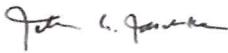




DATE: January 19, 2016
TO: Board of Water and Soil Resources' Members, Advisors, and Staff
FROM: John Jaschke, Executive Director 
SUBJECT: BWSR Board Meeting Notice – January 27, 2016

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, January 27, 2016, 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 RECOMMENDATIONS

Central Region Committee

- 1. Carver County Groundwater Plan** - Carver County has submitted a Groundwater Plan to BWSR for review and approval. The Plan defines the County's role in groundwater resource management for the next ten years and focuses on how to meet today's needs as well as expected growth within the County while protecting its resources. The Central Region Committee met earlier this month to discuss the plan and recommends approval per the attached draft Order. **DECISION ITEM**
- 2. Riley-Purgatory-Bluff Creek Watershed District Watershed Management Plan Amendment** - The final draft Amendment to the Riley Purgatory Bluff Creek Watershed District Watershed Management Plan was filed with the Board on December 4, 2015. The Amendment proposes to revise the District's current implementation program by adding two capital improvement projects. The total estimated cost of the projects is \$2,050,000 and would be funded through the District's watershed-wide levy. The Central Region Committee met and recommends approval of the Plan Amendment per the attached draft Order. **DECISION ITEM**
- 3. Wright County Local Water Management Plan Extension** - Approximately two-thirds of Wright County is located within the North Fork Crow River Watershed which is currently participating as a pilot for the One Watershed, One Plan program. Wright County and Wright SWCD have been active planning participants in the North Fork Crow River Planning Partnership group for the program since it started in this planning area in early 2015. Wright County is requesting an extension for their Local Water Management Plan to allow for the County to adopt the One Watershed, One Plan locally. The Central Region Committee met earlier this month to discuss the plan and recommends approval per the attached draft Order. **DECISION ITEM**

Bemidji 403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	Brainerd 1601 Minnesota Drive Brainerd, MN 56401 (218) 203-4470	Detroit Lakes 26624 N. Tower Road Detroit Lakes, MN 56501 (218) 846-8400	Duluth 394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	Mankato 12 Civic Center Plaza Suite 3000B Mankato, MN 56001 (507) 344-2821	Marshall 1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	New Ulm 21371 State Hwy 15 New Ulm, MN 56073 (507) 359-6074	Rochester 3555 9th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889
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Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

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

4. **Isanti County Local Water Management Plan Extension** - On May 24, 2006, the Board of Water and Soil Resources approved Isanti County's Comprehensive Local Water Management Plan for a ten year period until May 31, 2016. On March 18, 2015, the County passed a resolution to begin the plan update process. On September 24, 2015, the County requested an extension to allow for the inclusion of data from the Rum River WRAPS to be included in the planning process. This extension request was within the BWSR policy guidelines and was recommended for approval by the board conservationist. The Central Region Committee met on January 7, 2016 to review the extension request and recommend approval of the extension to May 31, 2018. **DECISION ITEM**

Northern Region Committee

1. **Bois de Sioux WD and Buffalo Red WD Boundary Change Petition** - August 3, 2015, BWSR received a petition to change the boundaries of the Bois de Sioux Watershed District (BdSWD) and Buffalo-Red River Watershed District (BRRWD). The petition was filed by the two Watershed Districts and Otter Tail County. The proposed boundary change, encompassing approximately 8,433 acres of land, would achieve a more accurate alignment between the hydrologic and legal boundaries of the BdSWD and the BRRWD. The Northern Region Committee recommends approval by the full BWSR Board. **DECISION ITEM**
2. **Wadena County Priority Concerns Scoping Document** – Wadena County submitted the Priority Concerns Scoping Document for state review and comment as part of updating their Comprehensive Local Water Management Plan. The Northern Region Committee met January 13, 2016, after the state agencies comment period ended. The Committee concurred with the selected priority concerns and recommended comments in a letter for the full Board to review. The State's expectations of the final plan must be sent to Wadena County. **DECISION ITEM**
3. **Hubbard County Comprehensive Local Water Management Plan Update** – Hubbard County has submitted their Comprehensive Local Water Management Plan Update for State review. The Northern Region Committee met January 13, 2016 to review the content of the plan, state agency comments to the plan and to make recommendations for approval. The Committee recommends approval by the full Board. **DECISION ITEM**
4. **Todd County Comprehensive Local Water Management Plan Update** - Todd County submitted the revised Todd County Comprehensive Local Water Management Plan for State review and comment. The Northern Region Committee of the Board met on January 13th after the State agencies comment period ended. The Committee recommends approval by the full Board. **DECISION ITEM**

Audit & Oversight Committee

1. **2015 PRAP Report to the Legislature** –The annual PRAP Report is required by M.S. 103B.102, subd. 3. The Report presents a summary of PRAP reviews and activities conducted during 2015. The Audit & Oversight Committee will be meeting the morning of January 27 to review the draft Report, and provide a recommendation to the Board. Upon approval by the BWSR Board, the report will be submitted to the Legislature by the February 1 submittal deadline. **DECISION ITEM**

Grants Program & Policy Committee

1. **St. Louis County FY2014 NRBG Amendment** - The Board is being requested to consider an amendment to the FY2014 St. Louis County Natural Resources Block Grant (NRBG) to reimburse the County for a portion of its costs to oversee the approval and development of the Lake Superior Wetland Bank. The Grants Program & Policy Committee will meet on January 26, 2016 to review the proposed NRBG amendment and present their recommendation to the full Board. **DECISION ITEM**

Water Management & Strategic Planning Committee

1. **One Watershed, One Plan Request for Public Comment** – On December 15, 2015 the Water Management and Strategic Planning Committee recommended the Board proceed with announcing public review and comment periods for the One Watershed, One Plan Operating Procedures and Plan Content documents from January 28, 2016 through March 4, 2016 and for One Watershed, One Plan Transition Plan to be initiated after final review of the Plan at the March 26, 2016 Committee meeting. **DECISION ITEM**

NEW BUSINESS

2. **Vice-Chair Nomination** – BWSR Bylaws state: “The Vice-Chair shall be elected to a two-year term by the members of the Board. The Vice-Chair shall be elected by majority vote at the first regularly scheduled meeting of every EVEN calendar year.” **DECISION ITEM**

If you have any questions regarding the agenda, please feel free to call me at 651-296-0878. The Board meeting will adjourn about noon. I look forward to seeing you on January 27th!

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, JANUARY 27, 2016
PRELIMINARY AGENDA**

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF DECEMBER 16, 2015 BOARD MEETING

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

INTRODUCTION OF NEW EMPLOYEES

- Nicole Gebheim, HR Officer, St. Paul Office
- Renee Sutton, Accounting Officer, St. Paul Office

REPORTS

- Chair & Administrative Advisory Committee – Brian Napstad
- Audit & Oversight Committee – Brian Napstad
- Executive Director – John Jaschke
- Dispute Resolution Committee – Gerald Van Amburg
- Grants Program & Policy Committee – Steve Sunderland
- RIM Reserve Committee – Gene Tiedemann
- Water Management & Strategic Planning Committee – Jack Ditmore
- Wetland Conservation Committee – Gerald Van Amburg
- Buffers, Soils & Drainage Committee – Brian Napstad
- Drainage Work Group – Tom Loveall/Al Kean

COMMITTEE RECOMMENDATIONS

Central Region Committee

1. Carver County Groundwater Plan – Steve Christopher – ***DECISION ITEM***
2. Riley-Purgatory-Bluff Creek Watershed District Watershed Management Plan Amendment – Steve Christopher – ***DECISION ITEM***
3. Wright County Local Water Management Plan Extension – Steve Christopher – ***DECISION ITEM***
4. Isanti County Local Water Management Plan Extension – Jason Weinerman – ***DECISION ITEM***

Northern Region Committee

1. Bois de Sioux WD and Buffalo Red WD Boundary Change Petition – Gerald Van Amburg – ***DECISION ITEM***
2. Wadena County Priority Concerns Scoping Document – Tom Schulz – ***DECISION ITEM***
3. Hubbard County Comprehensive Local Water Management Plan Update – Tom Schulz – ***DECISION ITEM***
4. Todd County Comprehensive Local Water Management Plan Update – Tom Schulz – ***DECISION ITEM***

Audit & Oversight Committee

1. 2015 PRAP Report to the Legislature – Jenny Gieseke - ***DECISION ITEM***

Grants Program & Policy Committee

1. St. Louis County FY2014 NRBG Amendment – Dave Weirens – ***DECISION ITEM***

Water Management & Strategic Planning Committee

1. One Watershed, One Plan Request for Public Comment Period – Melissa Lewis – ***DECISION ITEM***

NEW BUSINESS

1. Vice-Chair Nomination – John Jaschke – ***DECISION ITEM***

AGENCY REPORTS

- Minnesota Department of Agriculture – Matt 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 – Jennifer Berquam
- Minnesota Association of Conservation District Employees – Tiffany Determan
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Cathee Pullman

UPCOMING MEETINGS

- BWSR Board Meeting, March 23, 2016, St. Paul

Noon **ADJOURN**

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, DECEMBER 16, 2015**

BOARD MEMBERS PRESENT:

