Powers Agreement. Since that time, Watertown Township in Carver County and the city of Corcoran elected to leave the Commission, becoming members of adjacent WMOs. The current plan was approved by the Board in October 2004.
- 2. Authority to Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251. The watershed management plan may be amended according to Minnesota Statutes Section 103B.231, Subd. 11.
- 3. Nature of the Watershed.** The Pioneer - Sarah Creek Watershed Management Commission (Commission) is located exclusively in Hennepin County in the western portion of the Minneapolis – St. Paul seven county metropolitan area. It is bound by the

Crow River to the north, on the northeast by the Elm Creek Watershed Management Organization, on the south and southeast by Minnehaha Creek Watershed District, and on the west by Wright and Carver Counties. The Commission includes all or parts of the following six municipalities: Greenfield, Independence, Loretto, Maple Plain, Medina, and Minnetrista. The Pioneer - Sarah Creek watershed covers approximately 70.5 square miles. There are seventeen lakes in the Pioneer - Sarah Creek watershed and six major streams. The watershed continues to be heavily influenced by agriculture and rural residential development, with some high density housing, commercial, and townhouse developments in the cities of Greenfield, Loretto and Maple Plain.

4. **Amendment Development and Review.** The draft Amendment was submitted to the Board, other state agencies, and local governments for the required 60-day review on August 25, 2011. The Amendment proposes to utilize a newly adopted process and guidelines for identifying and prioritizing capital improvement projects. The Commission held a public hearing on November 17, 2011. No revisions to the Amendment were made as a result of comments received at the hearing. The final draft Amendment was submitted to the Board and plan review agencies on November 28, 2011, for final review and approval.
5. **Local Review.** The Commission circulated a copy of the draft Amendment to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7, and received no comments.
6. **Metropolitan Council Review.** The Metropolitan Council was supportive of the amendment stating it is consistent with the Council's *Water Resources Management Policy Plan*.
7. **Department of Agriculture Review.** The MDA did not comment on the Amendment.
8. **Department of Health Review.** The MDH did not comment on the Amendment.
9. **Department of Natural Resources Review.** The DNR did not comment on the Amendment.
10. **Pollution Control Agency Review.** The PCA provided comments regarding the implementation budget and timing of certain projects in the two priority lakesheds. All comments were addressed.
11. **Department of Transportation Review.** The DOT did not comment on the Amendment.
12. **Board Review.** Board staff requested clarification on specific action items and reminded the Commission that annual activity reports must include a summary of the annual assessment of each member community's local water plan implementation.

13. **Amendment Summary.** The Amendment proposes to revise the implementation program by adding details and re-prioritizing programs, studies, capital improvement projects, and other implementation activities in the Watershed Management Plan. In addition the Amendment clarifies the plan's amendment process and extends the plan expiration to October 27, 2014, which is ten years beyond the Board's original approval of the plan.
14. **Metro Water Planning Committee Meeting.** On January 4, 2012, the Board's Metro Water Planning Committee and staff met in St. Paul to review and discuss the Amendment. Those in attendance from the Board's Committee were Rebecca Flood, Faye Sleeper, Louise Smallidge, LuAnn Tolliver, and Robert Burandt as chair. Board staff in attendance was Metro Region Supervisor Jim Haertel. Board staff recommended approval of the Amendment. After discussion, the Committee unanimously voted to recommend approval of the Amendment to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving an Amendment to the Watershed Management Plan for the Pioneer-Sarah Creek Watershed Management Organization pursuant to Minnesota Statutes Section 103B.231, Subd. 11.
3. The attached Amendment is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Amendment dated November 2011 to the Pioneer-Sarah Creek Watershed Management Organization Watershed Management Plan.

Dated at Saint Paul, Minnesota this 25th day of January 2012.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

SECTION V

TABLE V-1 - CAPITAL IMPROVEMENT PROJECTS

Capital Improvements			Proposed Expenses for Year										Comments	Per Comm. Rel.) Budget Line				
No.	Priority	Project Description	Total Cost Estimate [±]	Estimated Cost to be Funded by Com- mission [±]	Potential Funding Sources [±]	2003	2004	2005	2006	2007	2008-2012	2011			2012	2013	2014	
CIP-4	High	Implement water-quality project for Lake Independence based on study-completed in 2002. Possible Responsible Parties- Independence, Medina, Three Rivers Park District-Commission, Lake Association	\$600,000	\$40,000	Grants-Independence-Medina-general fund-Three Rivers Park District-Lake Association			\$5,000	\$15,000	\$20,000							Lake Independence TMDL completed in 2007. Projects identified in TMDL Implementation Plan are shown in CIPs - 6, 7, 8, 9 and 10.	
CIP-2	High	Implement Lake Sarah water-quality improvement project based on Lake Sarah Project report (1997). Possible Responsible Parties-Greenfield, Independence, Commission, Lake Association	\$750,000	\$63,200	Grants-Greenfield-Independence-general fund-Lake Sarah-Improvement-Association	\$0,000	\$3,100	\$4,000	\$25,000	\$25,000							Lake Sarah TMDL completed in 2011. Projects identified in Implementation Plan are shown in CIPs - 2, 3, and 4.	
CIP-3	High	Complete Little Long Lake protection projects-Possible Responsible Parties-Minnetonka, HCD, Commission	\$14,000	\$1,500	Minnetonka-DNR-general fund-HCD-AMSUCD	\$000	\$900										Projects will be identified in Little Long Lake Protection Plan (SMS-9) and scheduled in 2015 or beyond.	
CIP-4 CIP-1	Very High	Implement water-control channel clean-out project for Lake Sarah. Remove vegetative debris, prevent material from entering channel, to moderate high water levels that have created flooding conditions for riparian properties, using heavy equipment to remove and dispose of material. Possible Responsible Parties: Greenfield, Independence, Three Rivers Park District, Lake Association, Commission, DNR, property owners	\$150,000 to \$200,000-\$40,000	10000- \$4,000	Grants-rit member cities, Lake Sarah Homeowner-Improvement Association, Three Rivers Park District, Commission		\$5,000	\$5,000						\$4,000			Commission's role is to facilitate between-stakeholders-improvements are being undertaken by Three Rivers Park District.	1.27
CIP-5	Medium	Complete water-quality improvement based on study-to-be-completed for Lake Rebecca, Greenfield, Independence, Possible Responsible Parties-Greenfield-Independence-Three Rivers Park District-Commission	Unknown until studies are undertaken-if needed	Unknown until studies are undertaken-if needed	Local-community-general fund-Three Rivers Park District												Commission's role is to facilitate between-stakeholders-improvements are being undertaken by Three Rivers Park District.	
CIP-6	Medium	Complete water-quality improvement based on study-to-be-completed for Sauceman Lake, Medford, Possible Responsible Parties-Medina, Three Rivers Park District	Unknown until studies are undertaken-if needed	\$0	Local community-Three Rivers Parks												Projects will be identified in Feasibility Study (SMS-12).	
CIP-7	Medium	Complete water-quality improvements based on study-to-be-completed for Holt Moon Lake, Medina, Possible Responsible Parties-Medina, Three Rivers Park District	Unknown until studies are undertaken-if needed	\$0	Local community-Three Rivers Parks												Projects will be identified in Watershed-wide TMDL (SMS-9) Implementation Plan and scheduled in 2015 and beyond.	
CIP-8	Medium	Complete water-quality improvements based on study-to-be-completed for Minnetonka (Minnetonka) Possible Responsible Parties-Minnetonka	Unknown until studies are undertaken-if needed	\$0	Local community												Projects will be identified in Watershed-wide TMDL (SMS-9) Implementation Plan and scheduled in 2015 and beyond.	
CIP-9	Medium	Complete water-quality and quantity improvements based on study-to-be-completed for Chaugoy Lake (Independence) Possible Responsible Parties-Independence	Unknown until studies are undertaken-if needed	\$0	Local community												Projects will be identified in Watershed-wide TMDL (SMS-9) Implementation Plan and scheduled in 2015 and beyond.	

SECTION V

TABLE V-1 - CAPITAL IMPROVEMENT PROJECTS

Capital Improvements			Proposed Expenses for Year												Comments	(For Comm. Ref.) Budget Line	
No.	Priority	Project Description	Total Cost Estimate ¹	Estimated Cost to be Funded by Commission ²	Potential Funding Sources ³	2003	2004	2005	2006	2007	2008-2012	2011	2012	2013			2014
CIP-10	Medium	Implement results of Loretto WQRF study. Cost will be based on study to be completed. Possible Responsible Parties: Loretto, Commission.	\$50,000 - \$300,000	\$5,000	City of Loretto - general fund						\$5,000					Commission's role is to facilitate between stakeholders. City's responsibility. May work cooperatively with City of Medina.	
CIP-11	Low	Implement recommendations outlined in the report "Physical and Ecological Classification of Pioneer and Sarah Creek and their Tributaries". Possible Responsible Parties: Commission	\$250,000 - \$2,000,000	\$125,000 to \$1,000,000	Grants - general fund						\$125,000 to \$1,000,000					Also to be implemented through plan review and policy implementation. Projects will be identified in Watershed-wide TMDL (SWS-9) Implementation Plan, scheduled in 2015 and beyond.	
CIP-12	Low	Future maintenance of stormwater basins on Lake Sarah for Lake Sarah. Possible Responsible Parties: Landowners - additional responsibility to be addressed at maintenance needs arise.	Costs not expected until 2015.	Costs not expected until 2015.	To be determined.											No assessments over these basins exist. Additional responsibility to be addressed at maintenance needs arise. Cities' responsibility.	
CIP-2	High	Reduce internal phosphorus loading contributing to impairment of Lake Sarah by completing 5-year curvy ponded control program using herbicidal treatment applications. Includes DNR permit and follow-up monitoring. Possible Responsible Parties: Greenfield, Independence, DNR, TRPD, Commission, Lake Association, Railroad	\$250,000 (\$60,000 first two years, declining \$5 in successor years)	\$25,000	Local communities, Lake Assn, riparian owners, Commission, DNR, TRPD, Railroad									\$6,000	\$6,000	Project identified in Implementation Plan developed as part of Lake Sarah TMDL completed in 2011. Project will be completed in 2015 and beyond.	148
CIP-3	Very High	Reduce external phosphorus loading contributing to impairment of Lake Sarah by completing Loretto Ballfield Stormwater Treatment Wetland project to restore approx. 700 lineal feet of ditched stream, undertaking existing pond enhancement and installing stormwater treatment wetland. Responsible parties: Loretto, Medina, Corcoran, Commission	\$400,000	\$40,000	Loretto, Medina, Corcoran, Commission									\$17,500	\$17,500	Project identified in Implementation Plan developed as part of Lake Sarah TMDL completed in 2011. Project will be completed in 2015 and beyond.	149
CIP-4	High	Reduce internal phosphorus loading contributing to impairment of Lake Sarah by enlarging/constructing detention ponds on Dance Hall Creek. Project may include restoring adjacent wetland. Responsible parties: DNR, MNDOT, Commission, Lakeshed cities	2,000,000 plus cost of easements	\$20,000	Commission, Corcoran, Greenfield, Independence, Loretto, Medina, MNDOT, DNR											Project identified in Implementation Plan developed as part of Lake Sarah TMDL completed in 2011 and feasibility assessment (SWS-13). Project will be completed in 2015 and beyond.	150
CIP-5	Very High	Restore to stable conditions banks of Maple Plain tributary to Pioneer Creek along 1800-foot reach destabilized by flash flows by restoring/stabilizing/protecting wharve vegetation, hard armoring, and geotechnical techniques. Possible Responsible Parties: Maple Plain, Commission	\$200,000	\$20,000	Maple Plain, Commission								\$3,000	\$5,000	\$12,000		151
CIP-6	Very High	Restore/construct control structure at Lake Independence outlet on Independence Road per recommendations of feasibility study. Prolonged high water levels have caused flooding and destabilization. Responsible parties: Independence, Medina, Loretto, Commission, LICA	500,000 plus cost of easements	\$50,000	Independence, Medina, Loretto, Commission, LICA									\$25,000	\$25,000	Project identified in Implementation Plan developed as part of Lake Independence TMDL completed in 2007. Specific projects will be identified in Feasibility Study (SWS-14).	152

SECTION V

TABLE V-1 - CAPITAL IMPROVEMENT PROJECTS

Capital Improvements				Proposed Expenses for Year												Comments	(For Comm. Ref.) Budget Line
No.	Priority	Project Description	Total Cost Estimate ¹	Estimated Cost to be Funded by Com-mission ¹	Potential Funding Sources ²	2003	2004	2005	2006	2007	2008-2012	2011	2012	2013	2014		
CIP-7	High	Construct retention pond on west side of Independence Road intersection with Indiggen Lane to impound surface water by means of a dike or excavation to reduce external phosphorus loading contributing to impairment of Lake Independence. Responsible parties: Independence, LICA, Commission	100,000 plus cost of easements	\$10,000	Independence, Commission, LICA											Project identified in Implementation Plan developed as part of Lake Independence TMDL completed in 2007. Specific project will be identified in Feasibility Study (SMS-18) and completed in 2015 and beyond.	153
CIP-8	Low	Construct retention ponds at Keohl's Creek and Mill's Creek inlets to Lake Independence to impound surface water by means of a dike or excavation to reduce external phosphorus loading contributing to impairment of the lake. Responsible parties: Independence, LICA, Commission	200,000 plus cost of easements	\$20,000	Independence, Commission, LICA											Project identified in Implementation Plan developed as part of Lake Independence TMDL completed in 2007. Specific project will be identified in Feasibility Study (SMS-18) and completed in 2015 and beyond.	154
CIP-9	Medium	Reduce external phosphorus loading contributing to impairment of Lake Independence by designing and developing alum treatment and iron enhanced filter system for Tomahawk Trail wetland prior to Inlet to Hill Moon Lake. Project may include wetland restoration. Responsible parties: Loreto, Medina, TRPD, Commission	\$150,000-\$250,000	\$15,000	Loreto, Medina, TRPD, Commission											Project identified in Implementation Plan developed as part of Lake Independence TMDL completed in 2015 and beyond, contingent on outcome of Lake Spurzom Feasibility Study (SMS-12). Additional feasibility-level work may be required.	155
CIP-10	High	Undertake Lake Independence watershed cost-share manure management improvement projects per 2006 Cooperative Agreement with Three Rivers Park District. Projects will reduce external loading to lake due to livestock activities and will be evaluated and prioritized using criteria set forth in the Commission's Cost Share Policy, adopted July 2011. Responsible parties: Commission, TRPD, Lake Associations, land owners	\$15,000	\$15,000	Commission, TRPD, Lake Associations, land owners							\$5,000	\$5,000	\$5,000		Project identified in Implementation Plan developed as part of Lake Independence TMDL completed in 2007.	76
CIP-11	High	Undertake watershed-wide cost-share manure management improvement projects. Projects will reduce external loading to watershed lakes and streams due to livestock activities and will be evaluated and prioritized using criteria set forth in the Commission's Cost Share Policy, adopted July 2011. Responsible parties: Commission, TRPD, Lake Associations, land owners	\$250,000	\$25,000	Commission, cities, TRPD, Lake Associations, land owners									\$2,500	\$2,500	Projects identified in Implementation Plan developed as part of Lake Independence TMDL completed in 2007. Lake Sarah TMDL completed in 2011 and Watershed-wide TMDL (SMS-59). Funding will extend through 2017.	156
Total			\$4,105,000 to \$4,205,000	\$245,200 to \$1150,200 \$234,000	TOTAL	\$6,600	\$8,000	\$44,600	\$40,000	\$45,000	\$330,000 to \$1,000,000	\$5,000	\$8,000	\$65,000	\$63,000		

1) Estimated funding level is included here for planning purposes only. Actual costs may vary greatly from estimates provided. This amount is subject to change based on future adjustments to the Joint Powers Agreement, funding and grant availability or changes in funding levels defined by the annual budget defined by the Commission.
 2) Cost share from the member communities will be based on the Joint Powers Agreement. Subsequent feasibility studies that define the benefit of the project may change the fee/cost share.

SECTION V

TABLE V-2 - STORMWATER-MANAGEMENT WATER RESOURCE PROGRAMS

Water Resources Programs				Proposed Expenses for Year															
No.	Priority	Project Description	Total Cost Estimate ¹	Estimated Cost to be Funded by Commission ²	Potential Funding Sources ³	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Comments	(For Comm. Ref.) Budget Line
SMP-1	High	Undertake plan review for development projects in conformance with Commission's policies and standards. Possible Responsible Parties: Commission	\$6,000 to \$20,000 annually	\$6,000 to \$20,000 annually	General fund-Commission, fees	\$6,000	\$10,000	\$12,000	\$14,000	\$16,000	\$18,000	\$20,000	\$22,000	\$24,000	\$26,000	\$28,000	\$30,000	This is an ongoing activity of the Commission.	50-51
SMP-2	High	Undertake enforcement responsibilities when there is no local plan or community is not enforcing policies. Possible Responsible Parties: Commission	\$0 to \$20,000	\$0 to \$20,000	Member communities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	Included in SMP-1.	
SMP-3	High	Undertake LGU responsibility for the Wetland Conservation Act for the cities of Greenfield, Lenoix and Maple Plain. Possible Responsible Parties: Commission	\$7,000 to \$33,000 annually	\$7,000 to \$33,000 annually	General fund-Commission, fees	\$7,000	\$12,000	\$15,000	\$18,000	\$21,000	\$24,000	\$27,000	\$30,000	\$33,000	\$36,000	\$39,000	\$42,000	This is an ongoing activity of the Commission.	58-61
SMP-4	High	Continue the water quality monitoring program for lakes. Possible Responsible Parties: Commission, HCDH/CDES	\$3,000 to \$4,000 annually	\$3,000 to \$4,000 annually	General fund-Commission	\$3,000	\$3,000	\$3,250	\$3,500	\$3,750	\$4,000	\$4,250	\$4,500	\$4,750	\$5,000	\$5,250	\$5,500	This is an ongoing activity of the Commission.	28-29
SMP-5	High	Develop and implement an education program for key audiences. Possible Responsible Parties: Commission	\$1,000 to \$2,000 annually	\$1,000 to \$2,000 annually	General fund-member communities-Commission, fees	\$2,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	This is an ongoing activity of the Commission.	38-45
SMP-6	High	Develop and maintain a wetland inventory. Possible Responsible Parties: Commission, HCDH/CDES	Completed	Completed														Included in SMS-4.	
SMP-7	High	Implement water quantity and quality monitoring program for streams. Possible Responsible Parties: Commission, HCDH/CDES	\$5,200 to \$9,000 to \$10,000 annually	\$0 (grant)-\$9,000 to \$10,000 annually	Grant-Commission	\$5,200	\$5,500	\$6,000	\$7,000	\$7,500	\$8,000	\$8,500	\$9,000	\$9,500	\$10,000	\$10,500	\$11,000	This is an ongoing activity of the Commission.	30-32
SMP-8	Medium	Implement recommendations outlined in the report "Physical and Ecological Classification of Rivers and Streams-Creek and Wetlands"-Possible Responsible Parties-Commission-member-communities	\$500	\$500	General fund			\$500										To be accomplished through policy development with member communities-This item duplicates former CIP-11.	
SMP-9	Medium	Provide NPDES Phase II assistance for communities. If requested. Possible Responsible Parties: Commission	\$100 to \$1,000 annually	\$100 to \$1,000 annually	Member communities-Commission		\$1,000	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	Included in SMP-5.	
SMP-10	High	Provide erosion control technical assistance and implementation cost-share to farmers and rural landowners in the Lake Independence watershed who request this service. Possible Responsible Parties: Commission, HCDH/CDES	\$50,000 to \$100,000-\$16,993	\$0 (grant)-\$16,993	Grants-HCD-NRCS-Commission, cities, TRPD									\$10,000	\$6,993				77
SMP-11	Low	Maintain erosion and sedimentation problem area list. Possible Responsible Parties: Commission, HCDH/CDES	\$100 to \$500 annually	\$100 to \$500 annually	General fund-Commission	\$500	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	Included in SMP-1 and SMS-9.	
		Conduct annual plant inventory for Lake Sarah per approved Lake Vegetation Management Plan. Possible Responsible Parties: Commission, TRPD, Lake Association, property owners	\$45,493 to \$71,493	\$32,400 to \$68,740-\$70,143	Commission, TRPD, Lake Association, property owners	\$32,700 to \$45,700	\$32,000 to \$52,000	\$42,850 to \$62,850	\$48,700 to \$68,700	\$54,550 to \$74,550	\$60,400 to \$80,400	\$66,250 to \$86,250	\$72,100 to \$92,100	\$77,950 to \$97,950	\$83,800 to \$103,800	\$89,650 to \$109,650	\$95,500 to \$115,500		31

1- Estimated funding levels included here for planning purposes only. Actual costs may vary greatly from estimates provided. This amount is subject to change based on future adjustments to the joint Powers Agreement. Funding and grant availability or change in funding levels defined by the annual budget defined by the Commission.

2- Cost share from the member communities will be based on the Joint Powers Agreement. Subsequent feasibility studies that define the benefit of the project may change the fee/cost share.

3- Project Sarah Creek Watershed Management Commission
 Watershed Management Plan
 VSB Project No. 133-00
 June 2002- November 2011

ZIP Project Sarah Creek Watershed Management Plan/Major Plan Amendment Final 90-day review/PSC Section V Tables, November 2011

TABLE V-2 SECTION V

SECTION V

TABLE V-3

STORMWATER MANAGEMENT WATER RESOURCE STUDIES

Water Resources Studies										Proposed Expenses for Year										Total
No.	Priority	Project Description	Total Cost Estimate ³	Estimated Cost to be Funded by ¹ Commission ¹	Potential Funding Sources ²	2003	2004	2005	2006	2007	2008—2012	2011	2012	2013	2014	Comments	(For Cam, Ref) Budget Line			
SMS-1	High	Develop water quality goals for specific water bodies within the watershed and prioritize. Possible-Responsible Parties-Commission, HCD	\$8,000	\$6,000	General Fund	\$2,000	\$4,000									Included in Lake Independence TMDL completed in 2007, Lake Sarah TMDL completed in 2011 and Watershed-wide TMDL (SMS-9).				
SMS-2	High	Develop-Developer-Guidelines-handout-for-developers within the watershed. Possible-Responsible Parties-Commission, HCD	\$200	\$200	General Fund	\$200										Will not be undertaken by the Commission. Refer individuals to State of Minnesota Stormwater Manual and Commission's Watershed Management Plan.				
SMS-3	High	Develop wetland, lake, and stream buffer standards in Lake Independence watershed. Possible Responsible Parties: Commission, local communities, TRPD HCD	6000 \$6,000	\$2,500—\$5000- \$6,000	General Fund-Commission, TRPD, local communities		\$2,500					\$2,000	\$2,000	\$2,000			74			
SMS-4	Very High	Establish setback, fencing, and other standards for livestock operations located on or near wetlands, lakes, or streams in Lake Independence watershed. Possible Responsible Parties: Commission, HCD, Task Force, TRPD	2000-5,000	2000-5,000	General Fund-Commission, TRPD local communities		\$2,000					\$3,000				Also see SMS-6.	75			
SMS-5	High	Complete study of high water elevations on Lake Sarah. Possible-Responsible Parties- Greenfield-Independence-Commission	\$3,000	\$0	Genetic-Lake Sarah-Improvement-Asesor-feebeber-communities											Study completed in 2005.				
SMS-6	High	Complete site-and-volume-control study of catchments at railroad and County Line Road between Independence and Dubois. Possible-Responsible Parties-Independence-Dubois-Commission-to-facilitate	\$10,000-\$20,000	\$5,000	Grant-local-communities			\$5,000								Study is complete. Responsibility of cities to implement findings of study.				
SMS-7	High-Medium	Develop wetland protection zone map based on local wetland protection plans. Possible Responsible Parties: Commission	\$500	\$500	General Fund-Commission			\$500								Complete as part of Third Generation Watershed Management Plan (SMS-10).				
SMS-8	Medium	Develop Lake Management Plan. Possible-Responsible Parties-Commission, HCD, Lake-Associations, Three-Rivers Park-District	\$20,000-per-lake	\$10,000	General Fund-Lake-Associations-Community-grants			\$10,000		\$10,000	\$10,000					Included in Lake Independence TMDL completed in 2007 and Lake Sarah TMDL completed in 2011. Will be included in Watershed-wide TMDL (SMS-9).				
SMS-9	Medium	Review local stormwater management plans for conformance w/ Watershed Plan. Possible-Responsible Parties-Commission	\$14,000-to-\$3,000-per-community	\$6,000	General Fund-communities			\$3,000		\$3,000						Completed in 2010. Review process will begin again two years following adoption of Commission's Third Generation Watershed Management Plan (SMS-10).				
SMS-10	Medium	Complete study of cause-and-solutions-to-address-forest-wetland-water-quality-quantity-issues. Possible-Responsible Parties-Local-Commission	\$10,000-\$30,000	\$5,000	Local-Commission-Community-Grant					\$5,000						for-phonetic-monitoring-Study has been completed. Responsibility of cities to implement findings of study.				

Pioneer-Sarah Creek Watershed Management Commission
 Watershed Management Plan
 VWSB Project No. 1335-00
 June-2003 November 2011

Z:\Pioneer-SarahCreek\Management Plan\Major Plan Amendment\Final 90-day review\FSC\Section\Tables, November 2011

TABLE V-3 SECTION V

SECTION V

TABLE V-3

STORMWATER-MANAGEMENT/WATER RESOURCE STUDIES

Water Resources Studies				Proposed Expenses for Year												Comments	For Comm. Review Billed Line		
No.	Priority	Project Description	Total Cost Estimate ¹	Estimated Cost to be Funded by Commission ²	Potential Funding Sources ³	2003	2004	2005	2006	2007	2008-2012	2011	2012	2013	2014				
SMS-41 SMS-4	Medium	Consider completing a functions and values assessment of the wetlands within the watershed if deemed to be requested by member communities (Commission may or may not undertake this activity). Possible Responsible Parties: Commission and/or local community	\$240,000- (estimate)- \$40,000-per-city	\$00,000- (estimate)- Commission-will fund-44-of-cost	Genl-local-communities- genl-fund- genl-fund- Commission, local community				\$30,000	\$30,000							Consider as a goal of the Third Generation Watershed Management Plan (SMS-10).		
SMS-42 SMS-3	Medium	Update flood studies within the watershed. Possible Responsible Parties: Commission, local communities	\$50,000-4- \$100,000	\$50,000-4- \$100,000	Local communities, genl-fund- Commission					\$50,000-4- \$100,000							Commission will update per most current FEMA study, incorporate into Third Generation Management Plan (SMS-10).		
SMS-43 SMS-6	Medium- High	Develop model ordinance to address erosion caused by agricultural activities. Possible Responsible Parties: Commission, local communities-HCD	\$5,000	\$5,000	General fund- Commission, local communities			\$5,000									Also see SMS-2.	75	
SMS-44 SMS-7	Low- Medium	Conduct infiltration study within watershed to determine feasibility and effectiveness of infiltration practices. Possible Responsible Parties: Commission	\$10,000-4- \$40,000	\$10,000-4- \$40,000	Genl-general-fund- Commission					\$10,000-4- \$40,000							Consider as a goal of the Third Generation Watershed Management Plan (SMS-10).		
SMS-8	High	Complete Little Long Lake protection project plan. Possible Responsible Parties: Minnetrista, HCD, Commission, HCDES	14,000- \$30,000	1,500- \$3,000	Minnetrista, DNR, genl-fund, HCD- AMS/UCD- Commission, HCDES	\$100	\$900										Specific projects will be identified in Implementation Plan developed as a part of Watershed-wide TMDL (SMS-8) and scheduled in 2015 and beyond.	109	
SMS-9	High	Undertake Watershed-wide TMDL study. Complete implementation plan. Possible Responsible Parties: Commission, MPCA grant, TRPD In-kind	\$500,650	\$316,400	Commission, MPCA grant, TRPD In-kind						\$22,000	\$88,500	\$98,500	\$107,400			Anticipated to begin in 2012-13. \$22,000 encumbered in 2010.	101-103	
SMS-10	High	Develop and adopt Third Generation Watershed Management Plan. Possible Responsible Parties: Commission	\$77,500	\$77,500	Commission						\$15,000	\$15,000	\$7,500	\$10,000			Development process will begin in 2012. \$22,500 encumbered in 2009-2010.	110, 131	
SMS-11	High	Conduct Feasibility Study to identify corrective actions at outlet of Lake Strain. Possible Responsible Parties: Greenfield, Independence, TRPD, Commission	\$10,000	\$1,000	Greenfield, Independence, TRPD, Commission, DNR									\$1,000					
SMS-12	Medium	Conduct Feasibility Study to identify water quality improvements for Spitzum Lake. Responsible Party: Three Rivers Park District	\$10,000	\$0	Three Rivers Park District													Study will be undertaken by TRPD in 2012.	
SMS-13	High	Complete feasibility assessment to identify improvement strategies for Dance Hall Creek. Responsible parties: Commission, lakeshed cities	\$15,000-20,000	\$1,500/2,000	Commission, Corcoran, Lorelle, Greenfield, Independence, Medina, MNDOT, DNR									\$1,750					

SECTION V

TABLE V-3

STORMWATER MANAGEMENT WATER RESOURCE STUDIES

Water Resources Studies				Proposed Expenses for Year												Comments	Form. Ref./ Budget Line
No.	Priority	Project Description	Total Cost Estimate*	Estimated Cost to be Funded by Commission ¹	Potential Funding Sources ²	2003	2004	2005	2006	2007	2008—2012	2011	2012	2013	2014		
SMS-14	Very High	Undertake feasibility study to identify project(s) to restore/create control structure at Lake Independence Road; Responsible parties: Independence, Medina, Loreto, Commission, LICA	\$20,000	\$2,000	Independence; Medina, Loreto, Commission, LICA						\$20,000 to \$450,000	\$44,000	\$107,500	\$112,250	\$120,900	Identified in Lake Independence TMDL Implementation Plan completed in 2007.	146
SMS-15	High	In cooperation with the City of Independence, undertake a detailed assessment of livestock within the Lake Independence watershed in order to more effectively direct efforts in its Manure Management Cost Share Program. Responsible parties: all lakehead cities; LICA	\$10,000 annually	\$1,000 annually	Independence, lakehead cities, Commission, LICA						\$20,000 to \$450,000			\$112,250	\$120,900	Identified in Lake Independence TMDL Implementation Plan completed in 2007.	138
SMS-16	Medium	Conduct core sampling to determine status of bottom sediments and appropriate sludge dosage to maintain long-term control level in Lake Sarah in order to reduce internal phosphorus load impairment. Responsible parties: Commission, TRPD, Lake Associations, land owners	\$10,000	\$1,000	Commission, TRPD, Lake Associations, land owners						\$20,000 to \$450,000			\$112,250	\$120,900	Identified in Lake Sarah TMDL Implementation Plan completed in 2011. Will be conducted in 2015.	140
SMS-17	Very High	Conduct Lake Sarah lakehead-wide assessment to identify highest priority areas for improvement, development of site-specific remedies and costs. Projects selected would reduce internal / external phosphorus loading to lake. Responsible parties: lakehead communities, TRPD, LSIA	\$12,000-15,000	\$1,200-\$1,500	Greenfield, Independence, Commission, LSIA, TRPD						\$20,000 to \$450,000			\$112,250	\$120,900	Identified in Lake Sarah TMDL Implementation Plan completed in 2011.	139
SMS-18	High	Conduct Feasibility Study to consider retention ponds on west side of Independence Road at Lindgren Lane and at the main creek inlets to Lake Independence at Kopf's Creek and Mills Creek. Responsible parties: Independence, Commission, LICA	\$25,000	\$2,500	Independence, Commission, LICA						\$20,000 to \$450,000			\$112,250	\$120,900	Identified in Lake Sarah TMDL Implementation Plan completed in 2011.	137
			-\$66,900 \$736,150 to \$744,150	\$149,200 to \$272,200 \$423,100 to \$423,900	TOTAL	\$2,500	\$9,400	\$23,500	\$43,000	\$45,000	\$20,000 to \$450,000	\$44,000	\$107,500	\$112,250	\$120,900		

*1- Estimated funding levels included here for planning purposes only. Actual costs may vary greatly from estimates provided. This amount is subject to change based on future adjustments to the Joint Powers Agreement, funding and grant availability, or changes in funding levels defined by the annual budget defined by the Commission.

*2- Cost share from the member communities will be based on the Joint Powers Agreement. Subsequent feasibility studies that define the benefit of the project may change the fee/cost share.

SECTION V

TABLE V-4
SUMMARY

	Proposed Expenses for Year												Comments
	Totals ¹	Comm Share	2003	2004	2005	2006	2007	2008-2012	2011	2012	2013	2014	
Improvements, Programs, and Studies	\$245,200 to \$1,420,200 to \$4,105,000 to	\$245,200 to \$1,420,200 to \$2,244,000	\$6,600	\$9,000	\$14,000	\$40,000	\$45,000	\$130,000 to \$1,005,000	\$5,000	\$9,000	\$85,000	\$83,000	
Totals for Capital Improvements:	\$4,205,000	\$2,244,000	\$6,600	\$9,000	\$14,000	\$40,000	\$45,000	\$130,000 to \$1,005,000	\$5,000	\$9,000	\$85,000	\$83,000	
Totals for Management/Water Resource Programs:	\$537,400 to \$637,400 to \$45,793 to \$71,493	\$537,400 to \$637,400 to \$44,143 to \$70,143	\$23,700 to \$45,700	\$22,600 to \$52,600	\$42,950 to \$82,950	\$48,700 to \$88,700	\$53,450 to \$73,450	\$38,000 to \$380,000	\$9,140	\$36,843	\$39,900	\$42,400	
Totals for Management/Water Resource Studies:	\$389,900 to \$726,150 to \$744,150	\$389,900 to \$222,200 to \$423,100 to \$423,900	\$2,800	\$8,400	\$23,500	\$45,000	\$45,000	\$70,000 to \$300,000	\$4,000	\$107,500	\$112,250	\$120,900	
Grand Totals:	\$874,800 to \$2,079,900 to \$4,896,643 to \$5,020,643	\$874,800 to \$2,079,900 to \$711,243 to \$738,043	\$32,500 to \$52,500	\$50,100 to \$70,100	\$31,050 to \$101,050	\$131,700 to \$151,700	\$143,450 to \$163,450	\$38,000 to \$1,244,000	\$9,140	\$152,343	\$217,150	\$228,300	

¹ - Estimated funding levels included here for planning purposes only. Actual costs may vary greatly from estimates provided. This amount is subject to change based on future adjustments to the Joint Powers Agreement, funding and grant availability or changes in funding levels defined by the annual budget defined by the Commission.

² - Cost share from the member communities will be based on the Joint Powers Agreement. Subsequent feasibility studies that define the benefit of the project may change the fee/cost share.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Rice Creek WD Watershed Plan Amendment

Meeting Date: January 25, 2011
Agenda Category: [X] Committee Recommendation [] New Business [] Old Business
Item Type: [X] Decision [] Discussion [] Information
Section/Region: Metro
Contact: Jim Haertel
Prepared by: Melissa Lewis
Reviewed by: Metro Water Planning Committee(s)
Presented by: Melissa Lewis

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [] Resolution [X] Order [X] Map [X] Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

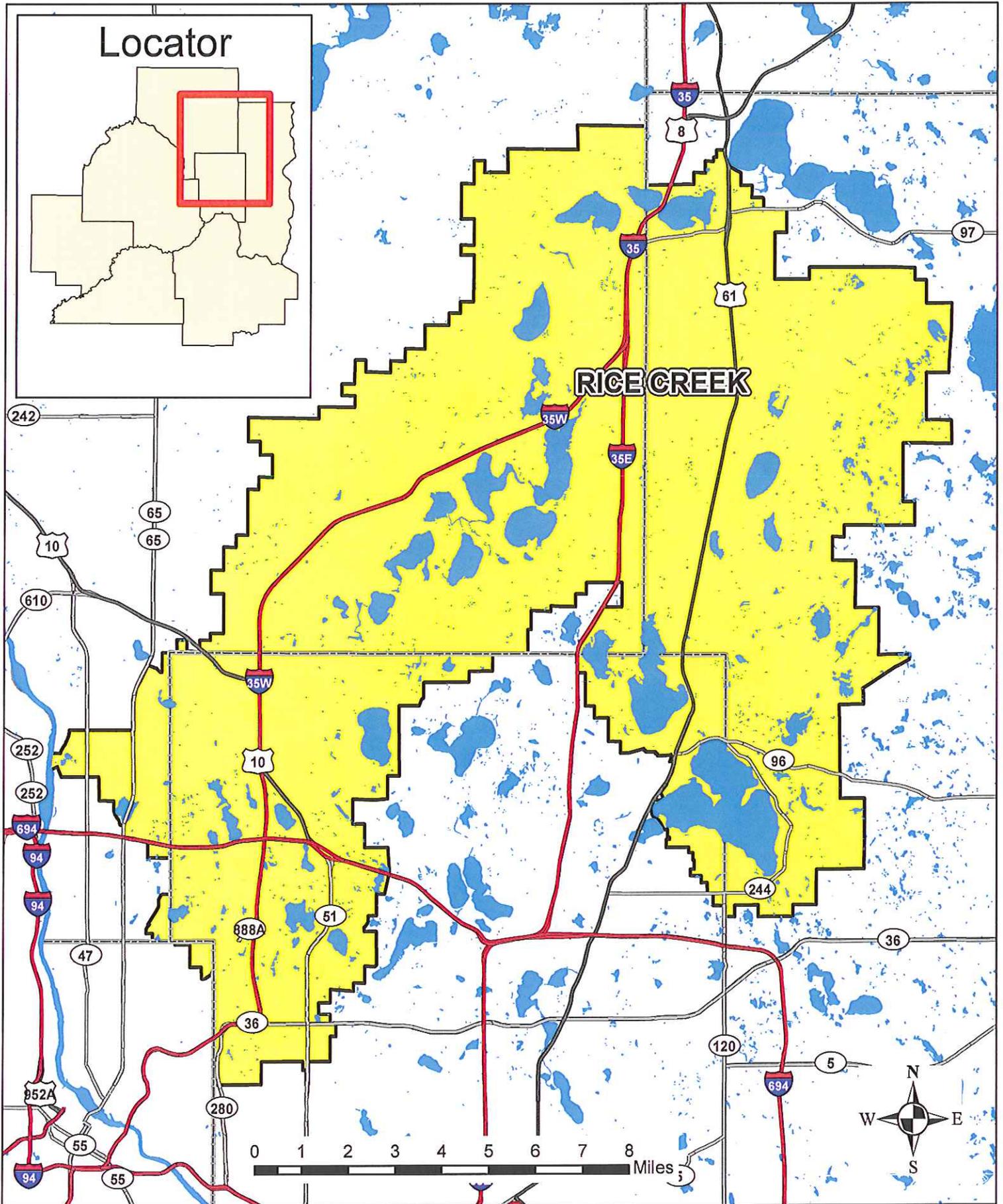
Approval of Rice Creek Watershed District Watershed Management Plan Amendment

SUMMARY (Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)
The Rice Creek Watershed District (District), located in the northeast portion of the Metropolitan Area, was established in 1972 by the Minnesota Water Resources Board. The District Board consists of two representatives each from Anoka and Ramsey counties and one representative from Washington County. The mission of the District is to prevent flooding and enhance water quality in harmony with development for the common good. The Amendment establishes watershed management districts for drainage systems ACD 10-22-32, ACD 31/46, and ACD 53-62. These water management districts provide the framework for an equitable method to generate revenues for a portion of repair projects from the properties benefiting from or contributing to the need for repair projects. The Metro Water Planning Committee recommends approval of the plan amendment per the attached draft Order.