Patty Acomb, Joe Collins, Jill Crafton, Jack Ditmore, Doug Erickson, Rebecca Flood, MPCA; Sandy Hooker, Kathryn Kelly, Tom Landwehr, DNR; Tom Loveall, Brian Napstad, Neil Peterson, Tom Schulz, Rob Sip, MDA; Steve Sunderland, Gene Tiedemann, Gerald Van Amburg, Paige Winebarger

BOARD MEMBERS ABSENT:

Chris Elvrum, MDH
Faye Sleeper, MES

STAFF PRESENT:

Mary Jo Anderson, Angie Becker Kudelka, Tim Dykstal, Bill Eisele, Travis Germundson, Tim Gillette, Jim Haertel, Al Kean, Tim Koehler, Bob Kronik, John Jaschke, Dave Johnson, Jeff Nielsen, Dan Shaw, Doug Thomas, Marcey Westrick

OTHERS PRESENT:

Jennifer Berquam, AMC
Barb Huberty, LWC

Chair Napstad called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

**
15-82 **ADOPTION OF AGENDA** – Chair Napstad reported one addition to the agenda; under Introduction of New Employees. Moved by Kathryn Kelly, seconded by Paige Winebarger, to adopt the agenda as presented. *Motion passed on a voice vote.*

**
15-83 **MINUTES OF OCTOBER 28, 2015 BOARD MEETING** – Moved by Gene Tiedemann, seconded by Paige Winebarger, to approve the minutes of October 28, 2015 as circulated. *Motion passed on a voice vote.*

PUBLIC ACCESS FORUM

Travis Germundson stated that due to the travel involved, Franz Schauer was unable to attend the meeting today, therefore he provided written comments pertaining to the Dispute Resolution Committee hearing on WCA appeal exemption and no-loss determination McLeod County File 14-9. Travis, on behalf of Franz Schauer, stated that the comments are included in board members packets.

CONFLICT OF INTEREST DECLARATION

Chair Napstad explained that the Conflict of Interest Disclosure process is being used today on agenda items:

- FY16-17 Cooperative Weed Management Area Grant Awards
- FY16 CWF Competitive Multipurpose Drainage Management Grant Awards
- FY2016 CWF Competitive Grant Program Awards

Chair Napstad read the statement:

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

INTRODUCTION OF NEW EMPLOYEES

Bill Eisele introduced Bob Kronik, Lead Accounting Officer, St. Paul Office. Jim Haertel introduced Dave Johnson, Clean Water Specialist, Central Region. Chair Napstad welcomed Bob and Dave to BWSR.

REPORTS

Chair’s Report - Brian Napstad reported that the EQB is meeting today at 1:00 PM in this room; BWSR Board meeting will need to adjourn on time. Chair Napstad stated that he appreciated BWSR staff Dave Weirens and Al Kean’s participation at the AMC annual meeting; and John Jaschke presented the County Conservation Award to Lake of the Woods County.

Audit & Oversight Committee – Chair Napstad reported that the Audit & Oversight Committee has not met; an hour meeting will be scheduled before the next Board meeting to review the PRAP Report.

Executive Director’s Report – John Jaschke attended the MAWD and MASWCD annual meetings, well attended, good information and educational sessions. BWSR awarded the 2015 Outstanding Watershed Employee of the Year to Dan Wilkens, District Administrator of the Sand Hill River Watershed District. The 2015 Outstanding SWCD Employee of the Year was awarded to Brad Mergens, District Manager of the West Ottertail SWCD; and Darren Newville, District Manager of the East Otter Tail SWCD. John

stated that this is the first time BWSR, based on the joint nomination submitted, has awarded two individuals in the same year.

John reported that Governor Mark Dayton announced yesterday the submittal of a \$795 million proposal to USDA for a CREP in Minnesota. John introduced Angie Becker Kudelka as the new Assistant Director of Strategy and Operations. John reviewed information in board members' packets.

Dispute Resolution Committee (DRC) – Travis Germundson provided a brief overview of the appeals filed with BWSR; currently 8 appeals are pending. File 14-9 will be on the agenda later today.

Grants Program & Policy Committee – Steve Sunderland reported that the Grants Program & Policy Committee met on November 12 and December 15; recommendations are on the agenda later today.

Water Management & Strategic Planning Committee – Jack Ditmore reported that the Water Management & Strategic Planning Committee met last night; an item will be presented to the Board in January. The Committee is reviewing the draft 1W1P Transition Plan to be released in March; with a goal to have it in place by June. Jack stated that 1W1P information is posted on the BWSR website.

Buffers, Soils & Drainage Committee – Chair Napstad reported that the new Buffers, Soils & Drainage Committee met this morning; recommendations are on the agenda later today.

Drainage Work Group – Tom Loveall reported that the Drainage Work Group met on November 12. Al Kean provided a brief overview of the meeting. The DWG's next meeting is January 14, 2016. Chair Napstad thanked Al for his participation in the consolidated conservation lands pilot ditch system abandonment.

COMMITTEE RECOMMENDATIONS

Southern Region Committee

Blue Earth County Comprehensive Local Water Management Plan Extension Request – Kathryn Kelly reported that Blue Earth County currently has a Comprehensive Local Water Management Plan that will expire December 31, 2015. On October 8, 2015, Blue Earth County submitted a formal request for an extension of their current Plan. BWSR staff reviewed this request and recommends approval. The Southern Region Committee met on November 5, 2015; reviewed the extension request and recommends approval. The State's expectations for the extension request must be sent to Blue Earth County. Moved by Kathryn Kelly, seconded by Sandy Hooker, to approve the Blue Earth County Comprehensive Local Water Management Plan Extension until December 31, 2016. Jeff Nielsen stated that Blue Earth County is very active; the extension request is due in part by staff illness and temporary absence. Discussion followed. ***Motion passed on a voice vote.***

**
15-84

Fillmore County Comprehensive Local Water Management Plan Extension – Kathryn Kelly reported that Fillmore County submitted a resolution requesting a one-year extension of their existing ten-year plan. On November 5, 2015, the Southern Region Committee reviewed the extension request for Fillmore County Comprehensive Local Water Management Plan. Fillmore County is an active planning participant in the Root River One Watershed, One Plan Pilot with 100% of the County in the planning boundary. The Committee recommends approval. Moved by Kathryn Kelly, seconded by Sandy Hooker, to approve the Fillmore County Comprehensive Local Water Management Plan Extension until December 31, 2016. ***Motion passed on a voice vote.***

**
15-85

Pipestone County Local Water Management Plan Amendment – Kathryn Kelly reported that Pipestone County submitted their Local Water Management Plan Amendment (9-9-15 version), a record of the public hearing, and copies of all written comments pertaining to the Update to the Board for final State review on September 21, 2015. On November 5, 2015, the Southern Region Committee reviewed the recommendation of the state review agencies regarding final approval of the Pipestone County Local Water Management Plan Amendment and recommends approval. Moved by Kathryn Kelly, seconded by Sandy Hooker, to approve the Pipestone County Local Water Management Plan Amendment; the Plan will be in effect until December 31, 2020. Jeff Nielsen stated that the summary distributed earlier had an error, new version is in board members packets. Discussion followed. **Motion passed on a voice vote.**

Rebecca Flood arrived at the meeting at 9:54 a.m.

Rice County Local Water Management Plan Amendment – Kathryn Kelly reported that Rice County submitted their Local Water Management Plan Amendment, a record of the public hearing, and copies of all written comments pertaining to the Amendment to the Board for final State review on September 22, 2015. On November 5, 2015, the Southern Region Committee reviewed the recommendation of the state review agencies regarding final approval of the Rice County Local Water Management Plan Amendment and recommends approval. Moved by Kathryn Kelly, seconded by Joe Collins, to approve the Rice County Local Water Management Plan Amendment; the Plan will be in effect until December 31, 2019.

Jeff Nielsen stated that Jennifer Mocol-Johnson assisted in writing the plan while with Rice County and was then hired by BWSR; no conflict of interest. Discussion followed. Jack Ditmore asked for clarification on the comment date listed on page two of the order; Jeff stated that no comments were received; as second notice was sent again asking for comments. Joe Collins stated that he's amazed at what can be done outstate in comparison to costs in the metro area. **Motion passed on a voice vote.**

Waseca County Local Water Management Plan Amendment – Kathryn Kelly reported that Waseca County submitted their Local Water Management Plan Amendment, a record of the public hearing, and copies of all written comments pertaining to the Update to the Board for final State review on September 11, 2015. On November 5, 2015, the Southern Region Committee reviewed the recommendation of the state review agencies regarding final approval of the Waseca County Local Water Management Plan Amendment and recommends approval. Moved by Kathryn Kelly, seconded by Sandy Hooker, to approve the Waseca County Local Water Management Plan Amendment; the plan will be in effect until December 31, 2018. Discussion followed. **Motion passed on a voice vote.**

Shell Rock River Watershed District (SRRWD) Watershed Management Plan Update – Kathryn Kelly reported that the SRRWD was established by BWSR Board Order on June 25, 2003. The SRRWD has completed the planning process for its proposed ten-year plan: 2015 - 2025. The SRRWD distributed its draft Watershed Management Plan as required for final review and comment. The Southern Region Committee met on November 5, 2015 and unanimously recommends approval of the Plan Update. Moved by Kathryn Kelly, seconded by Sandy Hooker, to approve the Shell Rock River Watershed District (SRRWD) Watershed Management Plan Update. **Motion passed on a voice vote.**

Jeff Nielsen thanked the Southern Region Committee for 100% attendance at their meeting on November 5, 2015.

Dispute Resolution Committee

Hearing on Wetland Conservation Act Appeal of Exemption and No-Loss Determination McLeod

County, File 14-9 - Travis Germundson introduced Jill Nguyen, Attorney General's Office, and that Mr. Schauer's comment letter was presented to the Board during the Public Access Forum. Travis referenced the record and the written briefs associated with the appeal. Travis reported that the appeals were brought before BWSR by staff member Jeremy Maul, a member of the McLeod County Technical Evaluation Panel. Initially Mr. Schauer, landowner, was issued a WCA Restoration and Replacement Order regarding unauthorized work completed in wetlands on his property. Consequently, Mr. Schauer submitted applications for exemption and no-loss determinations. The applications were submitted beyond the timeframe identified in the orders and in Minn. Rule Chapter 8420 (county did not object to the timeliness of the applications). During the application process Mr. Schauer requested an extension to the time deadline for agency action by signing a waiver properly extending the timelines under Minn. Stat. § 15.99.

McLeod County made a decision on August 18, 2014 denying the applications. After receiving the notice of decision on August 27, 2014 Mr. Schauer and his attorney argued that the applications were granted by operation of law pursuant to Minn. Stat. § 15.99. McLeod County later agreed that they failed to comply with statutory deadline for agency action and issued a second notice of decision on November 3, 2014 granting the applications with conditions. Following further correspondence from Mr. Schauer and his attorney McLeod County proceeded to issue a third notice of decision on November 19, 2014, and then a fourth notice of decision on December 2, 2014 removing all conditions associated with the approval.

Travis reported that the Dispute Resolution Committee conducted a hearing on October 28, 2015. After review of the record, written briefs, and oral arguments, unanimously voted to recommend that McLeod County's November 3, 2014; November 19, 2014; and December 2, 2014 decisions approving applications for exemption and no-loss determinations be reversed. Concluding that the BWSR has jurisdiction over the matter, that the applications were not timely, the county did not violate MN Stat. 15.99, and the decisions approved more than what was authorized (requested in the applications). Thus the county improperly applied the law to the facts.

Travis stated that a revised Order is in board members' packets today. Jill provided advising instructions to board members. Gerald Van Amburg thanked the Dispute Resolution Committee (Joe Collins, Tom Schulz, Tom Loveall, Jack Ditmore) for diligence; and thanked Travis and Jill for their direction. Gerald stated that BWSR has jurisdiction in this matter and provided an overview of the record; noting errors made by the County. The Committee determined that McLeod County incorrectly concluded that it had violated Minn. Stat. § 15.99 and properly made a decision within 120 days. Gerald stated the importance of dates recorded and decisions made.

** Moved by Gerald Van Amburg, seconded by Tom Loveall, to approve the DRC's recommendation, the McLeod County's November 3, 2014; November 19, 2014; and December 2, 2014 decisions approving applications for exemption and no-loss determinations be reversed.

Jack Ditmore thanked Gerald for his leadership on the DRC, and asked Jill if the Order reflects the DRC decision. Jill stated that the Order is indicative of the DRC decision. Discussion followed. Jill stated that comments received by Mr. Schauer are not considered new evidence, merely comments. Tom Schulz also thanked Gerald for his leadership and asked that Gerald's comments be forwarded to Jill for information. Tom Landwehr supports the motion before us due to the facts received, McLeod County

errored. Tom Loveall thanked Travis for his great work. Travis stated that the County Board did not make the decision, it was the decision of staff delegated by McLeod County as the WCA LGU. Paige asked what happens next. Jill stated that the landowner could appeal to the Court of Appeals; or comply with the restoration order. **Motion passed on a voice vote.** Chair Napstad thanked Travis, Jill, and Gerald for their leadership.

Chair Napstad called for a break in the meeting at 10:35 a.m. The meeting reconvened at 10:51 a.m.

Chair Napstad stated that board members have submitted their completed Conflict of Interest Disclosure forms; the documents will be filed for the grant decision items. All board members are eligible to vote on the three grant items. Tom Loveall will not be voting on the FY16 CWF Competitive Grant Program Awards and the FY16 CWF Competitive Multipurpose Drainage Management Grant Awards.

Grants Program & Policy Committee

FY16 CWF Competitive Grant Program Awards – Marcey Westrick distributed maps reflecting funding throughout the state. Marcey reported that applications for the FY2016 Clean Water Fund Competitive Grants were accepted from July 6 through August 28, 2015 in three program categories: Projects and Practices, Accelerated Implementation, and Community Partners. Local governments submitted 133 applications requesting \$31,438,702 in Clean Water Funds. BWSR staff conducted multiple processes to review and score applications, involved staff of other agencies, and developed recommendations for grant awards as presented on spreadsheets. The BWSR Senior Management Team reviewed the recommendations on November 10th and met on December 8th to review the revised recommendations.

The BWSR Grants Program and Policy Committee reviewed the recommendations on November 12th and met on December 15th to review the revised recommendations and recommend approval of the following:

- 1) Approves allocations to implement the FY2016 Clean Water Fund Competitive Grants Program according to the attached funding recommendations spreadsheets and the attached scoring results and funding recommendations document for the following programs and recommended allocation amounts shown below:

<u>Grant Program</u>	<u>Allocated Funds</u>
A. Projects and Practices Grants	\$8,648,755
B. Accelerated Implementation Grants	\$2,000,000
C. Community Partners Conservation Program Grants	\$ 403,000

- 2) Authorizes staff to:
 - A. Approve project workplans.
 - B. Enter into grant agreements consistent with this resolution and Legislative Appropriations.
 - C. Shift \$252,578 from the Community Partner Funds as follows:
 - i. \$ 6,078 of Community Partner funds to project C16-3691 (#19) under accelerated implementation;
 - ii. \$50,000 of Community Partners funds to fully fund C16-5293 City of Bloomington (#35) under projects and practices; and,

iii. \$196,500 of Community Partners funds to fully fund C16-7791 Pennington Soil and Water Conservation District (#36) under projects and practices.

- D. Assign funds that may be included in (1) that may become available if funded projects are withdrawn, do not receive workplan approval by March 18, 2016 unless extended for cause, or are modified to reduce the state funding needed to accomplish the project; or returned Clean Water Competitive grant funds from previous years, to unfunded project and practices applications, in rank order.

** Moved by Steve Sunderland, seconded by Kathryn Kelly, to approve the Committee recommendations as presented. Discussion followed. Rob Sip asked why the nonpoint implementation plan was not referenced; Marcey stated that the RFP included the nonpoint information. Jack Ditmore requested the
15-91 nonpoint implementation plan be referenced in future information. **Motion passed on voice vote; Tom Loveall abstained from voting.**

Targeted Watershed Program – Marcey Westrick reported that the Targeted Watershed Program is proposed to have a solicitation period from February 1 through March 9, 2016. The scoring process will be conducted by staff from the DNR, MDA, MDH, PCA, and BWSR and will operate under the FY2016 Clean Water Fund Policy. The Grants Program and Policy Committee met on November 12, 2015 and reviewed the draft Request for Interest (RFI) and recommends Board authorization of the program.

** Moved by Neil Peterson, seconded by Jill Crafton, to authorize staff to finalize, distribute and promote a Request for Interest for the Targeted Watershed Program consistent with the provisions of appropriations enacted in 2015, Minn. Stat. 103B.3369. Tom Landwehr asked that more explicit information be included with consistency to nonpoint implementation plan; Marcy will include this.
15-92 Discussion followed. **Motion passed on a voice vote.**

FY16 -17 Cooperative Weed Management Area Grant Awards - Dan Shaw reported that the 2015 Minnesota Legislature appropriated \$200,000 to the FY16-17 Cooperative Weed Management Area (CWMA) program for financial assistance to soil and water conservation districts. BWSR received 16 applications totaling \$239,296 in requested funds. The inter-agency CWMA Advisory Team met on November 16th and recommended 14 of the 16 applications be approved for funding. The BWSR Senior Management Team met on December 8th to review the Advisory Team's recommendations. The BWSR Grants Program and Policy Committee met on December 15th to review the recommendations of the Advisory Team and the Senior Management Team and recommends approval of the 14 CWMA
** applications received. Moved by Kathryn Kelly, seconded by Steve Sunderland, to authorize the grants be awarded to the 14 CWMA applications according to the recommendation of the Grants Program & Policy Committee. Discussion followed. Jack Ditmore asked for more explicit clarification of the top 14 applicants awarded included in the resolution. Chair Napstad stated that he's surprised more applications for terrestrial invasives were not received. Discussion followed. Paige Winebarger asked who in the state owns responsibility for pollinator issues. Rob Sip stated that MDA, DNR, and BWSR are involved in pollinator issues; he will contact Paige and provide information. Dan stated that BWSR's
15-93 website has information on pollinator habitat. **Motion passed on a voice vote.**

FY16 CWF Competitive Multipurpose Drainage Management Grant Awards - Tim Gillette reported that applications for the FY2016 Clean Water Fund Competitive Multipurpose Drainage Management Grants were accepted from August 31 through October 30, 2015. Local governments submitted 12 applications requesting \$2,284,359 in Clean Water Funds. BWSR staff conducted multiple processes to review and score applications, involved staff of other agencies, and developed recommendations for grant awards.