The District circulated a copy of the draft Amendment to the Board, other state agencies, Metropolitan Council, and local governments for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7 on August 30, 2011. A summary of comments received and the District's response was received on November 17, 2011. A public hearing was held on December 7, 2011. All comments were addressed. The final draft of the Amendment was received by the Board on December 13, 2011.

The Metro Water Planning Committee met on January 4, 2012. After review of the information, the Committee unanimously voted to recommend approval of the Plan Amendment per the attached draft Order.

Rice Creek Watershed District



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

In the Matter of the review of the Amendment
to the Watershed Management Plan for the
Rice Creek Watershed District, pursuant to
Minnesota Statutes Section 103B.231,
Subdivision 11.

**ORDER
APPROVING
AMENDMENT TO
WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Managers of the Rice Creek Watershed District (District) submitted an Amendment to the Watershed Management Plan (Amendment) dated December 12, 2011, to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 11, and;

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

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

FINDINGS OF FACT

1. **Watershed District Establishment.** The District was established in 1972 by the Minnesota Water Resources Board. The District is located in the northeast portion of the Metropolitan Area and includes parts of Anoka, Ramsey, and Washington Counties with a small portion of Hennepin County. The District Board consists of two representatives each from Anoka and Ramsey counties and one representative from Washington County. The mission of the District is to prevent flooding and enhance water quality in harmony with development for the common good.
2. **Authority to Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251. The current District watershed management plan was approved by Board Order on January 4, 2010. The watershed management plan may be amended according to Minnesota Statutes Section 103B.231, Subd. 11.
3. **Nature of the Watershed.** The District encompasses approximately 186 square miles of urban and rural land in Anoka, Hennepin, Ramsey and Washington counties in Minnesota. Portions of the district can be found in the following municipalities: Arden Hills, Birchwood Village, Blaine, Centerville, Circle Pines, Columbia Heights, Columbus, Dellwood, Falcon Heights, Forest Lake,

Fridley, Grant, Hugo, Lauderdale, Lexington, Lino Lakes, Mahtomedi, May Township, Mounds View, New Brighton, Roseville, Scandia, Shoreview, Spring Lake Park, Saint Anthony, White Bear Lake, White Bear Township, and Willernie. Land in the District is relatively flat, particularly in the north-central portion where the Rice Creek Chain of Lakes is the dominant feature. The southern portion of the watershed is primarily urban in nature. Rice Creek is the principal stream of the watershed.

4. **Amendment Development and Review.** The District circulated a copy of the draft Amendment to the Board, other state agencies, Metropolitan Council, and local governments for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7 on August 30, 2011. A summary of comments received and the District's response was received on November 17, 2011. A public hearing was held on December 7, 2011. All comments were addressed. The final draft of the Amendment was received by the Board on December 13, 2011.
5. **Local Review.** The District distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7.
City of Blaine. The city requested clarification of and context for the term benefit, and clarifications of calculations for and implementation of the watershed management district. The District addressed all comments.
City of Saint Anthony Village. The city requested changes to the District Rule and requested include measures to address flooding concerns within the city. The District addressed all comments.
6. **Metropolitan Council Review.** The Council found the Amendment to be consistent with the Council's Water Resources Management Policy Plan.
7. **Department of Agriculture Review.** The MDA did not comment on the Amendment..
8. **Department of Health Review.** The MDH did not comment on the Amendment.
9. **Department of Natural Resources Review.** The DNR did not comment on the Amendment.
10. **Pollution Control Agency Review.** The PCA did not comment on the Amendment.
11. **Department of Transportation Review.** The DOT did not comment on the Amendment.
12. **Board Review.** Board staff found the amendment to be a well-reasoned approach to sound watershed management and funding public ditches in urbanized areas. The Board did not request changes.
13. **Amendment Summary.** The Amendment establishes watershed management districts for drainage systems ACD 10-22-32, ACD 31/46, and ACD 53-62. These water management districts provide the framework for an equitable method to generate revenues for funding a portion of the repair projects from the properties benefiting from or contributing to the need for repair projects.
14. **Metro Water Planning Committee Meeting.** On January 4, 2012, the Board's Metro Water Planning Committee and staff met in St. Paul to review and discuss the Amendment. Those in

attendance from the Board's Committee were Rebecca Flood, Faye Sleeper, Louise Smallidge, LuAnn Tolliver, and Robert Burandt as chair. Board staff in attendance was Metro Region Supervisor Jim Haertel. Board staff recommended approval of the Amendment. After discussion, the Committee unanimously voted to recommend approval of the Amendment to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving an Amendment to the Watershed Management Plan for the Rice Creek Watershed District pursuant to Minnesota Statutes Section 103B.231, Subd. 11.
3. The attached Amendment is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

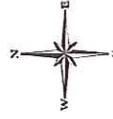
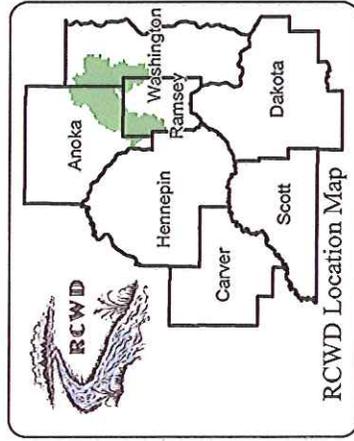
The Board hereby approves the attached Amendment, dated December 12, 2011, to the Rice Creek Watershed District Watershed Management Plan.

Dated at St. Paul, Minnesota this 25th day of January, 2012.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

Rice Creek Watershed District Watershed Management Plan

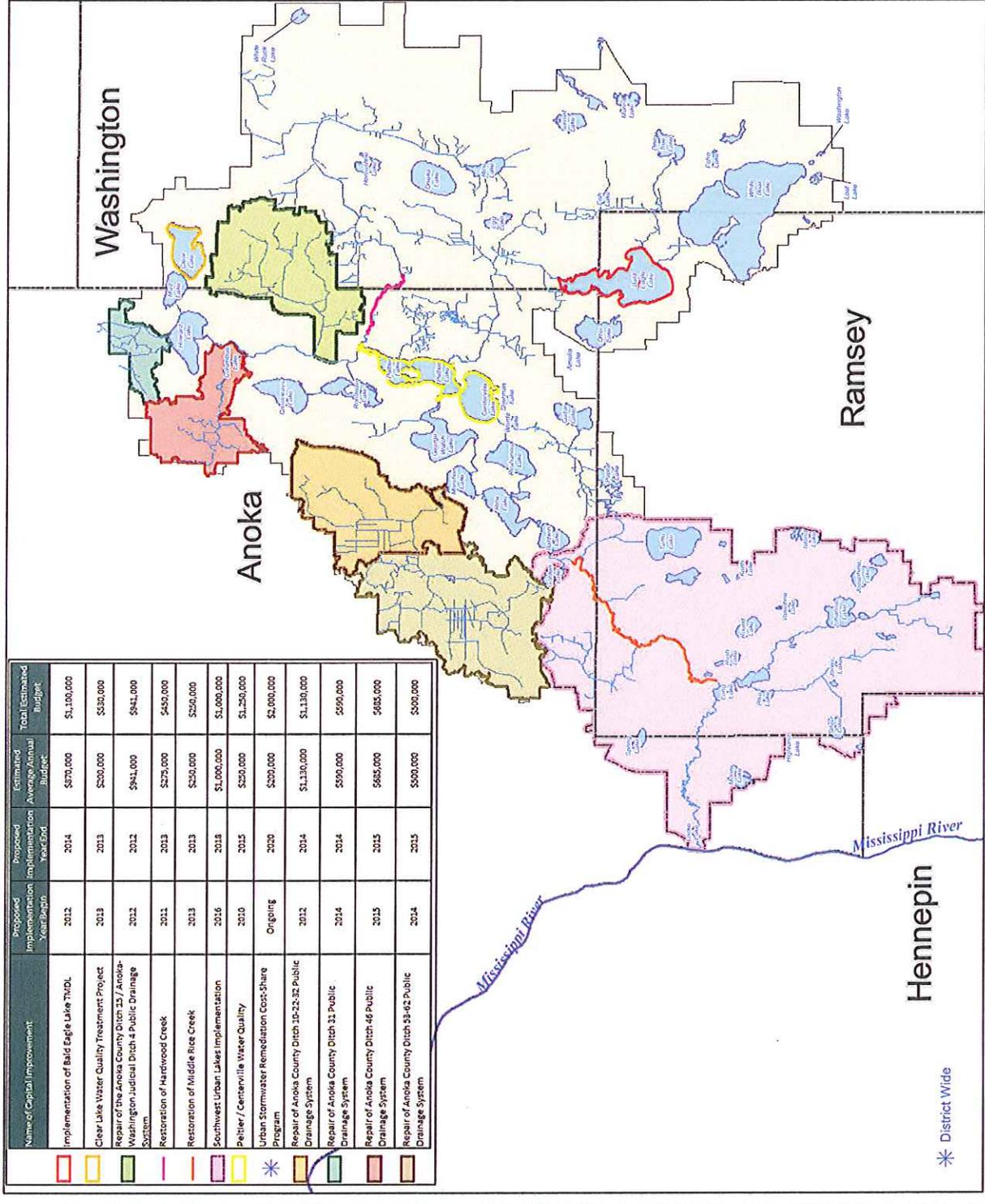


Data Sources: Rice Creek Watershed District, MN DNR Data Dell

Figure 6-4: Posabio Capital Improvement Projects

Drawn by: KZB	Checked by: MFB	Project No.: 2022-2025.01	Date: 07/15/20	Sheet
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Houston Engineering Inc.
 Maple Grove
 P: 763.493.4522
 F: 763.493.4572



Name of Capital Improvement	Proposed Implementation Year Begin	Proposed Implementation Year End	Estimated Average Annual Budget	Total Estimated Budget
Implementation of Bald Eagle Lake TMDL	2012	2014	\$870,000	\$1,100,000
Clear Lake Water Quality Treatment Project	2013	2013	\$200,000	\$200,000
Repair of the Anoka County Ditch 25 / Anoka-Washington Judicial Ditch 4 Public Drainage System	2012	2012	\$941,000	\$941,000
Restoration of Hardwood Creek	2011	2013	\$275,000	\$450,000
Restoration of Middle Rice Creek	2013	2013	\$250,000	\$250,000
Southwest Urban Lakes Implementation	2016	2018	\$1,000,000	\$1,000,000
Peltier / Centerville Water Quality	2010	2015	\$220,000	\$1,250,000
Urban Stormwater Remediation Cost-Share Program	Ongoing	2020	\$300,000	\$2,000,000
Repair of Anoka County Ditch 10-23-32 Public Drainage System	2012	2014	\$1,130,000	\$1,130,000
Repair of Anoka County Ditch 31 Public Drainage System	2014	2014	\$590,000	\$590,000
Repair of Anoka County Ditch 46 Public Drainage System	2015	2015	\$685,000	\$685,000
Repair of Anoka County Ditch 53-62 Public Drainage System	2014	2015	\$600,000	\$600,000

* District Wide

6.3.3.2 Clear Lake Water Quality Treatment Project

Clear Lake, located in the City of Forest Lake, is the headwaters of Rice Creek. The purpose of this capital improvement project is to correct existing stormwater runoff and erosion and sediment problems which are contributing excess nutrients to Clear Lake and causing physical damage to public rights of way in the project area. A Feasibility Report was completed in 2009 and outlines a plan of action to divert and treat approximately 65 acres of residential and roadway area to remove sediment and nutrients from entering the lake along with the construction/reconstruction of approximately 1,000 feet of storm sewer.

Table 6-6 Proposed Capital Improvement Projects for the RCWD

Name of Capital Improvement	Proposed Implementation Year Begin	Proposed Implementation Year End	Estimated Average Annual Budget	Total Estimated Budget
Implementation of Bald Eagle Lake TMDL	<u>2012</u>	<u>2014</u>	<u>\$870,000</u>	<u>\$1,100,000</u>
Clear Lake Water Quality Treatment Project	<u>2013</u>	<u>2013</u>	<u>\$530,000</u>	<u>\$530,000</u>
**Repair of the Anoka County Ditch 15 / Anoka-Washington Judicial Ditch 4 Public Drainage System	<u>2011</u>	2012	\$1,500,000	\$1,500,000
Restoration of Hardwood Creek	2011	2013	\$275,000	\$450,000
Restoration of Middle Rice Creek	<u>2015</u>	<u>2015</u>	<u>\$1,400,000</u>	<u>\$1,400,000</u>
Southwest Urban Lakes Implementation	<u>2016</u>	<u>2018</u>	<u>\$1,000,000</u>	<u>\$1,000,000</u>
Peltier / Centerville Water Quality	2010	2015	\$250,000	\$1,250,000
Urban Stormwater Remediation Cost-Share Program	Ongoing	2020	<u>\$200,000</u>	<u>\$2,000,000</u>
Repair of Anoka County Ditch 10-22-32 Public Drainage System	<u>2012</u>	<u>2014</u>	<u>\$1,130,000</u>	<u>\$1,130,000</u>
Repair of Anoka County Ditch 31 Public Drainage System	<u>2014</u>	<u>2014</u>	<u>\$590,000</u>	<u>\$590,000</u>
Repair of Anoka County Ditch 46 Public Drainage System	<u>2015</u>	<u>2015</u>	<u>\$685,000</u>	<u>\$685,000</u>
Repair of Anoka County Ditch 53-62 Public Drainage System	<u>2014</u>	<u>2015</u>	<u>\$500,000</u>	<u>\$500,000</u>

** Excludes installation of Branch 3 storm sewer and the realignment of ACD 15 when future development occur.

6.3.3.3 Urban Stormwater Remediation Cost Share Program

The need to manage excess runoff as a result of an urbanizing landscape and the effects of excess runoff, including the potential to cause flooding and degrade water quality, is the purpose of this capital improvement. The Urban Stormwater Remediation Cost Share Program is a grant program (see **Appendix G**), which funds capital improvements, constructed by counties, cities, villages, townships, school districts, libraries, and other entities, to enhance water quality or alleviate flooding issues. The program is focused primarily on urbanized areas, where the opportunities to improve water quality or alleviate flooding issues is limited because of a lack of space and a fully urbanized landscape. The intent of the program is to cost share structural solutions that result in the control of stormwater runoff beyond what is required by District rules, especially when opportunities are associated with redevelopment, linear projects like road and street improvements, and storm sewer improvement projects. Grants dollars are available only for Best Management Practices not being implemented to comply with District rules, (i.e. projects that either do not require a permit, or BMPs that are in addition to permit requirements). The grant will cover a maximum of 50% of estimated project or bid cost, whichever is lower, not to exceed \$50,000 per project.

6.3.3.4 Repair of Anoka County Ditch 15 / Washington County Judicial Ditch 4

The issue addressed by this capital improvement is the disrepair of the Anoka County Ditch 15 / Washington County Judicial Ditch 4 legal drainage system, the need to manage stormwater when the area develops and to develop and implement a plan to manage natural resources and water quality associated with the legal drainage system. This capital improvement project is identified within *Anoka County Ditch 15 Washington County Judicial Ditch 4 Repair Report*⁴ dated January 15, 2009. One of the legal drainage systems managed by the RCWD is Anoka County Ditch 15 / Washington County Ditch Judicial Ditch 4 (ACD 15 / JD 4) located within the northeastern portion of the RCWD. The Repair Report included the evaluation of seven alternatives. The alternatives were intended to represent a reasonable range of options for providing some "level of service" for the drainage of agricultural land currently in "active" agricultural production and to predictably manage and convey surface water runoff resulting from future growth and development. The Board of Managers ordered a project intended to restore the agricultural drainage benefits to those lands in agricultural product, to plan for the future management of stormwater when the area develops, to restore wetland and to manage floodplains.

6.3.3.5 Restoration of Hardwood Creek

The issue addressed by this capital improvement is the degraded condition of a portion of the Trunk System Hardwood Creek, which is a stream that serves as a stormwater trunk and has been considerably modified as a result of urbanization and a changing landscape. This capital improvement project is identified within *Hardwood Creek / Washington County JD2 Stable Stream Rehabilitation* (October 15, 2004), *Rehabilitation / Engineer's Report for Hardwood Creek / Washington County JD2* (January 2004) and *Hardwood Creek Basis for Design Report* (August 2008). In 2006 and 2007 the RCWD implemented a number of stream restoration projects on the lower end of Hardwood Creek with grant funding provided to the District by the BWSR. The first project areas were Hardwood Creek between I-35E and 80th Street in Lino Lakes and near the bend south and north of 165th Street in Hugo. The 35E to 80th Street reach was funded by a BWSR grant and was completed using contractors with a design, bid build project delivery. The reach near 165th was completed with the District acting as the general contractor. Both project areas were constructed in 2006 using boulders, trees, gravel and vegetation in rock vanes, root wads, brush bundles and live stakes to mimic that

⁴ The documents reference in this section can generally be found on the District's website <http://ricecreek.org/>.



natural environment and provide the physical and vegetative improvements to meet the project goals. In 2007 the District extended the project to include a design for the remaining properties between 80th Street and 165th Street. Using the same design philosophy as was done in 2006 the project team prepared design drawings showing bioengineering actions for each of the properties within this reach as well as a cost estimate. This reach is on a natural channel and has no easements and the construction work is presently on hold until temporary and permanent site access issues can be resolved. In 2008, Hardwood Creek was listed by the MPCA as impaired for dissolved oxygen (first in 2004 from the Headwaters to Peltier Lake), aquatic life (fish bioassessments) and turbidity (first in 2003 from Highway 61 to Peltier Lake). Completion of the TMDL is expected in 2009. To address the impairments and continue the effort along Hardwood Creek, the District identified additional opportunities within the report *Rehabilitation / Engineer's Report for Hardwood Creek / Washington County JD2* (January 2004) and *Hardwood Creek Basis for Design Report* (August 2008). This capital improvement project implements those recommendations.

6.3.3.6 Restoration of Middle Rice Creek

The issue addressed by this capital improvement is the degraded condition of a portion of the Trunk System, Rice Creek, which is a stream that serves as a stormwater trunk and has been considerably modified as a result of urbanization and a changing landscape. This capital improvement project is identified within *Middle Rice Creek Assessment and Stabilization Feasibility Study* dated June 13, 2008. The restoration or re-meandering of more than 16,000 feet of Rice Creek as it traverses 17.5 miles through Anoka and Ramsey Counties from Howard Lake to the Mississippi River for is envisioned. Another component of the improvements is providing access to Rice Creek at six locations, using a context sensitive design approach which incorporates information kiosks, to provide recreational opportunities including canoeing and kayaking. Implementation is a joint effort between the RCWD, Anoka County, Ramsey County, the National Park Service, and the Friends of the Mississippi River. The project will increase the recreational use of Rice Creek as a regional water trail as physical barriers that prevented access across land owned by the U.S. Army (Twin Cities Ammunitions Arsenal) were removed in 2008.

The restoration and re-meander of Rice Creek is intended to reverse the consequences of past efforts to reduce flooding and "control" Rice Creek through channelization. Channelization is believed to have resulted in an increase in sedimentation downstream within Long Lake, the loss of fish and wildlife habitat, and an increased in downstream flood flows.

Goals for the project include: 1) restoring the shoreline and riparian habitats of Middle Rice Creek thereby enhancing the quality and diversity of fish and wildlife habitat in the creek and adjoining floodplain; 2) restoring the water quality and stream biota; 3) providing environmental education via the re-introduction of people to this part of Rice Creek.

6.3.3.7 Southwest Urban Lakes Implementation

The issue addressed by this capital improvement is the degraded water quality of lakes located within the southwest portion of the District. This capital improvement project is generally identified within the Lake Management Plans contained within the report titled *Southwest Urban Lakes Study* dated April 2009. The RCWD has received numerous inquiries for assistance with improving the water quality of degraded urban lakes in the southwest portion of the watershed. These requests came from lake homeowners and lake associations on lakes that have experienced decades of concentrated urban runoff and are now showing the effects. The Southwest Urban Lakes Study assessed the water quality of 24 lakes in the southwest portion of the RCWD, particularly in relation to state water quality standards, and resulted in the development of management action plans for each lake. The intent of each management action plans is to give the District a prioritized list of projects for further investigation. For most projects further feasibility assessments is needed before the District proceeds with a particular project. Over 200 potential retrofit BMPs are identified in the management action plans. The improvement project is intended to implement these BMP retrofits.

6.3.3.8 *Peltier / Centerville Water Quality*

The issue addressed in this capital improvement is degraded water quality in Peltier and Centerville Lakes. These lakes are located in the cities of Lino Lakes and Centerville in Anoka County. A TMDL to address excess nutrients in both lakes was initiated in 2007 and will be completed in 2009. The TMDL document, along with the Implementation Plan, has identified a number of possible improvement projects for each lake. One component of the Implementation Plan identifies the need for a one-way valve (or similar device) for installation between Peltier and Centerville Lakes. The current configuration allows exchange of water between the two lakes, allowing very poor quality water from Peltier into Centerville. Another component of the Implementation Plan suggests the need for a water-level drawdown on Peltier to consolidate lake sediments and control invasive curly-leaf pondweed. Upon completion of the Implementation Plan, the RCWD will work with partners to better prioritize implementation actions identified in the Implementation Plan.

6.3.3.9 *Repair of Anoka County Ditch 10-22-32*

The issue addressed by this capital improvement is the poor condition and functioning of the Anoka County Ditch 10-22-32 Public Drainage System. This public drainage system provides drainage to lands currently in agricultural production, serves as the stormwater outlet for currently developed lands, and will serve as the stormwater outlet once the area fully develops, within portions of the City of Blaine and Columbus. A portion of the public drainage system also is used store water for the irrigation of agricultural land. The District has received municipal concurrence to exercise alternative authority for repair of the drainage systems as provided in statutes section 103D.621, subdivision 4. Pursuant to its alternative authority, the District will initiate repair of the drainage system under statutes sections 103B.231 and/or 103D.605.

This capital improvement project is described within a September 1, 2010 Repair Report subsequently modified by an Addendum to the Repair Report on February 15, 2011. The project envisions that a repair, similar to the Functional Repair Profile Alternative #2 as described in the Repair Report, is initially constructed to serve active agricultural operations by the drainage system with the following modifications: 1) repair only select portions of the system to the Functional Repair condition to provide the level of service necessary for active agricultural operations (i.e., repair where farming is occurring); and 2) maintain other locations within the system that are not adjacent to or serving active agricultural lands to the existing profile via spot cleaning, removal of vegetative obstructions and replacement of non- or low-functioning culverts to minimize potential adverse impacts to wetlands.

6.3.3.10 *Repair of Anoka County Ditch 31*

The issue addressed by this capital improvement is the poor condition and functioning of the Anoka County Ditch 31 Public Drainage System. This public drainage system provides drainage to lands currently in agricultural production, serves as the stormwater outlet for currently developed lands, and will serve as the stormwater outlet once the area fully develops, within the City of Columbus. The District has received municipal concurrence to exercise alternative authority for repair of the drainage systems as provided in statutes section 103D.621, subdivision 4. Pursuant to its alternative authority, the District will initiate repair of the drainage system under statutes sections 103B.231 and/or 103D.605.

This capital improvement project is described within a February 17, 2010 Repair Report. The project envisions that a repair, similar to the Resource Management Plan Alternative (RMPA – Alternative #4) as described in the Repair Report, is constructed to serve active agricultural operations, currently developed lands and future lands needing a conveyance system, by the drainage system. Wetland impacts are avoided and minimized by this alternative to maximum extent practicable, while still providing the basic drainage function necessary level of service. The project is intended to be self-mitigating with regards to wetland impacts and includes the construction of potential wetland restoration sites, should the locations prove to be technically feasible. This alternative is consistent with the Columbus Wetland Protection and Management Plan as implemented through Rule RMP-4.



6.3.3.11 Repair of Anoka County Ditch 46

The issue addressed by this capital improvement is the poor condition and functioning of the Anoka County Ditch 31 Public Drainage System. This public drainage system provides drainage to lands currently in agricultural production, serves as the stormwater outlet for currently developed lands, and will serve as the stormwater outlet once the area fully develops, within the City of Columbus. The District has received municipal concurrence to exercise alternative authority for repair of the drainage systems as provided in statutes section 103D.621, subdivision 4. Pursuant to its alternative authority, the District will initiate repair of the drainage system under statutes sections 103B.231 and/or 103D.605.

This capital improvement project is described within a January 22, 2010 Repair Report. The project envisions that a repair, similar to the Resource Management Plan Alternative (RMPA – Alternative #4) as described in the Repair Report, is constructed to serve active agricultural operations, currently developed lands and future lands needing a conveyance system, by the drainage system. Wetland impacts are avoided and minimized by this alternative to maximum extent practicable, while still providing the basic drainage function necessary level of service. The project is intended to be self-mitigating with regards to wetland impacts and includes the construction of potential wetland restoration sites, should the locations prove to be technically feasible, including the restoration of Columbus Lake. This alternative is consistent with the Columbus Wetland Protection and Management Plan as implemented through Rule RMP-4.

6.3.3.12 Repair of Anoka County Ditch 53-62

The issue addressed by this capital improvement is the poor condition and functioning of the Anoka County Ditch 53-62 Public Drainage System. This public drainage system provides drainage to lands currently in agricultural production, serves as the stormwater outlet for currently developed lands, and will serve as the stormwater outlet once the area fully develops, within the Cities of Blaine and Circle Pines. The District has received municipal concurrence to exercise alternative authority for repair of the drainage systems as provided in statutes section 103D.621, subdivision 4. Pursuant to its alternative authority, the District will initiate repair of the drainage system under statutes sections 103B.231 and/or 103D.605.

This capital improvement project is identified within a September 2006 Repair Report titled "Resource Management Plan Alternative for the Repair of Anoka County Ditch 53-62 and subsequent documents. The project envisions that the repair will consist of:

- Removing obstructions;
- Providing adequate flood relief;
- Maintaining the hydraulic efficiency of the system;
- Use self-sustaining designs for the drainage system; and
- Recognizing the effect of future development.

The use of these concepts is coined the "Resource Management Plan." This alternative is consistent with the Wetland Protection and Management Plans as implemented through Rule M and RMP-1.

COMMITTEE RECOMMENDATIONS

Northern Water Planning Committee

1. Benton County Comprehensive Local Water Management Plan Update – ***DECISION ITEM***
2. Hubbard County Local Water Planning Extension Request – ***DECISION ITEM***
3. City of Sauk Rapids Comprehensive Wetland Protection and Management Plan – ***DECISION ITEM***
4. Sand Hill River Watershed District Water Management Plan – ***DECISION ITEM***
5. Marshall County Comprehensive Local Water Management Plan Amendment – ***DECISION ITEM***
6. Red Lake Watershed District Territory Withdrawal – ***DECISION ITEM***
7. Cormorant Lakes Watershed District (District) Watershed Management Plan – ***DECISION ITEM***
8. Buffalo Red River Watershed District Enlargement and Increase in Number of District Managers Order for Hearing – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Benton County CLWMP 5 Year Update

Meeting Date: January 25, 2012
Agenda Category: [X] Committee Recommendation [] New Business [] Old Business
Item Type: [X] Decision [] Discussion [] Information
Section/Region: Northern
Contact: Jason Weirnerman
Prepared by: Jason Weirnerman
Reviewed by: Northern Water Planning Committee(s)
Presented by: Quentin Fairbanks

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [] Resolution [X] Order [] Map [X] Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of the Five Year Update of the Benton County Comprehensive Local Water Management Plan

SUMMARY (Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)
On August 28th, 2008, the Board of Water and Soil Resources approved the Benton County Comprehensive Local Water Management Plan with a date range from 2008 to 2018. The Board required a five year update of the plan by 2013.

The County passed a resolution to amend the plan on April 5th, 2011 and submitted the updated plan to the Brainerd field office on October 27th, 2011. As part of the submission, the Benton County Water Planner included the recommended inclusions from the Department of Natural Resources, the Department of Health, the Department of Agriculture, and the Pollution Control Agency. In addition, the water planner included documentation of the required public hearing.

The five year plan update will be presented to the Northern Water Planning Committee on January 19th, 2012. As the plan update met state statutes and is non-controversial, the Committee is expected to recommend forwarding the plan to the full board for approval.

This item a draft item that is contingent upon the Committee's final recommendation.

In the Matter of Reviewing the Local Water Management Plan Update
for **Benton County** (Minnesota Statutes , Section 103B.311,
Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER
APPROVING
LOCAL
WATER MANAGEMENT
PLAN UPDATE

Whereas, the **Benton County** Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board on **October 27, 2011** pursuant to M.S. Section 103B.315, Subd. 5, and

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

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

FINDINGS OF FACT

- 1) On **August 28, 2008**, the Board of Water and Soil Resources approved the Benton County Comprehensive Local Water Management Plan from 2008 to 2018 with a requirement for an update by 2013.
- 2) On **April 5, 2011**, the Benton County Commissioners passed a resolution to begin the Five Year Update of their Comprehensive Local Water Management Plan.
- 3) The priority concerns of the local water management plan remained the same and include:
 - A) Feedlot and Nutrient Management
 - B) Development
 - C) Groundwater Quality and Quantity
- 4) On **October 27, 2011**, the BWSR received the **Benton County** Plan Update, a record of the public hearing, and copies of all written comments pertaining to the plan update to the Board for final State review pursuant to M.S. Section 103B.315, Subd. 5.
- 5) On **January 19, 2012**, the Northern Water Planning Committee of the board reviewed the recommendations of the state review agencies regarding the five year update of the **Benton County** Plan Update .
- 6) This update will be in effect until **August, 2018**.

CONCLUSIONS

1. All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Water Plan Update of **Benton** County pursuant to Minnesota Statutes , 103B.315, Subd. 5.
2. The **Benton** County Plan Update attached to this Order states water and water-related problems within the county; possible solutions; general goals, objectives, and actions of the county; and an implementation program. The attached Plan Update is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached five year amendment of the **Benton** Local Water Management Plan **August 1, 2008 to July 31, 2018**.

Dated at **St. Paul**, Minnesota, this **twenty fifth day of January, 2012**.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

I. Executive Summary

Purpose of Local Water Management Plan

The purpose of the Benton County Comprehensive Local Water Management Plan is to:

- Identify and address existing and potential issues for the protection, management, and development of water resources and related resources in the County
- Identify priority concerns to be addressed during the effective time frame of the plan
- Develop goals and implement actions that improve water quality and quantity and related resource management and planning in the County

In 2008 Benton County updated the Local Water Management Plan (LWMP) in accordance with Minnesota Statutes 103B. The LWMP remains in effect for a period of ten years (expiring December 31, 2018, Appendix A).

This Amendment contains an updated Implementation Plan. The Water Resource Advisory Committee (WRAC) was delegated the responsibility of overseeing the development of the new Implementation Plan. The WRAC conducted two meetings during the planning process to review and update the goals, objectives and actions addressed in the plan, as well as solicit input from the public, local government units (LGU), State and Federal Agencies. The three Priority Concerns for the 10 year plan have not changed however, goals, objectives and actions items have changed. Some were added, modified or deleted depending upon the current issues and concerns.

Description of Priority Concerns

During the 2008 update the Benton County Water Resources Advisory Committee analyzed information collected through public meetings and surveys and selected three priority concerns that are addressed in the implementation plan. A more detailed description of the process used to identify the Priority Concerns is laid out in Scoping Document in Appendix B. Education and outreach will be a component of each priority concern, and therefore was not selected as a separate priority concern.

The three priority concerns selected were:

(Descriptions are taken directly from the Comprehensive Local Water Management Plan 2008 – 2018)

1.) Feedlot and Nutrient Management

Even though Benton County is experiencing development pressures, agriculture still dominates the landscape. There is concern that livestock operations and the by-products they produce are degrading surface water quality. There is a need for a focused effort to pro-actively approach livestock producers and offer cost share and technical assistance to design and install low cost best management practices that improve water quality.

Previous Estimated Cost -----	\$1,484,000
Updated Estimated Cost-----	\$2,081,000

2.) Development

Benton County population is expected to increase 23% by 2015. The western part of the county is already developing rapidly around the cities of St. Cloud, Sauk Rapids, and Sartell. We need to strategically plan for how growth should be managed and where it should occur in order to preserve and protect our water quality and quantity while promoting economic progress.

Previous Estimated Cost -----\$1,205,000
 Updated Estimated Cost-----\$1,437,000

3.) Groundwater Quantity and Quality

There are concerns regarding groundwater over-pumping in the last few years. There is a need to locate and map groundwater resources within the county in order to plan for and promote sustainable use of the resource. Because of the increasing population, there is also a need to protect drinking water from contamination.

Previous Estimated Cost -----\$1,088,900
 Updated Estimated Cost-----\$1,358,900

Summary of Benton County Impaired Water Resources and Activities

Benton County is made up of three major watersheds: Platte-Spunk, Clearwater-Elk, and Rum (Figure 1). Table 1 gives more detailed information about each watershed.

Figure 1.

<i>USGS Name</i>	CLEARWATER-ELK	PLATTE-SPUNK	RUM
<i>USGS HUC-8</i>	7010203	7010201	7010207
<i>DNR Major #</i>	17	15	21
<i>Minnesota Name</i>	Mississippi River - St. Cloud	Mississippi River - Sartell	Rum River
<i>Total Acres</i>	716,247	647,507	994,280
<i>Acres in Benton Co.</i>	171,264	69,120	20,096
<i>% Benton County</i>	66	26	8



Clearwater-Elk is the largest watershed in Benton County. The Benton County portion alone is comprised of five major sub-watersheds, including Mayhew Creek, Mayhew Lake, Stony Brook, St. Francis and Elk River.

The Platte-Spunk Watershed is the second largest watershed in Benton County. It is comprised of three minor watersheds, including: the Mississippi River, Lower Platte River and Little Rock Creek.

The Rum River Watershed is the smallest watershed in Benton County. There are two major sub-watersheds within the Rum, including: the Estes Brook and the West Branch of the Rum River.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Hubbard County Water Plan Extension

Meeting Date: January 25, 2012

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: _____

Contact: _____

Prepared by: Dan Steward

Reviewed by: Northern Water Planning Committee(s)

Presented by: Quentin Fairbanks

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Decision

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*
 On January 24, 2007 the Minnesota Board of Water and Soil Resources (Board) approved the Hubbard County Comprehensive Local Water Management Plan (Plan). The Plan expires on January 24, 2012. Hubbard SWCD's local water plan coordinator position was vacant this fall. The county is requesting a two year extension while the county completes the update. The Northern Water Planning Committee will meet and review the request on January 19, 2012.

Minnesota Board of Water and Soil Resources

St. Paul, Minnesota 55155

In the Matter of Extending the Comprehensive Local Water Plan
For Hubbard County (1995 Minnesota Session Law, Chapter 184,
Section 24, authorizing BWSR to grant extensions).

Whereas Hubbard County has a state approved Comprehensive Local Water Plan that is effective until January 24, 2012, pursuant to Minnesota Statute 1990, Section 103B.301, and

Whereas, the Hubbard County Board of Commissioners passed a resolution requesting an extension for the Comprehensive Local Water Plan to the Board of Water and Soil Resources (BWSR) on October 5, 2011, pursuant to Minnesota Session Law 1995, Chapter 184, and

Whereas, the Board of Water and Soil Resources has authorization to grant extensions pursuant to Minnesota Session Law 1995, Chapter 184, Section 24.

Now therefore, the Board of Water and Soil Resources hereby makes the following Findings of Fact, Conclusions and Order:

FINDINGS OF FACT

1. On October 13, 2011 the Board of Water and Soil Resources received a resolution from Hubbard County requesting a two-year extension of their Comprehensive Local Water Plan to January 24, 2014.
2. On December 8, 2011, Board of Water and Soil Resources staff reviewed and recommended approval of the extension request by Hubbard County.
3. On January 19, 2012, the Northern Water Planning Committee met and reviewed the Hubbard County request for an extension. The Committee recommended approval of the request.

CONCLUSIONS

1. All relevant requirements of law and rule have been fulfilled. The Board of Water and Soil Resources has proper jurisdiction in the matter of extending the Comprehensive Local Water Plan of Hubbard County pursuant to Minnesota Session Law 1995, Chapter 184, Section 24.

ORDER

The Board of Water and Soil Resources hereby approves the two-year extension of the Hubbard County Comprehensive Water Plan until January 24, 2014. Dated at St. Paul, Minnesota, this 25th day of January, 2012.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Brian Napstad, Chair
January 25, 2012



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:

City of Sauk Rapids Comprehensive Wetland Management Plan

Meeting Date: January 25, 2012
Agenda Category: [X] Committee Recommendation [] New Business [] Old Business
Item Type: [X] Decision [] Discussion [] Information
Section/Region: Metro Region
Contact: Dale Krystosek or Keith Grow
Prepared by: Dale Krystosek and Keith Grow
Reviewed by: North Region Water Plan Committee(s)
Presented by: Dale Krystosek & Keith Grow

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of the Comprehensive Wetland Protection and Management Plan for the City of Sauk Rapids.

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

The Comprehensive Wetland Protection and Management Plan (CWPMP) for the City of Sauk Rapids has been developed to provide the City with additional information regarding its wetland resources and to develop policies related to wetland management. The CWPMP was created to complement and be used in conjunction with the City's Natural Resource Inventory(NRI) and to provide guidance and support to the City's Comprehensive Land Use Plan. The plan was also created to provide flexibility and control over wetland management and protection, identifying potential wetland restoration areas, regional wetland mitigation sites and providing management strategies for different types of wetlands. The approach taken addresses landuse management in the context of wetland functions and values. It will provide for an ecological balanced between wetland protection/management and the future growth and development within the City, by providing a framework of guiding where wetland impacts, replacement, and restoration may occur.

On January 19, 2012, the Northern Water Planning Committee will meet with representatives from the City of Sauk Rapids and BWSR staff to discuss the merits of the plan. The draft Order of the Plan is attached.

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

In the Matter of the review of the
Comprehensive Wetland Management Plan
for the **City of Sauk Rapids**, pursuant to
Minnesota Statutes Section 103G.2242,
Subdivision 1 (c)

**ORDER
APPROVING COMPREHENSIVE
WETLAND PROTECTION AND
MANAGEMENT
PLAN**

Whereas, the City of Sauk Rapids submitted a Comprehensive Wetland Protection and Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103G.2242, Subd. 1 (c), 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. **Authority to Plan.** Minnesota Statutes Section 103G.2242, Subd. 1 (c), 103G.2243 and Minnesota Rules Chapter 8420.0830 allow the Board to approve a Comprehensive Wetland Protection and Management Plan developed by a local government unit, provided it is implemented through the local government unit's official controls.

The purpose of the Comprehensive Wetland Protection and Management Plan (CWPMP) is to provide the City of Sauk Rapids with additional information in regard to its wetland resources and to develop policies related to wetland management using a watershed approach. The CWPMP was created to complement and be used with the City's Natural Resource Inventory (NRI), to provide guidance and support to the City's Comprehensive Land Use Plan. This watershed approach to land use planning will provide for the protection and management of wetlands within the City and concurrently support the growth and development that the City continues to experience. The CWPMP provides flexibility and control over wetland management and protection, identifies potential wetland restoration areas, identifies regional wetland mitigation sites and provides management strategies for different types of wetlands. This framework will integrate wetland management and protection with growth and development within the city.

Wetland values have proven to be important to the local community as such, public involvement was incorporated into the development of the CWPMP through a series of open meetings and a public hearing. In addition to the regulatory agencies, these meetings offered the community an opportunity to provide input to the process and share local insight into the function and values that wetlands provide within the City as well as the surrounding Townships.

2. Nature of the Plan Area.

The City of Sauk Rapids is approximately 4000 acres in size. It is located in Benton County and is uniquely situated on long the east bank of the Mississippi River. Its neighbors to the south and west, across the river, are the cities of St. Cloud and Sartell. The Sauk Rapids plan area contains a series of lakes, rivers, ditches and adjacent wetlands. Surface and groundwater flow is to the south eventually working its way through the Anoka Sand plain to the Mississippi River. Based on the existing land use maps the core of the city is comprised primarily of residential, commercial, industrial and public land uses with increasing residential development patterns and vacant/agricultural lands being located in the growth areas. The recently completed wetland inventory encompassing a 14,151 acre project area indicated there are 160 wetlands totaling 2550 acres.

3. **Plan Review.** In accordance with 8420.0830, Subp.6, A-C, the plan was developed, reviewed, and revised in consultation with the U.S. Army Corps of Engineers, the Department of Natural Resources, the Pollution Control Agency, the Board of Water and Soil Resources, the technical evaluation panel (TEP), which includes representation from Benton County, Benton Soil and Water Conservation District, the Department of Natural Resources and the Board of Water and Soil Resources. Local citizens and other Local Government Units were also invited to participate. The plan development process included numerous drafts and opportunities for comment. A draft copy was sent to the Department of Agriculture. They chose not comment. The Plan has provided an attached Ordinance that will be officially adopted by the City of Sauk Rapids to implement the Plan.

4. Highlights of the Plan. The critical elements of the Plan include:

The plan assessed the 160 wetlands within the defined project area utilizing the Minnesota Routine Assessment Methodology (MnRAM). This method incorporates objective and categorical information collected on wetlands to evaluate overall wetland health, vulnerability and social value. The MnRAM assessment also identified wetlands that have the potential for hydrologic restoration. These wetlands are generally characterized as being effectively or partially drained through artificial hydrologic modifications. Potential wetland mitigation areas were identified based on landscape characteristics, adjacent land use, proximity to wetlands and source of hydrology. Based on the results of MnRAM wetland function and values four different management categories and corresponding replacement ratios were established. These categories in descending order of priority included Preserve, Manage 1, Manage 2, and Manage 3. The assigned ratios of replacement vary from 6:1 in the Preserve category to 1:1 in those areas designated as Manage 3.

5. Plan review and approval

The draft plan was submitted to the BWSR, other state agencies and local governments on March 10, 2011. The agency comments were addressed in writing on July 1, 2011. A public hearing was held on July 11, 2011. On October 6, 2011, a final draft, ordinance and all required documentation was submitted to the Board. On November 23, 2011, an extension for review and approval was granted to the BWSR, by the City of Sauk Rapid until February 29, 2012, to accommodate the Army Corps of Engineers public notification process. Based on the comments received, several changes were made to the plan and ordinance by the City of Sauk Rapids. Both the final plan and ordinance were recommended for approval on January 19, 2012, to be approved by the BWSR on January 25, 2012.

North Region Water Plan Committee Meeting.

The Board's North Region Water Plan Committee met on January 19, 2012 with City representative Todd Schultz, Community Development Director and Jed Chesnut, Wetland/Natural Resource Specialist, WSB & Associates to review and discuss the Plan. Those in attendance from the Board's Committee were Chair Quentin Fairbanks, Paul Brutlag, Lori Dowling, Keith Mykleseth, Brian Napstad, Rob Sip, Gene Tiedemann. The Board staff in attendance was North Region Supervisor Ron Shelito, Senior Wetland Specialist, Dale Krystosek and Wetland Specialist, Keith Grow. Staff recommended approval of the Plan. After discussion, the Committee unanimously voted to recommend approval of the Plan to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Comprehensive Wetland Protection and Management Plan and Ordinance for the City of Sauk Rapids pursuant to Minnesota Statutes Section 103G.2242, Subd. 1(c).
3. The City of Sauk Rapids' Comprehensive Wetland Protection and Management Plan and Ordinance is attached to this Order provides a functional assessment framework for all wetlands within the City of Sauk Rapids, management strategies based on this assessment, and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Sections 103G.221 to 103G.2373 and Minnesota Rules Chapter 8420.

ORDER

The Board hereby approves the attached Comprehensive Wetland Protection and Management Plan, dated October 6, 2011, for the City of Sauk Rapids, Benton County, Minnesota.

Dated at Saint Paul, Minnesota this 25th day of January, 2012.

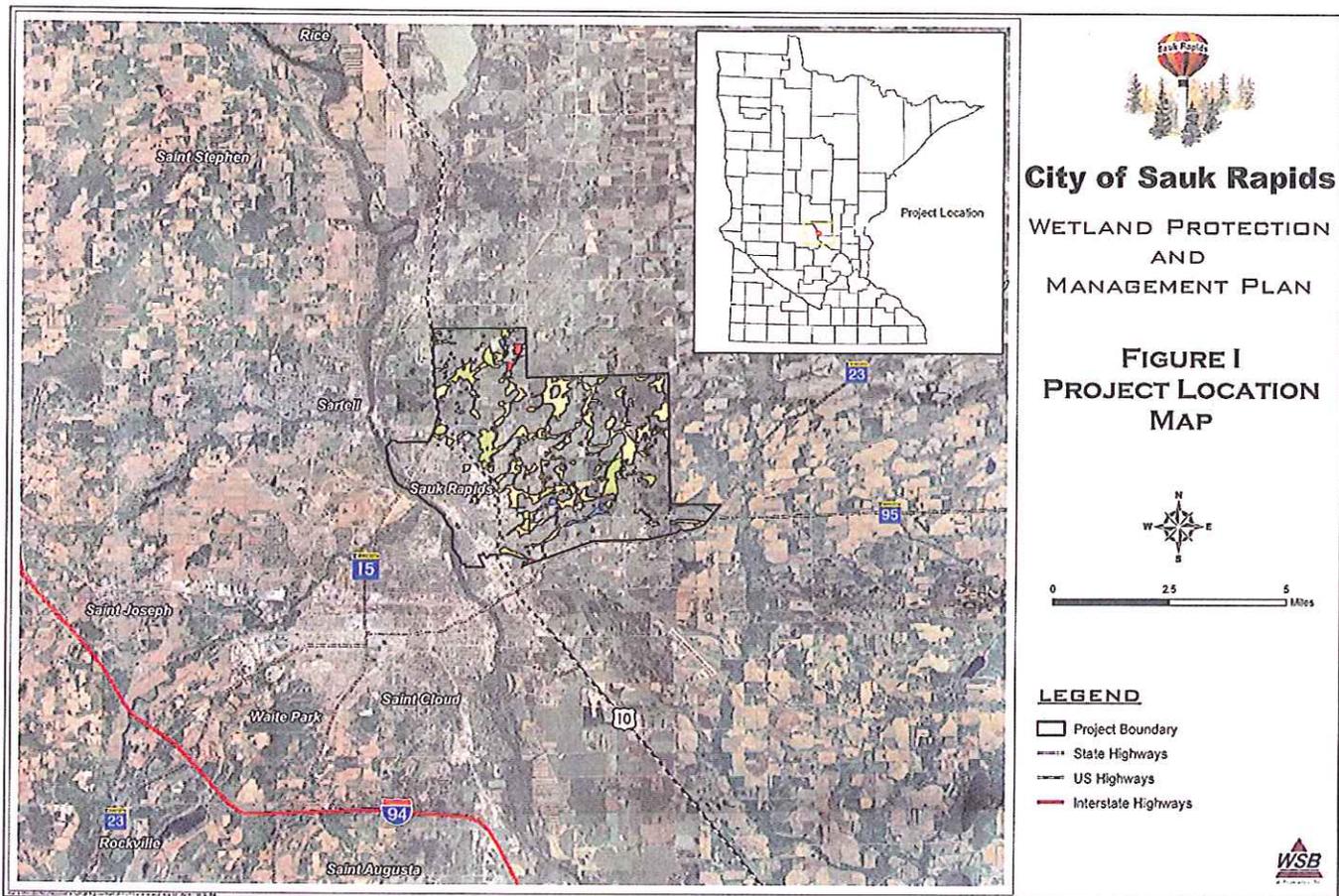
MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

CITY OF SAUK RAPIDS COMPREHENSIVE WETLAND PROTECTION AND MANAGEMENT PLAN OVERVIEW

Purpose

Minnesota Statutes Section 103G.2242, Subd. 1c and Minnesota Rules Chapter 8420.0830 allow the Board to approve a Comprehensive Wetland Protection and Management Plan (CWPMP) developed by a local government unit, provided it is implemented by a local government unit, provided it is implemented through the local government unit's official controls. The CWPMP identifies the importance of wetlands through a functional assessment and the role they play in the community. The plan also provides a management strategy to assist the city in their city-wide planning efforts as they seek to balance wetland protection and management with future growth and development.

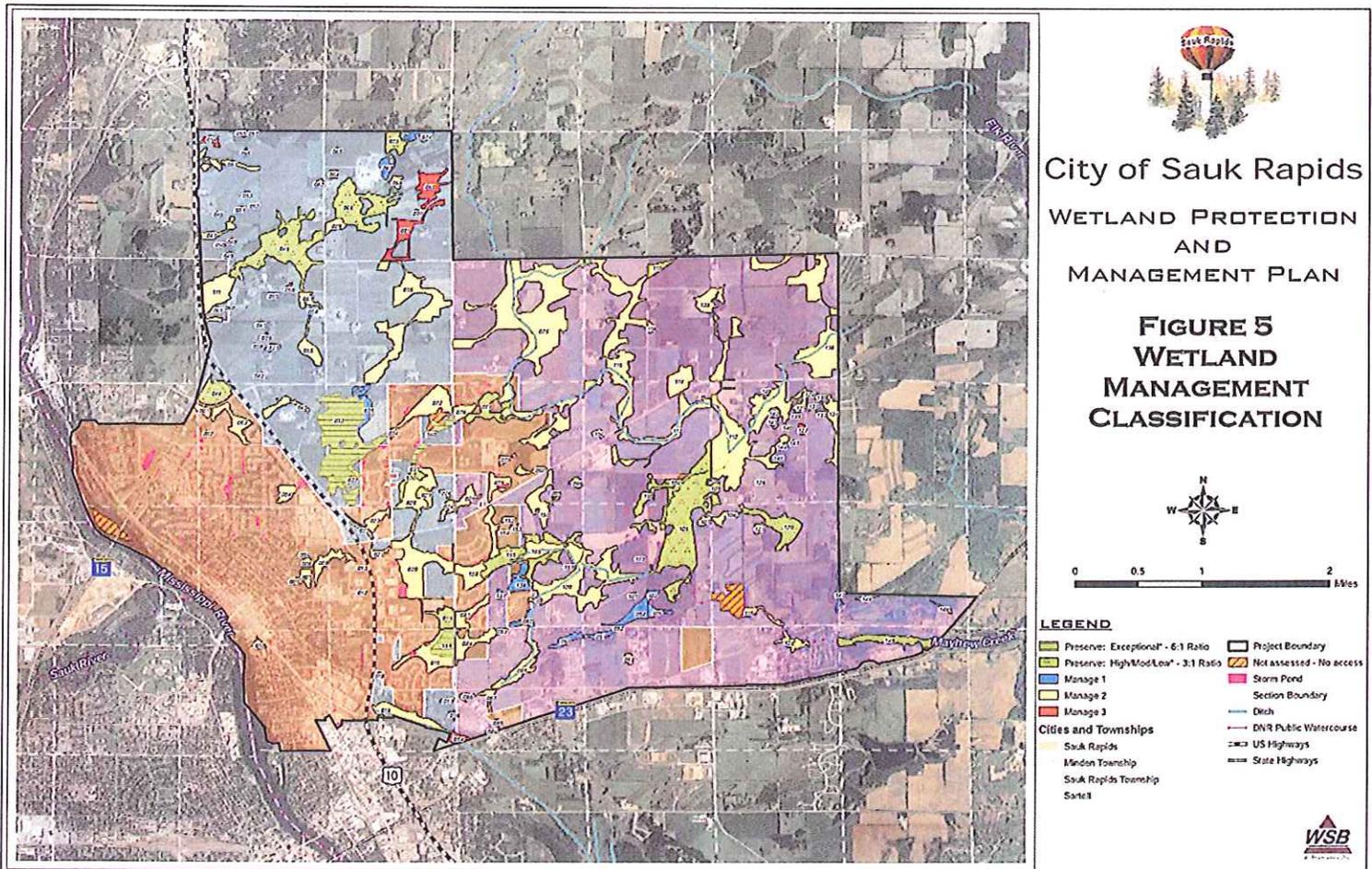


The stated objectives and allowable flexibility of the CWPMP will allow the City to:

- Identify, evaluate, classify and create an inventory of wetlands within the City.
- Identify wetland functions and resources important to the City.
- Identify existing storm water ponds.
- Identify potential wetland restoration and mitigation sites.
- Establish wetland replacement ratios based on management categories and strategies.
- Manage wetland resources.
- Develop and integrate a long-term wetland management strategy with future development and other land use activities.

- Provide technical information and baseline data regarding the functions and values of wetland within the City.
- Incorporate the existing Natural Resource Inventory (NRI) in the classification and assessment of the wetlands.
- Provide advance information for developers and the City about the quality of wetlands within the site.
- Achieve no net loss in the quantity and quality of Sauk Rapids' wetlands
- Enact policies that will encourage preservation and enhancement of high quality wetlands while streamlining utilization of lower quality wetlands
- Create a detailed GIS database about the wetlands that can be used by City Staff and residents.
- Manage wetland resources through the prioritization of existing wetland for restoration and the strategic selection of replacement sites;
- Reduce flooding and flood damage;
- Improve downstream water quality by maintaining or reducing nutrient and sediment loads downstream;
- Enhance wildlife habitat and ecological integrity.

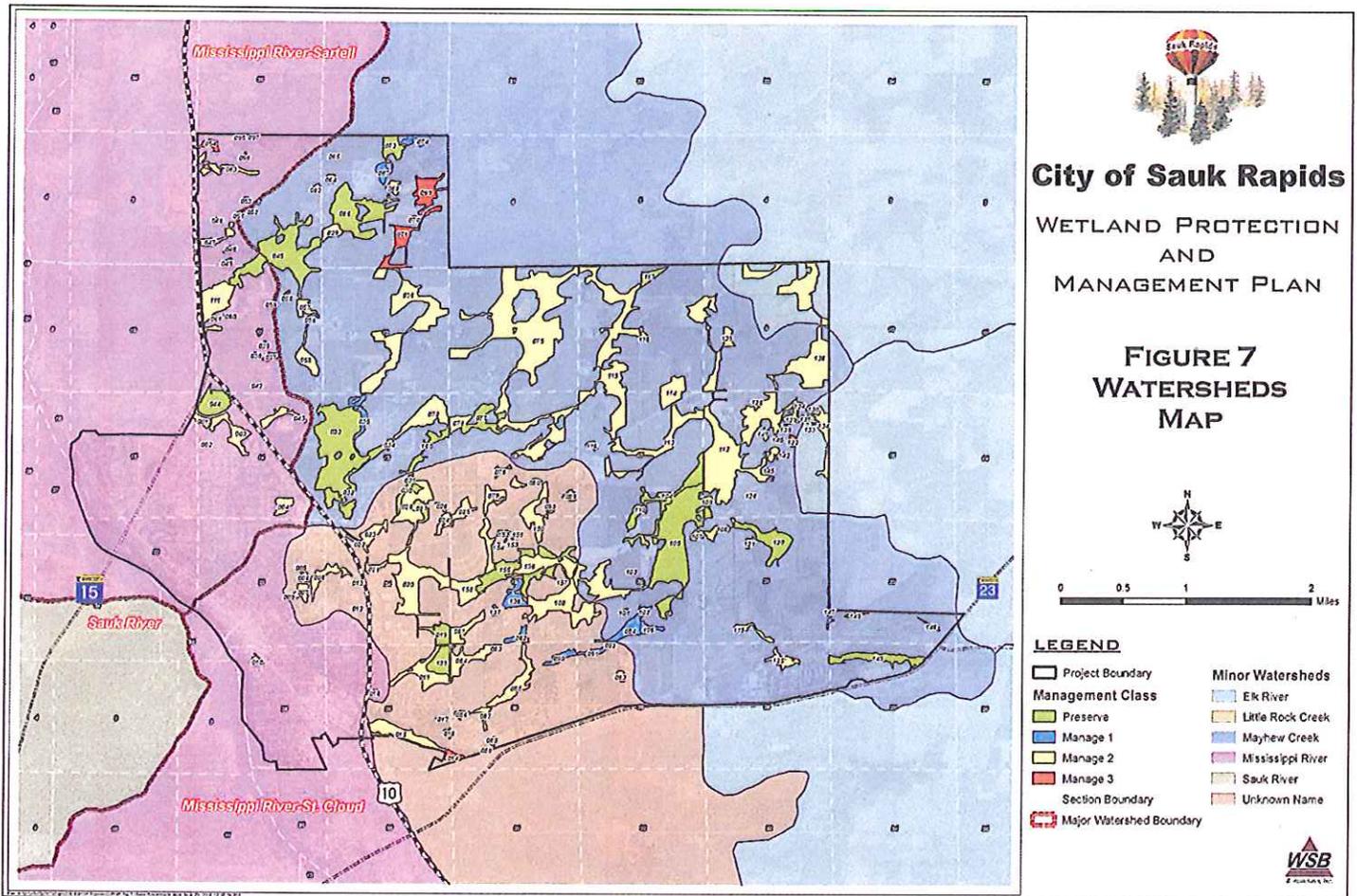
This plan was prepared to integrate the concepts of wetland management and protection with the needs and goals of the City of Sauk Rapids as it relates to the current development and land use trends within the region.



Nature of the Landscape

The City of Sauk Rapids is approximately 4,000 acres in size. It is located in Benton County and is uniquely situated on along the east bank of the Mississippi River. Its neighbors to the south and west, across the river, are the City of St. Cloud and the City of Sartell. The Sauk Rapids plan area contains a series of lakes, rivers, ditches

and adjacent wetlands. The surface and groundwater flow is to the south eventually working its way through the Anoka Sand Plain to the Mississippi River. Based on the existing land use maps the core of the city is comprised primarily of residential, commercial, industrial and public land uses with increasing residential development patterns and vacant/agricultural being located in the growth areas. A recently completed inventory indicated there are 160 wetlands totaling 2550 acres over the 14,151 acre project area.



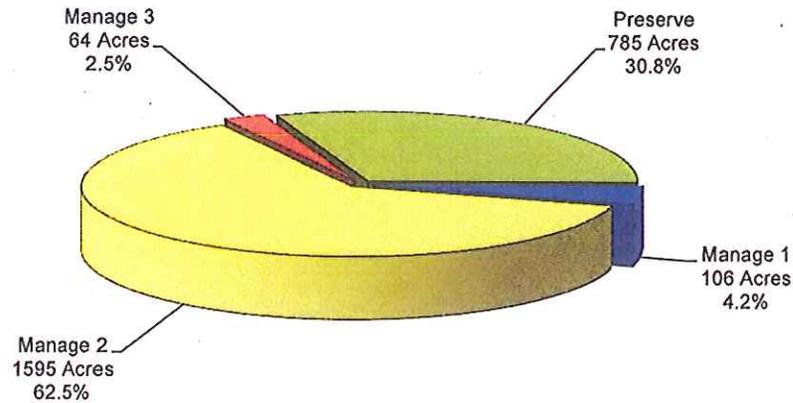
Plan Review

In accordance with 8420.0830, Subp.6, A-C, the plan was developed, reviewed and revised in consultation with the U.S. Army Corps of Engineers, Department of Natural Resources, The Pollution Control Agency, The Board of Water and Soil Resources, the Technical Evaluation Panel (TEP), which includes representation from Benton County, the Benton Soil and Water Conservation District and the Board of Water and Soil Resources – Bemidji/Brainerd). Local citizens and surrounding local units of government were also asked to participate. The plan development process included numerous drafts and opportunities for comment. As required in rule a draft was submitted to the Minnesota Department of Agriculture. They chose not to comment. The plan has an attached Ordinance that will be officially adopted by the City of Sauk Rapids in order to implement the plan.

The Status of Wetlands & Key elements of the plan

This CWPMP assessed the 160 wetlands within the project area utilizing the Minnesota Routine Assessment Methodology (MnRAM). This methodology incorporates objective and categorical information collected on wetlands to evaluate overall wetland health, vulnerability and social value. The technical analyses associated with the CWPMP show that wetland quality within the Plan area varies considerably, ranging from pockets of high quality, non-degraded wetland, to degraded wetlands that have been bisected by various private and public drainage systems, development and agriculture. Land available for development is limited and wetland management polices and rules which consider this are of great value to the City of Sauk Rapids.

Graph 1 - MnRAM Results



The MnRAM assessment also identified wetlands that have the potential for hydrologic restoration. These wetlands are generally characterized as being effectively or partially drained through artificial hydrologic modifications. Potential wetland mitigation areas were identified based on landscape characteristics, adjacent land use, proximity to wetlands and source of hydrology. Based on the results of MnRAM wetland functions and values and the rule requirement to meet the no-net loss of wetlands four different management categories were developed. These categories are as follows:

- **Preservation:** Wetland placed in this category generally provided high functions for vegetative diversity with some functions for water quality protection and flood attenuation. There are approximately 785 acres in this category as reflected in the MnRAM study.
 - *The replacement ratio for wetland impacts occurring in these areas:*
 - a. *Exceptional – (6:1)*
 - b. *High/Moderate/Low (3:1)*
- **Manage 1:** Wetlands placed in this category generally provided high functions for vegetative diversity with some functions for water quality protection and flood attenuation. There are approximately 106 acres in this category.
 - *The replacement ratio for wetland impacts occurring in these areas: 2.5:1*
- **Manage 2:** Wetlands placed in this category generally provided some functions for vegetative diversity with high function for water quality protection and flood attenuation. There are approximately 1595 acres in this category.
 - *The replacement ratio for wetland impacts occurring in these areas: 2:1.*
- **Manage 3:** Wetlands placed in this category generally provided the highest functions for water quality protection and flood attenuation. Many of these wetlands serve storm water storage and treatment functions. There are approximately 67 acres in this category.
 - *The replacement ratio for wetland impacts occurring in these areas: 1:1*

Under this CWPMP, the City may allow in-lieu fees for the increase replacement ratios beyond the 2:1 required replacement. These fees will be held in City Escrow accounts and will be used for projects that enhance or protect the natural resources within the City. This option will be exercised at the City's discretion.

Table V-1 summarizes the wetland management strategies for each management category.

Classification	Mitigation Requirements	Sequencing	Management Strategy
Preserve	Replacement ratios vary as described above: Exceptional* = 6:1 High/Mod/Low* = 3:1	Impacts allowed only under extreme hardship. Sequencing in conformance with WCA.	Actively protect and preserve functions and values of wetlands to the maximum extent feasible. Avoid impacts and changes to hydrology to greatest extent feasible.
Manage 1	Replacement at a 2.5:1 ratio	Sequencing in conformance with WCA.	Maintain existing functions and values.
Manage 2	Replacement at a 2:1 ratio	Sequencing in conformance with WCA.	Maintain existing functions and values, restore where applicable.
Manage 3	Replacement at a 1:1 ratio	Sequencing flexibility may be applied to proposed impacts to Manage 3 wetlands. Sequencing information is outlined in Appendix E .	Use for stormwater management, restore where applicable.

* Weighted average wetland rating for vegetative diversity/integrity as calculated by the MnRAM analysis

Plan Review and Approval

The draft Plan was submitted to BWSR, other state agencies, and local governments on March 10, 2011. The agency comments were addressed in writing on July 1, 2011. A public hearing was held on July 11, 2011. On October 6, 2011, a final draft, ordinance and all required documentation was submitted to the BWSR. On November 23, 2011, an extension for review and approval was granted to the BWSR by the City of Sauk Rapids until February 29, 2012, to accommodate the Army Corps of Engineers public notification process. Based on the comments received several changes were made to the plan and ordinance by the City of Sauk Rapids. Both final plan and ordinance were recommended for approval on 19, 2012, to be approved by the BWSR on January 25, 2012.

Agency Comments and Response

The City of Sauk Rapids received and responded in writing to Thirty-five comments. The following are a representation of those comments:

BWSR Comments

1. The plan should be coordinated with the U.S. Army Corps of Engineers to ensure that the plan is consistent with Section 404 of the Clean Water Act.

Response:

- a. The Corps has been invited to attend all agency meetings and has been sent all correspondence in concluding a Draft Plan as per Minnesota Rule 8420.0830, Subp. 6, D.
- b. The Corps has indicated in email correspondence that the final draft will be reviewed and posted for a 30 day public comment period. No public comments were received.

2. **Assuming the role of a Local Unit of Government (LGU) – Each LGU must send written acknowledgement, including a copy of the adopting resolution to the Board of Water and Soil Resources (BWSR, as per 8420.0200, Subp. 2, Item A).**

Response:

- a. Written acknowledgement including a copy of the adopting resolution will be sent by the City of Sauk Rapids to the BWSR upon official adoption of the Plan and Ordinance by the Sauk Rapids City Council.

3. **The plan should specify how the City of Sauk Rapids will comply with Minnesota Rules 8420.0220, Subp. 2, B., which states, "A local government unit must provide knowledgeable and trained staff with expertise in water resource management to manage the program or secure a qualified delegate.**

Response:

- a. The City will meet this requirement by providing its own trained and knowledgeable staff, or retaining a trained and knowledgeable wetland consultant.

4. **The plan should further detail the role of the Technical Evaluation Panel (TEP), including the utilization of additional expertise as needed.**

Response:

- a. The TEP's role under this Plan will follow the procedures outlined in Minnesota Rule 8420.0240, as amended. In such instances where additional expertise is required by the City of Sauk Rapids or the TEP, either the City or the TEP may seek advice and assistance from others with the require knowledge and expertise to provide guidance and recommendations.

5. **8420.0117, Subp. I, classifies, Benton County as a county which has 50% to 80% of its pre-settlement wetlands remaining. A 2:1 replacement ratio is required. If the scheduled three-year review shows a ratio deficit, how will the City make up the loss in wetlands?**

Response:

- a. If, upon review at the 3-year internal review, the City's net quantity of wetlands is less than the 2:1 ratio, the City will implement a strategy whereby the reduced mitigation ratio will be changed to account for the deficit. The 1st 3-year internal review will be in consultation with the TEP and in consideration of the TEP's recommendation. Language has been added to the plan to address this comment.

Department of Natural Resources comments:

1. **The Sauk Rapids Conservation Overlay District data set should be considered along with MnRAM in the classifications of wetlands. The overlay district represents not only wetland characteristics but community and natural resource values.**

Response:

- a. The city considers the Conservation Overlay District on a case by case basis when reviewing land-use applications. Therefore it wasn't directly applied to the Plan project area during the MnRAM analysis. Additionally, the MnRAM does not specifically address overlay districts when performing the functional assessment.

2. **Section V, B., Page 13, 1. Wetland Mitigation and Sequencing Preserve. Add language that will define "extreme hardship". Add language that protects the watershed of Preservation wetlands to minimize off site impacts to water delivery that would impact the functions and values of the wetland basin.**

Response:

- a. Applications will be reviewed and decided upon on a case by case basis. Extreme hardship will be determined by the City which will rely on its variance standards as defined in Section 10 of the City

Code to determine extreme hardship. Language was added to the Plan and Ordinance to incorporate this approach.

- b. The Plan has been designated to meet the requirements of the WCA on a watershed level. Additional restrictions to offsite areas and related impacts are beyond the intent of the City's plan.

Minnesota Pollution Control Agency

1. I reviewed the document and I do not have any specific comments. I do however have some general comments. I am pleased to see that the City of Sauk Rapids is taking a proactive approach in managing their wetland resources. It looks like this plan was well thought out. This effort to manage these wetland resources will compliment the State's water quality programs as well. We are currently involved in a Major Watershed Restoration and Protection Project for the Mississippi River-St. Cloud watershed project, which includes the City of Sauk Rapids. There will be future opportunities for the City to participate.

U.S. Army Corps of Engineers comments – St. Paul Staff

1. Section 404 Consistency of the CWPMP
 - a. The CWPMP includes a wetland inventory and preliminary assessment of aquatic resources in the study area, to aid in watershed-based management.
 - b. The CWPMP identifies, on a landscape level, a network of waterways, wetlands and adjacent uplands for preservation, restoration and/or establishment.
 - c. The CWPMP includes compensatory wetland mitigation guidelines based upon wetland impact type, location and the degree of wetland resources degradation that are applicable to projects permitted within the study area. Mitigation as outlined in the Plan will be maintained at a 2:1 compensation ratio.
 - d. A site review and a wetland delineation in conformance with the U.S. Army Corps of Engineers Wetland Delineation Manual (January 1987) and applicable Supplements, as amended and updated will be required as part of the application for any potential wetland impact or development activity.

Benton County comments

1. Subp. 8 Item (A) Enforcement, suggest adding additional verbiage discussing that in the instance where this ordinance is more restrictive than WCA then city enforcement procedures shall be followed. (Reason my understanding is that Wetland Enforcement Officers and Conservation Officers cannot enforce local wetland ordinances where they are more restrictive than WCA.

Response:

- a. City enforcement procedures shall be followed where the Plan is more restrictive than the WCA. Language has been added to the ordinance to clarify this.

2. *Page 13 – Allow cash payment in lieu of replacement above 1:1 at city discretion. I would suggest adding with TEP concurrence.*

Response:

- a. The cash payment in lieu of replacement is for the increased ratio above the required 2:1. The City maintains this option at its discretion. No changes were made to the plan.
- b. Under this CWPMP, the city may allow in-lieu fees for the increase replacement ratios beyond the 2:1 required replacement. These fees will be held in City Escrow accounts and will be used for project that enhance or protect the natural resources within the City. This option will be exercised at the City's discretion.

Staff Recommendation

BWSR Senior Wetland Specialist Dale Krystosek and Wetland Specialist Keith Grow recommend approval of the City of Sauk Rapids Comprehensive Wetland Protection and Management Plan.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Sand Hill River WD Revised Plan

Meeting Date: January 25, 2012
Agenda Category: [X] Committee Recommendation [] New Business [] Old Business
Item Type: [X] Decision [] Discussion [] Information
Section/Region: Northern Region
Contact: Brian Dwight
Prepared by: Brian Dwight
Reviewed by: Northern Water Planning Committee(s)
Presented by: (?) TBD at Jan. 19th NPRC mtg.

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [] Resolution [X] Order [] Map [] Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of the Sand Hill River Watershed District Water Management Plan pending Northern Plan Review Committees recommendation at their January 19, 2012 meeting.

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

The District was established on May 21, 1975 from the Sand Hill River Drainage and Conservancy District. The District is located in the northwest portion of Minnesota and includes parts of, Mahnomen, Polk, and Norman Counties. The general purpose of the District include: Flood Damage Reduction, Surface and Groundwater Quality, Erosion and Sediment Control, Natural Resources Enhancement, and Education.

A watershed district is required to revise their watershed management plan at least once every ten years pursuant to Minnesota Statutes Section 103D.405, Subd. 1 (a). The latest Water Management Plan of the District was prescribed by the Board in April of 1998. The revised Plan includes an inventory of the District's physical features, water and natural resources, describes water-related problems and possible solutions, describes activities and projects that the District has completed, and states goals, objectives and related actions for current and future water and natural resources management.

The SHR WD Revised Water Management Plan is a very comprehensive plan. The Plan identifies quantifiable Natural Resource Enhancement and Water Management Desired Future Conditions for four individual planning regions. The Plan establishes a watershed wide monitoring system which will be used to evaluate progress in the area of stream flow reductions, water quality and overall stream health (this has been labeled the RALs concept, Regional Assessment Locations), refines the Army Corp of Engineers project review process for projects needing Clean Water Act Section 404 authorization, referred to as the "Points of Concurrence" process, and to assist in the funding of projects the SHR WD establishes four Water Management Districts which cover the entire SHR WD.

The Plan development process provided much opportunity for public input, comment, and review. BWSR staff has assisted the SHR WD and their consultant through this planning process. In the final draft, we provided many comments concerned with the needed specificity in the Plan section in which the WMDs were established. The SHR WD has provided the needed changes. It is the opinion of BWSR staff that the Plan now meets statutory requirements of 103D.729 Water Management Districts, the intent of the Flood Damage Reduction Work Group Mediation Agreement of December 1998 as well as 103D.405 Revised Watershed Management Plan.

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

In the Matter of prescribing a Revised Watershed Management Plan that establishes Water Management Districts for the **Sand Hill River Watershed District** pursuant to Minn. Stat. § 103D.405 and 103D.729

**ORDER
PRESCRIBING
WATERSHED MANAGEMENT
PLAN**

Whereas, the Board of Managers of the Sand Hill River Watershed District (SHR WD) filed a proposed Revised Watershed Management (Plan) dated May 13, 2011 with the Board of Water and Soil Resources (Board) on May 16, 2011 and a revised draft dated December 19, 2011 pursuant to Minn. Stat. § 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 District was established on May 21, 1975 from the Sand Hill River Drainage and Conservancy District. The District is located in the northwest portion of Minnesota and includes parts of, Mahnomon, Polk, and Norman Counties. The general purpose of the District include: Flood Damage Reduction, Surface and Groundwater Quality, Erosion and Sediment Control, Natural Resources Enhancement, and Education.
2. **Requirement to Plan.** A watershed district is required to revise their watershed management plan at least once every ten years pursuant to Minnesota Statutes Section 103D.405, Subd. 1 (a). The latest Water Management Plan of the District was prescribed by the Board in April of 1998. The Plan includes an inventory of the District's physical features, water and natural 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 and natural resources management. The plan also proposes to establish water management districts for four planning regions pursuant to Minn. Stat. § 103D.729 for the purpose of collecting revenues and pay costs for projects initiated under Minn. Stat. §§ 103D.601, 103D.605, 103D.611 or 103D.730.

3. **Territory.** The SHR WD is approximately 495 square miles in size and is located in northwestern Minnesota. Lands within the District are distributed in the following counties: Polk (88.3%), Mahnommen (6.7%), and Norman (5.0%).
4. **Nature of the Watershed.** The Sand Hill River is relatively unbranched as it traverses the district. One notable exception is Kittleson Creek. Kittleson Creek is located in the north-central part of the district and joins the Sand Hill River between the cities of Fertile and Beltrami. These watercourses consist of a intermingling of natural streams and public and private drainage systems. Most of the land traversed by the Sand Hill River is characterized by low relief and is in agricultural production. The Sand Hill River flows west from Sand Hill Lake south of Fosston towards Winger, Fertile, Beltrami and Nielsville, Minnesota to the confluence with the Red River of the North near Climax Minnesota. There are many small lakes within the east-central portion of the SHRWD between Fertile and Winger. Most of these lakes tend to be closed basins or have poorly developed outlets. Union and Sara Lakes are the largest and most heavily developed in the District. The SHRWD is comprised of portions of Polk, Mahnommen and Norman Counties. Municipalities within the SHRWD include: Fosston, Winger, Fertile, Beltrami, Nielsville and Climax
5. **Water Management Districts.** BWSR guidelines dated December 2010 states that for water management districts established in perpetuity, Watershed Districts must establish a local appeal process and evaluate the water management district in each ten-year plan revision. The SHR WD has included a local appeals process and the SHR WD will evaluate the use and effectiveness of the Water management District every 10 years.
6. **Local Review.** The SHR WD sent a copy of the draft Plan to local units of government for their review pursuant to Minn. Stat. § 103D.405. The SHR WD also provided copies to additional local, state, and federal agencies, citizens' advisory committee, technical advisory committee, and provided access to copies for the general public at the District office and website.
7. **Department of Natural Resources Review.** The DNR is in support of the plans goals and polices and states that the revised plan appears to conform to adopted watershed management plan guidelines and complies with the general requirements of MN. Stat. § 103D.405, Subd. 1, item B.
8. **Department of Agriculture Review.** Not required by law to review, however the MDA provided comments that support multi-purpose approaches to managing water quality and quantity on an agricultural landscape. "The MDA applauds the efforts of the SHR WD to work with landowners in a proactive manner and to develop innovative and creative initiatives to implement positive changes on the landscape".