The BWSR Senior Management Team met on December 8th to review the recommendations. The BWSR Grants Program and Policy Committee met on December 15th to review the recommendations and recommend approval. Moved by Gerald Van Amburg, seconded by Steve Sunderland, to approve allocations to implement the FY2016 Clean Water Fund Competitive Multipurpose Drainage Management Grant Program as recommended: 1) Allocate \$675,000 to the Multipurpose Drainage Management Grant Program; 2) Authorizes staff to: A) Approve project work plans; B) Enter into grant agreements consistent with this resolution and Legislative Appropriations; and C) Assign funds that may be included in (1) that may become available if funded projects are withdrawn, do not receive work plan approval by March 18, 2016 unless extended for cause, or are modified to reduce the state funding needed to accomplish the project; or returned Clean Water Competitive grant funds from previous years, to unfunded Multipurpose Drainage Management applications, in rank order. **Motion passed on voice vote; Tom Loveall abstained from voting.**

Buffers, Soils & Drainage Committee

Buffer Law Implementation: Failure to Implement Policy – John Jaschke reported that staff developed the proposed failure to implement policy to begin laying out the state-local government relationship in implementing the Buffer Law. The Buffers, Soils & Drainage Committee has reviewed this policy on October 27 and met again this morning to review Version #4, dated December 15; and recommends adoption of the Buffer Law Implementation: Failure to Implement Policy. The policy is a result of specific language in the Buffer Law (Minn. Stat. 103F.48) that authorizes the State to withhold funds from a county, watershed district or SWCD that fails to implement the buffer law. The intent of the policy is to define specific duties and how the Board will determine failure to implement. Many other buffer program details have yet to be determined, which will require revisions to this policy no later than November 1, 2017. John stated that AMC, MAWD, and MASWCD reviewed and provided comments, their suggestions incorporated. Chair Napstad stated that the Buffers, Soils & Drainage Committee met this morning and recommends approval. Moved by Brian Napstad, seconded by Doug Erickson, to approve the Committee recommendation to adopt the Buffer Law Implementation: Failure to Implement Policy. Jack Ditmore added a friendly amendment to the resolution to add the date 12-16-15, adopted by BWSR. Discussion followed. Joe Collins asked for clarification, is BWSR the only enforcing agency? John stated that the law also includes new enforcement authorities to address potential landowner noncompliance and local government failure to implement. One such provision is: Minnesota Statutes 103F.48, Subd. 8. Funding subject to withholding. The state may withhold funding from a local water management authority or a soil and water conservation district that fails to implement this section. Funding subject to withholding includes soil and water program aid, a natural resources block grant, and other project or program funding. Funding may be restored upon the Board's approval of a corrective action plan. **Motion passed on a voice vote.**

NEW BUSINESS

2015 Grants Monitoring, Reconciliation, and Verification Report -Tim Dykstal reported that on June 22, 2011, to ensure its compliance with Office of Grants Management policies established by the Department of Administration, the Board adopted the Grants Monitoring, Reconciliation and Verification Policy. The policy calls for a report on grants monitoring activities to be delivered to the Board annually. Tim stated that the 2015 report includes data on the monitoring of Fiscal Year (FY) 2014 grants and the verification of FY 2013 grants. The report also describes other initiatives in grants monitoring at BWSR this year and looks ahead to next steps to streamline the process, more efficient and effective; financial reconciliation plan, and close the loop between monitoring and grant evaluation. Chair Napstad stated that the Audit and Oversight Committee reviewed the Grants Monitoring, Reconciliation and Verification Policy in October; and noted the importance of reporting. Discussion followed. Chair Napstad thanked Tim for his presentation.

AGENCY REPORTS

Minnesota Department of Natural Resources (DNR) – Tom Landwehr acknowledged BWSR for the effort to complete the CREP proposal, a monumental piece of work. Tom stated that Governor Dayton called for the Clean Water Summit in February; agenda unknown. Tom reported that DNR's sole role in the Buffers Law is mapping. A base map is now available for public review on the DNR website and they are seeking input from LGUs. DNR is using LIDAR tools to start mapping ditches.

Minnesota Pollution Control Agency (MPCA) – Rebecca Flood reported that MPCA Commissioner Stine and MDH Commissioner Ehlinger conducted eight listening sessions on municipal wastewater and drinking water infrastructure with over 100 communities participating. The sessions provided valuable information on water infrastructure, costs to upgrade drinking water and wastewater systems.

UPCOMING MEETINGS

- Grants Program and Policy Committee Meeting, January 26, 2016; 4:00-5:30 PM
- Water Management and Strategic Planning Committee Meeting, January 26, 2016; 5:30-8:00 PM
- BWSR Board Meeting, January 27, 2016, St. Paul

**
15-96 Moved by Paige Winebarger, seconded by Doug Erickson, to adjourn the meeting at 12:33 PM. **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 27, 2016

Agenda Category:

Committee Recommendation New Business Old Business

Item Type:

Decision Discussion Information

Section/Region:

Central Office

Contact:

Travis Germundson

Prepared by:

Travis Germundson

Reviewed by:

Travis Germundson/Gerald Van Amburg Committee(s)

Presented by:

Travis Germundson/Gerald Van Amburg

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

None

LINKS TO ADDITIONAL INFORMATION

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

The report provides a monthly update on the number of appeal filed with BWSR.

Dispute Resolution Report
January 15, 2016
By: Travis Germundson

There are presently 7 appeals pending. All of the appeals involve WCA. There have been **no** new appeals filed since the last report, dated December 16, 2015 (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 15-10 (10-14-15). This is an appeal of a restoration order in Chisago County. The appeal regards the unauthorized placement of fill in a wetland resulting in approximately 1.5 acres of impact. The alleged impacts are associated with the construction of motor cross/ATV track. The appeal has been placed in abeyance and the restoration order stayed for the Technical Evaluation Plan to convene on site and develop written findings of fact on the area of impact.

File 15-9 (9-17-15) This is an appeal of a replacement plan decision in Crow Wing County. The appeal regards the denial of a replacement plan application for wetland impacts associated with the construction of a residential driveway and structure within the Shoreland Management District of South Long Lake. A previous decision approving a similar replacement plan application had been appealed (File 15-5). The appeal was remanded for additional technical evaluation on impact avoidance including a no-build alternative, and now the current denial is being appealed. *A pre-hearing conference convened on January 14, 2016 and the parties mutually agreed to stay further administrative proceedings to continue to discuss settlement options through the end of the month.*

File 15-7 (7-20-15) This is an appeal of a Restoration Order in Olmsted County. The appeal regards the unauthorized placement of drain tile in a purported wetland. Applications for exemption and no-loss determinations have been submitted to the local unit of government concurrently with the appeal. The appeal has been placed in abeyance until the LGU makes a final decision on the applications for exemption and no-loss.

~~File 14-9 (12-3-14) This is an appeal of multiple exemption and no-loss decisions in McLeod County. The appeal regards the approval of three exemption and no-loss decisions. At issue is the LGU's assessment that the applications were approved by operation of law under Minn. Stat. §15.99 (60 day rule). The after-the-fact applications were submitted in conjunction with an appeal of a restoration order (File 14-4). The appeal has been granted. Following a DRC hearing the Board issued an Order reversing the three McLeod County decisions under appeal. That decision has been appealed to the Court of Appeals for further review.~~

File 14-6 (5-28-14) This is an appeal of a replacement plan decision by DNR Land and Minerals involving the Hibbing Taconite Mine and Stockpile Progression and Williams Creek Wetland Mitigation. The appeal regards the approval of a wetland replacement plan application for mining related activities. A similar appeal was also filed simultaneously with DNR under procedures required for permit to mine. The appeal has been placed in abeyance for completion of DNR's contested case proceedings. The parties reached settlement on the adequacy of the Replacement Plan. The remaining issues will likely be heard by the Court of Appeals.

File 14-4 (4-28-14) This is an appeal of a restoration and replacement order in McLeod County. The appeal regards alleged drainage improvements associated with the excavation of a private drainage system. At issue is a prior exemption determination. The appeal was placed in abeyance and the restoration and replacement orders stayed for the LGU to make a final decision on the after-the-fact wetland applications. The applications were determined to be approved by operation of law under Minn. Stat. §15.99. That decision has been appealed (File 14-9). The appeal will continue to be held in abeyance until there is a final decision by the Court of Appeals on File 14-9.

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 and confirmation of required mitigation.

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. A revised wetland bank plan application has been approved with conditions. Those conditions require the approval of partial ditch abandonment along with a Conditional Use Permit for alterations in the floodplain.

Summary Table

Type of Decision	Total for Calendar Year 2014	Total for Calendar Year 2015
Order in favor of appellant	1	
Order not in favor of appellant	2	4
Order Modified		
Order Remanded	1	1
Order Place Appeal in Abeyance	3	4
Negotiated Settlement	2	
Withdrawn/Dismissed	3	2

COMMITTEE RECOMMENDATIONS

Central Region Committee

1. Carver County Groundwater Plan – Steve Christopher – ***DECISION ITEM***

2. Riley-Purgatory-Bluff Creek Watershed District Watershed Management Plan Amendment – Steve Christopher – ***DECISION ITEM***

3. Wright County Local Water Management Plan Extension – Steve Christopher – ***DECISION ITEM***

4. Isanti County Local Water Management Plan Extension – Jason Weinerman – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Carver County Groundwater Plan 2016-2025

Meeting Date: January 27, 2016

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Region

Contact: Steve Christopher

Prepared by: Steve Christopher

Reviewed by: Central Region Committee(s)

Presented by: Steve Christopher

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

Approval of Carver County Groundwater Plan

LINKS TO ADDITIONAL INFORMATION

Final Review Draft Plan:
http://www.bwsr.state.mn.us/boardpackets/carver_county/151103_Groundwater_Plan_FINALSUBMISSION.pdf

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

Carver County (County), in accordance with Minnesota Statutes section 103B.255 has submitted a Groundwater Plan (Plan) to the MN Board of Water and Soil Resources (BWSR) for review and approval. This is an update to the Carver County Groundwater Plan last updated in 2001. The updated Groundwater Plan supports implementation of both the Carver County 2030 Comprehensive Plan and the Carver County Watershed Management Organization 2010-2020 Comprehensive Water Resources Management Plan.

The initial 60-day comment period ended October 2, 2015. Comments were received from the Metropolitan Council, Department of Agriculture, Department of Health, Department of Natural Resources, Board of Water and Soil Resources, Minnesota Geological Survey, and the Carver Soil and Water Conservation District. The

majority of comments received were editorial or requesting clarification. All comments were addressed by the County. A public hearing was held on November 3, 2015, at which no comments were received.

BWSR received the final draft Plan on November 12, 2015. Correspondence was forwarded to state review agencies notifying them that BWSR would accept comments on this Plan through December 30, 2015, as per MS §103B.255, subdivision 9.

Groundwater Plan Summary

The Carver County Groundwater Plan defines Carver County's role in groundwater resource management for the next ten years by identifying goals and actions the County will take over the life of this plan. Carver County intends to support established groundwater management stakeholders through limited and strategic involvement focused on addressing identified gaps.

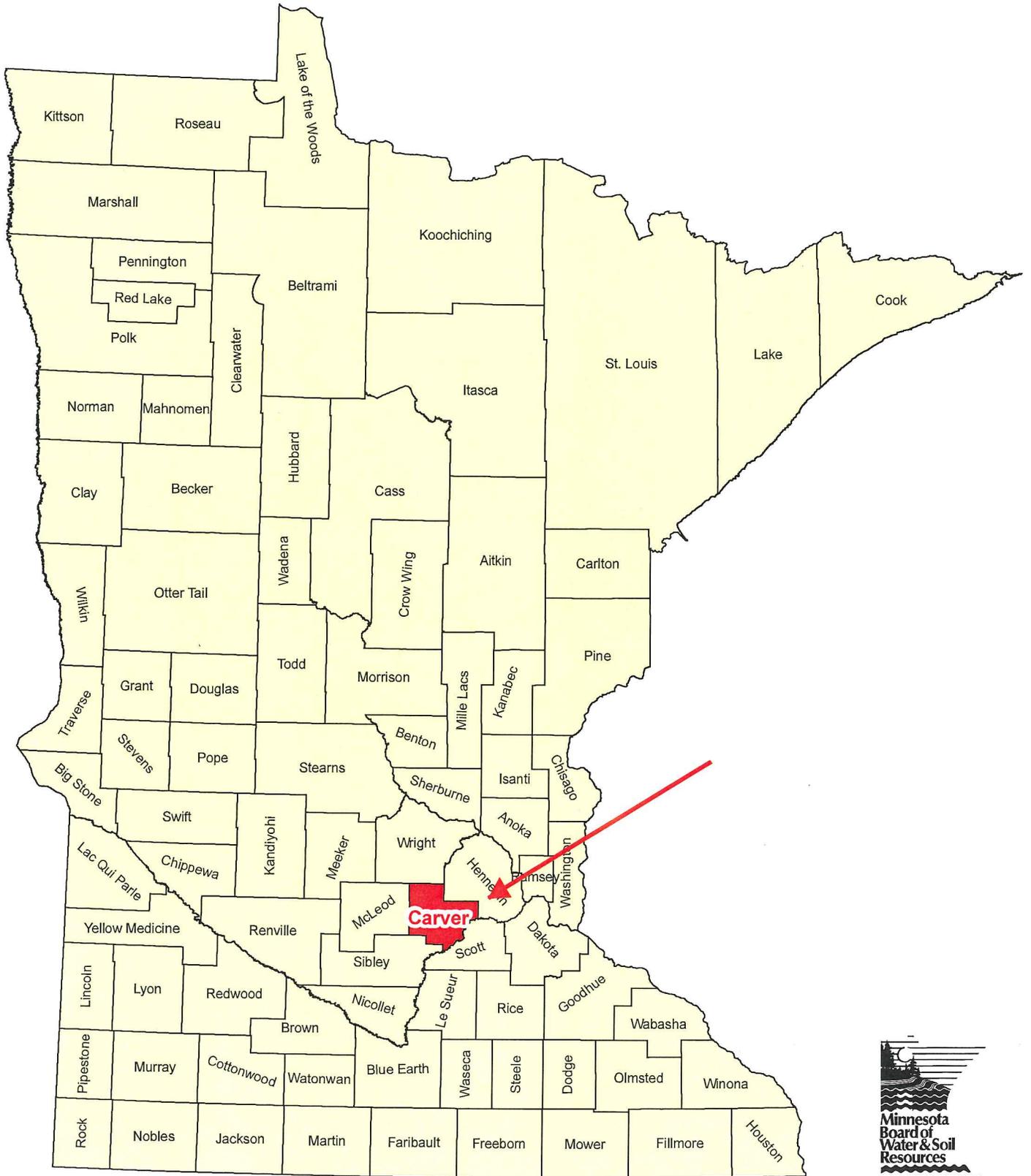
Groundwater serves multiple critical functions within the County, most importantly 100 percent of drinking water comes from groundwater sources. With population forecasts to grow by more than 60 percent over the next thirty years, it is vital for the County to develop a plan to manage the quality and supply. Groundwater also provides critical support to the natural resources within the county including the Seminary Fen. The County is committed to protecting these resources to ensure natural amenities.

The Plan has three overarching goals which include protecting groundwater quality, groundwater supply and groundwater dependent natural resources in order to meet today's needs without compromising availability of the resource for future generations.

Recommendation:

BWSR staff has completed the final review of the Carver County Groundwater Plan 2016-2025. The Plan is in conformance with the requirements of Minnesota Statutes section 103B.255. Staff recommended approval of the Plan to the Central Region Committee which met on January 7, 2016. Following a presentation by Carver County staff, the Committee voted unanimously to recommend approval of the Plan to the full Board per the attached Order.

Carver County



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

In the Matter of the review of the
Groundwater Plan for Carver County
pursuant to Minnesota Statutes section
103B.255

**ORDER
APPROVING
GROUNDWATER
PLAN**

Whereas, the Carver County Board of Commissioners submitted a Groundwater Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on November 12, 2015 pursuant to Minnesota Statutes section 103B.255, 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.** The Metropolitan Surface Water Management Act in Minnesota Statutes section 103B.255 authorizes counties in the 7-county metropolitan area to develop and implement groundwater plans. Carver County, through their groundwater planning effort, seeks partnership and collaboration with all stakeholders to protect and conserve this valuable resource now and for future generations.
2. **Nature of Groundwater in County.** Groundwater serves multiple critical functions within the County, most importantly 100 percent of drinking water comes from groundwater sources. With population forecasts to grow by more than 60 percent over the next thirty years, it is vital for the County to develop a plan to manage the quality and supply. Groundwater also provides critical support to the natural resources within the county including the Seminary Fen. The County is committed to protecting these resources to ensure natural amenities.
3. **Local Review.** Carver County circulated a copy of the draft Plan to state review agencies, local government units, and adjacent counties on August 4, 2015 for their review. The initial 60 day comment period ended October 2, 2015. Comments were received from the Minnesota Geological Survey and the Carver Soil and Water Conservation District. The County addressed the comments received. The County held a public hearing on November 3, 2015. No comments were received at the public hearing.