9. **Department of Health Review.** Not required by law to review. No comments received
10. **Pollution Control Agency Review.** Not required by law to review. No comments received
11. **Other review comments.** No other comments received
12. **Highlights of the Plan.** The SHR WD Revised Water Management Plan is a very comprehensive plan, which sets quantifiable flood damage reduction and natural resource enhancement goals for four individual planning regions covering the entire watershed district. The Plan establishes a watershed wide monitoring system which will be used to evaluate progress in the area of stream flow reductions, water quality and overall stream health (this has been labeled the RALs concept, Regional Assessment Locations), and refines the Army Corp of Engineers project review process for projects needing Clean Water Act Section 404 authorization, referred to as the “Points of Concurrence” process. To assist in the funding of projects the SHR WD establishes four Water Management Districts which cover the entire SHR WD.
13. **Hearing Notice.** The Legal Notice of Filing on the Plan, pursuant to Minn. Stat. § 103D.105 Subd. 2, was published in the Crookston Daily Times on August 15 and 22, 2011, in the Norman County Index and The Thirteen Towns on August 16 and 23, 2011, and in the Mahnommen Pioneer on August 18 and 25, 2011. Further, a copy of the notice of filing was mailed to several addresses notifying them of the legal notice of filing, including the Mahnommen, Norman, and Polk County Auditors, Administrators, and Soil and Water Conservation Districts; all of the cities within the watershed district; DNR, and a representative for the Watershed District.
14. **Public Hearing.** The Legal Notice of Filing was published pursuant to Minn. Stat. § 103D.105 Subd. 2, which requires within 30 days of the last date of publication of the Notice of Filing of the Revised Water Management Plan that a least one request for hearing be received by the Board before a hearing will be held. No request for hearing and no comments were received during the specified period of time and no hearing was held.
15. **Board Staff Report.** The Plan development process provided much opportunity for public input, comment, and review. The Plan identifies quantifiable Natural Resource Enhancement and Water Management goals, objects, and actions for the Sand Hill River Watershed. The Plan meets the requirements of 103D.405, follows the guidelines provided by Board of Water and Soil Resources, and upholds the intent of the “Red River Basin Flood Damage Reduction Work Group Agreement of December 9, 1998”.
16. **North Region Water Plan Review Committee.** The committee met on January 19, 2012 those in attendance from the Board’s Committee were (add committee members). Board staff

in attendance were Ron Shelito and Brian Dwight. Board staff recommend approval of the plan? After discussion, the subcommittee unanimously voted to recommend approval of the Plan?

(Insert recommendation following Committee Meeting)

CONCLUSIONS

1. The proposed revised Plan including the establishment of water management districts are valid in accordance with Minn. Stat. § 103D.405 and 103D.729.
2. Proper notice of filing was given in accordance with applicable laws.
3. All relevant, substantive and procedural requirements of law and rule have been fulfilled.
4. The Board has proper jurisdiction in the matter of approving a Plan for the SHRWD pursuant to Minn. Stat. § 103D.405.
5. The attached Plan is in conformance with the requirements of Minn. Stat. Chapter 103D, Board guidelines for Watershed District Plan content and Water Management Districts, and is consistent with the affected counties' comprehensive water plans.
6. Four water management districts established in perpetuity. The SHR WD did establish a local appeal process for land owners who feel their fee/charges deserve adjustment due to land treatment/use changes.
7. Watershed Districts must include an evaluation of the use and effectiveness of the water management district and make needed adjustments in each ten-year plan revision.

ORDER

The Board hereby prescribes the attached Plan dated December 19, 2011 as the Revised Watershed Management Plan for the Sand Hill River Watershed District to establish water management districts. The Sand Hill River Watershed District must include an evaluation of the use and effectiveness of the water management district in each ten-year plan revision.

Dated at Saint Paul, Minnesota this 25th day of January, 2012.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Brian Napstad, Chair

SAND HILL RIVER WATERSHED DISTRICT

WATERSHED
MANAGEMENT PLAN

DRAFT NO. 3

DECEMBER 19, 2011

Prepared by:
Houston Engineering, Inc.
1401 21st Avenue North
Fargo, ND 58102

1. Introduction

1.1 District Overview

The mission of the Sand Hill River Watershed District (SHRWD) is to serve the residents of the District by wisely and judiciously managing water resources in a manner which sustains and enhances the social, economic and natural resources of the District.

495 WTD Boundary Change
The Sand Hill River Watershed District (SHRWD), located in northwest Minnesota, comprises an area of 440 square miles. The Sand Hill River is relatively unbranched as it traverses the district. One notable exception is Kittleson Creek. Kittleson Creek is located in the north-central part of the district and joins the Sand Hill River between Fertile and Beltrami. These watercourses consist of a intermingling of natural streams and public and private drainage systems. Most of the land traversed by the Sand Hill River is characterized by low relief and is in agricultural production. The Sand Hill River flows generally to the west from Sand Hill Lake south of Fosston towards Winger, Fertile, Beltrami and Nielsville, Minnesota to the confluence with the Red River of the North near Climax, Minnesota.

There are many small lakes within the east-central portion of the SHRWD between Fertile and Winger. Most of these lakes tend to be closed basins or have poorly developed outlets. Union and Sara Lakes are the largest and most heavily developed in the District.

The SHRWD is comprised of portions of Polk, Mahnomen and Norman Counties (**Table 1.1**). Municipalities within the SHRWD include: Fosston, Winger, Fertile, Beltrami, Nielsville and Climax (**Figure 1.1**). The SHRWD office is located in Fertile and is responsible for resource management within the District boundary.

The Board of Managers (**Table 1.1**), responsible for guiding the direction of the SHRWD is appointed by the County Commissioners. Five Managers are appointed by the Polk County Board of Commissioners from within the District's legal boundary. Citizens who reside within the District in Norman and Mahnomen Counties may also be appointed as Managers by the Polk County Board of Commissioners.

Table 1.1. Composition of the Sand Hill River Watershed Distr. Board of Managers.

Name	Position	County
Harold Vig	Chairman	Polk
Roger Hanson	Vice Chairman	Polk
Stuart Christian	Treasurer	Polk
Scott Bolstad	Secretary	Polk
Robert Brekke, Jr.	Manager	Polk

Table 1.2. Counties Comprising the Sand Hill River Watershed District.

County	Square Miles (Acreage)	Percent Of District Area
Polk	437 (279,680)	88.3
Norman	25 (16,000)	5.0
Mahnomen	33 (21,120)	6.7

Plan Structure and Function

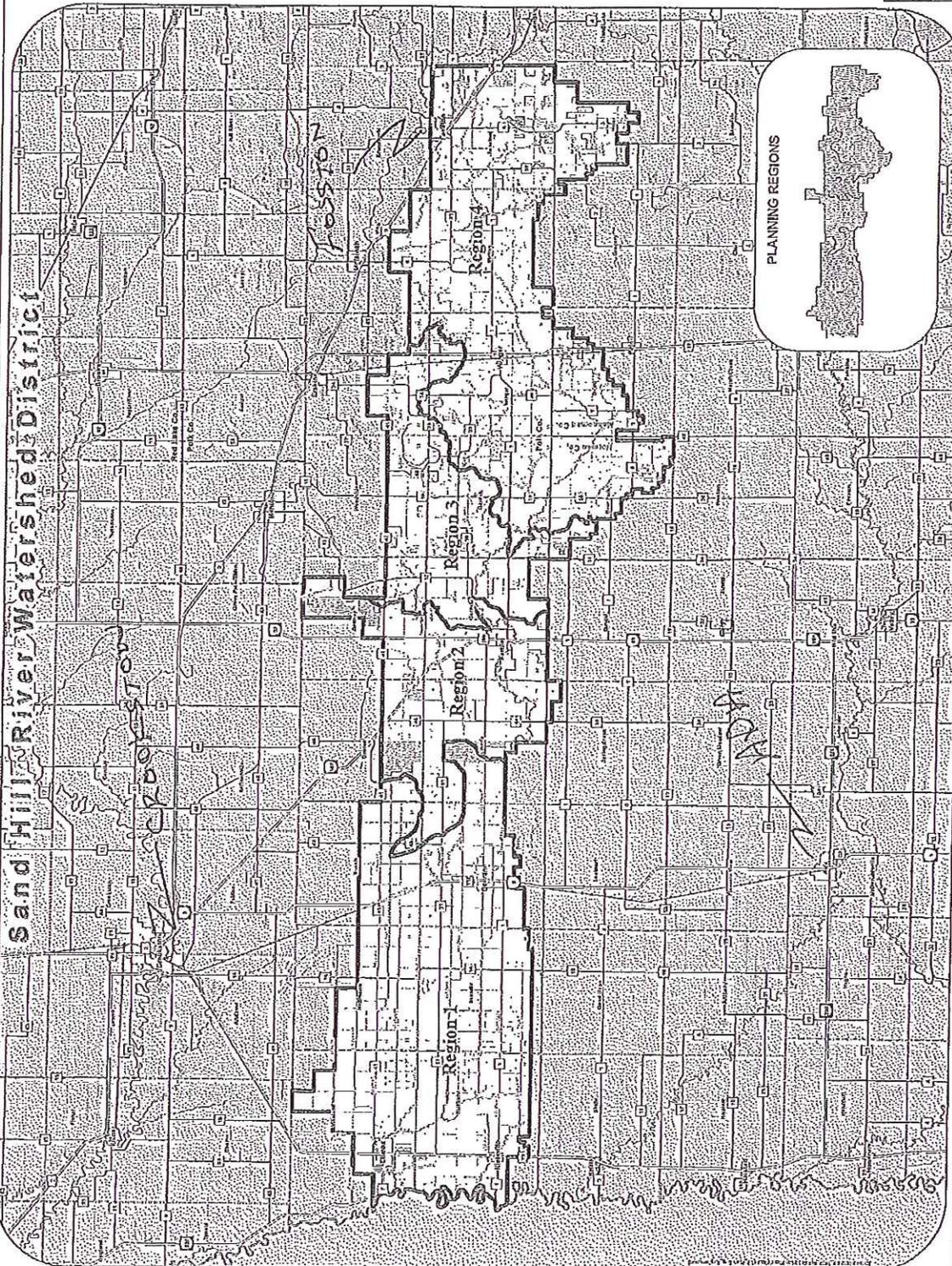
The watershed management plan for the SHRWD is organized according to the required contents described in the Watershed Management Plan Guidelines published by the Minnesota Board of Water and Soil Resources per Minnesota Statutes 103D.405.

The area covered by the SHRWD has been divided into four planning regions (Figure 1.2). These planning regions have been established in recognition of and in relation to the unique issues pertinent to specific areas of the District. It must be recognized that there are also resource problems that are common to the entire SHRWD. The structure of this Watershed Management Plan (WMP) has also, in kind, been subdivided on a planning region basis. Detail information for each of the four planning regions is presented as Appendices A through D to this WMP. Much of the detailed information from the planning region discussions has been used to create the main body of the WMP. The WMP organizational framework will act as a springboard where the various issues related to each specific planning region can be presented, and the goals and policies that are relevant to those issues can be discussed in a focused way.

Unlike previous plans, great effort has been made in this plan to quantify the goals of the SHRWD for both water quantity and quality, as well as natural resource enhancement. Some of these goals are broken down by planning region. In some cases the quantitative goals are yet to be established by ongoing studies that will not necessarily be completed by the closure of the WMP revision. Placeholders for this information will be left in the WMP with the quantitative goals being adopted as they are developed.

A new concept of regional assessment locations (RALs) is utilized in this WMP. Many of the District goals are broken down based on the location of the RAL. The RALs identified by the SHRWD provide the backbone of the monitoring plan for the District. A minimum of one RAL is located within each planning region. Some planning regions have multiple RALs to help to provide more detailed information. The intention of the RALs is to provide an analysis point to document trends in water quality, quantity, and natural resource enhancements. The RAL information will also document overall effects as a result of the combination of the water management activities of the District and others within the various sub-watersheds and planning regions of the SHRWD.

It is anticipated that these new efforts will help to enhance the District's ability to manage the water resources of the SHRWD.



- Legend**
- County Boundary
 - Legal Boundary
 - City
 - Sections, Watershed
 - Township
- Transportation**
- US Highway
 - State Highway
 - County Highway
 - County Road
 - Legal Drainage Ditch
 - Railroads
- Water Features**
- Centerline (River)
 - Stream (Perennial)
 - Drainage Ditch (Perennial)
 - Stream (Intermittent)
 - Drainage Ditch (Intermittent)
 - Waterbody
- State and Federal Land**
- National Wildlife Refuge
 - Waterfowl Production Area
 - Wildlife Management Areas
 - Scientific and Natural Areas
- Data source: MNDNR Data Base, 1997; USGS



Location Map

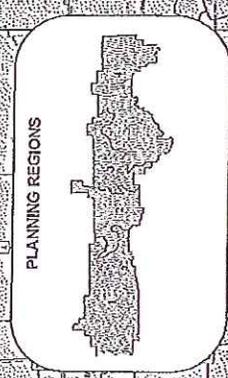


Figure 1.2: Planning Region Locations
 Date: 11/15/02
 Houston Engineering Inc.
 1401 Star Avenue, Suite 100, Houston, TX 77058
 Phone: 281-461-5000
 Fax: 281-461-5002
 Email: info@heing.com

5.2 Existing and Desired Future Conditions

Some description of the existing landscape resource condition is necessary in order to establish a baseline for assessing trends and as a basis for evaluating "progress." Existing conditions as well as the goals reflecting the Desired Future Conditions (DFC) can be described either through the use of actual measured data collected through monitoring efforts, models used to forecast resource condition, or a combination of monitoring information and modeling. Although many local, state, and federal agencies have been active within the SHRWD, the amount and quality of information available to describe existing conditions depends upon the type of resource. For example, less information is available within the SHRWD to describe existing conditions for the geomorphic stability of streams, than for the peak rate of discharge that leads to flooding. Expectations are that as the SHRWD along with other local, state and federal agencies complete additional technical information, the quality of information and means and methods used to describe existing conditions (and the Desired Future Condition) may change.

Recognizing that the resource condition, therefore the existing conditions, and the goals used to describe the DFC are interdependent is critical. For example, a goal to stabilize a portion of stream is dependent upon the goal to alter the peak rate or volume of runoff. Altering the amount of wetlands within an area, can affect the amount of sediment moving downstream and hydrology. As solutions are recommended and as project complexity increases, it may be of value to evaluate this interdependence at the RALs.

The existing conditions and DFC at the Regional Assessment Locations are defined in terms of water quality, water quantity, stream geomorphology, and upstream natural resource conditions affecting water resources. The existing conditions of a number of parameters may not be known in great detail at this time but hopefully over time, greater detail may be provided as data become more readily available.

The goals corresponding to the DFC at the RALs are also important. Improving resources within the SHRWD requires establishing quantifiable (measurable) goals for flood damage reduction and enhancing natural resources in the future. This SHRWD is developing goals with the intent of providing a vision for the future (i.e., "Desired Future Conditions") within the SHRWD. The Desired Future Conditions generally reflects resource conditions, such as the:

- Distribution of wetlands by Planning Region;
- The quantity and locations of native prairie blocks within the District;
- Maximum rate of discharge or runoff volume at key locations;

- The contribution of the SHRWD to the peak discharge on the main stem of the Red River;
- Water quality and attainment of standard; and
- General locations for establishing buffer strips.

The basis for these goals comes from multiple sources and certainly not the SHRWD alone. For example, the wetland and prairie restoration goals come from U.S. Fish and Wildlife Service planning documents. The SHRWD incorporated these goals based on input requested and received during the planning process, as recognition of their importance. Therefore, the goals are subject to change as more information becomes available.

The SHRWD also intends to use the DFCs and goals within this WMP, as means to focus funding and other requests for assistance, from a variety of sources. The SHRWD anticipates greater priority for expenditures in those areas that contribute progress toward a DFC.

The quantifiable, measurable goals corresponding to the DFCs, should not be construed as having any regulatory or legal meaning. The purpose is simply to establish targets for the future for various resources within the District. The goals correspond to a DFC and are expected to be used to assess the potential adverse and beneficial effects of projects and programs as well as other purposes. It is not possible to set a specific time limit to achieve these goals, as it may take a significant amount of time to achieve the DFC.

The existing and DFC for a variety of resources by planning region or location within the SHRWD are presented in this section and Appendices A through D. These tables are subject to revision based on additional studies and experiences gained by the District.

5.2.1 Hydrology

Flood damage reduction in the SHRWD is a major focus of District activities. In order to reduce flood damages, the SHRWD must have an understanding of existing hydrology. When addressing the hydrology of the SHRWD, both runoff volume and peak discharges were considered. Goals for flow volume reductions were established based on modeling. The runoff volume reduction goals were set, based on modeling, to achieve the desired peak discharge goals. Peak discharge goals have been set for the RALs.

Goals have been set for flow volume reductions on various streams within the SHRWD on a planning region and major sub-watershed basis. Meeting these goals will require a strategic plan for runoff volume reduction. Runoff volume reduction can be accomplished in various ways including conversion of agricultural lands to grasslands, floodwater impoundment projects, wetland restorations, etc. Based on the hydrologic and hydraulic modeling completed for the District, goals have been set for the 10-year and 100-year flood.

It is the goal of the Sand Hill River Watershed District to provide 10-year protection to agricultural lands within the District per the goals of the Mediation Agreement. Since the establishment of the SHRWD in the mid 1970s, the District has had a policy of designing all ditch establishments and improvements to at least a 10-year level of protection for agricultural lands as defined in the Mediation Agreement.

The Sand Hill River Watershed District has adopted a goal to reduce the existing 100-year discharge on the Sand Hill River to be consistent with the flood reduction goals of the Red River Basin Commission (RRBC). A recently completed hydrologic modeling investigation by RRBC has offered the first quantifiable estimates of target flow reductions for the Red River tributaries that would result in a 20 percent reduction on the Red River main stem. The Sand Hill River target peak flow reduction, due to its strategically central location within the Red River basin, was determined to be 35 percent by RRBC. This would require a peak discharge reduction of about 35 percent of the 100-year Sand Hill River peak flows at the confluence of the Sand Hill River with the Red River of the North.

In accordance with Red River Basin Flood Damage Reduction Strategy, Table 1 of TSAC Technical Paper No. 11 outlines several flood damage reduction measures (FDRM) which would benefit peak flow reductions on the Red River Main Stem. The four general categories of measures and their effect for SHRWD are:

1. Reduce Flood Volume – Rated as substantially positive
2. Increase Conveyance Capacity – Rated as mostly negative
3. Increase Temporary Flood Storage – Rated as substantially positive for gated impoundments and setback levees, and positive for un-gated impoundments, wetland, drainage and culvert sizing
4. Protection/Avoidance: Rated as negative or neutral.

Based on the above ratings, the SHRWD FDR strategy should focus mainly on FDRM categories 1 and 3, as having the most potential for positive impact on the Red River for peak flow reductions.

Table 5.3 Runoff Volume Reduction Goals

Planning Region/Major Sub-basin	Runoff Volume Reduction (Acre-feet)			Drainage Area (Acres)	Runoff Volume Reduction (Inches)
	890	-	4,430		
Planning Region 1	890	-	4,430	106,411	0.1-0.5
Planning Region 2	1,910	-	3,820	45,872	0.5-1.0
Planning Region 3	3,590	-	5,380	43,045	1.0-1.5
Planning Region 4	23,500	-	28,100	112,628	2.5 – 3.0

Note: Runoff Volume Reduction based on 100-year flood event.

The amount of runoff volume reduction (or storage) required within the SHRWD is highly dependent on the type, design, and location of future projects. Therefore, an estimate of required runoff reduction (or storage) is speculative and based on assumptions of what will be possible, practical, and acceptable. Based on engineering judgment, a preliminary runoff volume reduction (or storage) goal of 50,000 to 60,000 acre-feet has been adopted by the SHRWD Board of Managers. Runoff reduction goals should be updated with each new revised watershed management plan revision to reflect additional data and knowledge acquired since the previous management plan update. The runoff reduction goals proposed in this WMP are supportive of the goals set forth by the RRBC Basin Wide Flood Flow Reduction Strategy. The RRBC report contains a goal of 22,161 acre-feet for runoff volume reduction for the Sand Hill River at Climax. The goals in Table 5.3 exceed the RRBC's Flood Flow Reduction goals.

Peak Discharge rates for the existing and DFC was established for 10-year and 100-year discharge rates for 24-hour and 10-day rainfall events and is listed in Table 5.4

Table 5.4 Existing and Desired Future Conditions Peak Discharges

RAL ID	Indicator	Units	Rainfall Event			
			10-yr, 24-hr	100-yr, 24-hr	10-yr, 10-day	100-yr, 10-day
SHR-1	event peak discharge (cfs)	Existing	931	2509	866	2280
		DFC	605	1631	563	1482
SHR-2	event peak discharge (cfs)	Existing	279	873	325	1021
		DFC	181	587	211	664
KC-1	event peak discharge (cfs)	Existing	152	451	104	333
		DFC	100	293	68	216
SHR-3	event peak discharge (cfs)	Existing	283	834	324	959
		DFC	184	542	211	623
SHR-4	event peak discharge (cfs)	Existing	285	837	325	962
		DFC	185	544	211	625
SHR-5	event peak discharge (cfs)	Existing	284	821	321	937
		DFC	185	534	209	609
SHR-6	event peak discharge (cfs)	Existing	233	619	211	564
		DFC	161	402	137	367

Quantitative peak discharge rate reduction goals on the Red River have not been set. The SHRWD proposes to maintain or reduce their contribution to peak discharges on the Red River. The SHRWD has approximately 20 square miles of drainage area that contributes directly to the Red River. The remaining 220 square miles of the District enters the Red River via the Sand Hill River. The District is supportive of the goals set forth by the Red River Basin Commission and the goals for the Red River and its tributaries as listed in the RRBC's Basin Wide Flood Flow Reduction Strategy.

5.2.2 Water Quality

The SHRWD focus relative to water quality includes the waterway systems of the District, the priority lakes (Found in Section 4.2.9), the quality of the fish populations, and biotic integrity at the RALs, and the sediment loads at the RALs. This focus is somewhat fluid because of the ongoing Total Maximum Daily Load (TMDL) efforts within the District and the District's role in

the completion and implementation of these TMDLs. When the ongoing TMDL is completed, the District plans to adopt the recommendations and goals from that study. The TMDL study and implementation plan for the Sand Hill River is anticipated to be complete in the next 4 to 6 years.

Within this WMP, the District identifies priority lakes for management and restoration efforts. Establishing priority lakes is not intended to reflect a lack of concern for the other lakes within the District, but to bring attention to those lake resources with the greatest recreational use and to prioritize the District's lake management efforts. **Section 4.2.9** describes the existing conditions within District lakes. The DFCs for lakes are largely governed by water quality standards established by the MPCA. Although state water quality standards consist of narrative, non-degradation and numeric components, the numeric component is adopted as the goals and DFCs for the purposes of this WMP. The MPCA has established water quality standards for lakes, which vary by ecoregion, by lake class (which is indicative of the protected use) and also depend on whether a lake is defined as shallow or deep. **Table 5.5** shows the eutrophication water quality standards (and DFCs) for Class 2b lakes in the North Central Hardwood Forest Ecoregion, which includes the eastern portion of the SHRWD (<https://www.revisor.mn.gov/rules/?id=7050.0222>). The western portion of the SHRWD lies within the Lake Agassiz Plain ecoregion, which does not have lake water quality standards explicitly defined. Lakes within this ecoregion are to be assessed on a case-by-case basis, using water quality standards within neighboring ecoregions as a guide to assessment impairment. In the case of lakes within the SHRWD, this assessment will occur as part of the ongoing TMDL effort.

State standards may be challenging to achieve in practice depending on the specifics of watershed and lake conditions at a given site. Therefore, in some circumstances, the District may consider establishing alternative goals for its own management purposes. For example, the District may consider establishing stringent goals where a lake shows exceptional water quality and meets the state standard. The District may also choose to make goals based on expected values for water quality based on analyses similar to those performed by Halvorson (2011).

Table 5.5 Water Quality Standards for Lakes

Ecoregion / Waterbody Type / Parameter	State Standard
North Central Hardwood Forest Ecoregion	
<i>Lakes and Reservoirs</i>	
Phosphorus, Total	40 ug/L
Chlorophyll-a	14 ug/L
Secchi Disk Transparency	Not less than 1.4 meters
<i>Shallow Lakes</i>	
Phosphorus, Total	60 ug/L
Chlorophyll-a	20 ug/L
Secchi Disk Transparency	Not less than 1.0 meters

The goals and DFCs at stream and river locations in the District include the numeric standards established by the MPCA (<https://www.revisor.mn.gov/rules/?id=7050.0220>). At the present time, the MPCA is in the process of considering water quality standards based on ecoregion or major river basin. If that change is made, the goals in this plan will change to reflect those new standards, as necessary. Numeric standards vary depending on the category class of the surface water. Many of the streams and rivers in the SHRWD are classified as either 2B or 2C waters. Standards for some parameters for Class 2B and 2C waters are listed in **Table 5.6**

Results of the Sand Hill River Watershed TMDL study, recently started by the District and anticipated to extend through 2015, will also likely result in changes to the water quality goals of this section. As a result, the water quality goals influencing decisions made by the SHRWD Board of Managers may change before the next plan update. As better information regarding water quality is developed, the District intends to use it.

Table 5.6 State Standards for Class 2B and 2C Waters

Parameter	State Standard
Turbidity	25 NTU
<i>E. coli</i> [#]	126 CFU per 100mL
pH	6.5 (minimum)/9.0 (maximum)
Dissolved Oxygen*	5.0 mg/L as daily minimum

[#]Note: *Escherichia (E.) coli* bacteria shall not exceed 126 organisms per 100 milliliters as a geometric mean of not less than five samples representative of conditions within any calendar month, nor shall more than ten percent of all samples taken during any calendar month individually exceed 1,260 organisms per 100 milliliters. The standard applies only between April 1 and October 31.

*Note: The dissolved oxygen standard may be modified on a site-specific basis according to MN Rules part 7050.0220, subpart 7, except that no site-specific standard shall be less than 5 mg/L as a daily average and 4 mg/L as a daily minimum. Compliance with this standard is required 50 percent of the days at which the flow of the receiving water is equal to the 7Q₁₀. This standard applies to all Class 2B waters

Total suspended solids and sediment loads and yields are the final parameters used by the SHRWD to describe existing water quality conditions and establish the DFCs within this WMP. Only select RALs are used for this criteria. As part of a planned TMDL Study, the SHRWD is planning to conduct a modeling study to establish existing loads and yields at select RALs (as well as loads and yields throughout the District).

5.2.3 Stream Stability and Geomorphology

The existing condition of streams, rivers, drainage systems, lakes and wetlands is affected by the amount of sediment leaving fields and entering the watercourses. Although the SHRWD Board of Managers is aware of the impact of sediment loads entering the District's streams, rivers, drainage systems, lakes and wetlands, the magnitude has yet to be quantified. Efforts under the ongoing TMDL study will result in a quantification of the amount of sediment entering the District's waterways; the ability to determine whether those sediments originate from fields or from within the stream, however, is currently limited due to a lack of data. The District is planning to commence a sediment transport / yield modeling study in conjunction with the TMDL study started in late 2011. After this effort is complete, it will be possible to make a comparison of alternative BMP scenarios with existing conditions. At that time, DFCs can be determined for sediment yields resulting in "stable" conditions.

5.2.4 Wetland, Forest, and Prairie

Permanent cover, including wetland, forest, and prairie restoration potential, were established by planning region as part of the Natural Resource Assessment conducted for the Sand Hill River Watershed District by the Minnesota Center for Environmental Advocacy. This document with its findings is included as **Appendix H** to this Water Management Plan. Preliminary DFCs have been established, and are shown in **Table 5.7**.

Table 5.7 Existing Condition and Desired Future Condition for Permanent Land Cover Sand Hill River Watershed District

Cover Type	Existing Condition (acres)	Existing Condition (percent)	Desired Future Condition (acres)	Desired Future Condition (percent)	Change (acres)
Cultivated Land	225,046	71.04	227,096	71.69	2,050
Transitional Agricultural Land	16,921	5.34	12,321	3.89	-4,600
Wetlands, Lakes, and Rivers	34,152	10.78	35,552	11.22	1400
Grasslands	6,092	1.92	6,792	2.14	700
Forest	18,193	5.74	18,593	5.87	400
Developed	16,394	5.18	16,444	5.19	50
Total	316,798	100	316,798	100	0



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Marshall County Amendment of CLWMP¹

Meeting Date: January 25, 2012
Agenda Category: [X] Committee Recommendation [] New Business [] Old Business
Item Type: [X] Decision [] Discussion [] Information
Section/Region: North
Contact: Chad Severts
Prepared by: Chad Severts
Reviewed by: Northern Water Planning Committee(s)
Presented by: Keith Mykleseth

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [] Resolution [X] Order [] Map [X] Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of the 2012 Amendment to the Marshall County Comprehensive Local Water Management Plan.

SUMMARY (Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)
Marshall County Amendment of Local Water Management Plan - By Board Order, the Board of Water and Soil Resources (Board) approved the Marshall County Comprehensive Local Water Management Plan (Plan) on December 20, 2006. This plan covers the ten-year period of 2007-2015 and contained a 2007-2011 five-year implementation section. The Board Order stipulated that the County was required to revise/update the implementation section for the period 2012-2015. Following the guidelines established by the Board, Marshall County has completed the local water management plan amendment process and submitted their 2012 Amendment, which is for a four-year period of 2012-2015. The Board's Northern Water Planning Committee (Committee) met on January 19, 2012 to review the Marshall County Plan 2012 Amendment. The Committee's recommendation will be brought forward at the meeting of the full Board. See attachments. DECISION ITEM

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

In the Matter of Reviewing the Local Water Management Plan Amendment
for Marshall County (Minnesota Statutes, Section 103B.314, Subdivision 6),

ORDER
APPROVING
LOCAL WATER
MANAGEMENT PLAN
AMENDMENT

Whereas, on December 20, 2006, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Marshall County 2007-2015 Comprehensive Local Water Plan Update (Plan), which contained a 2007-2011 five-year implementation section; and

Whereas, this Board Order stipulated that Marshall County was required to update the 2007-2011 five-year implementation section; and

Whereas, the Marshall County Board of Commissioners submitted a Local Water Management Plan 2012 Amendment to the Board on December 14, 2011; and

Whereas, the 2012 Amendment contains the updated four-year implementation section as ordered by the Board; and

Whereas, the Board has completed its review of the 2012 Amendment;

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

FINDINGS OF FACT

- 1) On June 21, 2011, the Marshall County passed a resolution to amend the five-year implementation portion of the LWMP and delegated the Marshall Water and Land Office the responsibility of amending the plan.
- 2) On August 11, 2011, Marshall County provided notice to local units of government and state agencies on the County's intent to amend its five-year implementation section and invited all recipients to participate in the process.
- 3) On October 12, 2011, Marshall County convened its Water Resources Advisory Committee (WRAC) to review past accomplishments and review proposed changes to the Goals, Objectives and Action Items.
- 4) On October 28, Marshall County Water and Land Office sent the proposed plan amendment to the required state agencies and local government units asking written comments to be submitted by November 15, 2011.
- 5) On November 1, 2011, after providing for proper public notice, Marshall County conducted a public hearing on the proposed 2012 Amendment.
- 6) On November 2, 2011, Marshall County convened its WRAC Committee to review the written comments provided, comments for the public hearing and any additional input from the members for the plan amendment.

- 7) On December 14, 2011, Marshall County submitted the 2012 Amendment which includes the 2012-2015 four-year implementation schedule, a record of the public hearing, and copies of all written comments pertaining to the plan amendment.
- 8) On January 19, 2011, The Board's Northern Regional Water Planning Committee (Committee) reviewed the Marshall County 2012 Plan Amendment, pursuant to 103B.314, subd. 6, and guidelines established by the Board.
- 9) Board regional staff provided its recommendation of approval to the Committee.
- 10) The Committee voted to recommend approval to the full Board.
- 11) This 2012 Amendment will be in effect until December 31, 2015.

CONCLUSIONS

1. All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Local Water Management Plan Update of Marshall County pursuant to Minnesota Statutes, 103B.314, Subd. 6.
2. The Marshall County 2012 Amendment attached to this Order states goals, objectives, and actions the county will address in the four-year implementation section through December 31, 2015. The 2012 Amendment, as well as the previously approved Marshall County 2007-2015 Comprehensive Local Water Plan Update, is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached 2012 Amendment of the Marshall County Local Water Management Plan for February 1, 2012-December 31, 2015. Marshall County will be required to provide a complete update of its Local Water Management Plan prior to December 31, 2015.

Dated at St Paul, Minnesota, this 25th day of January, 2012.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

IV. 2012-2015 Implementation Schedule

(For details, reference Section II. Assessment of Priority Concerns in 2006-2015 plan and Goals, Objectives and Actions in 2012-2015 amendments)

Priority 1: Soil Erosion Causing Water Quality Impairments to Surface Waters of the County						
Actions	Lead/Supporting Agencies	Costs 4 years	Potential Funding Sources	Duration	Priority Watersheds	
Goal 1: Address High Volume of Sediment Affecting Water Quality in the Tamarac, Middle and Snake River Watersheds						
Objective A: To understand sources of sediment and nutrients being deposited into the Tamarac, Middle and Snake River Watersheds						
1. Participate in MWRPP Processes to identify key erosion areas in conjunction with SWAT models.	County, WD, SWCD, MPCA, BWSR, IWI	Staff Time	All agencies in group.	2012-2015	Lower Red and Snake Major	
2. Conduct Stressor ID with Field verifications of waterways & ditches that display priority erosion areas.	County, WD, SWCD, State, Federal	Staff Time	All agencies staff funding.	2012-2015	Tamarac, Snake	
3. Water quality monitoring to expand water quality data base in cooperation with TMDL process.	County, SWCD, IWI	\$15,000 per year	MPCA	2012-2015	Lower Red, and Snake Major	
4. Continue lake monitoring to determine trends.	County	\$4,000 per year	MPCA	2012-2015	Tamarac	
5. Submit WQ data to EquIS data base to aid TMDL process.	County, IWI	\$1,600 per year	County, MPCA	2012-2015	Lower Red, Snake Major	
6. Evaluate SWAT model and identify high priority sub watersheds for BMP implementation.	County, WD, SWCD, MPCA, IWI	Staff Time	All agencies, MPCA	2011-2013	Lower Red, Snake Major	
Objective B: To reduce the sediment and nutrient loads into the Tamarac, Middle and Snake River Watersheds						
1. Serve on TMDL Implementation Teams for development of implementation projects and civic engagement processes.	County, SWCD, NRCS, WD, MPCA	Staff Time	NRBG, MPCA grants, Local Staff Funds	2012-2015	Lower Red, Snake Major	
2. Participate in Technical Advisory Committees to set goals and implement projects to install 100 miles of buffers, SWI and wetland restoration adjacent to surface waters.	County, SWCD, NRCS, WD, BWSR, MPCA	\$106,700	Local Staff Funds, CCRP, RIM, EQIP, State grants	2012-2015	Lower Red, Snake Major	

3. Implement cost-share projects (2 miles buffers, 4 SWI, 1 grade stabilization) along drainage systems.	SWCD, WD, County, NRCS	\$127,162	State, Federal prog & grants, CCRP, EQIP	2012-2015	Lower Red, Snake Major
4. Participate in Technical Advisory Committees to review, plan and implement projects along CD45 and SD3.	WD, SWCD, County, NRCS	\$1.5 Mil	State, Federal, Prog & grants, CCRP, EQIP	2012-2015	Tamarac, Middle
5. Continue Land Alterations Permits issued for riparian areas.	County	\$2000 per year	DNR, Staff funds	2012-2015	All watersheds
5. Produce education programs and workshops for landowners for restoration of riparian areas along streams.	County, SWCD, various agencies	\$4400	DNR, Clean water grants, Staff funds	2012-2015	All watersheds
6. Introduce new Weed Management Program to control invasive and detrimental species.	SWCD	\$25,000	Federal grant	2012-2014	Tamarac, Snake, Middle
Goal 2: Protect Marshall County's Long-Term Valuable Soil Resource From Wind Erosion.					
Objective A: Seek funding sources to implement Best Management Practices.					
1. Install/renovate 10 shelter belts & 5 miles of wind break plantings.	NRCS, SWCD	\$28,000 per year	Federal, State	2012-2015	All
2. Offer programs with incentives for practices that stop soil erosion.	SWCD, NRCS	unknown	State, grants, staff funds, CCRP, EQIP	2012-2015	All
3. Seek funds to hire program Specialist to work with landowners to coordinate a package of conservation programs to protect soils.	SWCD	\$35,000 per year	Clean Water Grant, Staff funds	2012-2013	All
4. Develop program to offer incentives to producers who delay or minimize after-harvest tillage.	SWCD, NRCS	Staff Time	Staff Funds	2012-2015	All
5. Provide education for landowners and developers on erosion control plans.	County, SWCD	Staff Time	NRBG, Staff Funds	2012-2015	All
6. Promote Ag BMP Loans for Conservation Tillage Equipment to implement BMPs.	County, SWCD	Staff Time	NRBG, MDA, Staff Funds	2012-2015	All
7. Recommend to highway dept. locations for living snow fence plantings.	SWCD	Staff Time	Staff Funds	2012-2015	All
Goal 3: To Address the High Volume of Sedimentation affecting water quality in the Thief River Watershed.					
Objective A: To understand sources of sediment being deposited into the Thief River Watershed.					
1. Participate in MWRPP process of Thief River Watershed with assistance on implementation plan and civic engagement process.	County, WD, SWCD, MPCA, BWSR, DNR, USFWS	Staff Time	All agencies in group.	2012-2013	Thief

2. Utilize SWAT and HSPF Model results to determine priority areas of high sediment and nutrient amounts.	WD, County, SWCD, NRCS, USFWS, DNR	Staff Time	All agencies staff funds, MPCA	2012-2015	Thief
3. Continue technical assistance with water quality monitoring as part of the MWRPP process.	RLWD, County, SWCD	\$19,000	MPCA	2012	Thief
4. Conduct stressor identification through field verifications of waterways and ditches that display priority erosion areas.	RLWD, County, SWCD, NRCS, USFWS, DNR	Staff Time	Staff funds	2012-2015	Thief
Objective B: Reduce sediment loads into the Thief River Watershed.					
1. Thief River Watershed Buffer Initiative (75 miles filter strips, 20 miles field windbreaks, 50 SWI) will be implemented to target areas of erosion.	SWCD, NRCS	\$350,000	Clean Water Grant, Staff funds, CCRP, EQIP	2 years	Thief
2. Continue to utilize Cost-share programs with landowners to install 2 miles of buffer, 4 SWI and 1 grade stabilization each year along drainage systems.	SWCD, NRCS	\$127,162	State, Federal Prog & grants, CCRP, EQIP, Staff funds	2012-2015	Thief
3. Plan and implement projects that are identified during MWRPP process.	County, SWCD, NRCS, WD, State, Federal	unknown	State, Federal, Staff funds	2012-2015	Thief
4. Continue Land Alteration Permits issued for riparian areas.	County	\$2,000 per year	DNR, Staff funds	2012-2015	Thief
5. Produce educational program and workshop for landowners for restoration of riparian areas along streams.	County, SWCD, various agencies	\$4,400	DNR, Clean Water Grant, Staff funds	2012-2015	Thief
6. Implement Weed Management Program to control invasive and detrimental species.	SWCD	\$50,000	Federal, County	2 years	Thief

Priority 2: Protect Groundwater-based Drinking Water Sources					
Goal 1: Protect Groundwater-based Drinking Water Sources through Education and Monitoring Programs.					
Objective A: Develop education programs on groundwater supplies					
1. Provide technical data for Wellhead Protection Plans for City of Argyle and Marshall-Polk Rural Water System.	County, SWCD	\$160	NRBG, Staff funds	2012	Lower Red, Snake Major

Objective A: Provide education on ditch management and maintenance processes						
1. Coordinate ditch management workshop.	County, WRAC, WD	\$2,000	Staff funds, NRBG, Registration, grants	2013	All	
2. Education to public on ditch maintenance with brochures.	County, SWCD, WD	\$2,000	Staff funds, various grants	2012-2015	All	
3. Improve regular maintenance by communicating special issues relating to projects.	County, SWCD, WD, State, Federal agencies, citizens	\$640 per year	Staff funds	2012-2015	All	
4. Identify priority repair areas within ditch systems for project funding.	County, SWCD, WD, citizens	Staff Time	Staff Funds	2012-2015	All	
Goal 2: Promote Flood Damage Reduction.						
Objective A: Assist Landowners with flood damage control projects.						
1. Removal of beaver dams and issuance of beaver bounties.	County, WD	\$35,000 per year	County, WD, Staff funds	2012-2015	All	
2. Increase efforts to enroll land into wetland restoration practices	SWCD, NRCS	unknown	NRBG, CCRP, WRP, Staff funds.	2012-2015	All	
3. Install 7 rain gardens & 1 bio retention basin. Purchase 300 rain barrels for sale to public.	SWCD	\$62,700	Clean Water Grant, cities, landowners	2 years	All	
4. Culvert inventory with specification list.	County, WD, SWCD	unknown	Grants, County, WD	2012-2015	All	
Objective B: Prevent property damage from flooding.						
1. Administer Floodplain Ordinance	County	Staff Time	DNR, Staff funds	2012-2015	All	
2. Technical assistance to building in floodplain	County, WD, TSA1	Staff Time	DNR, Staff funds, landowner	2012-2015	All	
3. Review preliminary Flood maps and studies, hold public hearings, revise floodplain ordinance.	County, WD	Staff Time	DNR, Staff funds	2012	All	
Goal 3: Improve Communication Between Watershed Districts and County on Flood Reduction Projects.						
Objective A: Report on status of flood control projects.						
1. Representation on Project Work Teams	County, various agencies	Staff Time	Staff	2012-2015	All	
2. Information exchange between Watershed Districts and County.	WD, County	Staff Time	Staff, County, WD	2012-2015	All	
3. Educational Speaker on watershed management	County, WD	\$4,000	State Grant, staff funds	2013 or 2014	All	

2. Educate the public on DWSMA and produce map of DWSMA areas.	County, MDH	\$400	MDH, NRBG, Staff funds	2012-2015	All
3. Educate WRAC and citizens on groundwater in the County through use of speakers and written materials.	County, MDH, USGS	\$4,000	MDH, NRBG, Staff funds	2012-2015	All
Objective B: Monitor ground water quality.					
3. Conduct Well Screen Clinics for nitrates and ecoli.	County, MDA	Staff Time	MDA, NRBG, Staff funds	1 per year	All
4. Maintain well logs for land use planning. Provide searches for domestic wells.	County	Staff Time	NRBG, Staff funds	2012-2015	All
Objective C: Monitor groundwater levels.					
1. Pursue 2-3 additional observation wells for eastern Marshall County.	County, SWCD, DNR	Staff Time	State, NRBG, Staff funds	2012	Thief
Goal 2: Reduce Risk of Groundwater Contamination Through Implementation of Various Mitigation Programs.					
Objective A: Continue Well Sealing Program under LWMP					
1. Administer Well Sealing Program and provide well sealing demonstration.	County	\$3,000	NRBG, Staff funds	2012-2015	All
Objective B: Update, assist with and support other mitigation programs.					
1. Assist landowners with nutrient management and proper closure of unused animal waste facilities.	County, MPCA, Feedlot Officer	\$10,000	EQIP, NRBG, Staff funds	2012-2015	All
2. Promote livestock watering systems and prescribed grazing plans.	SWCD, County, NRCS, Feedlot Officer	\$10,000	Federal, State, Staff funds	2012-2015	All
3. Continue Dead Livestock Program.	County, Feedlot Officer	\$500 per year	MPCA, NRBG, Staff funds	2012-2015	All
4. Seek funding to identify and replace septic systems that are an imminent health threat to the public.	County	\$50,000 per year	Clean Water Grant, Ag BMP Loan, MPCA	2012-2015	All
Objective C: Promote use of Ag BMP low interest loan program for groundwater protection projects.					
1. Initiate funding for feedlot run-off, well sealing and failing septic systems.	County, SWCD, Feedlot Officer	Staff Time	Ag. BMP Loans, Staff funds	2012-2015	All

Priority 3: Promote Flood Damage Reduction to Preserve Agricultural Land and Prevent Damage to Property

Goal 1: Address Function of Ditch Systems for Adequacy of Meeting Drainage Needs.

V. 2012-2015 Implementation Schedule - Ongoing

County-Wide Activities					
Actions	Primary Responsibility	Costs 4 years	Potential Funding Sources	Duration	Watershed
1. Water Quality Monitoring	County, WD, IW1, SWCD	unknown	MPCA grants, Local staff	ongoing	All
2. Water Quality Presentations	County, WD	Staff time	NRBG, WD, County	ongoing	All
3. Rainfall monitoring	SWCD, Citizens	Staff Time	SWCD, volunteers	ongoing	All
4. TMDL Process	County, all agencies, citizens	Staff Time	All agencies	ongoing	All
5. BMP support	County, SWCD, WD	Staff Time	State, Federal, Local	ongoing	All
6. Public Info on natural resources	County, SWCD	Staff Time	State, Federal, Local	ongoing	All
7. Education Programs	County, SWCD, WRAC	Staff Time	NRBG, Local	ongoing	All
8. Partners for Fish/Wildlife	USFWS	Staff Time	Grants, USFWS	ongoing	All
9. Flood Damage Reduction	WD, County	unknown	State, Federal, Local	ongoing	All
10. Maintain Drainage Systems	County, WD, Twp, DNR	unknown	County, WD, Twp, State	ongoing	All
11. Solid/Hazardous Waste Programs	County Solid Waste Dept.	unknown	MPCA, Local	ongoing	All
12. Feedlot Program	County/UM Extension Staff	\$14,000 yr	MPCA, UM Extension	ongoing	All
13. WCA Program	County/SWCD	\$40,000 yr	BWSR, County, SWCD	ongoing	All
14. Floodplain Ordinance	County	\$10,000 yr	NRBG, County	ongoing	All
15. Shoreland Ordinance	County	\$18,000 yr	DNR, County	ongoing	All
16. Sewage Treatment Ordinance	County	\$19,000 yr	MPCA, County	ongoing	All



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:

Red Lake WD Territory Withdrawal

Meeting Date: January 25, 2012
Agenda Category: [X] Committee Recommendation [] New Business [] Old Business
Item Type: [] Decision [] Discussion [] Information
Section/Region: North Region
Contact: Brian Dwight
Prepared by: Brian Dwight
Reviewed by: Northern Water Planning Committee Committee(s)
Presented by: TBD @ Jan. 19 NWPC

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [] Resolution [X] Order [] Map [] Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of an Order regarding a Withdrawal of Territory petition submitted by Beltrami County requesting the withdrawal of approximatley 2,200 acres located in Beltrami and Itasca Counties from the Red Lake Watershed District.

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

BWSR has received a petition from Beltrami County requesting a withdrawal of 2,198.21 acres from the Red Lake Watershed District. The majority of the acres are in Beltrami County with only about 160 acres in Itasca County. The withdrawal process is as follows:

- 103D.255 WITHDRAWAL OF TERRITORY. Subdivision 1.Petition. (a) Proceedings to withdraw territory from an existing watershed district must be initiated by a petition filed with the board.
(b) The required signatures on a petition for withdrawal are the same as prescribed for an establishment petition, but the percentages must be calculated only with reference to the territory that is proposed to be withdrawn from the watershed district.
103D.205 ESTABLISHMENT PETITION. Subd. 3.Signatures.
The establishment petition must be signed by one or more of the following groups:
(1) one-half or more of the counties within the proposed watershed district;
(2) counties having 50 percent or more of the area within the proposed watershed district;
(3) a majority of the cities within the proposed watershed district; or
(4) 50 or more resident owners residing in the proposed watershed district, excluding resident owners within the corporate limits of a city if the city has signed the petition.

Reasons given for this withdrawal is that the territory in question actually drains into the Missississippi River drainage and not the Red River of the North via the Red Lake River which is within the jurisdictional boundaries of the Red Lake Watershed District.

The Petition received from Beltrami County clearly meets the signature requirements. There has been no opposition to this petition by the landowners, the Red Lake Watershed District or Itasca County. A Notice of Filing was appropriately published with no request of a hearing or other comments received. BWSR staff finds that the RL WD can function for which it was established with this Withdrawal of Territory and there is no need for a redistribution of managers based on this withdrawal and all other requirements/criteria identified in M.S.103D.255 have been met.

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

In the Matter of the petition for Withdrawal of Territory
from the Red Lake Watershed District
pursuant to Minnesota Statutes § 103D.255

**ORDER
WITHDRAWAL OF
TERRITORY**

Whereas, a Petition was filed with the Board of Water and Soil Resources (Board) on July 20, 2011 by the Beltrami County Board of Commissioners, to withdraw territory from the Red Lake Watershed District (RL WD) pursuant to Minn. Stat. § 103D.255, and;

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

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

FINDINGS OF FACT

1. **Petition.** The Petition to withdraw territory of the RL WD dated July 5, 2011 was filed by the Beltrami County Board of Commissioners, with the Board on July 20, 2011.
2. **Property Description.** The lands included in the withdraw of territory, the Petitioned Area, are located in parts of Sections 10, 11, 12, 13, 14, and 15, T.149N, R.30W, Summit Township, Beltrami County and in parts of Section 18, T.149N, R.29W, Moose Park Township, Itasca County totaling approximately 2,198.21 acres of land. The Petitioned Areas are depicted on a map attached to the Petition.
3. **Reasons for Withdrawal of Territory.** The proposed withdraw of territory would achieve a more accurate alignment to more closely conform to the actual watershed drainage divide between the Mississippi watershed and the RL WD. The requested withdrawal of territory is consistent with the purposes and requirements of Minn. Stat. § 103D.255.
4. **District Review.** On August 25, 2011 the RL WD Board of Managers discussed the petition at a regularly scheduled board meeting and passed a resolution of support for the withdrawal of certain territories from within the RLWD.

5. **Indebtedness.** The properties included in the withdrawal of territory have not received or will not receive any benefits from the RL WD or from previously constructed RL WD projects
6. **Performance.** The RL WD can perform the functions for which it was established without the inclusion of the territory.
7. **Territory.** The territory being petitioned for withdrawal is not, in fact, a part of the Red Lake River Watershed which is within the jurisdictional boundary of the R L WD.
8. **Managers.** As a result of this withdrawal of territory there is no need for a redistribution of managers.
9. **Notice of Filing.** Legal Notice of Filing of the proposed withdrawal of territory, pursuant to Minn. Stat. § 103D.105, Subd. 2, was published in the Bemidji Pioneer, on September 16 and 23, 2011, and in the Blackduck American, on September 18 and 25, 2011. Further, a copy of the notice of filing was mailed to several addressees including Beltrami and Itasca County Auditors, Administrators, and Soil and Water Conservation Districts; Summit and Moose Park Townships; and the RLWD.
10. **Public Hearing.** The Legal Notice of Filing was published pursuant to Minn. Stat. § 103D.105, Subd.2, which requires within 30 days of the last date of publication of the Notice of Filing of the Petition that at least one request for hearing be received by the Board before a hearing will be held. No requests for hearing and no comments were received during the specified period of time and no hearing was held.
11. **Board Staff Report.** In review of the Petition to withdrawal territory from the RLWD pursuant to Minn. Stat. §103D.255. Staff has determined that all Minn. Stat. §103D.255 requirements of have been met. There has been no opposition to this petition by the landowners, The RL WD, or Itasca County. A Notice of Filing was appropriately published with no request of a hearing or other comments received.
12. **Northern Region Committee.** On January 19, 2012 the Board's Northern Water Planning Committee and staff met to review and discuss the Petition. Those in attendance from the Board's Committee where (*list committee members*). Board staff in attendance was Ron Shelito and Brian Dwight Board staff recommended approval? of the Petition. After discussion, the Committee unanimously? voted to recommend approval of the Petition to the full Board.

CONCLUSIONS

1. All relevant, substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving the withdrawal of territory Petition for the RLWD pursuant to Minn. Stat. §103D.255.
3. The areas included in the requested withdrawal of territory is not part of the watershed because it is outside the hydrological boundary.
4. The RLWD Board of Managers supports the petition presented by the Beltrami County Board of Commissioners and proposes to move forward with the process to release the land from the District.
5. The RLWD can perform the functions for which it was established without the inclusion of the territory.
13. The proposed withdrawal of territory should be approved per the Petition for the RLWD.

ORDER

The Board hereby orders that the boundary of the Red Lake Watershed District is changed per the Petition withdrawing parts of Sections 10, 11, 12, 13, 14, and 15, T. 149N, R. 30W, Summit Township, Beltrami County and in parts of Section 18, T. 149N, R. 29W, Moose Park Township, Itasca County, as identified in the map attached to this Order and the territory is released.

Dated at Saint Paul, Minnesota this 25th day of January, 2012.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Brian Napstad, Chair



RECEIVED

JUL 25 2011

Bd. of Water & Soil Resources
St. Paul

Kay L. Mack
BELTRAMI COUNTY
AUDITOR-TREASURER

701 Minnesota Ave NW, STE 220
Bemidji, MN 56601-3178
Telephone: 218-333-4175
FAX: 218-333-4246

July 20, 2011

Travis Germundson
Water Management Specialist
Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, MN 55155

Myron Jesme
Red Lake Watershed District Administrator
1000 Pennington Ave S
Thief River Falls, MN 56701

Dear Travis and Myron:

On July 5, 2011 the Beltrami County Board acted on a resolution regarding lands that have heretofore been considered within the boundaries of the Red Lake Watershed District and that are apparently outside the actual watershed. The resolution, and the corresponding petition, are enclosed for your consideration.

After your consideration and approval, we look forward to receiving formal notification so that our property tax system can be adjusted. Please note that, while some of the affected lands lie within Itasca County, this action was taken by Beltrami County only. This action as the county of the majority of land was done upon your recommendation. Consequently, we have not communicated with Itasca County. It is my assumption that once you adopt new borders, you will notify Itasca County of any changes affecting lands within their boundaries.

If you have any questions, please feel free to contact me.

Respectfully,

Kay L. Mack, Auditor
Beltrami County

**RESOLUTION FOR THE WITHDRAWAL OF
CERTAIN TERRITORIES FROM WITHIN
THE RED LAKE WATERSHED DISTRICT**

WHEREAS, There is a need for correction in the boundary line between the Red Lake Watershed and the Mississippi Watershed to make the common boundary between the two watersheds, more closely conform to the actual watershed drainage divide, and

WHEREAS, Approximately 2,198 acres extend into the Red Lake Watershed District in Beltrami and Itasca Counties, and

WHEREAS, The following described lands approximately 2,198.21 acres located in the counties of Beltrami and Itasca are presently within the boundaries of the Red Lake Watershed District:

A. Beltrami County

1. The following real property, all in T149N, R30W (Summit Township)

<u>Description</u>	<u>Section</u>
SE1/4 SW1/4	10
S1/2 SE1/4	10
SW1/4	11
W1/2 SE1/4	11
SE1/4 SE1/4	11
S1/2 SW1/4	12
NE1/4	13
NW1/4	13
SW1/4	13
SE1/4	13
NE1/4	14
NW1/4	14
SW1/4	14
SE1/4	14
E1/2 SE1/4	15
NE1/4	15
NE1/4 NW1/4	15

B. Itasca County

1. The following real property, all in T149N, R29W (Moose Park Township)

<u>Description</u>	<u>Section</u>
NW1/4	18

WHEREAS, Said lands and the affected common boundary line between the watershed district and counties is shown on the map and Exhibit "A" attached hereto and incorporated herein by reference, and

WHEREAS, The affected lands are proposed to be withdrawn from the Red Lake Watershed District and included within the Mississippi watershed within the Counties of Beltrami and Itasca, thereby changing the boundary line between the Mississippi watershed within the Counties of Beltrami and Itasca and the Red Lake Watershed District, and the withdrawal of said territories and the proposed boundary line change would be conducive to the public health and welfare, and

WHEREAS, That the territories described above have not received or will not receive any benefits from the operation of the Red Lake Watershed District, and

WHEREAS, That the Red Lake Watershed District can perform the functions for which it was established without the inclusion of the above described territories, and

WHEREAS, That the above described territories are not, in fact, a part of the Red Lake Watershed District, and

NOW THEREFORE BE IT RESOLVED that the Beltrami County Board of Commissioners submit a petition for withdrawal of approximately 2,198 acres of land from part of Beltrami County in the township of Summit and from part of Itasca County in the township of Moose Park. Subject land is properly part of the Mississippi Watershed and should not be part of the Red Lake Watershed.

Adopted by the Beltrami County Board of Commissioners this 5th day of July, 2011.

By: Joe Vene
Beltrami County Board of Commissioners

Its: Chairperson

IN THE MATTER OF THE WITHDRAWAL OF
CERTAIN TERRITORIES FROM WITHIN
THE RED LAKE WATERSHED DISTRICT

PETITION

TO: STATE OF MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Pursuant to the resolutions of the Beltrami County Board of Commissioners, copies of which are attached hereto and the provisions of M.S.A. 103D.255 the Commissioners of said County, hereby submit this Petition for withdrawal of the following described territories within the Red Lake Watershed District and represent and state:

I.

The following described lands approximately 2,198.21 acres located in the counties of Beltrami and Itasca are presently within the boundaries of the Red Lake Watershed District:

A. Beltrami County

1. The following real property, all in T149N, R30W (Summit Township)

<u>Description</u>	<u>Section</u>
SE1/4 SW1/4	10
S1/2 SE1/4	10
SW1/4	11
W1/2 SE1/4	11
SE1/4 SE1/4	11
S1/2 SW1/4	12
NE1/4	13
NW1/4	13
SW1/4	13
SE1/4	13
NE1/4	14
NW1/4	14
SW1/4	14
SE1/4	14
E1/2 SE1/4	15
NE1/4	15
NE1/4 NW1/4	15

B. Itasca County

1. The following real property, all in T149N, R29W (Moose Park Township)

<u>Description</u>	<u>Section</u>
NW1/4	18

II.

Said lands and the affected common boundary line between the watershed district and counties is shown on the map and Exhibit "A" attached hereto and incorporated herein by reference.

III.

The affected lands are proposed to be withdrawn from the Red Lake Watershed District and included within the Mississippi watershed within the Counties of Beltrami and Itasca, thereby changing the boundary line between the Mississippi watershed within the Counties of Beltrami and Itasca and the Red Lake Watershed District, and the withdrawal of said territories and the proposed boundary line change would be conducive to the public health and welfare.

That the territories described above have not received or will not receive any benefits from the operation of the Red Lake Watershed District;

That the Red Lake Watershed District can perform the functions for which it was established without the inclusion of the above described territories;

That the above described territories are not, in fact, a part of the Red Lake Watershed District;

WHEREFORE, the undersigned Commissioners of Beltrami County respectfully request the Board of Water and Soil Resources:

1. Give proper notice that this Petition is proper and adequate and has been filed as provided for by law, and/or hold a public hearing thereon as required by Minnesota Statute 103D.255.
2. After hearing, issue an order changing the common boundary line of the the Red Lake Watershed District in conformance with this Petition.
3. For such other and further orders as may be necessary.

Dated this 5th day of July, 2011.

BELTRAMI COUNTY
BOARD OF COMMISSIONERS

By: 

Its: Chairperson



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Cormorant Lakes WD Revised Plan

Meeting Date: January 25, 2012
Agenda Category: [X] Committee Recommendation [] New Business [] Old Business
Item Type: [X] Decision [] Discussion [] Information
Section/Region: Northern Region
Contact: Chad Severts
Prepared by: Chad Severts
Reviewed by: Northern Water Planning Committee(s)
Presented by: TBD at Jan. 19th Northern Water Planning Committee meeting.

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [] Resolution [X] Order [] Map [X] Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of the Cormorant Lakes Management Plan pending Northern Water Planning Committee's recommendation at their January 19, 2012 meeting.

SUMMARY (Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)
The Cormorant Lakes Watershed District (CLWD) was formed and approved by the State of Minnesota Water Resources Board on August 22, 1966. The CLWD lies near the southwest corner of Becker County and covers approximately 20,320 acres of land, small lakes, and sloughs and approximately 7,922 acres of open water.

The original watershed management plan of the CLWD dated March 7, 1968, established a number of goals with the overall objective of resource conservation. The Management plan was last updated in 1999. Some of the original goals have been met, such as operating a controlled outlet, improvement of stream channels via new culverts, regulating riparian changes by landowners through permits, maintaining lake level records, and educating the watershed residents. Other goals are still in progress such as inventorying and evaluating subwatersheds, reducing erosion and maintaining and improving water quality. The CLWDs new goals are as follows:

- 1. Maintain or improve water quality of surface waters through various nondegradation programs and stewardship practices.
2. Promote awareness of groundwater resources and necessary steps to protect it.
3. Manage or minimize erosion and sedimentation.
4. Work to prevent the spread of aquatic invasive species and manage those that are present in District lakes.
5. Alleviate damage (including property damage and shoreline damage) by high water whenever possible.
6. Maintain channels and water flow according to established levels.
7. Prevent unnecessary destruction and maintain or improve habitat for fish and wildlife on water quality and water quantity projects.
8. Inform and help educate about watershed policies and programs.

The planning process included a number of meetings between the Advisory Committee and the Board which began on November 11, 2010 and also included a public meeting to engage the District land owners on July 16, 2011. The plan was submitted to those required in 103D.405 for the 60-day review period which ended December 5, 2011. The document was also available on the District's website for review. The only comments received were from the MnDNR, which provided additional information and clarification to the plan. The CLWD incorporated the comments into the final plan.

Due to the non-controversial nature of the plan, a Notice of Filing was used and the legal notice was published in the local papers on December 11 and 18. At this time, no written requests for a hearing have been received and the Committee will be given an update at the January 19 meeting. If there are no requests for a hearing, I would concur that the Management Plan does meet the requirements of the guidance material provided by the BWSR and that of M.S. 103D.405 and recommend the Committee approve the CLWD Management Plan 2012-2022 at their January 19 meeting. The Committee's recommendation will be brought forward at the full Board meeting.

In the Matter of prescribing a Revised Watershed
Management Plan for the Cormorant Lakes
Watershed District pursuant to Minnesota
Statutes Sections 103D.405

**ORDER
PRESCRIBING
WATERSHED MANAGEMENT
PLAN**

Whereas, the Board of Managers of the Cormorant Lakes Watershed District (CLWD) filed a proposed Revised Watershed Management (Plan) dated October 4, 2011 with the Board of Water and Soil Resources (Board) on October 14, 2011 pursuant to Minn. Stat. § 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 District was established on August 22, 1966 by the Minnesota Water Resources Board and is located in the Northwestern Minnesota. Lands within the District are distributed in the Southwest corner of Becker County. The general purpose of the District include: Management of Water Levels, Maintain and Improve Surface Water Quality, Treatment and Prevention of Aquatic Invasive Species, and Public Outreach and Education.
2. **Requirement to Plan.** A watershed district is required to revise their watershed management plan at least once every ten years pursuant to Minnesota Statutes Section 103D.405, Subd. 1 (a). The latest Water Management Plan of the District was prescribed by the Board in July of 1999. The Plan includes an inventory of the District'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 resource management.
3. **Nature of the Watershed.** The Cormorant Lakes Watershed lies near the southwest corner of Becker County. The CLWD is located within the Otter Tail River Major Watershed which is part of the Red River Basin. The majority of the lakes in the Red River Basin are found in the Otter Tail River watershed. Within the CLWD there are many small to medium sized farms, as well as many small lots and home sites located around the various

lakeshores. The public, through Federal, State, County and Township governments own a few small tracts, mainly as accesses to the lakes and wildlife areas.

4. **Territory.** The CLWD is approximately 1,920 square miles in size consisting of 20,320 acres of land and 7,922 acres of water within the Otter Tail River Major Watershed. Located in Southwest corner of Becker County (100%).
5. **Local Review.** The CLWD sent a copy of the draft Plan to local units of government for their review pursuant to Minn. Stat. § 103D.405.
6. **Department of Natural Resources Review.** Comments received from DNR provided sources where further detailed information can be found along with some suggested changes. Those recommendations have been incorporated into the revised plan as per the District's 12-13, 2011 response letter.
7. **Department of Agriculture Review.** Not required by law to review.
8. **Department of Health Review.** Not required by law to review.
9. **Pollution Control Agency Review.** Not required by law to review.
10. **Other review comments.** None
11. **Highlights of the Plan.** The plan focuses on eight major goal which were as follows:
 - Maintain or improve water quality of surface waters through various nondegradation programs and stewardship practices.
 - Promote awareness of groundwater resources and necessary steps to protect it.
 - Manage or minimize erosion and sedimentation.
 - Work to prevent the spread of aquatic invasive species and manage those that are present in District lakes.
 - Alleviate damage (including property damage and shoreline damage) by high water whenever possible.
 - Maintain channels and water flow according to established levels.
 - Prevent unnecessary destruction and maintain or improve habitat for fish and wildlife on water quality and water quantity projects.
 - Inform and help educate about watershed policies and programs.
12. **Hearing Notice.** The Legal Notice of Filing on the Plan, pursuant to Minn. Stat. § 103D.105 Subd. 2, was published in the Detroit Lakes Tribune & Becker County Record on December 11 and 18, 2011. Further, a copy of the notice of filing was mailed to several addresses notifying them of the legal notice of filing, including the Becker County Auditor,

Administrator, and Soil and Water Conservation District; and a representative for the Watershed District.

13. **Public Hearing.** The Legal Notice of Filing was published pursuant to Minn. Stat. § 103D.105 Subd. 2, which requires within 30 days of the last date of publication of the Notice of Filing of the Revised Water Management Plan that a least one request for hearing be received by the Board before a hearing will be held. No request for hearing and no comments were received during the specified period of time and no hearing was held.
- 14: **Board Staff Report.** The Plan development process provided much opportunity for public input, comment and review. The Plan is well written and comprehensive and meets the requirements of 103D.405 and the guidelines provided by the Board of Water and Soil Resources.
15. **North Region Water Plan Review Committee.** The committee met on January 19, 2012 those in attendance from the Board's Committee were *(will add after meeting)*. Board staff in attendance were Ron Shelito and Chad Severts. Board staff recommended approval of the plan. After discussion, (the recommendation will be inserted following Committee Meeting)

CONCLUSIONS

1. The proposed Revised Plan is valid in accordance with Minn. Stat. § 103D.405.
2. Proper notice of filing was given in accordance with applicable laws.
3. All relevant, substantive and procedural requirements of law and rule have been fulfilled.
4. The Board has proper jurisdiction in the matter of approving a Revised Plan for the CLWD pursuant to Minn. Stat. § 103D.405.
5. The attached Revised Plan of the CLWD dated October 2011 would be for the public welfare and public interest and purpose of Minn. Stat. Chapter 103D would be served.

ORDER

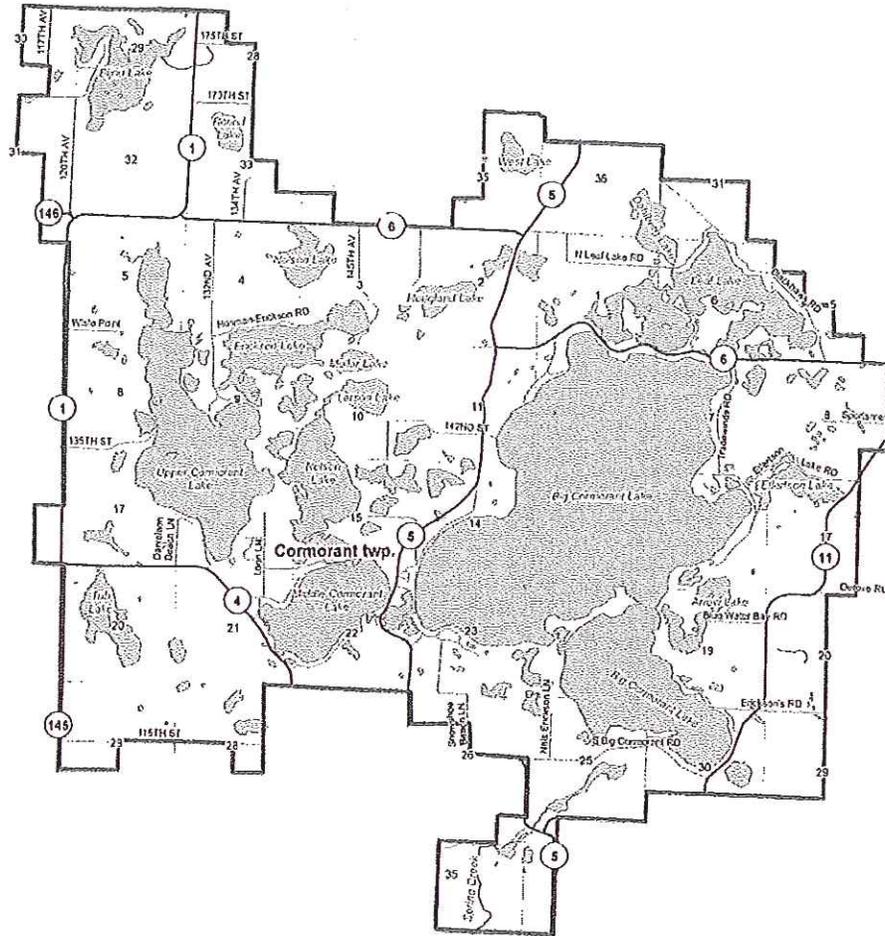
The Board hereby prescribes the attached Plan dated October, 2011 as the Revised Watershed Management Plan for the Cormorant Lakes Watershed District.

Dated at Saint Paul, Minnesota this 25th day of January, 2012.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Brian Napstad, Chair

Cormorant Lakes Watershed District



Draft Watershed Management Plan

Revised

2012-2022

ACKNOWLEDGEMENTS

The Cormorant Lakes Watershed District would like to recognize the members of the Advisory Committee who were appointed to guide the development of the Watershed Management Plan. The CLWD looks forward to cooperatively working with all of its stakeholders in the implementation of this Plan.

BOARD OF MANAGERS

Ellis Peterson
Jeff Moritz
Jody Beaudine
Gene Olson
Orvis Olson

OTHERS WHO WORK WITH THE DISTRICT

Duane Henrickson ~ Administration Advisor
Sherwood Olson ~ Administrator
Sheldon Struble ~ Inspector
Duane Erickson ~ Inspector
Erik Jones ~ Engineer
Rick St-Germain - Engineer
Terry Karkela ~ Attorney
Moriya Rufer ~ Water Quality Consultant

WATERSHED MANAGEMENT PLAN ADVISORY COMMITTEE

Member

Benneth Braseth
Jay Carlson
Tim Erickson
Sean Felker
Brad Grant
Lyle Hansen
Joe Herbst
Jim Kaiser
Tim James
Lloyd Kohler
Joe Lightowler
Brad Lindstrom
George Minerich
Maggie Metcalf
Barry Nelson
Duane Olson
Chad Severts
Jim Wolters
Merle Zimmerman

Representing

Upper Cormorant Lake
Big Cormorant Lake
Cormorant Township
Audubon Township
Becker Soil and Water Conservation District
Big Cormorant Lake – Wermager Beach
Bijou Lake
Watershed Advisory Board
Minnesota Pollution Control Agency
Big Cormorant Lake – Blue Water Bay
Lake Eunice Township, Big Cormorant Lake Assoc.
Lake Park Township
Minnesota Department of Health
Watershed Advisory Board, Middle Cormorant
Becker County
Watershed Advisory Board, Nelson Lake, Larson Lake
Minnesota Board of Soil & Water Resources
Minnesota Department of Natural Resources
Big Cormorant Lake Board

Cormorant Lakes Watershed District Watershed Management Plan

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Chapter 2: Description of the CLWD

A. WATERSHED SETTING

Location and Size

The CLWD is located in the Otter Tail River Major Watershed. The Otter Tail River Watershed represents an area of about 1,920 square miles, including areas of substantial portions of Otter Tail, Becker and Wilkin counties, and very small portions of Clay and Clearwater counties (Figure 1).

The watershed is a drainage basin of the Red River and the major tributaries of the watershed are the Ottertail and Pelican Rivers. Where the Otter Tail River joins the Bois de Sioux River is considered to be the headwaters of the Red River. The majority of the lakes in the Red River Basin are found in the Otter Tail River watershed.

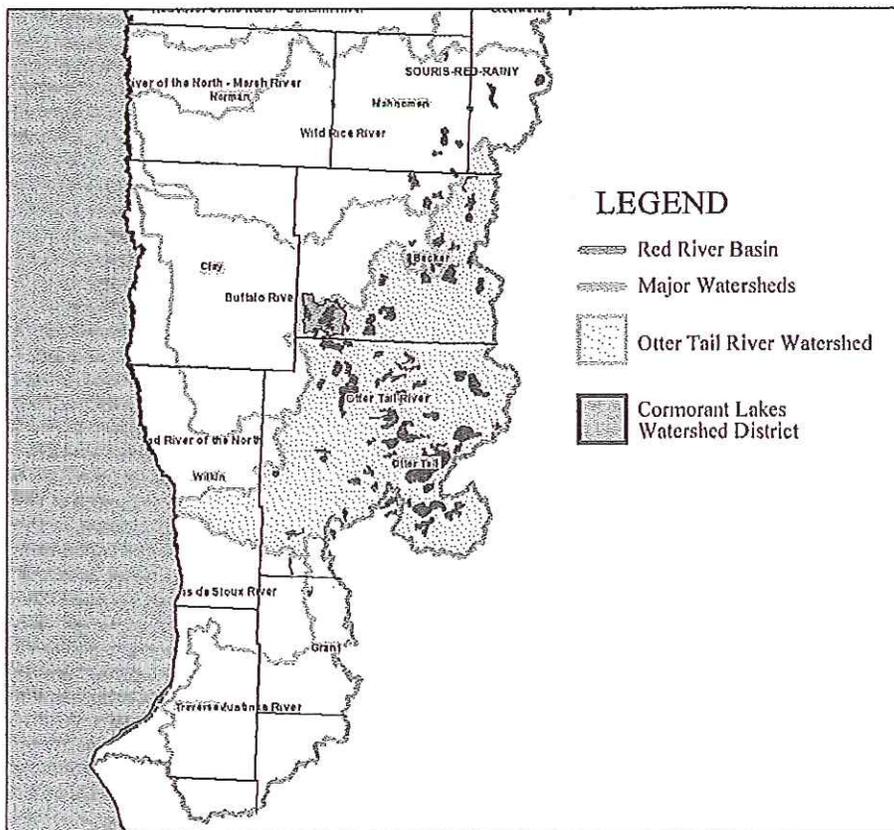


Figure 1. Watershed location of CLWD.

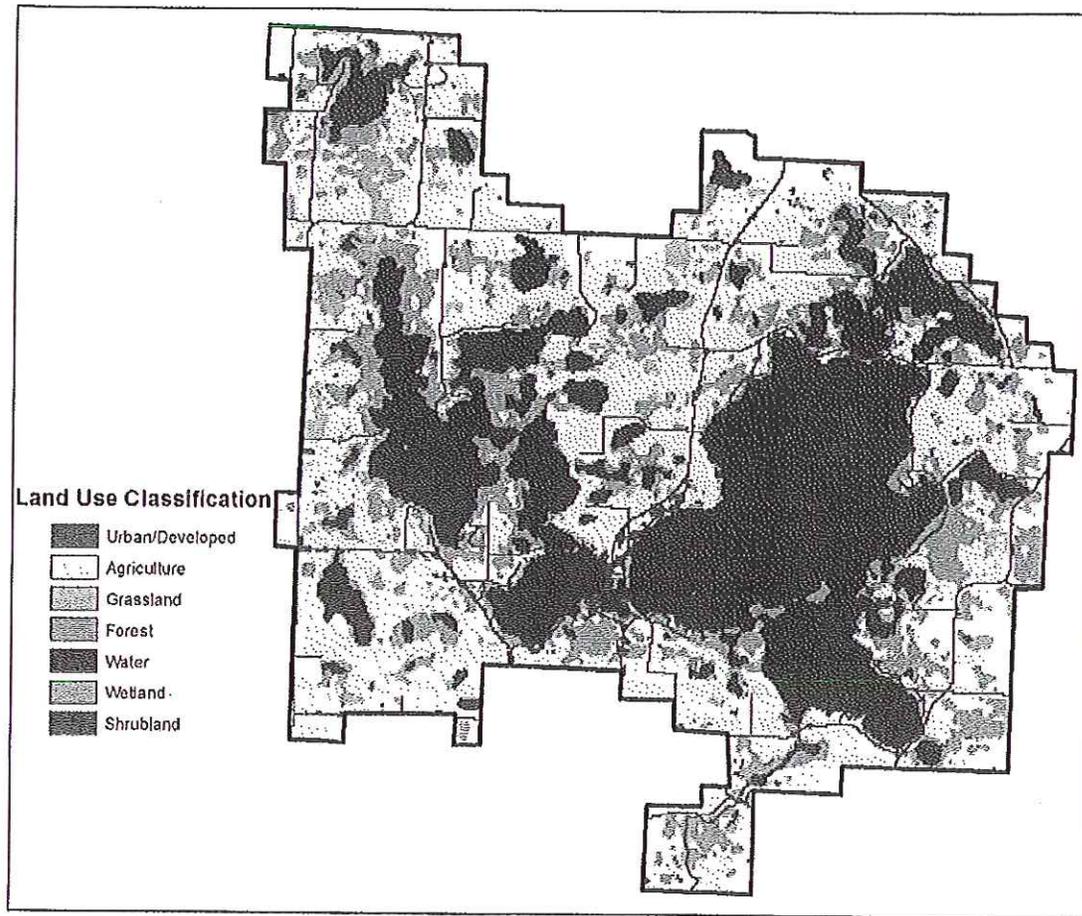


Figure 9. Land use classification in the Cormorant Lakes Watershed District.