4. **Metropolitan Council Review.** Agency staff commended the County on their efforts and had mostly clarification and typographical correction comments. All comments were addressed.
5. **Department of Agriculture Review.** Comments were submitted to the County during the 60 day review period. The MDA suggested inclusion of planning and education activities to address contamination of groundwater from agricultural chemicals. MDA also provided additional language regarding the roles that they can provide toward groundwater protection and commended the acknowledgement of the County's inclusion of the Township Testing Program. The County revised the Plan to satisfactorily incorporate suggested changes and additions as a result of these comments. MDA had no additional comments during the final review period.
6. **Department of Health Review.** Agency staff recommended that the Board approve the final draft plan.
7. **Department of Natural Resources Review.** Agency staff had clarification and typographical correction comments. All comments were addressed.
8. **Pollution Control Agency Review.** Agency staff did not comment on the Plan.
9. **Board Review.** Comments were submitted to the County during the 60 day review period. The specific comments were more editorial in nature - questions of clarification, style and citing sources, some grammatical corrections and a few suggestions for consideration. Board staff recommended the County take advantage of existing efforts to coordinate with neighboring counties as well as with agencies. During the final review period, BWSR staff did not have any comments.
10. **Highlights of the Plan.**

The Plan defines the County's role in groundwater management for the next ten years and is meant to support the Carver County 2030 Comprehensive Plan and Carver County Watershed Management Organization Comprehensive Water Resources Management Plan.

The Plan has three overarching goals which include protecting groundwater quality, groundwater supply and groundwater dependent natural resources in order to meet today's needs without compromising availability of the resource for future generations.

The Plan is well organized and focuses on what the County can realistically accomplish to address the growing needs within Carver County.

11. **Central Region Committee Meeting.** On January 7, 2016, the Board's Central Region Committee and staff met in St. Paul to review and discuss the Plan. Those in attendance from the Board's Committee were Patty Acomb, Jack Ditmore, Paige Winebarger, Jill Crafton, Faye Sleeper, and Joe Collins, chair. Board staff in attendance were Central Region Supervisor Jim Haertel and Board Conservationists Jason Weinerman and Steve Christopher. Following a presentation by Carver County Staff, Board 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 Groundwater Plan for Carver County pursuant to Minnesota Statutes section 103B.255, subd. 10.
3. The Carver County Groundwater Plan attached to this Order defines groundwater and groundwater-related problems within the County, possible solutions thereto, and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes section 103B.255.

ORDER

The Board hereby approves the attached Plan dated 2016 - 2025 as the Groundwater Plan for Carver County.

Dated at Saint Paul, Minnesota this 27th day of January, 2016.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Riley-Purgatory-Bluff Creek Watershed District Comprehensive Water Resources Management Plan Amendment

Meeting Date: January 27, 2016

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Region

Contact: Steve Christopher

Prepared by: Steve Christopher

Reviewed by: Central Region Committee(s)

Presented by: Steve Christopher

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

Approval of the Riley-Purgatory-Bluff Creek Watershed District Plan Amendment

LINKS TO ADDITIONAL INFORMATION

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

The Riley Purgatory Creek Watershed District (District) was established on July 31, 1969 by order of the Minnesota Water Resources Board under the authority of the Minnesota Watershed Act (Minnesota Statutes, Chapter 112). Bluff Creek was added to the District in June 1984.

The District is approximately 47 square miles in size and located in both Hennepin County and Carver County, within the Minnesota River basin. The following municipalities lie partially within the District: Bloomington, Chanhassen, Chaska, Deephaven, Eden Prairie, Minnetonka, and Shorewood. The District is bound by the Lower Minnesota River Watershed District to the south, the Carver County WMO to the southwest, the Minnehaha Creek Watershed District to the west and north, and the Nine Mile Creek Watershed District to the east.

The current third generation watershed management plan was approved by the Board in January 2011.

Plan Amendment Summary

The proposed amendment is for the addition of the Riley Creek Water Quality Improvement project and Lake Riley alum treatment. The Riley Creek Water Quality Improvement project addresses impairments in Riley Creek for elevated turbidity levels through the stabilization of reaches between Upper Riley and Middle Riley. Also addressed through this project is the reduction of phosphorus and sediment loading to Lake Susan, which is also listed as impaired for nutrients.

Stabilization efforts will:

- Evaluate existing vegetation and thin trees where possible to provide greater sunlight to ground vegetation
- Grade eroded banks, add toe protection to prevent further undercutting and plant with native plants
- Placement of rock vanes and root wads to reduce force against stream banks
- High bank stabilization measures which can be bank grading and vegetation or vegetated reinforced soil slope technique

The estimated construction cost for the creek restoration at Reach E and D3 is \$1,500,000.

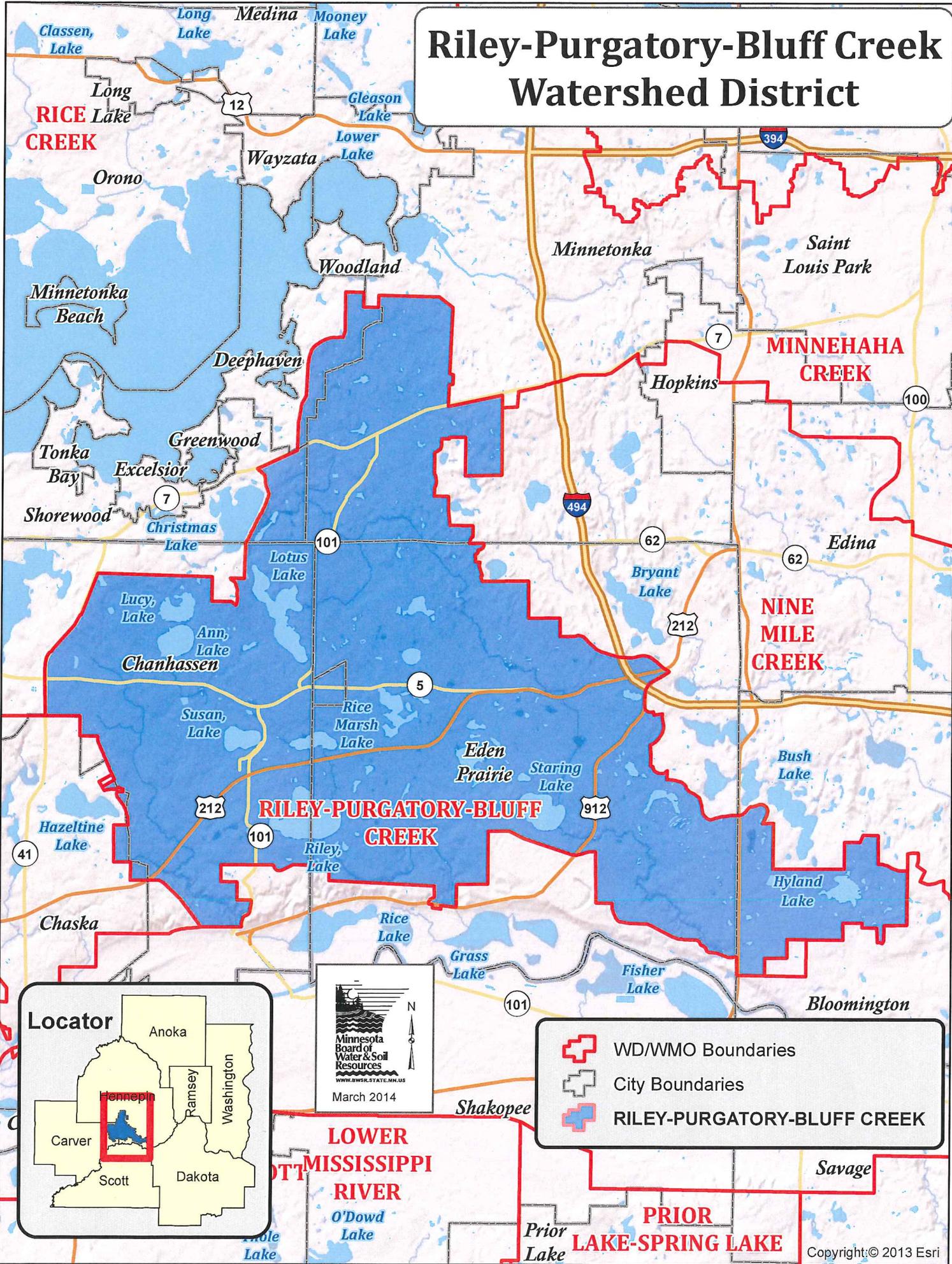
The Lake Riley Alum Treatment will address an internal load of phosphorus, thereby restoring water clarity and allow the native vegetation to reestablish. The estimated cost for the project is \$550,000. Both projects would be funded through the District's watershed-wide ad valorem levy.

All comments received were adequately addressed by the District.

Recommendation

BWSR staff has completed the review of the submitted amendment to the Riley-Purgatory-Bluff Creek Watershed District Watershed Management Plan. BWSR staff provided a brief presentation to the Central Region Committee on January 7, 2016 and recommended approval. Following discussion, the Committee voted unanimously to recommend approval of the Riley-Purgatory-Bluff Creek Watershed District Plan Amendment dated December 2015 to the full Board per the attached Order.