Table 1. Land use area in the Cormorant Lakes Watershed District.

Land Use	District Area (acres)	Percent of District Area (%)
Urban/Developed	1,250	5.3
Agriculture	10,054	42.6
Grassland	284	1.2
Forest	3,321	14.1
Water	7,641	32.4
Wetland	1,026	4.3
Shrubland	20	0.1
Total	23,596	100

Chapter 3: Assessment of Resources

A. WATER RESOURCES

A complete assessment of water quality in Big Cormorant, Upper Cormorant and Middle Cormorant Lakes is scheduled to be completed by RMB Environmental Laboratories in the winter of 2011. The results from these reports will be added as a future appendix to this plan, and will help guide the CLWD in future projects.

Lake Water Quality

Trophic State Index (TSI) is a standard measure or means for calculating the trophic status, or productivity, of a lake. More specifically, it is the total weight of living biological material (*biomass*) in a waterbody at a specific location and time.

Phosphorus (nutrients), chlorophyll *a* (algae concentration) and Secchi depth (transparency) are related. As phosphorus increases, there is more food available for algae, resulting in increased algal concentrations. When algal concentrations increase, the water becomes less transparent and the Secchi depth decreases.

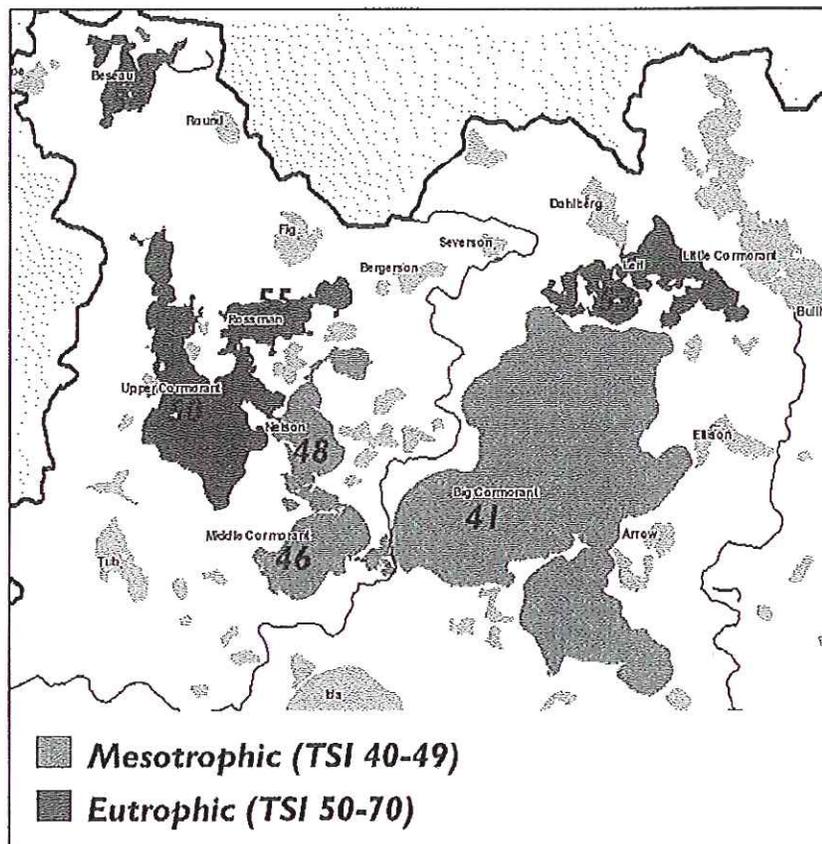


Figure 15. Trophic states of CLWD lakes.

Trophic states are defined divisions of a continuum in water quality. The continuum is total phosphorus concentration, chlorophyll *a* concentration and Secchi depth. Scientists define certain ranges in the above lake measures as different trophic states so they can be easily referred to.

The CLWD lakes fall into the mesotrophic and eutrophic categories (Table 3, Figure 15). See the next page for a description of each category.

Potential Soil Erosion Risk

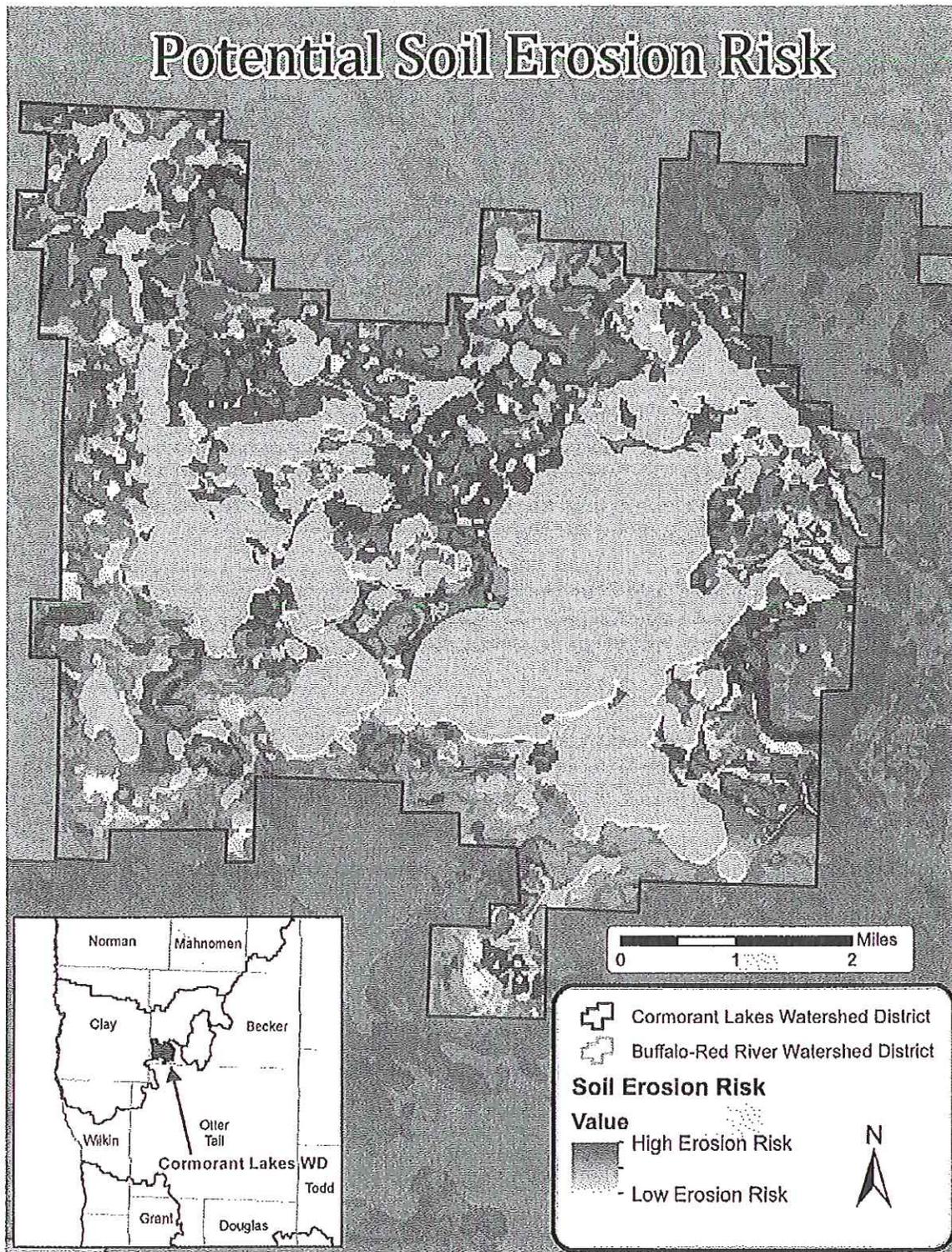


Figure 18. Potential erosion risk in areas in CLWD.

D. AQUATIC INVASIVE SPECIES

Species present in the CLWD

Currently, Curly-leaf pondweed is the only invasive species present in the CLWD (Figure 19). Curly-leaf pondweed was discovered in Upper Cormorant Lake in 2006. In 2008, the Upper Cormorant Lake Association partnered with the CLWD to apply for a DNR grant that assists with the cost of chemically treating the curly-leaf pondweed. This program has been a success; Upper Cormorant Lake has been treated from 2009-2011 and the density of curly-leaf pondweed has decreased significantly. This program is expected to be ongoing as it is nearly impossible to completely eradicate invasive species from a lake.

Infestation risks

There are many invasive species in close proximity to the CLWD including Zebra mussels and Eurasian flowering rush (Figure 19). The CLWD feels that currently the largest threat is the Zebra mussels in Pelican Lake. Because Big Cormorant and Pelican Lakes are only a couple miles apart, many boats and sail boats go back and forth between the lakes. Zebra mussel veligers (larvae) can be unknowingly transported between lakes in water at the bottom of a boat, a live well, and minnow buckets.

Eurasian flowering rush is established in the Detroit Lake chain including Detroit, Muskrat, Sallie, Melissa and Mill Lakes (Figure 19). The only way Eurasian flowering rush could spread to the Cormorant lakes would be if someone transported a plant fragment. This is less likely if boaters inspect their boats and trailers for plant fragments after leaving lakes.

Big Cormorant Lake has participated in the DNR Boat Access Inspection Program from 2010-2011, where DNR interns have been posted at the lake accesses and inspected and interviewed boaters entering and leaving the lake. This program will help with education and with invasive species prevention.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Enlargement and Increase the Number of Buffalo Red River Watershed District Managers**
Hearing Order

Meeting Date: January 25, 2012
Agenda Category: Committee Recommendation New Business Old Business
Item Type: Decision Discussion Information
Section/Region: Northern Region
Contact: Travis Germundson or Pete Waller
Prepared by: Tarvis Germundson & Pete Waller
Reviewed by: Northern Water Planning Committee(s)
Presented by: Quentin Fairbanks or Travis Germundson

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

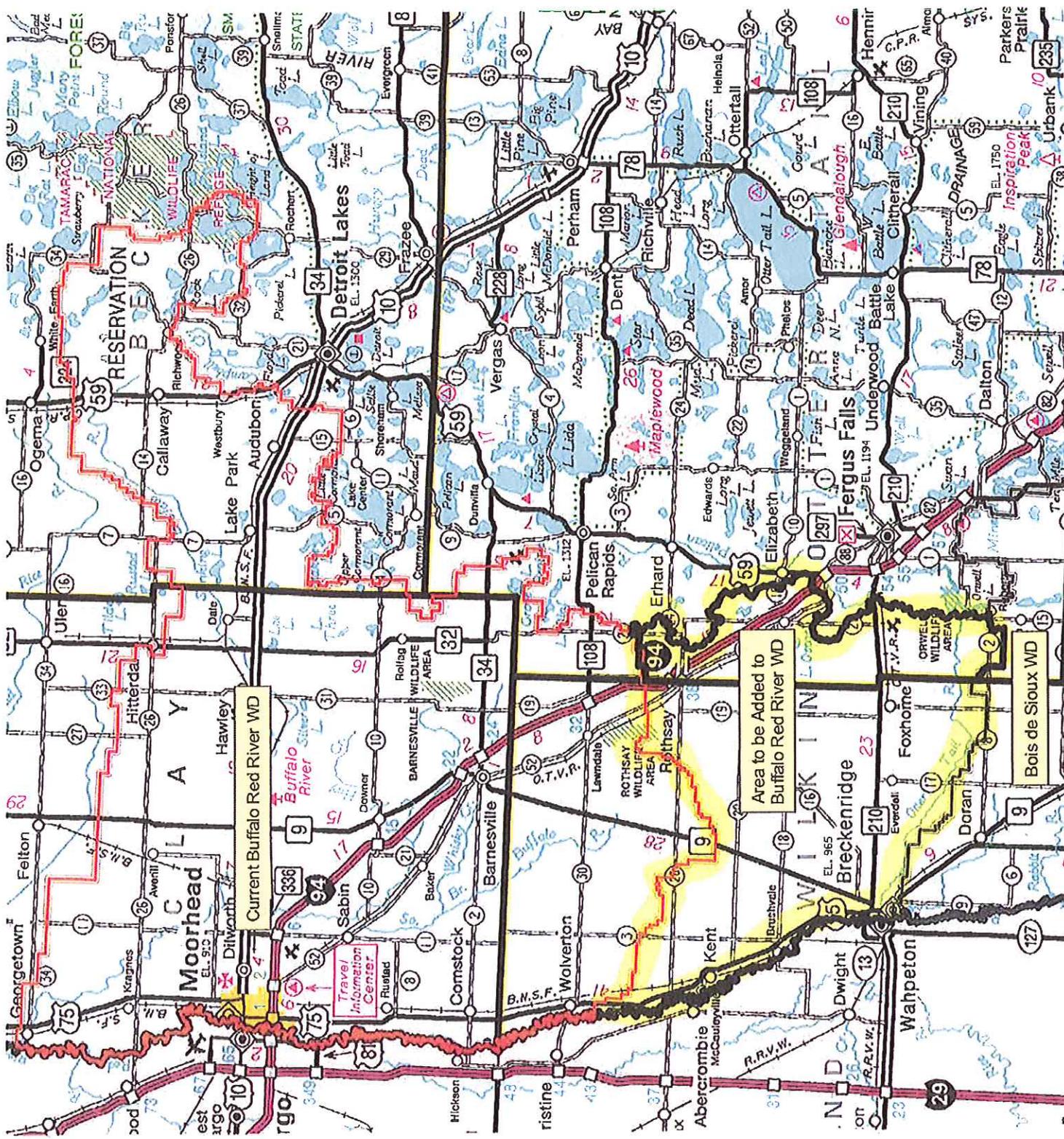
Contingent on North Water Planning Committee recommendaton, Board authorization is needed to schedule and hold a public hearing regarding the enlargement and increasing the number of of managers for the Buffalo Red River Watershed. The hearing must be held within 35 days of the Order's date.

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

January 4, 2012, BWSR received a joint petition from the Buffalo Red River Watershed District, Otter Tail County and Wilkin County regarding the enlargement and increasing the number of managers petition for the Buffalo Red River Watershed District.

The territory proposed to be added to the BRRWD is approximately 430 square miles that affects Wilkin and Otter Tail Counties. This is the same area Wilkin County petitioned to establish the Upper Red Lower Otter Tail Watershed District. At the September 7,2011 establishment hearing Otter Tail County suggested enlarging the BRRWD as an alternative to establishing a new watershed district. Wilkin County agreed to have their establishment petition held in abeyance to allow time for Wilkin and Otter Tail Counties and the BRRWD to further explore Otter Tail County's suggestion. See attached Status Report Upper Red Lower Otter Tail Watershed District as of September 19, 2011 for background information.

January 19th the Northern Water Planning Committee will review the petition and make a recommend to the full Board if it is valid and to act on an Enlargement and Increasing the Number of Managers Hearing Order.



Area to be Added to Buffalo Red River WD

Current Buffalo Red River WD

Bois de Sioux WD

Breckenridge

Moorhead

RESERVATION BECK

Detroit Lakes

Fergus Falls

Wahpeton

AY

WILDLIFE REFUGE

DETROIT LAKES

WILDLIFE REFUGE

WILDLIFE REFUGE

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

In the Matter of petition for Enlargement, and
Increase in the Number of Managers for the
Buffalo Red River Watershed District pursuant
to Minnesota Statutes §§ 103D.261 and 103D.305

**ORDER
ENLARGMENT AND
INCREASE THE NUMBER
OF MANAGERS HEARING**

Whereas, a Petition was filed with the Board of Water and Soil Resources (Board) on January 4, 2012 by Wilkin County, Otter Tail County, and Buffalo Red River Watershed District (BRRWD) to enlarge the territory and increase the number of managers of the BRRWD, pursuant to Minn. Stat. §§ 103D.261, and 103D.305, and;

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

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

FINDINGS OF FACT

1. **Petition Signatures.** The enlargement and increase in the number of managers petition dated December 27, 2011 was filed with the Board on January 4, 2011 by BRRWD. Wilkin and Otter Tail Counties, along with BRRWD signed the petition in accordance to signature requirements of Minn. Stat. §§ 103D.261, Sub. 1 and 103D.305 Sub.2 which allows the petition to be signed by one-half or more of the counties within the district.
2. **Property Description.** The territory to be included in the enlargement proceedings is depicted in map attached with the Petition and includes lands contemplated to be included in the establishment petition for the Upper Red Lower Otter Tail Watershed District. The area affects Wilkin and Otter Tail Counties, bordered on the south by the Bois de Sioux Watershed District and is contiguous to BRRWD, approximately 430 square miles in size, which includes land in the Cities of Breckenridge, Kent, Rothsay, and Foxhome.

3. **Necessity for Watershed District Enlargement.** The Petition states the additional territory is necessary for the following reasons:

1. Control or alleviation of damage by flood waters
2. Improve of stream channels for drainage, navigation, and other public purpose
3. Reclaiming or filling wet and overflowed lands
4. Providing water supply for irrigation
5. Regulating the flow of streams and conserving the waters thereof
6. Diverting or changing watercourses in whole or part
7. Providing and conserving water supply for domestic, industrial, agricultural, or other public use
8. Providing for sanitation and public health and regulation the use of streams, ditches, or watercourse for the purpose of disposing of waste
9. Repair, improve, relocate, modify, consolidate, and abandon, in whole or in part, drainage systems within a watershed district
10. Imposition of preventive or remedial measures for the control or alleviation of land and soil erosion and siltation of watercourses or bodies of water affected thereby
11. Regulation improvements by riparian landowners of the beds, banks, and shores of lakes, streams, and marshes by permit or otherwise in order to preserve the same for beneficial use
12. Protecting or enhancing the quality of water in watercourses or bodies of water
13. Providing for the protection or groundwater and regulation groundwater use to preserve groundwater for beneficial use
14. Would prevent damage to farm buildings and farm yards, public roads and farmlands due to flooding
15. Would remove county boundaries from determining an overall and comprehensive use of the water and natural resources
16. Would control and regulate private ditching, obstruction of natural waterways and the antagonism amongst neighboring land owners regardless of the county in which they were located
17. A re-evaluation of drainage, ditches, affected areas and proper assessment districts including a re-determination of benefits derived from drainage as is currently assessed which assessment could be made that territory affected regardless of county boundaries
18. A comprehensive plan for water use and natural resources within the area

4. **District Name.** The Petition states the name of the proposed district will continue to be the Buffalo Red River Watershed District.

5. **Number of Managers.** The Petition specifies that the proposed number of managers shall be increased to seven (7) from the present number of five (5). The additional managers would

provide added representation from the District for the proposed territory.

6. **Filing.** The Petition was filed with the Wilkin County Attorney, Otter Tail County Attorney, Buffalo Red River Watershed District, and the Board.
7. **Staff Recommendation.** Staff has determined that petition is valid pursuant to Minn. Stat. §§ 103D.261, and 103D.305.
8. **Hearing Panel.** Board members of the Northern Water Planning Committee should preside over the hearing and bring a recommendation to the Board.
9. **Hearing Time.** The Executive Director should determine the date of the hearing after coordinating with the appropriate parties.
10. **Hearing Location.** The public hearing should be held at (insert location). If scheduling conflicts arise the Executive Director should choose another suitable location.

CONCLUSIONS

1. The petition for enlargement and increase in the number of managers of the Buffalo Red River Watershed District is valid in accordance with Minn. Stat. §§ 103D.261 and 103D.305.
2. All relevant, substantive and procedural requirements of law and rule have been fulfilled.
3. The Board has proper jurisdiction in the matter of ordering a watershed district enlargement and increase in the number of managers hearing.
4. The hearing on the Petition for enlargement and increase in the number of managers of the Buffalo Red River Watershed District should be presided over by the Northern Water Planning Committee.
5. The Executive Director shall make a decision on the date of the public hearing after coordinating with the appropriate parties.
6. The public hearing shall be held at the (location).
7. If scheduling conflicts arise the Executive Director shall choose another suitable location.

ORDER

The Board hereby orders a public hearing be held within 35 days of the date of this Order on the enlargement and increase in the number of managers Petition for the Buffalo Red River Watershed District presided over by the Northern Water Planning Committee at a date and location to be determined by the Executive Director.

Dated at Saint Paul, Minnesota this 25th day of January, 2012.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Brian Napstad, Chair

Status Report
Upper Red Lower Otter Tail Watershed District

Wilkin Water LWP 2008 – 2017; Action item within the LWP Implementation Plan (page 20): ‘Investigate establishment of a water management structure/ordinance for the Lower Otter Tail and Red River Headwaters watershed areas of Wilkin County.’

July 2008; Wilkin County Commissioners invite Wilkin County Township supervisors to begin meeting regarding water management within the Lower Otter Tail and Red River Headwaters watershed areas of Wilkin County. A five member committee of township supervisors was appointed by Wilkin County Commissioners to research possible options.

July 2008 to November 2009; The five member committee of township supervisors identified resource concerns and issues and discussed management structure alternatives.

November 2009; Township Committee recommends to Wilkin County Commissioners a watershed district as the preferred water management structure and the proposed boundary as the preferred area to be included.

December 2009; Wilkin County proposed the idea to Otter Tail County Commissioners. Counties agreed to hold joint public information meetings in Fergus Falls & Breckenridge (chaired by Commissioners Lyle Hovland, Wilkin County, and John Lindquist, Otter Tail County).

February 1, 2010; Information meeting held in Breckenridge (60 to 80 people attended)

February 3, 2010; Information meeting held in Fergus Falls (60 to 80 people attended)

Outcome of the meetings: Commissioners asked lead local staff to investigate/develop alternative management structure options and determine if there are potential cost savings vs a watershed district.

March 10, 2010; West Ottertail SWCD funded plane rides for local officials over the majority of the area within Otter Tail County, focusing on the JD 2 area.

April 13, 2010; Otter Tail County sent a letter to Wilkin County stating their opposition to the WD and their intent to investigate establishing a Special Taxing District via 103B.

April 27, 2010; Otter Tail County held the required hearing to establish a Special Taxing District (103B.245) for the majority of the area within Otter Tail County. The purpose of the Special Taxing District would be to deal with water quality issues. Two Wilkin County Commissioners attended.

June 2010; Wilkin County drafted an establishment petition for the Upper Red Lower Otter Tail Watershed District. Also requested Otter Tail County provide names for potential managers.

June 25, 2010; Otter Tail held a meeting with 6 to 8 Otter Tail residents. Meeting purpose was to educate residents about being a Watershed District manager.

July 2010; Full Board of Otter Tail County Commissioners met with Wilkin County Commissioners to express their opposition to establishing the Upper Red Lower Otter Tail WD.

September 1, 2010; Wilkin County held WD manager education meeting at the Rothsay Community Center.

January 2011; Upper Red Lower Otter Tail Watershed District Establishment petition was filed with BWSR.

Status Report
Upper Red Lower Otter Tail Watershed District

January 18, 2011; Otter Tail County Commissioners submitted a resolution in opposition to the petition for the establishment.

April 1, 2011; DNR required report and preliminary map submitted. The DNR has completed its review, supports the establishment of a WD within the Otter Tail River system and has no objections to the proposed petition.

April 13, 2011; BWSR North Region Local Water Management Committee recommends approval of draft order to hold a establishment hearing.

May 24, 2011; Otter Tail County held a hearing to establish a Special Taxing District (103B.245) for the majority of the proposed watershed area within Otter Tail County.

June 15, 2011; The Wilkin County Board requested that the hearing be held following planting season. The BWSR North Region Local Water Management Committee recommended that the BWSR move forward with an establishment hearing for the Upper Red/Lower Otter Tail Watershed District and that the hearing be held on July 20 in Rothsay MN.

June 22, 2011 BWSR Order for a public hearing to be held on the establishment petition.

June 28, 2011; Otter Tail County passed a resolution establishing a Special Taxing District via 103B.

July 2011; July 20th establishment hearing is postponed due to state government shutdown.

August 4, 2011; John Jaschke, Executive Director approves rescheduling of establishment hearing date of September 7, 2011.

September 7, 2011; Establishment hearing was held and written comments accepted until noon Wednesday September 14, 2011.

September 13, 2011; the Otter Tail County Commissioners submitted a resolution they would join in a petition with Wilkin County to join the Buffalo-Red River Watershed District, and requested the petition to establish a new Watershed District be stayed.

September 14, 2011; North Region Local Water Management Committee passed a motion to continue the process as allowed in 103D statute.

COMMITTEE RECOMMENDATIONS

Public Relations, Outreach & Strategic Planning Committee

1. 2012 PRAP Report to the Legislature – Don Buckhout – ***DECISION ITEM***
2. BWSR Strategic Plan Recommendation – Keith Mykleseth and Don Buckhout – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2012 PRAP Report to the Legislature

Meeting Date: January 25, 2012
Agenda Category: [X] Committee Recommendation [] New Business [] Old Business
Item Type: [X] Decision [] Discussion [] Information
Section/Region: Regional Operations-PRAP
Contact: Don Buckhout
Prepared by: Don Buckhout
Reviewed by: Public Relations, Outreach & Strategic Planning Committee(s)
Presented by: Don Buckhout

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [X] Resolution [] Order [] Map [X] Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of report for transmittal to legislative policy committees.

SUMMARY (Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)
DRAFT 2012 Performance Review and Assistance Program (PRAP) Legislative Report-
The fifth annual PRAP Report to the Legislature contains a summary of BWSR's review of LGU performance during the past year. The report presents the 2011 program accomplishments compared to objectives set in last year's report. It highlights results from a basic review (Level I) of all 244 LGUs' performance and contains summaries of the in-depth reviews (Level II) of seven LGUs. There is a list of program objectives for 2012. A draft of this report has been reviewed by the Board's Public Relations, Outreach and Strategic Planning Committee. The recommendation for Board approval comes from that Committee and is timed to meet a February 1 due date for report submittal to legislative environmental resource committees in both the house and senate, as required by M.S. 103B.102, subd. 3.

**Performance Review and Assistance Program
2012 Report to the Minnesota State Legislature**

WHEREAS, the 2007 Legislature designated that funds appropriated to the Board of Water and Soil Resources be used for developing and implementing a program to evaluate and report on the performance of each local water management entity, and

WHEREAS, a program for reviewing performance, offering assistance, and reporting results, now called the Performance Review and Assistance Program (PRAP) was developed in consultation with stakeholders, and

WHEREAS, the program has been implemented to the extent of current resources and capabilities, and

WHEREAS, according to Minnesota Statutes Chapter 103B.102, Subdivision 3, beginning February 1, 2008, and annually thereafter, the Board shall provide an analysis of local water management entity performance to the chairs of the House and Senate committees having jurisdiction over environment and natural resources policy, and

WHEREAS, the fifth annual PRAP report to the legislature contains a summary of the results of local water management entity performance review conducted by BWSR staff in 2011 and a summary of findings regarding the performance of local water management entities, and

WHEREAS, the fifth annual PRAP report to the legislature was reviewed by the Public Relations, Outreach and Strategic Planning Committee in December 2011 and was recommended for Board approval by that committee on January 24, 2012.

NOW THEREFORE BE IT RESOLVED, that the Board of Water and Soil Resources hereby adopts the attached Performance Review and Assistance Program Report to the Minnesota Legislature dated February 2012, with allowance for any minor editing modifications necessary for publication, for transmittal to the Legislature and release to the general public.

Date: _____

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

BOARD REVIEW DRAFT

2012 PRAP REPORT

Board of Water and Soil Resources

Don Buckhout, PRAP Program Coordinator

Version 3.0

About this Report

This report has been prepared for the Minnesota State Legislature by the Minnesota Board of Water and Soil Resources (BWSR) in partial fulfillment of the requirements of Minnesota Statutes Chapter 103B.102, subdivision 3. This statute requires BWSR to provide designated legislative committees with “an analysis of local water management entity performance” each year. This report covers the activities of the Performance Review and Assistance Program (PRAP) during the 2011 calendar year. This is the fifth annual report prepared by BWSR for this program.

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Program Summary 2011

PRAP—Year 4

After four years of implementation, the Board of Water and Soil Resources' (BWSR) Performance Review and Assistance Program (PRAP) is well-established as a tool for monitoring and enhancing the effectiveness of Minnesota's local government system of conservation services delivery

Level I Performance Review

BWSR reviews compliance with plan and report requirements for 244 local governmental units each year.

LGUs Meeting All Level I Performance Standards in 2011

84%

Level II Performance Reviews

BWSR conducted reviews of 7 LGUs' plan implementation performance and operational effectiveness.

2011 Level II Results

Part 1 Plan Implementation

(% of plan action items addressed)

High	Low	Average
100	52	82

Part 2 Performance Standards

(% of standards met)

Basic Standards

High	Low	Average
100	69	89

High Performance Standards

High	Low	Average
73	8	56

Level III & IV Review

- No Level III or IV performance reviews were conducted in 2011.

Assistance Services to LGUs

- Training courses at BWSR Academy addressed LGU requests identified during PRAP reviews in 2010.

2011 PRAP Assistance to LGUs

- Advised Heron Lake WD regarding their management plan update.
- Consulted with MN Assn. of Soil and Water Conservation Districts on new district capacity evaluation and coordination with MCIT on assistance options and resources.
- Offered facilitation services to Le Sueur County LGUs for local water plan collaboration.

Reporting

No. of Website Hits to PRAP Level I Performance Database (by calendar year)

2010- 1437 (1st year)
2011- 186

www.bwsr.state.mn.us/PRAP/reporting/index.php

BWSR maintains a user-accessible database of LGU compliance with routine planning and reporting requirements.

PRAP Program Accountability

BWSR met its own performance objectives for PRAP in 2011. However, the state shutdown in July precluded the testing of a new approach to PRAP that will assess the joint performance of water management LGUs with jurisdiction in the same major watershed. This initiative will be implemented on a pilot basis in 2012.

PRAP Background

Supporting Local Delivery of Conservation Services

PRAP focuses on the local governmental units (LGUs) that deliver BWSR's water and land conservation programs, and in particular, how well they are implementing their long-range plans. Those LGUs are soil and water conservation districts (SWCDs), watershed districts (WDs), water management organizations (WMOs), and the water management function of counties—a total of 244 distinct organizations. PRAP, authorized by the state legislature in 2007 (see Appendix A), is coordinated by one BWSR central office staff member. He receives assistance from BWSR's 13 Board Conservationists, who routinely work with LGUs across the state.

With limited program funding BWSR was able to track several performance indicators for all LGUs statewide, but could conduct only 7 of the needed 49 in-depth reviews.

Multi-level Process

PRAP has three operational components:

- performance review
- assistance
- reporting.

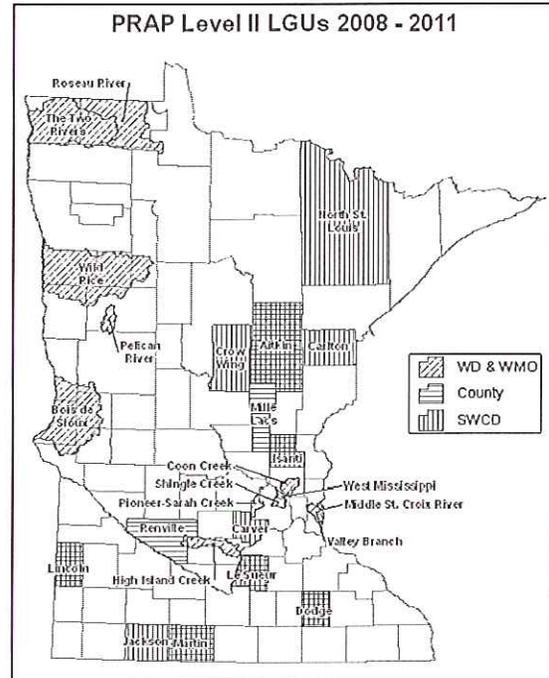
The performance review component is applied at four levels.

Level I is a tabulation of required LGU plans and reports with website posting of the results. Level I is accomplished with current program funding and does not require additional effort by LGUs.

Level II is a routine, interactive review originally envisioned to cover up to 49 LGUs per year to evaluate operational effectiveness and plan implementation progress. Program funding so far has

allowed an average of only 8 Level II reviews per year.

BWSR's Level I and II performance



standards for each type of LGU can be viewed at www.bwsr.state.mn.us/PRAP/index.html.

Level III is an in-depth assessment of an LGU's performance problems and issues initiated by BWSR or the LGU and usually involving targeted assistance to address specific performance needs. BWSR has conducted Level III review and assistance for several LGUs and regularly monitors all LGUs for additional opportunities. **Level IV** is for those LGUs that have significant performance deficiencies, requiring extensive assessment, monitoring and possible penalties as authorized by statute. So far there have not been any Level IV cases.

Assistance varies with the needs of the LGU. Level I assistance is largely routine

training for LGUs. BWSR presents this type of training primarily through the annual BWSR Academy and board member training sessions. At Levels II-IV assistance is targeted to the specific needs of the LGUs and can be provided by BWSR staff or consultants, depending on availability and the skills needed. A small portion of the PRAP budget is available to LGUs to both incentivize and support specialized assistance recommended by the program.

Reporting makes information about LGU performance accessible to the LGU's stakeholders and constituents. The various venues include the PRAP page on BWSR's website, and the LGUs' own websites and annual activity reports.

Accountability: From Measuring Effort to Tracking Results

Administration of government programs demands and deserves a high degree of

accountability. PRAP was developed, in part, to deliver on that demand by providing systematic local government performance review and then reporting publically accessible results. The challenge in reporting results is to move from measuring effort (e.g., how much money was spent on buffers?) to detecting effects of those efforts on targeted resources (e.g., have buffers improved downstream habitat and water quality?). PRAP addresses LGUs' functions of administration, program execution, communication, and collaboration that all contribute to successful resource outcomes.

At the program's start in 2007 the BWSR board adopted principles (see box) that still guide the implementation of this oversight function. Those principles are reflected in the program's goal of providing both performance analysis and recommendations in a way that encourages LGUs to act in their own best interests.

Guiding Principles

PRAP operates on the following principles adopted by the BWSR Board in 2007:

- **Pre-emptive**
- **Systematic**
- **Constructive**
- **Includes consequences**
- **Transparent**
- **Retains local ownership and autonomy**
- **Maintains proportionate expectations**
- **Preserves the state/local partnership**
- **Results in "more/better" on-the-ground conservation**

Performance Review of PRAP

BWSR's Accountability

BWSR continues to hold itself accountable for the accomplishments of the PRAP program. In consideration of that commitment, this section matches program

objectives from last year's PRAP legislative report with corresponding program activities during 2011.

BWSR's PERFORMANCE REVIEW ACTIVITIES	
What We Proposed	What We Did
Track Level I performance of all LGUs.	BWSR tracked the required plan and report status of 244 LGUs.
Develop performance thresholds for selected Level II performance standards.	BWSR dropped, added, or modified 21 performance standards for 2011, including adding a threshold to funds leveraging standard.
Conduct 7-8 Level II routine performance reviews.	BWSR conducted 7 Level II performance reviews.

BWSR's ASSISTANCE to LGUs	
What We Proposed	What We Did
Continue Level III assistance.	BWSR assisted one WD with their management plan revision and the SWCD state association with district capacity assessment and assistance planning.
Continue monitoring of LGUs experiencing change for assistance opportunities.	BWSR managers periodically monitored LGUs experiencing change in staffing and board membership, finances, organization, etc.
In collaboration with the BWSR Training Team provide LGUs with guidance for basic board and staff skill sets.	The 2011 BWSR Academy included 5 training sessions that addressed training-related assistance requested by LGUs during 2010 Level II reviews.

BWSR's PRAP REPORTING	
What We Proposed	What We Did
Report Level I performance of all LGUs.	BWSR website includes a searchable database of compliance with Level I performance standards for SWCDs, WDs, counties, and WMOs. Appendices C, D and E summarize the Level I results.

PRAP Advisory Team

The purpose of the Advisory Team is to advise BWSR on program implementation and help BWSR maintain a balance between the need for accountability and the need to minimize the program's administrative burden on LGUs. The

Team did not meet in 2011. However, BWSR provided the members with an annual program update. In the future BWSR will consult with the team only in the event of substantial program modifications.

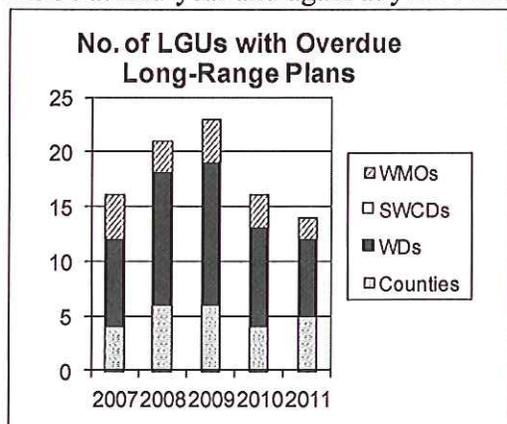
LGU Performance Review Results

2011 Objectives

The 2011 objectives for the PRAP performance review component were to continue the Level I compliance tracking for all LGUs, to conduct the same number of routine Level II reviews as in 2010, and to monitor the activities of LGUs undergoing significant change for opportunities to initiate Level III review or assistance.

Level I Results

Level I performance review consisted of monitoring and tabulating the plan revisions due and the routine annual activity and financial reports that LGUs are required to submit to BWSR. In April, BWSR posted those requirements on the website (www.bwsr.state.mn.us/PRAP/index.html), and then followed up with non-compliant LGUs at mid-year and again at year's end.



LGU-specific results are listed in Appendices C (long-range plans), D (annual activity reports), and E (annual financial reports) and are searchable through the BWSR website.

The improvement in the number of overdue WD and WMO plan revisions is continuing, meaning more plans are up-to-date and addressing current resource issues. With PRAP's emphasis on evaluating plan implementation, having a current plan is essential. The plans overdue graphic now

includes both metro county groundwater plans and statewide local water management plans in the county plan category for all years. In the 2010 PRAP report groundwater plans were only included in the 2010 graph bar. BWSR field staff continue to work with LGUs on plan updates.