Riley-Purgatory-Bluff Creek Watershed District



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 **Riley-Purgatory-Bluff 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 Riley-Purgatory-Bluff Creek Watershed District (District) submitted an Amendment to the Watershed Management Plan (Amendment) dated December 2015 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 Riley Purgatory Creek Watershed District was established on July 31, 1969 by order of the Minnesota Water Resources Board under the authority of the Minnesota Watershed Act (Minnesota Statutes, Chapter 112). The first water resources management plan for the District was prepared and adopted in 1973. The second plan was adopted in 1982. Bluff Creek was added to the District in June 1984. The plan was then revised in accordance with the Metropolitan Surface Water Management Act of 1982 (M.S. 103B), and approved by the Board of Water and Soil Resources (Board) in August 1996. The Board approved the current “third generation” Water Resources Management Plan in January 2011.
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 District is approximately 47 square miles in size and located in both Hennepin County (32.8 sq. miles) and Carver County (14.5 sq. miles), within the Minnesota River basin. The land use in the watershed consists predominantly of single family low density residential land use, with a mix of recreational/golf courses/preserved areas, commercial, industrial, institutional land

uses, as well as undeveloped areas. Development pressure within the watershed is projected to slightly increase through the life of this Plan, particularly from medium density residential development. There are a total of 13 major lakes and three major creeks in the District. The following municipalities lie partially within the District: Bloomington, Chanhassen, Chaska, Deephaven, Eden Prairie, Minnetonka, and Shorewood. The District is bound by the Lower Minnesota River Watershed District to the south, the Carver County WMO to the southwest, the Minnehaha Creek Watershed District to the west and north, and the Nine Mile Creek Watershed District to the east.

4. **Amendment Development and Review.** The draft Amendment was submitted to the Board, other plan review agencies, and local governments for the required 60-day review on March 20, 2015. The Amendment proposes to revise the implementation program by adding two capital improvement projects to improve water quality through restoration work in Riley Creek and an alum treatment in Lake Riley. The District held a public hearing on June 22, 2015. No significant 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 December 4, 2015, for final review and approval.
5. **Local Review.** The District circulated a copy of the draft Amendment to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, subd. 7. The City of Bloomington commended the District for their efforts and the City of Eden Prairie provided an update on their own repairs related to the project area.
6. **Metropolitan Council Review.** The Metropolitan Council stated that the amendment was consistent with Council policies and the 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 commented on their support of the District's efforts and asked whether the land use practices were evaluated. The District addressed the question by stating that they are evaluating the symptoms of bank failure and causes for the significant erosion.
10. **Pollution Control Agency Review.** The MPCA did not comment on the Amendment.
11. **Department of Transportation Review.** The DOT did not comment on the Amendment.
12. **Board Review.** Board staff commented that the Amendment is compliant with rule and statute and supports the District's efforts.
13. **Amendment Summary.** The Amendment proposes to revise the implementation program by adding two new capital improvement project. The first project includes the

restoration of reaches of Riley Creek between Lake Ann and Lake Susan. The estimated cost for the project is \$1,500,000. The second project is an alum treatment of Lake Riley to improve water clarity and reestablish native vegetation with an estimated cost of \$550,000. Both projects would be funded through the District's watershed-wide levy.

14. **Central Region Committee Meeting.** On January 7, 2016, the Board's Central Region Committee and staff met in St. Paul to review and discuss the Amendment. Those in attendance from the Board's Committee were Patty Acomb, Jack Ditmore, Paige Winebarger, Jill Crafton, Faye Sleeper, and Joe Collins, chair. Board staff in attendance were Central Region Supervisor Jim Haertel and Board Conservationists Jason Weinerman and Steve Christopher. Following a presentation, Board staff recommended approval of the Amendment. 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 an Amendment to the Watershed Management Plan for the Riley-Purgatory-Bluff Creek Watershed District pursuant to Minnesota Statutes Section 103B.231, subd. 11.
3. The Riley-Purgatory-Bluff Creek Watershed District's Amendment attached to this Order defines the need and purpose of the Watershed Management Plan changes and the methods of financing.
4. 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 2015 to the Riley-Purgatory-Bluff Creek Watershed District Watershed Management Plan.

Dated at Saint Paul, Minnesota this 27th day of January 2016.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

7.4a.5 Riley Creek Water Quality Improvement

Need

Riley Creek, within the municipal boundary of Chanhassen, Carver County and Eden Prairie, Hennepin County, has a catchment of 10 square miles, with mild topography in the upper and middle portions of the watershed and a steep, north-valley wall of the Minnesota River on the downstream end of the watershed. Riley Creek originates from Lake Lucy and Ann, and flows through Lake Susan, Rice Marsh Lake, and Lake Riley before it begins its descent to the Minnesota River. Riley Creek's discharge outlet is at Grass Lake, within the floodplain of the Minnesota River.

In 2007, the District completed the Lake Riley Outlet Improvements and Riley Creek Lower Valley Stabilization Feasibility Study. The study determined that the Lower Valley of Riley Creek requires stabilization in order to limit erosion of the stream channel and the steep valley bluffs. The Lower Valley of Riley Creek is about 3.8 miles long and up to 1,000 feet wide, descending from Lake Riley to the Minnesota River floodplain. The Minnesota Pollution Control Agency (MPCA) placed Lower Riley Creek on the 303 (d) list of impaired waters for elevated turbidity levels. Lower Valley of Riley Creek flows in to the Minnesota River which is also on the 303 (d) list of impaired waters. The elevation change in this area of the creek is about 140ft.

In 2013, the District did a stream assessment between Upper Riley and Middle Riley (State Highway 5 to Lake Susan) to document areas of erosion, encroachments, or other concerns along this reach of Riley Creek. The assessment identified that reaches between Upper Riley and Middle Riley will require restoration due to severe erosion. The creek between Middle Riley and Lower Riley (Rice Marsh Lake to Lake Riley) was in overall good conditions.

As a result of both studies, the District has determined that the creek needs to be stabilized. The first focus of the District is the stabilization project on the Lower Valley of Riley Creek and then Riley Creek between Upper and Middle Riley. The project in the Lower Valley should be implemented in order to help meet water quality goals of the MPCA. The upper reaches of Riley Creek should also be implemented as it would reduce sediment and phosphorus loads to Lake Susan which is on the impaired waters list for nutrients (2010). The District recently conducted a Creek Restoration Action Strategy Study that looked at all reaches on all three creeks to determine which reaches were in most need of repair. Reach E was identified as severe site.

Description

Lower Valley of Riley Creek was divided into reaches based on landmarks and similar channel characteristics, and erosion areas were measured and prioritized. Severe erosion is evident in a 3,000-foot stretch of creek located midway between Dell Road and Eden Prairie Road known as Reach E. Reach H was also determined

as high priority stabilization efforts and thus restoration will first focus on those sites.

Riley Creek between Upper and Middle Riley was also divided into reaches where erosion sites were also determined. Restoration efforts in this reach will first focus high priority stabilization efforts.

Stabilization efforts will:

- Evaluate existing vegetation and thin trees where possible to provide greater sunlight to ground vegetation
- Grade eroded banks, add toe protection to prevent further undercutting and plant with native plants
- Placement of rock vanes and root wads to reduce force against stream banks
- High bank stabilization measures which can either be bank grading and vegetation or vegetated reinforced soil slope technique

Estimated Construction Cost for Creek Restoration at Reach E and D3: \$1,500,000

Funding

The District would expect to fund these project elements by means of its watershed-wide ad valorem levy and in partnership with the Lower Minnesota River Watershed District. However, if there are cost-sharing or grant opportunities with other public agencies, the District would explore these sources of funding as well. Some of this work may be suited for the District's cost-share program, in which case procedures and funding would be determined under those program criteria.

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
DRAFT PLAN AMENDMENT

7.4b Other Watershed Improvement Programs

7.4b.1 Lake Riley Alum Treatment

Need

In 2002, the District completed the Lake Riley Use Attainability Analysis. In this study, alum treatment was identified as the best management practice to reduce phosphorus internal concentrations. Since 2002, the District has not implemented alum application because the carp population in the lake was excessive and an alum treatment would therefore not be effective.

The District has aggressively pursued carp research and management with Dr. Peter Sorensen at the University of Minnesota Aquatic Invasive Species Research Center, and the carp population in Lake Riley is now greatly reduced. The District has also pursued research on the restoration and maintenance of native vegetation in Lake Riley and other lakes in the watershed with Dr. Raymond Newman of the University of Minnesota Department of Fisheries, Wildlife and Conservation Biology. Both the Sorensen and Newman labs now recommend an alum treatment for Lake Riley. An alum treatment will address internal phosphorus loading, restore water clarity, allow native vegetation to reestablish, and stabilize sediment.

Description

The District will implement an alum treatment program for Lake Riley in the context of a combined effort to address both internal and external pollutant loads to the lake. An updated Use Attainability Analysis will guide the coordination of a phased alum treatment with other best management practices to address external loading and thereby provide an integrated approach to restoring Lake Riley's water quality and habitat.

The District will first conduct an alum dosing study to ensure that the proper dose is applied, that the alum treatment is effective for the long term, that the treatment targets the appropriate phosphorus sediment pool, and that the treatment does not involve overdosing and excessive costs. The dosing study will provide treatment specifications, contractor selection, treatment monitoring and post application monitoring. The District anticipates two alum applications over a two or three year period, as guided by monitoring results.

Estimated Cost: \$50,000 for engineering (dosing study, project oversight and monitoring); \$500,000 (alum application).