LGUs Meeting All Level I Performance Standards in 2011

All LGUs 84%
 SWCDs 99%
 Counties 93%
 WDs 53%
 WMOs 50%

The Level I information indicates which LGUs submitted late reports in addition to listing those whose reports were not submitted at all. LGU reports are an important means of providing citizens with timely information about LGU plans and performance.

On a statewide basis, the 2011 Level I performance review shows the SWCDs and county local water management offices doing a good job of meeting basic program accountability requirements. WDs in greater Minnesota continue to have difficulty complying with the annual activity report requirement. Local drainage authorities improved their compliance with the ditch buffer strip reporting requirement. Only one LGU failed to submit a report in 2011 compared with 9 in 2010.

Level II Results

BWSR conducted seven Level II reviews in 2011: SWCD districts in Le

Sueur, Carlton and Carver counties, the Pelican River and Wild Rice River watershed districts, Le Sueur County local water management, and the Middle St. Croix WMO.

The Level II review process examines the LGU's progress in implementing their plan's goals and objectives (Part 1), compliance with BWSR's checklist of Level II performance standards (Part 2), and LGU board members' or water plan task force members' discussion of factors affecting plan implementation (part 3) to present a picture of overall performance. The BWSR PRAP coordinator and a Board Conservationist serve as the primary reviewers for each LGU.

2011 Level II Results			
Part 1 Plan Implementation			
(% of plan action items addressed)			
High	Low	Average	
100	52	82	
Part 2 Performance Standards			
(% of standards met)			
Basic Standards			
High	Low	Average	
100	69	89	
High Performance Standards			
High	Low	Average	
73	8	56	

Appendix F contains summaries of each 2011 Level II performance review.

In 2011 BWSR intended to expand the annual Level II coverage through a program initiative that assesses the performance of all LGUs working in the same watershed. However, the state shutdown in July precluded the testing of this new method. This approach will be implemented on a pilot basis in 2012.

Level III Results

There were no formal Level III performance reviews in 2011. BWSR staff provided

assistance to the Heron Lake Watershed District with their watershed plan revision process, at their request. This assistance did not include an overall performance assessment, however.

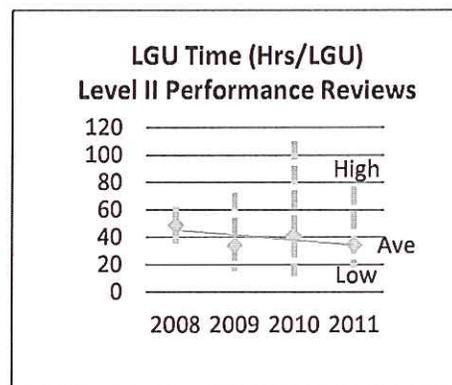
BWSR managers continue to regularly monitor the performance of LGUs experiencing change in order to assess the need for Level III review. LGUs can request these services and PRAP has money for small grants to support LGU organizational development tied to Level III assessments.

Level IV Results

No Level IV actions were needed in 2011.

PRAP Program Costs

BWSR tracks the time spent by LGUs in a Level II review as a substitute for actual program costs. Factors affecting an LGU's time include the number of action items in their long-range plan, the number of staff persons who help with data collection, and the ready availability of performance data.



BWSR staff spent approximately 330 hours conducting Level II reviews with the seven LGUs in 2011, an average of 47 hours per LGU. This compares with averages of 41 hours in 2010 and 46 hours in 2009.

Assistance Services to Local Governments

Focus on Assistance

The term “assistance” is in the PRAP program title in part because it is listed as an activity in the authorizing legislation and also because it is a logical next step after performance review. Prior to PRAP, BWSR field staff regularly provided LGUs with assistance to support and enhance their operational effectiveness. While that essential service continues, PRAP has expanded BWSR’s capability to assist LGUs.

2011 PRAP Assistance to LGUs

- Advised Heron Lake WD during public review of their management plan update.
- Consulted with MN Assn. of Soil and Water Conservation Districts on new district capacity evaluation and coordination with Mn Counties Insurance Trust on assistance options and resources.
- As a result of 2011 Level II reviews offered Le Sueur County and SWCD facilitation services to enhance collaboration on local water plan implementation.

Assessing the Needs

PRAP provides an opportunity for LGUs to identify the types of assistance they think would be most helpful. Each Level II performance review includes an opportunity for LGU board members and staff to list assistance needs in the context of their perceived barriers to program and project implementation. In 2011 the seven LGUs requested assistance with:

- obtaining stability and flexibility in funding,

- increasing traditional funding sources (e.g., cost-share and NRBG),
- writing grant applications for new funding sources (e.g., Clean Water Fund),
- continuing board and staff training,
- enhancing communication among greater MN WDs, and
- revising a long-range watershed management plan.

Each year LGUs request training related to various operational needs, as was the case this year. BWSR held its fourth annual Training Academy for LGU staff in October. BWSR’s Training Program Coordinator ensured that the 2011 Academy offerings covered the training needs identified during the 2010 performance reviews. This kind of program coordination is on-going and will be enhanced in 2012.

Future of Assistance

As funds allow, LGUs are able to apply for small matching grants from PRAP to help with some assistance needs. There were no applications for organizational assistance grants in 2011. BWSR staff assistance to LGUs will be closely coordinated with the needs assessment and programs developed by the BWSR Training Program Coordinator. PRAP will continue to serve as one of the pathways for BWSR’s delivery of targeted training and assistance.

Reporting

Purpose of Reporting

The purposes of reporting about LGU performance are:

- to provide a perspective on the progress in meeting statewide soil and water conservation goals through the efforts of local government-based activities and programs,
- to give stakeholders access to information about the effectiveness of their local water management entities, and
- to provide both information and incentives that will encourage LGUs to learn from one another about methods and programs that produce the most effective results.

Report Types

PRAP either relies on or generates different types of reports to achieve the purposes listed above.

LGU-Generated

These include information posted on the LGU websites and the required or voluntary reports submitted to BWSR, other units of government, and the public about fiscal status, plans, programs and activities. These all serve as a means of communicating what each LGU is achieving and allow stakeholders to make their own evaluations of LGU performance. PRAP tracks submittal of required, self-generated LGU reports in Level I.

BWSR Website

The BWSR website contains a webpage devoted to PRAP information. The site gives users access to a searchable database of basic Level I performance information that BWSR has collected for each LGU.

<p>No. of Website Hits to PRAP Level I Performance Database (by calendar year)</p>

<p>2010- 1437</p>

<p>2011- 186</p>

<p>www.bwsr.state.mn.us/PRAP/reporting/index.php</p>

The number of user visits to that database has dropped significantly since 2010, the year the database came on-line. The BWSR website also includes regularly updated maps of long-range plan status by LGU type.

Visitors to the PRAP webpage can find general program information, tables of current performance standards by LGU type, summaries of Level II performance review reports, and copies of annual legislative reports.

Level II Performance Review Reports

BWSR prepares a report containing findings, conclusions, and recommendations for each LGU that is the subject of a Level II performance review. The LGU lead staff and board or task force members receive a draft of the report to which they are invited to submit comments or corrections. BWSR then prepares both a final report that is sent to the LGU and a one-page summary that is included in this legislative report (see Appendix F) and on the PRAP webpage.

Annual Legislative Report

As required by statute, BWSR prepares an annual report for the legislature containing the results of the previous year's program activities and a general assessment of the performance of the local delivery system for land and water conservation services

and programs. These reports are reviewed and approved by the BWSR board and then sent to the chairpersons of the senate and house environmental policy committees, as well as LGU statewide associations and the office of the legislative auditor. This document is the fifth such report that BWSR has prepared.

Rewards and Recognition

BWSR seeks to ensure that PRAP pays as much attention to exemplary performance as it does to performance improvement. Each year the PRAP legislative report highlights those LGUs that are recognized by their peers or other organizations for their contribution to Minnesota's resource management and protection, as well as service to their local clientele. (See Appendix G.)

The BWSR website also features some of these award recipients.

In addition, for those LGUs that receive a routine Level II performance review, their report highlights compliance with each high performance standard with a "commendation" for practices over and above basic requirements. All 2011 Level II LGUs received commendations, which are the starred items listed in the report summaries in Appendix F.

Each year BWSR staff encourages LGUs that receive findings of exemplary performance during a Level II review to use the report results with local media outlets. In 2011 the Middle St. Croix WMO issued a press release about their performance review that was reported in the local newspaper. (See sidebar.)

Stillwater Gazette • Wednesday, November 16, 2011 • Daily Updates Online at www.StillwaterGazette.com • PAGE 13

WASHINGTON COUNTY

Middle St. Croix WMO earns praise for watershed work

By **ANGIE HONG**
Featured Writer

The Middle St. Croix Watershed Management Organization (MSCWMO) effort to protect and improve the St. Croix River and local lakes and streams was praised by the Minnesota Board of Water and Soil Resources (BWSR) during a recent performance review.

The MSCWMO has gone "over-and-above" the goals laid out in their 10-year plan with an expanded education program, completion of regional

Mary's Point and Afton. MSCWMO has established rules to guide development in the area, implements natural resource improvement projects, and works with its partner communities and private landowners within the management area to install practices that reduce stormwater runoff pollution.

The MSCWMO's 10-year plan, approved in 2006, established goals for reducing stormwater runoff, controlling erosion and sediment loss, protecting wetlands and providing education to

organizations.

The MSCWMO is also one of 17 members in the East Metro Water Resource Education Program, which educates residents living in the metro area about water quality related topics. The MSCWMO also works with the Washington Conservation District (WCD) to monitor the water quality of several lakes and streams within the watershed including Stillwater's Lily Lake and McKusick Lake and Bayport's Perro Creek. The MSCWMO also works closely with WCD to

raingardens, shoreline plantings and neighborhood clean-ups.

In addition to recognizing important accomplishments, BWSR recommended that the MSCWMO consider updating its 10-year plan early and develop a more active citizen advisory committee. Although the watershed's plan does have to be renewed until 2014, MSCWMO has already achieved many goals outlined in the plan and has secured enough grant funding to make additional projects possible.

The Middle St. Croix WMO used the results of their 2011 Level II PRAP review in a press release.

Program Conclusions and Future Direction

Conclusions

Based on four years of PRAP implementation, including Level II reviews of 31 LGUs throughout the state, BWSR finds:

- A steadily increasing percentage of long-range management plans are up-to-date.
- SWCDs in particular have a high rate of compliance with basic operational performance standards.
- LGUs with strong lead staff and strong board leadership are the most successful at obtaining funding and implementing projects and programs effectively.
- LGUs are struggling with the shift to more competitive funding sources, particularly in the allocation of staff.
- Most LGUs are aggressively pursuing the objectives in their long-range plans.
- Some LGUs will need assistance with identifying and targeting to address priority resource problems.
- SWCDs and WDs with overlapping jurisdictions underuse opportunities for collaboration with each other.

PRAP in 2012

During 2012 BWSR will add some program elements, modify some, and continue others.

NEW PRAP Elements

- Begin performance reviews of multiple LGUs that share a common watershed or other geographic boundary.

MODIFIED PRAP Elements

- Change "high performance" standards to "benchmarks" based on LGU organizational best management practices.
- Notify Level II LGUs of BWSR Academy training classes that address their expressed needs.
- BWSR Public Relations, Outreach and Strategic Planning Committee will review PRAP Guiding Principles.

CONTINUED PRAP Elements

- Conduct 7-8 Level II routine performance reviews.
- Continue monitoring of LGUs experiencing change for assistance opportunities.
- Monitor and report Level I performance of all 244 LGUs.

Challenges Long-Term

Performance measurement is a young and evolving field for entities delivering local government conservation services.

Improvements will require successfully addressing several issues.

- How to find the best indicators and the appropriate scale for measuring the performance of the local government conservation services delivery system.
- Measure real changes in resource *quality*, not just *effort* in program delivery.
- Use PRAP to incentivize collaboration in locally based resource management.

Appendices

A. PRAP Authorizing Legislation (Minn. Statutes Chapter 103B.102)

B. PRAP Advisory Team Members

C. Level I: 2011 Long-range Plan Status

D. Level I: Status of Annual Reports for 2010

E. Level I: Status of Audits and Financial Reports for 2010

F. Level II: Summaries of 2011 LGU Performance Review Reports

G. 2011 LGU Performance Awards and Recognition

Appendix A

PRAP AUTHORIZING LEGISLATION

103B.102, Minnesota Statutes 2007

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103B.102 LOCAL WATER MANAGEMENT ACCOUNTABILITY AND OVERSIGHT.

Subdivision 1. **Findings; improving accountability and oversight.** The legislature finds that a process is needed to monitor the performance and activities of local water management entities. The process should be preemptive so that problems can be identified early and systematically. Underperforming entities should be provided assistance and direction for improving performance in a reasonable time frame.

Subd. 2. **Definitions.** For the purposes of this section, "local water management entities" means watershed districts, soil and water conservation districts, metropolitan water management organizations, and counties operating separately or jointly in their role as local water management authorities under chapter 103B, 103C, 103D, or 103G and chapter 114D.

Subd. 3. **Evaluation and report.** The Board of Water and Soil Resources shall evaluate performance, financial, and activity information for each local water management entity. The board shall evaluate the entities' progress in accomplishing their adopted plans on a regular basis, but not less than once every five years. The board shall maintain a summary of local water management entity performance on the board's Web site. Beginning February 1, 2008, and annually thereafter, the board shall provide an analysis of local water management entity performance to the chairs of the house and senate committees having jurisdiction over environment and natural resources policy.

Subd. 4. **Corrective actions.** (a) In addition to other authorities, the Board of Water and Soil Resources may, based on its evaluation in subdivision 3, reduce, withhold, or redirect grants and other funding if the local water management entity has not corrected deficiencies as prescribed in a notice from the board within one year from the date of the notice.

(b) The board may defer a decision on a termination petition filed under section [103B.221](#), [103C.225](#), or [103D.271](#) for up to one year to conduct or update the evaluation under subdivision 3 or to communicate the results of the evaluation to petitioners or to local and state government agencies.

History: 2007 c 57 art 1 s 104

Appendix B

PERFORMANCE REVIEW AND ASSISTANCE PROGRAM ADVISORY TEAM MEMBERS

NAME	ORGANIZATION	REPRESENTING
Kevin Bigalke Ray Bohn	Nine-Mile Creek WD MN Assoc. of Watershed Districts	Metro WDs WD statewide association
Brian Dwight Vacant	BWSR	BWSR-No. Region Greater MN WD managers
Annalee Garletz Barbara Haake	Assoc. of Minnesota Counties Rice Creek WD	County government Metro area WD managers
Todd Olson	Assoc. of Metropolitan Municipalities	Watershed Management Organizations
Kathryn Kelly Tim Koehler	Renville SWCD USDA-Natural Resource Conservation Service	SWCD supervisors Federal partner
Kevin Ostermann	MACDE / Nicollet SWCD	MN Assoc. of Conservation District Employees
Sheila Vanney	MN Assoc. of Soil & Water Cons. Districts	SWCD statewide association
Steve Woods	BWSR-St. Paul	BWSR management

Appendix C

Level I: 2011 LGU Long-Range Plan Status

Soil and Water Conservation Districts

(Districts have a choice of option A or B)

A. Current Resolution Adopting County Local Water Management Plan

All resolutions are current.

B. Current District Comprehensive Plan

All comprehensive plans are current.

Counties

Local Water Management Plan Revision Overdue

Polk

Metro County Groundwater Plan Revision Overdue

Carver

Dakota

Ramsey

Scott

(Anoka and Hennepin Counties have chosen not to participate in this optional program.)

Watershed Districts

10-Year Watershed Management Plan Revision Overdue:

No Action

Crooked Creek

Plan Revision in Progress

Bear Valley

Belle Creek

Coon Creek

Cormorant Lakes

Sand Hill River

Stockton-Rollingstone-Minnesota City

Watershed Management Organizations

Management Plan Revision Overdue: Plan Revision in Progress

Grass Lake

Pioneer-Sarah Creek

Appendix D

Level I: Status of Annual Reports for 2010 as of December 31, 2011
--

Soil and Water Conservation Districts

eLINK Reports of Grant Expenditures

All districts comply.

Website Content: Compliance with 10 Content Elements

All districts comply.

Counties

Drainage Authority Buffer Strip Report: Not Submitted

St. Louis

eLINK Reports of Grant Expenditures

All reports submitted.

Watershed Districts

Drainage Authority Buffer Strip Report Not Submitted

All reports submitted.

Annual Activity Reports Not Submitted

Belle Creek

Buffalo-Red River

Joe River

Sand Hill River

Upper Minnesota River

Warroad

Annual Activity Reports Submitted Late

Bear Valley

Clearwater River

Comfort Lake-Forest Lake

Crooked Creek

Kanarazi-Little Rock

Lac Qui Parle-Yellow Bank

Sauk River

Yellow Medicine River

Metro Watershed Management Organizations

Annual Activity Reports Not Submitted

Carver

Mississippi River

Annual Activity Reports Submitted Late

Black Dog

Appendix E

Level I: Status of Audits and Financial Reports for 2010 as of December 31, 2011
--

Soil and Water Conservation Districts

Annual Financial Reports (all 90 Districts): Submitted Late
Dodge

Annual Audits (50 required)
All required audits submitted on-time.

Watershed Districts

Annual Audits Not Completed:

Belle Creek	Warroad
Joe River	Wild Rice River
Stockton-Rollingstone-MN City	

Annual Audits Submitted Late:

Brown's Creek	Minnehaha Creek
Carnelian-Marine	

Metro Watershed Management Organizations

Annual Audits Not Submitted:

Carver	Sunrise River
Grass Lake	Upper Rum River
Lower Rum River	

Annual Audits Submitted Late:

Black Dog	Mississippi River
Middle St. Croix	Scott

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP

Performance Review and Assistance Program
2011 Level II Review:
Carlton SWCD (*Carlton County*)

Why BWSR did this review
BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2011 BWSR is conducting Level II performance reviews of seven different local water management entities.

BWSR has conducted a routine Level II performance review of the Carlton SWCD because they are near the midpoint in implementing their 5-year comprehensive plan.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the district. The board of supervisors is responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Carlton Soil and Water Conservation District Summary of Performance Review Results

What BWSR Found

Carlton SWCD is on the verge of becoming among the highest functioning SWCDs in northeastern Minnesota. The district has set ambitious goals and, so far, has been particularly successful in accomplishing them in the Nemadji River watershed. Expansion of this kind of success into other areas of the district is what will move the organization to the next level. They have taken a step in that direction with the submittal of a collaborative grant application for the Kettle River watershed. That project could provide the experience that will set the district up for even more effective land and water conservation.



The district is a willing partner with many other conservation organizations and could increasingly find itself in a leadership position, if present trends continue.

Currently, the district is well served by strong, positive and engaged leadership from the Board of Supervisors. The supervisors value their staff as a factor that has contributed to their effectiveness. From BWSR's perspective the district would benefit from a thorough evaluation of staff capacity, which includes workload analysis, reviewing position descriptions, and defining skills training needs.

Action Item

- Operating fund reserve increase

Commendations (show exemplary performance)

- ★ Operational guidelines exist and current
- ★ Board and staff training: orientation & cont. ed.
- ★ State \$ leverage at least 1.5 times in non-state \$
- ★ Outcome trends monitored and reported for key resources
- ★ Website contains additional content beyond minimum required
- ★ Obtain stakeholder input: within last 5 yrs
- ★ Partnerships:
- ★ Coordination with County Board by supervisors or staff

Recommendations are to address the action item and conduct a staff capacity review.

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP

Performance Review and Assistance Program

2011 Level II Review:
Carver SWCD (*Carver County*)

Why BWSR did this review

BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2011 BWSR is conducting Level II performance reviews of seven different local water management entities.

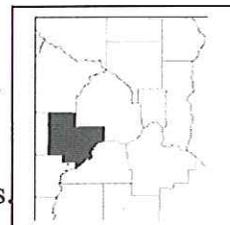
BWSR has conducted a routine Level II performance review of the Carver Soil and Water Conservation District because they are near the midpoint in implementing their comprehensive plan.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the district. The board of supervisors is responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Carver Soil and Water Conservation District Summary of Performance Review Results

What BWSR Found

The Carver SWCD is a well-managed, well-supervised local conservation organization that is aggressively and effectively implementing a variety of traditional and innovative resource conservation measures. successfully transitioned from an exclusively rural agricultural focus to establish expertise in addressing the complex water management issues of expanding urbanization. Moreover, their close working relationship with county officials has served to benefit both agencies as well as the people of their district. They have proven adept at competing for project and program dollars above and beyond traditional funding sources. Administratively, the district shows consistent and competent results from its attention to detail in program management and routine reporting.



Action Items (need immediate attention)

There are no action items for the district to address.

Commendations (show exemplary performance)

- ★ Operational guidelines exist and current
- ★ Staff training: orientation and cont. ed. plan and record for each staff member
- ★ Comp and Annual Plans arrange objectives by major watersheds
- ★ State \$ leverage at least 1.5 times in non-state \$
- ★ Website contains additional content beyond minimum required
- ★ Obtain stakeholder input: within last 5 yrs
- ★ Partnerships: cooperative projects/tasks done with neighboring districts, counties, watershed districts, non-governmental organizations
- ★ Coordination with County Board by supervisors or staff

BWSR's recommendations are really options for the district to enhance their already high level of performance in service delivery. These include marketing their expertise to cities and watershed districts, including other local governments in their annual strategic planning, conduct a staff workload analysis, and revisit their 2003 "360 review."

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP

Performance Review and Assistance Program

2011 Level II Review:
Le Sueur County Local Water Management (*Le Sueur County*)

Why BWSR did this review

BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2011 BWSR is conducting Level II performance reviews of seven different local water management entities.

BWSR has conducted a routine Level II performance review of the Le Sueur County Local Water Management program because they are at the midpoint in implementing their plan and have recently completed a plan update.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the county's local water management. The county commissioners and staff are responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Le Sueur County Local Water Management Summary of Performance Review Results

What BWSR Found

The Le Sueur County local water management program is both ambitious in the planned objectives and successful in a wide range of accomplishments related to that plan. The county has many of the pieces in place to become a trend setter in this challenging arena. The county local water plan tackles a wide range of water management issues in a county that has a diverse mix of lake, stream and groundwater management demands. This review confirmed that, while more could be done with more resources in staff and funding, the county is making progress in implementing broad-spectrum, local water management.

The county program meets all of BWSR's basic performance standards and a majority of the high performance standards, which reflect statewide organizational best management practices. This reflects a well-balanced application of local water management administration and project implementation.

The county is well-served by a diverse membership on its water plan task force and a competent, water plan administrator.

Action Items (need immediate attention)

There are no action items.

Commendations (show exemplary performance)

The Le Sueur County local water management program is commended for meeting these high performance standards.

- ★ LWM implementation plan completed within 5 yrs of plan adoption
- ★ Annual plan priorities based on water quality trend data for key water resources
- ★ Data collected to track outcomes for each priority concern
- ★ Water quality trends tracked for priority water bodies
- ★ Obtain stakeholder input: within last 5 yrs
- ★ Partnerships: liaison with SWCDs/WDs and cooperative projects/tasks done
- ★ County local water plan on county website
- ★ Water management ordinances on county website.

There are four recommendations for the county's consideration.

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP

Performance Review and Assistance Program

2011 Level II Review:
Le Sueur Soil and Water Conservation District
(Le Sueur County)

Why BWSR did this review

BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2011 BWSR is conducting Level II performance reviews of seven different local water management entities.

BWSR has conducted a routine Level II performance review of the Le Sueur SWCD in the context of their transition from their own comprehensive plan to adopting the county water management plan.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the district. The supervisors are responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Le Sueur Soil and Water Conservation District Summary of Performance Review Results

What BWSR Found

The Le Sueur SWCD does an adequate job at what they choose to work at, but their overall approach to conservation needs some updating and diversification. Some recent actions indicate that the board is moving in that direction: selection of an experienced district technician; recent Clean Water Fund grant application; and adoption of the Le Sueur County local water plan as the district comprehensive plan. But the pace of change could be accelerated.



While the district has some cooperative work with the county environmental services office through Natural Resources Block Grant (NRBG) programs, more could be done. County staff would like the district to expand their role with NRBG programs and provide more technical support. The Cannon River Watershed Project has expressed a similar desire to BWSR regarding the need for greater cooperation by the district.

The SWCD owns the building in which they and the USDA entities are located. BWSR is concerned that the issues related to building management are a significant distraction from the district's conservation work.

Overall, the SWCD still has room for improvement, and because of its geographic location in the critical Minnesota River sediment source area, is in a relatively favorable position to fund those improvements.

Action Item (needs immediate attention)

- Data practices policy: consistent with MN Data Practices Act.

Commendation (shows exemplary performance)

- ★ Website contains additional content beyond the minimum required.

In addition to the need to address the one Action Item, BWSR recommends that the Le Sueur SWCD conduct a staff workload analysis, reassess its mission and responsibilities based on their new long-range plan, expand cooperative partnerships, seek competitive funding, and assess building management alternatives.

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP

Performance Review and Assistance Program

2011 Level II Review:
Middle St. Croix WMO
(Washington County)

Why BWSR did this review
BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2011 BWSR is conducting Level II performance reviews of seven different local water management entities.

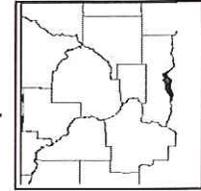
BWSR has conducted a routine Level II performance review of the Middle St. Croix Watershed Management Organization because they are near the midpoint in implementing their 10-year watershed management plan.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the organization. The board members are responsible for taking any actions they deem necessary in response to those findings and recommendations.

Middle St. Croix Watershed Management Org. Summary of Performance Review Results

What BWSR Found

The MSCWMO has demonstrated good progress in implementing the action items from their watershed management plan. They have gone beyond items in their plan to tackle and benefit from additional programs, such as an expanded education program and regional resource assessments under the metro-wide Landscape Restoration Project. The WMO meets many of BWSR's high performance standards, further indication of the organization's potential. In fact, this over-and-above functioning indicates that their current plan may no longer be ambitious enough to challenge the full capabilities of the organization.



The WMO has clearly benefitted from local partnerships with neighboring resource management entities, such as the Washington Conservation District. With strong staff support for the ten very active and knowledgeable board members, they are an effective local water management entity in this area.

Action Items (need immediate attention)

- Functioning advisory committee: recommendations on projects, reports; 2-way communication with Board
- Consultant RFP: within 2 yrs for professional services

Commendations (show exemplary performance)

- ★ Operating guidelines exist and current
- ★ Plan goals and objectives guide annual budgeting
- ★ Water quality trends tracked for priority water bodies
- ★ Website contains meeting notices, agendas, minutes and is updated
- ★ Track progress for I&E objectives in Plan
- ★ Partnerships and cooperative projects with neighboring districts and organizations, counties, cities, non-governmental organizations, and
- ★ Coordination with county/city/township by board members or staff.

BWSR recommends that the board accelerate their plan revision schedule and address their two action items.

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP

Performance Review and Assistance Program

2011 Level II Review: Pelican River Watershed District (*Becker and Otter Tail Counties*)

Why BWSR did this review

BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2011 BWSR conducted Level II performance reviews of seven different local water management entities.

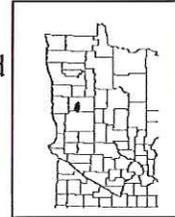
BWSR has conducted a routine Level II performance review of the Pelican River Watershed District because they have just passed the midpoint of their current 10-year watershed management plan implementation cycle.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the watershed district. The board of managers is responsible for taking any actions they deem necessary in response to the recommendations in this report.

Pelican River Watershed District Summary of Performance Review Results

What BWSR Found

The PRWD combines all the major elements of good watershed management in one organization: a set of bold, measurable goals for the district's lakes, aggressive implementation, consistent monitoring and readjusting of process, and effective synergy between a committed board of managers and skilled staff members.



A good example of their commitment to action in promoting lake water quality is the district's substantial investment of resources on the Rice Lake restoration. This project has required complex land rights/use arrangements. They have persisted and are well on the way to construction next year.

The PRWD has led several high-quality, high caliber research components for controlling flowering rush, an invasive species in the Detroit Lakes area. Traditional methods might have led them to continued control and management, but they have sought better answers. They are innovative and not timid about taking on the big issues in the district.

There is a continuing strong relationship with the Becker SWCD and they have recently improved their working relationship with the City of Detroit Lakes. Recently, they have experienced some difficulty working with the DNR on aquatic nuisance control.

Action Items (need immediate attention)

- Maintain a functioning advisory committee.

Commendations (show exemplary performance)

- ★ Administrator on staff
- ★ Operational guidelines exist and current
- ★ Public drainage records: meet modernization guidelines
- ★ Implementation and/or strategic review every 2-3 yrs
- ★ Local water plans reviewed
- ★ Plan goals and objectives guide annual budgeting
- ★ Water quality trends tracked for priority water bodies
- ★ Watershed hydrologic trends monitored / reported
- ★ Website: contains additional information
- ★ Coordination with County Board and City/Twp officials
- ★ Partnerships: cooperative projects/tasks done with neighboring districts, counties, soil and water districts, non-governmental organizations.

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP

Performance Review and Assistance Program

2011 Level II Review:

Wild Rice WD (*Mahnomen, Clay, Norman, Becker, Clearwater, Polk Counties*)

Why BWSR did this review

BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2011 BWSR is conducting Level II performance reviews of seven different local water management entities.

BWSR has conducted a routine Level II performance review of the Wild Rice WD because they are approaching the time to update their 10-year watershed management plan.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the district. The board of managers is responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Wild Rice Watershed District Summary of Performance Review Results

What BWSR Found

The WRWD finds itself in the position of having managers and an administrator who were all appointed to their positions after the current watershed management plan was developed.

Consequently, the managers are not unanimous in their support of the plan goals and objectives.

This lack of consensus on the priorities of the watershed district is a factor that may be affecting the board's expressed difficulty in implementing flood damage reduction projects.



It is not uncommon for other watershed districts to face such issues in their project development/implementation, but in the Wild Rice it seems this lack of a common agenda about how best to manage the district's resources is a particular liability. Most of the successes in project implementation that the staff identified are the result of efforts by former managers.

The managers do a good job of pursuing options, investigating alternatives on projects, and taking advantage of their experienced district engineer. Also, the district provides good financial support for and works well with the soil and water conservation districts in their watershed, particularly the Norman SWCD.

Action Items (need short-term attention)

- Annual report: submitted by mid-year
- Rules: date of last revision or review
- Website: content compliant
- Communication piece: sent within last 12 months

Commendations (show exemplary performance)

- ★ Administrator on staff
- ★ Staff training: orientation & cont. ed. plan
- ★ Public drainage records: meet modernization guidelines
- ★ Implementation and/or strategic review every 2-3 yrs
- ★ Website: contains additional content
- ★ Obtain stakeholder input: within last 5 yrs
- ★ Coordination with County Board and City/Twp officials
- ★ Partnerships: cooperative projects/tasks done with neighboring LGUs.

Four recommendations offered.

Appendix G

2011 Local Government Performance Awards and Recognition

(Awarding agency listed in parentheses.)

County Conservation Award

(Association of Minnesota Counties and Board of Water and Soil Resources)

Crow Wing County

Outstanding SWCD Employee

(Board of Water and Soil Resources)

Pete Fryer, Southeast Technical Service Area 7 Engineer

Outstanding Supervisor Award

(Minnesota Association of Soil and Water Conservation Districts)

Steve Flohrs, Martin SWCD

Living Snow Fence Achievement Award

(MN Assoc. of Soil and Water Conservation Districts and Dept. of Transportation)

West Otter Tail SWCD

Appreciation Award

(Department of Natural Resources)

Todd SWCD

Outstanding WD Employee

(Board of Water and Soil Resources)

James Wisker, Minnehaha Creek WD

Watershed District of the Year

(Department of Natural Resources)

Middle Fork Crow River WD

Program of the Year

(Minnesota Association of Watershed Districts)

Fighting Salt Pollution with Education, Nine Mile Creek WD

Project of the Year

Minnesota Association of Watershed Districts

Riceland Restoration Project, Turtle Creek WD



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: BWSR 2012 Strategic Plan Update

Meeting Date: January 25, 2012

Agenda Category: Committee Recommendation New Business Old Business
 Item Type: Decision Discussion Information
 Section/Region: Board

Contact: Steve Woods

Prepared by: Don Buckhout

Reviewed by: Public Relations, Outreach & Strategic Planning Committee(s)

Presented by: Don Buckhout

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

Other: Signals Board intentions to stakeholders & staff

ACTION REQUESTED

Plan Approval

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

The Board and Public Relations Outreach & Strategic Planning (PROSP) Committee began the process to update the 2007 Strategic Plan early in 2010 with issue identification, and then prioritized issues in April 2011 via a Board survey. These issues were incorporated into an updated Executive Summary, which has undergone a broad stakeholder review during November and early December.

Now the full 2007 Strategic Plan has been revised by staff with updated information indicated by text boxes. The PROSP Committee reviewed the updated Strategic Plan earlier this month and is recommending its approval as a guidance document for Board and staff activities during the next several years. The Committee will regularly monitor progress and outcomes resulting from implementation of strategies in this plan.

Board Resolution # _____

**Minnesota Board of Water and Soil Resources
Strategic Plan 2012 Update**

WHEREAS, the Board of Water and Soil Resources adopted a new Strategic Plan on January 23, 2008, titled "2007 Strategic Plan," which was a complete rewrite of the 1997 strategic plan, and

WHEREAS, in 2011 the Public Relations, Outreach and Strategic Planning Committee (hereinafter Committee) determined that the 2007 Strategic Plan needed to be updated, and

WHEREAS, the Committee undertook a survey of Board members to identify and prioritize pertinent strategic issues to be incorporated in the Strategic Plan update, and

WHEREAS, the Committee elected to make minor modifications rather than a substantial re-write of the Strategic Plan update, and

WHEREAS, the Committee directed staff to conduct a broad review among key client associations and other state agencies of the draft plan concepts via a revised Executive Summary, which occurred during the period of November 18 – December 12, 2011, and

WHEREAS, the Committee has reviewed the draft 2012 Strategic Plan Update and has recommended it for Board approval on January 24, 2012.

NOW THEREFORE BE IT RESOLVED, that the Board of Water and Soil Resources hereby adopts the attached 2012 Update of the BWSR 2007 Strategic Plan.

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

Date: _____

*Improve and protect Minnesota's water and soil
resources by working in partnership with
local organizations and private landowners.*



**2007
Strategic Plan
2012
Update**

*Executive Summary
BWSR Strategic Planning*

CREDITS

Plan Development

Public Relations, Outreach and Strategic Planning Committee

2007 Plan

*Brian Napstad, Chair
Dana Allen
Jim Anderson
Kay Cook (Chair until May 2007)
Randy Kramer
Paul Langseth
Ken Robinson
LuAnn Tolliver
Larry Kramka
Wayne Edgerton (through May 2007)*

2012 Update

*Keith Mykleseth, Chair
Linda Bruemmer
Christy Jo Fogarty
Sandy Hooker
John Meyer
Faye Sleeper
Louise Smallidge
LuAnn Tolliver*

Staff Support

2007 Plan

*John Jaschke, Executive Director
Steve Woods, Assistant Director
Jon Fure, Committee Staff
Cliff Tweedale, Project Consultant,
Headwaters Regional Development
Commission
Don Buckhout, Facilitator, DNR*

2012 Update

*John Jaschke, Executive Director
Steve Woods, Assistant Director
Don Buckhout, Committee Staff*

Executive Summary

BWSR 2007 Strategic Plan

2012 Plan Update

Overview to the 2007 Strategic Plan

BWSR's strategic planning effort resulted in a modified statement of mission and beliefs, an identification of the key issues and strategies to address each, and a set of approaches to spur effective implementation. Each of these is summarized here.

Overview to the 2012 Plan Update

In 2010-2011 the BWSR Board identified and prioritized strategic issues related to land and water conservation. This 2012 plan update includes NEW and REVISED strategies to address these issues. Updates are enclosed in text boxes throughout the document.

BWSR Mission

Improve and protect Minnesota's water and soil resources by working in partnership with local organizations and private landowners.

Strategic Issues and Strategies

1. *What do we do to create the effective local delivery system and partnerships to accomplish our mission?*
 - Defining Reality:
 - Require an assessment of each LGU at least once every five years.
 - Create a formal recognition for LGU success stories.
 - Market the LGU "scorecard" broadly.
 - Incentives for Change:
 - Funding allocations reward LGU positive changes/competency.
 - Define expectations clearly and implement consequences for non-improvement.
 - Successful LGU Organizational Challenge Program awards grants to selected candidates that propose to create changes that move the LGU forward.
 - Support for Change:
 - Develop a web site that provides examples and ideas of organizational best practices.
 - Establish peer mentor program.
 - Establish and utilize the Performance Review and Assistance Program.
 - **NEW: Develop, in concert with state and federal partners, credentialing mechanisms for technical conservation proficiencies.**
 - **NEW: Institute and lead a cost-effective training program aimed at growing LGU capacity and performance.**

2. *How do we redevelop and deliver our conservation programs so we maximize their impact on the land and water resource?*

- Review of Administrative Processes:
 - Undertake an initiative to streamline external reporting/administrative procedures.
- Program Integration:
 - Review all programs to focus resources on top priority issues as identified in water plans and the impaired waters list.
 - Target available funding to top priority issues *and* LGUs that have a track record or clear potential to deliver results.
 - **NEW: Facilitate discussions leading to Executive Branch and LGU concurrence on uniting water plans into better alignment substantially along major watershed boundaries.**
 - **NEW: Raise expectations and reinforce objectives for targeting conservation and clean water plans, projects and practices.**
- Monitoring/Assessment/Feedback Protocol:
 - Create a monitoring and assessment protocol that measures the extent to which resources are targeted to top priorities, achieve real outcomes, and leverage outside resources.

3. *How do we make our accomplishments and the state's resource conservation needs well known among those having significant influence over our mission?*

- Documentation of Resource Outcomes and Resource Needs:
 - Require appropriate LGU documentation of outcomes as part of the monitoring of each program activity.
 - Create knowledge about LGU activities and effectiveness by sharing activity and effectiveness assessments.
 - Develop publications and websites to highlight premier projects.
 - Develop a state "Water and Soil Resources Report Card" that offers compelling documentation of need.
 - **NEW: Develop an internal report card to monitor annual progress on each strategic issue.**
- LGU Relationship Building:
 - **REVISED: Facilitate and participate in Local Government Water Roundtable** meetings and events yearly.
 - **REVISED: Develop a system whereby LGUs meet at least once a year with each other to coordinate activities.**
 - Enhance eLINK operations so LGUs can easily access and customize data.
 - Meet regularly with the AMC Natural Resource and Environment Committee.
- Other Partnership Building:
 - Hold semi-annual "sounding board" meetings with key stakeholders.
 - Develop monthly "resource leadership quick-takes" that can be e-mailed out to a broad list of customers and partners.
 - Develop both Executive and Legislative strategies to inform and influence the state's natural resource conservation agenda.

2012 Updates are indicated by text boxes throughout the plan.

A strategic plan cannot be an end unto itself. It needs to be able to guide the development of the organization – its identity and purpose – over time.

Purpose

Purpose: 1. The object toward which one strives or for which something exists; goal; aim. 2. A result or effect that is intended or desired; intention. 3. Determination; resolution.

Purpose must be at the heart of a strategic planning effort as it needs to give direction to every part of the organization and define the work that must be done. Purpose is who we are and what makes us distinctive. It is what we as an organization exist to achieve and what we're willing to do, and not willing to do, to achieve it.

A strategic plan cannot be an end unto itself. It needs to be able to guide the development of the organization – its identity and purpose – over time. The strategic plan is a framework which provides context to use when creating, re-creating and revising the key components supporting the organization's purpose.

The purpose of this strategic plan then is to guide the organization as its own purpose evolves.

2012 Update

The strategic plan addresses only those issues the Board has determined need emphasis in order to meet challenges and opportunities, not all the activities carried out under BWSR's mission and mandates. However, both Board and staff will work on accomplishing the strategies identified in this plan.

The 2012 Update is based in part on emerging issues identified by the Board in the Spring of 2011. The Public Relations, Outreach and Strategic Planning Committee has translated those issues into new or revised strategies that will guide Board and staff actions during the next several years.

The revised mission statement reads as follows:

Improve and protect Minnesota's water and soil resources by working in partnership with local organizations and private landowners.

The beliefs statement was revised to acknowledge the importance of effectiveness, leadership and innovation to the success of BWSR and the accomplishment of its mission.

Mission and Beliefs

BWSR's Public Relations, Outreach and Strategic Planning Committee led the effort to revisit the agency mission statement and core beliefs. The previous mission statement read as follows: "*The mission of the Minnesota Board of Water and Soil Resources is to assist local governments to manage and conserve their irreplaceable water and soil resources.*" After input from constituents and much discussion, the committee recommended the changes shown below to place the emphasis on water and soil conservation. Working in partnership with local organizations, while still critical, is seen as an important means to accomplish the goal, not the goal itself.

The beliefs statement was revised to acknowledge the importance of effectiveness, leadership and innovation to the success of BWSR and the accomplishment of its mission. These values are not an add-on to the culture of the organization – they rather articulate the existing culture and behavior of BWSR.

2012 Update

The BWSR board affirms the following **Mission** and **Beliefs**. They will continue to guide our decisions about priorities and programs.

BWSR Mission

Improve and protect Minnesota's water and soil resources by working in partnership with local organizations and private landowners.

What We Believe In:

- **Real-World Effectiveness.** Our mission is focused on water resources and soil conservation. The success of BWSR

BWSR reaffirms its commitment to deliver its programs through partnerships at the local level.

should be measured by our effectiveness at enhancing both.

- **Local Planning and Implementation.** Working at the local level is the approach best positioned to produce lasting success.
- **Resource Leadership.** Effective resource protection requires a strong vision of the resource future we desire and the willingness to challenge organizations to participate. BWSR can be the leader that does it.
- **Wise Use.** Resource protection can effectively take place within a framework that acknowledges the motivations for resource use by landowners.
- **Partnerships to Deliver Programs.** Minnesota is a diverse state. Resource protection cannot be accomplished by any one organization or group. Partnerships are not just preferred; they are the only way to be effective.
- **Cooperative Approach.** Aligning the voluntary and regulatory elements of federal, state and local conservation efforts is necessary to assure citizens are well-served by all levels of government.
- **Innovation.** As water and soil resource challenges evolve, so must our ways of doing business.

BWSR can only accomplish its mission if it has an effective delivery system. This makes LGU capacity a key issue.

Can BWSR's programs be made even more effective? That is the focus of the second strategic issue.

Strategic Issues

Issue #1: What do we do to create the effective local delivery system and partnerships to accomplish our mission?

Discussion: BWSR's principal delivery system is a statewide set of local government units (LGUs) that are focused on protecting and enhancing the state's water and soil resources. The primary LGUs include Counties, Soil and Water Conservation Districts (SWCD), Watershed Districts (WD), and Metropolitan Watershed Management Organizations (WMO). BWSR can only accomplish its mission if it has an effective delivery system.

2012 Update

Fiscal constraints on the local delivery system have increased pressures to seek efficiencies in service delivery without compromising the effectiveness of program outcomes.

Issue #2: How do we redevelop and deliver our conservation programs so we maximize their impact on the land and water resource?

Discussion: As indicated previously, BWSR's principal delivery system is a statewide set of LGUs that are focused on protecting and enhancing the state's water and soil resources. At present, BWSR spends about 75% of its General Fund budget on external program activities (LGU grants, technical and administrative support, Cost-share, etc.), with the remaining 25% devoted to BWSR program, technical and administrative activities.

Some of this funding is distributed on a need basis using formulas that account for population, land area, tax capacity and quantity of activity. However, BWSR has

Being effective is necessary, but not sufficient; our legislative, agency, and local partners need to know about that effectiveness. Hence, the third strategic issue.

flexibility in how it distributes a large and growing portion of the funding.

2012 Update

BWSR's funding structure has changed significantly since the passage of the 2008 Clean Water, Land & Legacy constitutional amendment. Pass-through allocations from General Fund and Clean Water Fund now comprise 86% of the budget with the remaining 14% devoted to BWSR program, technical and administrative activities. Additional sources of funds include Clean Water Fund easement programs, Outdoor Heritage Fund, Capital Bonding, LCCMR grants, and federal funds.

Issue #3: How do we make our accomplishments and the state's resource conservation needs well known among those having significant influence over our mission?

Discussion: Competition for state and other resources is increasing, while available funding is not keeping pace with demand. BWSR and the partner LGUs are not just in competition for other resource dollars, but also for general fund resources that are used for a broad range of state needs.

At the same time, it is a challenge to effectively communicate the "BWSR story" to those that have influence over the organization.

2012 Update

New legislative and constituent mandates for accountability in funding and program outcomes reinforce the critical importance of this strategic issue for BWSR and individual local partners.

The quality of the local delivery system is key to BWSR's ability to accomplish its mission. At present, the quality of that system is uneven...

Issue Assessment: Strategies

For each of the three strategic issues there is a brief assessment of that issue (based on Board discussions, the online survey results, and the focus group comments), an identification of “leverage points” (particular strategies and areas that can be used to bring about change), a discussion of the preferred strategic approach, and a listing of specific strategies.

Issue #1: *What do we do to create the effective local delivery system and partnerships to accomplish our mission?*

Assessment. The effectiveness of the local delivery system is key to BWSR’s ability to accomplish its mission. At present the quality of that system is uneven; a number of LGUs are excellent while some do not have sufficient capacity.

There appear to be a number of factors at work in those LGUs that have limited capacity;

- *There is sometimes a lack of local political commitment to BWSR’s mission (i.e., resource conservation).* In some parts of the state, resource conservation is perceived, fairly or not, to be in conflict with economic strategy to bring about prosperity. This view can be particularly prevalent in areas where natural resource utilization accounts for a significant share of the area’s economic activity.
- *The partnership between the County and other LGUs can be made stronger.* One of the principal challenges for SWCDs and WDs is that Counties perceive them to be outside their control and, therefore, outside their responsibility. As one Focus Group participant said about the County/SWCD relationship: “We will be successful when we finally talk about each other in terms of “we” instead of “they.”

The approach to improving LGU's should support and preserve those LGUs that are capable of doing a good or excellent job, while challenging other LGUs to enhance their operations.

- *The lead staff in the LGU is not necessarily an outstanding leader.* Lead staff are critical, but a combination of forces results in the lead staff not having the capacity that is needed. The chronic under-funding of SWCDs, which do not have taxing authority, is one contributing factor.
- *Resources for the LGU are sometimes in short supply.* While resources are not sufficient to create a quality organization, they are necessary. Few SWCDs and counties have been able to develop a business model that provides an adequate revenue stream for outstanding success.

Possible Leverage Points

- *Lead LGU staff.* We know that the lead staff is critical to the success of an organization, and BWSR can potentially influence that selection. There are in excess of 800 board members directing the actions of our primary partners. It is beyond our ability to reach all, so our emphasis is in interfacing with the lead staff that is critical to the success of an organization.
- *Partnership between LGUs, and between Counties and other LGUs.* Building a positive LGU/County relationship can pay enormous dividends, both in terms of influence as well as money.
- *Accountability/performance mechanisms at BWSR's disposal.* Measurement brings accountability to organizations. BWSR has a responsibility, and an opportunity, to use this tool to improve performance.
- *Existing sources of revenue.* WDs, Counties and Cities all have statutory authority to raise revenue by a variety of means. LGUs without sufficient revenue streams should look to partnerships with others who utilize these powers.

Strategy Development. The approach to improving LGUs should support and preserve those LGUs that are capable of doing a good or excellent job, while

Strategies are divided into three categories: Defining Reality, Incentives for Change, and Support for Change.

challenging other LGUs to enhance their operations. This approach will encourage local development of strategies best suited to each unique circumstance. BWSR will act as a catalyst for these efforts by instituting enhanced and expanded performance review and assistance mechanisms. By improving the operations of a number of LGUs, it is anticipated that system effectiveness will reach a threshold that provides momentum for change for the remaining LGUs.

Strategies are divided into three categories: Defining Reality, Incentives for Change, and Support for Change.

Defining Reality

- *Require a performance assessment of each LGU at least once every five years.* Measurement is critical as a starting point for change.
- *Create a formal celebration for LGU success stories.* There are several tools to encourage change. Letting people know who is doing what, and celebrating the successes, is one such tool
- *Market the LGU "scorecard" broadly.* Measurement becomes powerful only after the results are known broadly.

Incentives for Change

- *Funding allocations reward LGU positive changes/competency.* This strategy is about aligning strategy and resources. If rewards are not targeted to the measured success, then the measurements are meaningless.
- *Define expectations clearly and implement consequences for non-improvement.* This is the stick part of a carrot and stick approach. LGUs must learn from peers and from the state. BWSR will work with LGU and professional associations to make peer-to-peer mentoring more robust.
- *Create a Successful LGU Organizational Challenge Program*

LGUs are more likely to listen to peers than a state agency.

which awards grants to selected candidates that propose to create changes that move the LGU forward.

This program is focused on those LGUs that are committed to change, but need an increase in resources to accomplish it. It should be designed with recognition that different strategies are needed in different places. Access to cooperative funds or future appropriations would be supported by additional recognition as well.

Support for Change

- *Development of a web site that provides examples and ideas of organizational best practices.* Some LGUs will need ideas to create change. This is a low-cost way to provide those ideas.
- *Establish peer mentor program.* LGUs can benefit from the experiences of peers as well as from state, federal, and private sector partners.
- *Utilize the Performance Review and Assistance Program.* We can identify opportunities to provide training and facilitate LGU self-assessment and improvement.

2012 Update

- *Develop, in concert with state and federal partners, credentialing mechanisms for technical conservation proficiencies.* Enhancement of LGU technical staff skills increases the capacity of LGUs to implement effective conservation on the ground.
- *Institute and lead a cost-effective training program aimed at growing LGU capacity and performance.* BWSR is optimally positioned to deliver federal and state training initiatives that are tailored to the needs of local partners.

It appears some of these [older] programs could be given a tune-up, and some could benefit from additional performance monitoring.

*Adding more paperwork does not save the environment.
~Survey Respondent*

Issue #2: *How do we redevelop and deliver our conservation programs so we maximize their impact on the land and water resource?*

Assessment. Some BWSR programs are relatively new (Clean Water Legacy), while others have evolved for decades (Comprehensive Local Water Management, Cost-share). It appears some of these programs could be given a tune-up, and some could benefit from additional performance monitoring. In addition, integration of programs could be improved. Following are some of the factors that affect the performance of BWSR programs

- *The amount of administrative time required by different programs can be a burden.* Although there is disagreement on how much of this burden can be eliminated, it is generally agreed that, at a minimum, technology can be used to streamline the administrative/reporting burden. As one survey respondent put it, “Adding more paperwork does not save the environment.”
- *Strategy alignment across programs is not perfect.* As an example, cost-share funding can be made available for projects that are not priorities in the local water plan.
- *WCA takes a disproportionate amount of staff time.* It is generally agreed that WCA takes a large amount of BWSR staff time and that is due to legislative appropriation and policy decisions. However, the old saying, “the urgent takes precedence over the important” seems to apply here. Greater investment in local program management via training and regulatory coordination should be constantly evaluated.
- *The funding strategies of all programs are not focused solely on resource impact.* Some of BWSR funding is targeted to capacity building, some is allocated based on resource criteria, and some is allocated based on a measure of equity. Success at achieving program goals and outcomes should be the common denominator for all.

The following strategies use a three prong approach to maximize the impact and effectiveness of BWSR programs: minimizing and streamlining administrative work, closely aligning program strategies, and measuring and rewarding performance.

Possible Leverage Points

- *The method by which BWSR delivers programs (need-based vs. competitive).* BWSR has the power to allocate resources to projects that make the most impact.
- *The method by which BWSR monitors performance.* BWSR can do more to measure its and its partners' successes.
- *The guidelines that determine eligible and priority activities for each program.* Focusing resources on priority issues is one method to effect change.
- *BWSR staff work planning.* Time invested in setting strategies and priorities will result in increased efficiencies and effectiveness for the agency and its partners.

Strategy Development. The following strategies use a three-prong approach to maximize the impact and effectiveness of BWSR programs: minimizing and streamlining administrative work, closely aligning program strategies, and measuring and rewarding performance. Although LGU capacity and quality and program effectiveness are closely linked, the following strategies focus on program effectiveness.

Review of Administrative Processes

- *Undertake an initiative to examine whether current measures are optimal and streamline external reporting/administrative mechanisms.* The less time spent on administrative matters, the more time available for resource protection and enhancement efforts. eLINK has good partner data, but partners must be satisfied with the collection mechanism itself.

Program Integration

- *Review all programs to better focus resources on top priority issues as identified in water plans and the impaired waters list.* Strategy alignment maximizes use of available resources.
- *Target available funding to top priority issues and LGUs that have a track*

*Make districts earn what they get, don't just split it up.
Competition makes us all better.
~Survey Respondent*

Measurement has a major role in driving change. Measured success builds the story and supports the right strategy. Measured failure even has value as it demands change and improved approaches.

record of delivering results. Impact on the resource comes not only from the targeting of priority problems; it comes from working with organizations that get things done. BWSR has done this already with cost-share, CREP/WREP, the Department of Defense, and the Working Lands Initiative among others. The case for performance-based funding was best made by one survey respondent, "Make districts earn what they get, don't just split it up. Competition makes us all better."

2012 Update

- *Facilitate discussions leading to Executive Branch and LGU concurrence on uniting water plans into better alignment substantially along major watershed boundaries.* A priority issue for the BWSR Board beginning in 2011 and also recommended by leadership among the LGU associations.
- *Raise expectations and reinforce objectives for targeting conservation and clean water plans, projects and practices.* Strategic application of limited resources is more important than ever. Local partners need encouragement to direct financial resources and staff expertise where they will produce the most progress toward priority objectives.

Monitoring/Assessment/Feedback Protocol

- *Create a monitoring and assessment protocol that measures the extent to which resources:*
 - *Are targeted to top priorities;*
 - *Achieve real outcomes; and*
 - *Leverage outside resources.*

Measurement has a major role in driving change. Measured success builds the story and supports the right strategy. Measured failure even has value as it demands change and improved approaches.

Assessment overview:

- *The Legislative and Executive Branches are key to the accomplishment of BWSR's mission;*
- *Effective and documented stewardship of water and soil resources must be shown; and*
- *Communication is best accomplished locally and personally.*

Nothing makes a bigger impact than actually seeing things on the ground.

~Survey Respondent

Issue #3: *How do we make our accomplishments and the state's water and soil resource conservation needs well known among those having significant influence over our mission?*

Assessment. This issue has three separate pieces: identifying those that have significant influence over BWSR's mission, determining what the story is that can motivate them, and figuring out how best to tell the story.

- *Those that have significant influence over the mission.* The Executive and Legislative branches set policy and priorities and provide funding and, thus, most significantly establish BWSR's priorities. LGUs and key stakeholder groups – both resource users and those interested in resource conservation -- also have significant influence in the process. Each brings an agenda to the Legislature, and each influences public policy.
- *The story that motivates them.* Major trends at the state level suggest a move away from an equalized approach to a more performance-based approach. Real outcomes, close local partnerships, and a reputation of BWSR as a unique state agency would go a long way to gaining support. The story cannot be separated from the reality, which is closely linked to the performance of LGUs, the effectiveness of BWSR programs and the documentation of that effectiveness. One survey respondent put it this way, "Nothing makes a bigger impact than actually seeing things on the ground."
- *How the story is told.* The most effective method is one that is local and personal and includes examples of real successes. This would include a targeted message with examples, shared through individual or small group meetings.

There are three pieces to a successful strategy to tell BWSR's story: defining those who have influence over the mission, understanding and having the story that will motivate them, and determining the most effective method to tell the story.

Possible Leverage Points

- *Performance and its measurement.* Telling a story about effectiveness requires the actual measurement and documentation.
- *Strong and deep partnerships with LGUs.* It is one thing to tell your own story; it is quite another, and even more powerful, to have others tell it. Others will only tell the story if they feel like they are a part of it.
- *Strong relationships with those that have a resource conservation mission that complements the BWSR mission.* External groups have influence in the process and are potential allies.

Strategy Development. The two-step approach includes the effective documentation and then delivery of the message. Message delivery can best be accomplished through enhanced partnerships and face to face conversations with individuals and small groups.

Documentation of Resource Outcomes and Resource Needs

- *Require appropriate LGU documentation of outcomes as part of the monitoring of each program activity.* Again, telling a successful story requires documentation.
- *Create knowledge about LGU activities and effectiveness by sharing activity and effectiveness assessments.* The Legislature is more likely to support future success than reward need alone.
- *Develop publications and websites to highlight premier projects and their outcomes.* Technology is a powerful and cost-effective tool to help deliver the message.
- *Develop a state "Water and Soil Resource Report Card" that offers compelling documentation of need.* While trumpeting success is important,

Relationship-building is key to gaining understanding and support for BWSR's mission.

the Legislature also needs to know that there is still much to be done.

2012 Update

- ***Develop an internal report card to monitor annual progress on each strategic issue.*** The BWSR Board and managers need to be able to track progress on these strategies and adjust where necessary.

LGU Relationship Building

2012 Update

- ***Revised from 2007: Facilitate and participate in Local Government Water Roundtable meetings and events yearly.*** The state associations for counties, watershed districts and SWCDs are actively addressing issues of common interest.
- ***Revised from 2007: Develop a system whereby LGUs meet at least once a year with each other to coordinate activities.*** LGU collaboration begins with regular, intentional communication about common interests and strategies for working with non-governmental partners.
- ***Enhance eLINK operations so LGUs can easily access and customize data.*** eLINK is a tool that has great promise, but one that has not yet fulfilled that promise.
- ***Meet regularly with AMC's Environment and Natural Resources Policy Committee.*** This committee sets the Association of Minnesota Counties' legislative priorities.

Here is what one person said about the County/SWCD relationship: "We will be successful when we finally talk about each other in terms of 'we' instead of 'they'."

Other Partnership Building

- *Hold semi-annual "sounding board" meetings with key stakeholders.* There are a number of organizations in the state that share BWSR's mission and that have influence with the Legislature.
- *Develop regular "resource leadership quick-takes" that can be e-mailed out to a broad list of customers and partners.* Technology can be used to cost-effectively build both understanding and support.
- *Develop both Executive and Legislative strategies to concisely inform and influence the state's natural resource conservation agenda.* Both branches have a critical role in helping BWSR advance its mission. Our stakeholders think we do an acceptable job of this, but few think we excel at it.

Who is responsible for completion? What specific actions will be taken? What is the best way of measuring a successful outcome? Who will be responsible for the measurement of progress? To the extent that BWSR has answers for each of these, the probability of success increases.

Next Steps

This strategic planning effort will only be meaningful if BWSR finds a way to “walk the talk,” and thereby deliver meaningful results. To do this, an effective bridge must be created between the ideas contained here and action.

To bring this level of accountability to the implementation process requires another level of detail. The old management adage, “*What gets measured gets done*” applies here. For each strategy the following questions need to be answered: Who is responsible for its completion? What specific actions will be taken? What resources are needed? When will this strategy be completed? What is the best way of measuring a successful outcome? Who will be responsible for the measurement of progress? To the extent that BWSR has answers for each of these, the probability of success increases.

Following are more formalized recommendations for the next steps:

- *Determine the outcomes that are desired and the appropriate measures for the success of each.* Desired outcomes have to do with effectiveness of LGUs, the change in water quality and soil conservation, and the awareness and support for BWSR. Each can be measured (although some are harder than others). The measures act as a rudder for the entire process. If positive change is evidenced, then the strategies are appropriate. If it isn't, BWSR should know about it and that acknowledgement should drive a change in strategy
- *Assign a staff person or team responsible for implementation.* If this is everyone's responsibility, it is no one's responsibility. Accountability and responsibility need to have a face attached to it.
- *Charge the staff with developing action steps, timelines, and securing resources.*

Accountability for implementing this plan involves three separate, but related, approaches: measuring action, assigning responsibility and adding detail to the strategy.

Each strategy needs more detail. Specific actions need to be identified, resource needs need to be considered, and timelines need development. Measurement requires measurability – this detail will provide that.

- *Charge some person or group with measuring progress and results.* Responsibility to oversee the evaluation is critical.
- *Assure that citizen perspectives are considered.* Program evaluation and alignment shall include assessment of technical, procedural, and administrative components from a citizen perspective.

2012 Update

- *Ensure that newly developed indicators for strategies are monitored, tracked and reported.* The PROSP Committee is committed to regular tracking of progress on these strategies.
- *Foster communication and coordination of strategic efforts among BWSR member agencies to realize measureable progress toward effective land and water resource stewardship.* BWSR is uniquely positioned among state-level agencies as a coordinating body focused on delivering federal, state, and local conservation and clean water funds and programs in the most effective and efficient manner possible.

Appendix

Strategic Plan Development and Adoption

The Minnesota Board of Water and Soil Resources (BWSR) undertook a survey of stakeholders near the end of 2006. The purpose of the effort was to provide a foundation for the Board's strategic planning process that spanned most of 2007. The Public Relations, Outreach and Strategic Planning Committee of the Board was the primary body charged with leading the Strategic Plan revision process.

Board Roster (as of January 2008)

Randy Kramer, Chair, Citizen
Dana Allen, Citizen
Paul Brutlag, Citizen
Quentin Fairbanks, County Commissioner
Brian Kletscher, County Commissioner
Brian Napstad, County Commissioner
Bob Burandt, SWCD
Paul Langseth, SWCD
Louise Smallidge, SWCD
Ken Robinson, Watershed District
Gene Tiedemann, Watershed District
LuAnn Tolliver, Watershed District
Joe Martin, Department of Agriculture
John Linc Stine, Department of Health
Larry Kramka, Department of Natural Resources
Jim Anderson, Minnesota Extension Service
Paul Eger, Pollution Control Agency

The 2007 Strategic Plan was adopted by the Board at its January 23, 2008 meeting.

2012 Update

Board Roster (as of January 2012)

**Brian Napstad, Chair, County
Paul Brutlag, Citizen
Robert Burandt, SWCD
Quentin Fairbanks, County
Christy Jo Fogarty, Metro City
Todd Foster, Watershed
Sandra Hooker, Townships
Paul Langseth, SWCD
Tom Loveall, County
John Meyer, Citizen
Keith Mykleseth, Non-metro City
Louise Smallidge, SWCD
Gene Tiedemann, Watershed
LuAnn Tolliver, Watershed
Gerald Van Amburg, Citizen
Matt Wohlman, Dept. of Agriculture
Linda Bruemmer, Dept. of Health
Tom Landwehr, Dept. of Natural
Resources
Faye Sleeper, U of M/Water
Resources Center
Rebecca Flood, Pollution Control
Agency**

**The 2012 Strategic Plan Update
was adopted by the Board at its
January 25, 2012 meeting.**

COMMITTEE RECOMMENDATIONS

RIM Reserve Management Planning Committee

1. RIM-WRP Partnership: Bond Fund Allocations - Kevin Lines – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: RIM-WRP Partnership: Bond Fund Allocations

Meeting Date: January 25, 2012
Agenda Category: [X] Committee Recommendation [X] New Business [] Old Business
Item Type: [X] Decision [] Discussion [] Information
Section/Region: Conservation Easement
Contact: Kevin Lines
Prepared by: Kevin Lines
Reviewed by: RIM Reserve Management Planning Committee(s)
Presented by: Kevin Lines

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [X] Resolution [] Order [] Map [] Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

The Board is requested to approve the recommendations of the RRMPCC to authorize the allocation of up to \$2.8 million in Capital Budget RIM Reserve funds to the Southern Minnesota Floodplain (Disaster Declaration Area xx-xxx) sign-up to fund eligible applications which scored >=65; allocate up to \$5.2 million in Capital Budget RIM Reserve funds to the RIM-WRP Partnership for wetland restorations to restore habitat and to provide water retention and treatment; and, work with Minnesota NRCS to develop RIM-WRP Partnership eligibility and sign-up procedures for the RIM-WRP Partnership.

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

The RRMPCC met on Friday, January 13, 2012 to review and recommend the following to successfully implement the RIM-WRP Partnership in Minnesota.

The BWSR received \$20 million in Capital Budget RIM Reserve funds in 2011 for the RIM Reserve Program. This authorizes the allocation of the remaining \$8 million bond funds to the RIM-WRP Partnership to be used in the 29 southern Minnesota flood disaster counties and in the state-wide RIM-WRP Partnership effort, and authorizes staff to successfully implement the RIM-WRP Partnership.

Board Resolution # _____

**Reinvest in Minnesota (RIM) Reserve - Wetlands Reserve Program (RIM-WRP)
Partnership Program: 2011 Bond Fund Allocations - Phase 2**

WHEREAS the RIM-WRP Partnership, the premier private lands wetland restoration program in the nation, is a local-state-federal partnership delivered locally by the Natural Resources Conservation Service (NRCS), Soil and Water Conservation Districts (SWCDs), and the Board of Water and Soil Resources (BWSR);

WHEREAS the RIM-WRP Partnership is possible through the collaboration of many local, state, and federal partners including Ducks Unlimited (DU), the Minnesota Waterfowl Association (MWA), Pheasants Forever (PF), the Minnesota Department of Natural Resources (MN DNR), and the United States Fish and Wildlife Service (USFWS);

WHEREAS the RIM-WRP Partnership permanently protects and restores previously drained wetland and adjacent native grasslands to achieve the greatest wetland functions and values;

WHEREAS the RIM Reserve Conservation Easement Program is administered by the BWSR in cooperation with local Soil and Water Conservation Districts (SWCDs);

WHEREAS SWCDs will be reimbursed for their services using the most current RIM Reserve services rate;

WHEREAS the RIM Reserve Program receives appropriations from state bonding sources, the Outdoor Heritage Fund (OHF), the Clean Water Fund (CWF), and the Minnesota Environment and Natural Resources Trust Fund;

WHEREAS RIM Reserve funding is intended to leverage federal WRP funds appropriated to the NRCS whenever feasible;

WHEREAS NRCS National Headquarters has provided Minnesota NRCS with an initial FY2012 WRP acreage cap of 11,856 acres for enrollment in WRP in Minnesota;

WHEREAS the Board has established the RIM-WRP Partnership payment rates and RIM Reserve payment rates;

WHEREAS a Minnesota Wetlands Restoration Evaluation Worksheet will be used to score and rank applications for the RIM-WRP Partnership;

WHEREAS the RIM-WRP Partnership will establish scoring periods in which eligible RIM-WRP applications that have been scored ≥ 80 will be approved for selection for immediate funding by NRCS-WRP;

WHEREAS other applications will be considered during the current scoring period prior to the NRCS obligation deadline;

WHEREAS a subcommittee may be appointed by the chair of the BWSR to review the applications and make project selections in coordination with Minnesota NRCS;

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on Friday, January 13, 2012 to review and recommend the following provisions to successfully implement the RIM-WRP Partnership in Minnesota in recognition of an consistent with funding noted above;

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

1. Allocate up to \$2.8 million of RIM Reserve Bond funds for the Southern Minnesota Floodplain (Disaster Declaration Area XX-XXX) sign-up to fund eligible applications which scored ≥ 65 . Any unused funds will be re-allocated to the future RIM-WRP sign-ups, and
2. Allocate up to \$5.2 million of RIM bond funds to the RIM-WRP Partnership to be used for wetland restorations to restore habitat and to provide water retention and treatment, and
3. Work with Minnesota NRCS to develop RIM-WRP Partnership eligibility and sign-up procedures for the RIM-WRP Partnership.

Dated at Saint Paul, Minnesota this 25th day of January, 2012.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

NEW BUSINESS

1. CWF Measures – *INFORMATION ITEM*

Minnesotans want to know if our water is getting cleaner and how Clean Water Funds are being spent. These questions and many others are being addressed by a multi-agency team whose goal is to develop a clean water tracking framework that will help clarify the connections between funds invested, actions taken, and clean water outcomes achieved. The heart of the Framework is a suite of 36 quantifiable performance measures that tell a cohesive, meaningful story about Minnesota's water bodies, watershed and groundwater health and the actions of agencies and partners working to restore and protect Minnesota's waters. This presentation will describe the Framework and the related "Clean Water Performance Report," to be released in February 2012.

2. Evaluation of Water Related Programs – *INFORMATION ITEM*

Legislation was passed in Special Session 2011 that directs the Pollution Control Agency to accomplish an evaluation of water related programs in conjunction with other water agencies and the University of Minnesota. The legislation began as a rule moratorium but that aspect of the legislation was set aside. MPCA Deputy Commissioner John Stine will overview the plans developed thus far for the \$75,000 study and provide some perspective on how the Board and local governments may be best able to contribute.

3. Ag Water Quality Certification – *INFORMATION ITEM*

On January 17th, Minnesota Governor Mark Dayton, U.S. Agriculture Secretary Tom Vilsack and U.S. Environmental Protection Agency Administrator Lisa Jackson signed a memorandum of understanding (MOU) committing the state and federal government to develop a new program that will enhance Minnesota's water quality by accelerating farmers' voluntary adoption of on-farm conservation practices. The MOU is the first step toward implementation of the Minnesota Ag Water Quality Certification Program. The initiative will be designed to accelerate progress toward water quality goals while also giving Minnesota farmers greater regulatory and cost stability.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:

CWF Measures [±]

Meeting Date: January 25, 2012

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Land and Water

Contact: Marcey Westrick

Prepared by: Marcey Westrick

Reviewed by: _____ Committee(s)

Presented by: Suzanne Hanson and Andy Holdsworth

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

None

SUMMARY

Minnesotans want to know if our water is getting cleaner and how Clean Water Funds are being spent. These questions and many others are being addressed by a multi-agency team whose goal is to develop a clean water tracking framework that will help clarify the connections between funds invested, actions taken, and clean water outcomes achieved. The heart of the Framework is a suite of 36 quantifiable performance measures that tell a cohesive, meaningful story about Minnesota's water bodies, watershed and groundwater health and the actions of agencies and partners working to restore and protect Minnesota's waters. This presentation will describe the Framework and the related "Clean Water Performance Report," to be released in February 2012.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Evaluation of Water Related Programs

Meeting Date: January 25, 2012
Agenda Category: [] Committee Recommendation [X] New Business [] Old Business
Item Type: [] Decision [] Discussion [X] Information
Section/Region:
Contact:
Prepared by: John Jaschke
Reviewed by: John Jaschke Committee(s)
Presented by: John Stine, MPCA Deputy Commissioner

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [] Resolution [] Order [] Map [] Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

None

SUMMARY

Legislation was passed in Special Session 2011 that directs the Pollution Control Agency to accomplish an evaluation of water related programs in conjunction with other water agencies and the University of Minnesota. The legislation began as a rule moratorium but that aspect of the legislation was set aside. MPCA Deputy Commissioner John Stine will overview the plans developed thus far for the \$75,000 study and provide some perspective on how the Board and local governments may be best able to contribute.

Minn. Laws 2011 1Sp, Chapter 2, Article 4, Sec. 33. EVALUATION REQUIRED.
(a) The Pollution Control Agency, in conjunction with other water agencies and the University of Minnesota, shall evaluate water-related statutes, rules, and governing structures to streamline, strengthen, and improve sustainable water management.
(b) The Pollution Control Agency must submit the study results and make recommendations to agencies listed under paragraph (a) and to the chairs and ranking minority party members of the senate and house of representatives committees having primary jurisdiction over environment and natural resources policy and finance no later than January 15, 2013



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Ag Water Quality Certification

Meeting Date: January 25, 2012
Agenda Category: [] Committee Recommendation [X] New Business [] Old Business
Item Type: [] Decision [] Discussion [X] Information
Section/Region:
Contact:
Prepared by: John Jaschke
Reviewed by: John Jaschke Committee(s)
Presented by: Matt Wohlman, MDA and Rebecca Flood, MPCA

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [] Resolution [] Order [] Map [X] Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

None

SUMMARY

On January 17th, Minnesota Governor Mark Dayton , U.S. Agriculture Secretary Tom Vilsack and U.S. Environmental Protection Agency Administrator Lisa Jackson signed a memorandum of understanding (MOU) committing the state and federal government to develop a new program that will enhance Minnesota's water quality by accelerating farmers' voluntary adoption of on-farm conservation practices.

It is important to note that the MOU is the endorsement and starting point for development of an Ag Water Quality Certification Program. The concept is that farmers who implement and maintain approved conservation plans will be assured that their operations meet water quality goals and standards.

Partners listed in the MOU as the developers of the program are the U.S. Department of Agriculture's Natural Resource Conservation Service, the Minnesota Department of Agriculture, Minnesota Pollution Control Agency, Minnesota Board of Water and Soil Resources, and the Minnesota Department of Natural Resources.

Minnesota Ag Water Quality Certification Program

Frequently Asked Questions

January 2012

1: What benefits will the Minnesota Ag Water Quality Certification Program provide to participating farmers?

In exchange for Minnesota farmers' voluntary implementation and maintenance of approved conservation plans, Minnesota's Ag Water Quality Certification Program will provide assurance that the farmers' operations meet water quality goals and standards for a specified time. This confirmation will give farmers greater certainty about conservation goals and regulatory standards, and will give them assurance that the agencies participating in the program will not require them to implement additional water quality practices for the period of their certification.

2: How will Minnesota's environment benefit from the Minnesota Ag Water Quality Certification Program?

The program goal is to enhance Minnesota's water quality by accelerating the adoption of on-farm conservation practices. These practices will have a range of water quality benefits, including reduced sediment loads and nutrient runoff.

3: How many years will participating farmers be covered under the certification?

Details of the program will need to be worked out through agency and stakeholder discussions, but the initial concept anticipates a certification period of 10 years if practices are maintained.

4: Has this type of program been tried in other states?

To our knowledge, this is the first program of its kind in the U.S. Other states have discussed similar concepts, but Minnesota is the first to have a formal agreement between state and federal agencies to move forward with an Ag Water Quality Certification Program.

5: What type of funding will be used to support this program?

The program will use both federal and state resources – including funding and technical support. Initial funding for this program will likely come from established programs while additional federal funding may be available in the future. We also anticipate some level of investment by participating farmers.

6: What other industries have quality assurance/certification programs?

Quality assurance programs can be found in many industries, from food safety to forestry to dry cleaning. A few examples of programs in Minnesota include Forest Certification from the Minnesota Department of Natural Resources (DNR), organic agriculture certification, the Minnesota Milk Producers Association's Environmental Quality Assurance Program, the Livestock Environmental Quality Assurance Program (LEQA) and Pork Quality Assurance.

In these programs, quality assurance refers to the monitoring and evaluation of the various aspects of an operation to verify that standards of quality are being attained.

7: How many farms will qualify for certification?

The goal of the program is to accelerate voluntary implementation of on-farm conservation practices, not merely provide validation of existing practices. Some farms may have already implemented extensive conservation practices that may fully satisfy certification requirements for their area. Other farms may need to implement additional conservation practices to become certified. Any farm willing to implement and maintain an agreed-upon conservation plan could be eligible to participate.

8: How rigorous will the on-farm assessment be?

We expect to see a rigorous program that sets the bar high, but the program details will be worked out in the months to come.

9: Can livestock producers participate in this program as well as crop producers?

The certification program is expected to focus initially on practices related to management of soil, fertilizer, pesticides and manure that are not currently regulated. Beyond that, planners will need to further develop program details. Our expectation at this point is that the program will not address areas of agricultural operations that are currently regulated.

10: Will producers still need to comply with regulations regarding pesticide applications? What other regulations, if any, will remain in place?

All existing regulations will remain in place for farmers participating in the program. This program is not about eliminating requirements, but rather about setting a high standard for water quality and conservation practices for farmers and then leaving those high standards in place for the period of certification.

11: How will the program decide upon a set of approved conservation practices?

Practices funded through the Federal Farm Bill and state programs have a set of standards that we anticipate will form the foundation of the certification process. In addition, program planners will explore how to incorporate additional conservation practices as needed into the certification process.

12: How long do you expect it will take to implement this program in Minnesota?

Details of the schedule for scoping and implementation will be resolved by the technical advisory committee.

13: How will stakeholders (farmers, conservation groups, local government partners and others) be involved in the program planning and development?

Stakeholder input will be essential to ensure that the program works well. The MDA and other agency partners will form a technical advisory committee that will include stakeholders from outside the partner agencies. This group will meet early in the process and help develop the program.

14: How is this related to the impaired waters TMDL process?

Total Maximum Daily Load (TMDL) is a process of identifying pollutants in specific bodies of water to be reduced to achieve water quality improvement. The Ag Water Quality Certification Program does not relate directly to TMDLs. Farmers qualifying for certification should already be meeting the expectations of any TMDL.