Funding

The District would expect to fund this project by means of its watershed-wide ad valorem levy. However, if there are cost-sharing or grant opportunities with other public agencies, the District would explore these as sources of funding as well.

County and Wright SWCD have been active planning participants in the North Fork Crow River Planning Partnership group for the program since it started in this planning area in early 2015. The anticipated schedule for the North Fork Crow River One Watershed, One Plan to be approved and locally adopted is early to middle 2017. Wright County is requesting an extension until December 31, 2017 to allow for alignment of watershed based planning efforts.

Recommendation

BWSR policy is to grant extensions which facilitate the transition to One Watershed, One Plan. The Central Region met on January 7, 2016 to discuss the Plan extension request where BWSR Staff noted the approved Board policy and recommended approval of the Wright County Local Water Management Plan extension request until December 31, 2017. Following discussion, the Committee unanimously voted to recommend approval to the full Board per the attached Order.

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

In the Matter of extending the
Comprehensive Local Water Management
Plan for Wright County, pursuant to
Minnesota Statutes, Section 103B.3367.

**ORDER
EXTENDING
COMPREHENSIVE
LOCAL WATER
MANAGEMENT PLAN**

Whereas, on September 26, 2007, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Wright County Comprehensive Local Water Management Plan (Plan) that is effective until December 31, 2015; and

Whereas, the Board has authorization to grant extensions pursuant to Minnesota Statutes Section 103B.3367; and

Whereas, the Board adopted Resolution #14-76 *Local Water Plan Extensions Policy* on December 17, 2014;

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

FINDINGS OF FACT

1. On October 1, 2015, the Board received a petition from Wright County requesting an extension to their Comprehensive Local Water Management Plan from the current date of December 31, 2015 until a new date of December 31, 2017. Wright County has been selected as a participant in the One Watershed, One Plan pilot program for the North Fork Crow River One Watershed, One Plan pilot area which is scheduled to be completed in early 2017. This pilot program has required a significant amount of staff time and resources. The One Watershed, One Plan pilot includes approximately two-thirds of the County and will substitute for the current Comprehensive Local Water Management Plan when completed.
2. **Central Region Committee Meeting.** On January 7, 2016, the Board's Central Region Committee and staff met in St. Paul to review and discuss the extension request. Those in attendance from the Board's Committee were Patty Acomb, Jack Ditmore, Paige Winebarger, Jill Crafton, Faye Sleeper, and Joe Collins, chair. Board staff in attendance were Central Region Supervisor Jim Haertel and Board Conservationists Jason Weinerman and Steve Christopher. Board staff recommended approval of the extension. After discussion, the Committee unanimously voted to recommend approval of the extension to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of extending Comprehensive Local Water Management Plans, pursuant to Minnesota Statutes Section 103B.3367.
3. The Wright County extension request is in conformance with the requirements of Minnesota Statutes Section 103B.3367 and the Board's *Local Water Plan Extensions Policy* dated December 17, 2014.

ORDER

The Board hereby approves the extension of the Wright County Comprehensive Local Water Management Plan until December 31, 2017.

Dated at Saint Paul, Minnesota this 27th day of January 2016.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Isanti County Local Water Management Plan Extension

Meeting Date: January 27, 2016

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Region

Contact: Jason Weirnerman

Prepared by: Jason Weirnerman

Reviewed by: Central Region Committee(s)

Presented by: Joe Collins-Chair

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Board approval of the Isanti County Local Water Management Plan Extension request

LINKS TO ADDITIONAL INFORMATION

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

The following memo outlines the BWSR staff review and recommendations for the Isanti County (County) Comprehensive Local Water Management Plan (Plan) extension request. The current Plan was approved on May 24, 2006 and expires on May 31, 2016. On September 24, 2015, the Board received a request from the County to extend the Plan to May 31, 2018.

This extension will allow the County to continue the development and complete the Rum River Watershed Restoration and Protection Strategies (WRAPS). The following table shows the WRAPS schedules for the County.

Major Watershed	% of County	Scheduled WRAPS Completion Date
Rum River	81%	2016 (listed as 2013)
Snake River	5%	2014
Sunrise River (Lower Saint Croix)	14%	2014

The County has a good history of active watershed management and implementation. The County plans to continue working with the Isanti Soil and Water Conservation District and the local governments to manage stormwater, work with lake associations in shoreline restoration projects, and deliver sound land and water management assistance to County residents. In addition, the County will be working with the MPCA, the surrounding counties, and the WRAPS contractor to speedily complete the WRAPS document that will serve as a foundational document for the core of the future Isanti County Comprehensive Local Water Management Plan.

BWSR policy is to grant extensions which allow the County to participate in and more effectively utilize the Minnesota Pollution Control Agency's watershed-based 10-year approach of monitoring, assessment, and development of WRAPS. BWSR staff has completed its review and recommend approval of the request to extend the Isanti County Comprehensive Local Water Management Plan until May 31, 2018.

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

In the Matter of Extending the Comprehensive
Local Water Management Plan for Isanti County,
pursuant to Minnesota Statutes, Section
103B.3367.

**ORDER
EXTENDING
COMPREHENSIVE
LOCAL WATER
MANAGEMENT PLAN**

Whereas, on May 24, 2006, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Isanti County Comprehensive Local Water Management Plan (Plan) that is effective until May 31, 2016; and

Whereas, the Board has authorization to grant extensions pursuant to Minnesota Statutes Section 103B.3367; and

Whereas, the Board adopted Resolution #14-76 *Local Water Plan Extensions Policy* on December 17, 2014;

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

FINDINGS OF FACT

1. On September 24, 2015, the Board received a petition from Isanti County requesting an extension to their Comprehensive Local Water Management Plan from the current date of May 31, 2016 until a new date of May 31, 2018. The following are the reasons for the request.
 - A. Isanti County intends to continue participating in and utilizing the Minnesota Pollution Control Agency's ten-year approach for monitoring, assessing, and developing Watershed Restoration and Protection Strategies (WRAPS). The following table shows the WRAPS schedules for the County.

Major Watershed	% of County	Scheduled WRAPS Completion Date
Rum River	81%	2016 (listed as 2013)
Snake River	5%	2014
Sunrise River (Lower Saint Croix)	14%	2014

2. **Central Regional Committee.** On January 7, 2016, the Central Regional Committee (Committee) of the Board reviewed the Extension request. Those in attendance from the Board's Committee were Patty Acomb, Jill Crafton, Jack Ditmore, Faye Sleeper, Paige Winebarger, and Joe Collins as chair. Board staff in attendance were Regional Manager Jim Haertel and Board Conservationists Jason Weinerman and Steve Christopher. Board regional staff provided its recommendation of approval of the request

to the Committee. After discussion, the Committee's unanimous decision was to present a recommendation of approval of the Extension request to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of extending Comprehensive Local Water Management Plans, pursuant to Minnesota Statutes, Section 103B.3367.
3. The Isanti County extension request is in conformance with the requirements of Minnesota Statutes, Section 103B.3367 and the Board's *Local Water Plan Extensions Policy* dated December 17, 2014.

ORDER

The Board hereby approves the extension of the Isanti County Comprehensive Local Water Management Plan until May 31, 2018.

Dated at Saint Paul, Minnesota, this 27th of January, 2016.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

COMMITTEE RECOMMENDATIONS

Northern Region Committee

1. Bois de Sioux WD and Buffalo Red WD Boundary Change Petition – Gerald Van Amburg – ***DECISION ITEM***

2. Wadena County Priority Concerns Scoping Document – Tom Schulz – ***DECISION ITEM***

3. Hubbard County Comprehensive Local Water Management Plan Update – Tom Schulz – ***DECISION ITEM***

4. Todd County Comprehensive Local Water Management Plan Update – Tom Schulz – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Bois de Sioux and Buffalo Red River Watershed Districts
Boundary Changes

Meeting Date: January 27, 2016

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: North Region

Contact: Pete Waller or Travis Germundson

Prepared by: Pete Waller

Reviewed by: Northern Region Committee(s)

Presented by: Gerald Van Amburg

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

Approval, as per Northern Region Committee recommendation, of boundary changes of the Bois de Sioux Watershed District and the Buffalo Red River Watershed District

LINKS TO ADDITIONAL INFORMATION

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

August 3, 2015, BWSR received a petition to change the boundaries of the Bois de Sioux Watershed District (BdSWD) and Buffalo-Red River Watershed District (BRRWD). The petition was filed by the two Watershed Districts and Otter Tail County (OTC). The proposed boundary change would achieve a more accurate alignment between the hydrologic and legal boundaries of the BdSWD and the BRRWD. The Northern Region Committee recommended approval of the boundary changes.

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

In the Matter of the Boundary Change between the Bois de Sioux Watershed District and the Buffalo Red River Watershed District, pursuant to Minnesota Statutes, Section 103D.251.

**ORDER
BOUNDRY
CHANGE**

Whereas, the Board of Managers of the Bois de Sioux Watershed District (BdSWD) and the Buffalo Red River Watershed District (BRRWD) filed a Petition dated July 13, 2015 with the Board of Water and Soil Resources (Board) on August 3, 2015, to change the boundaries of the two watershed districts pursuant to Minnesota Statutes, Section 103D.251, 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 change the boundaries of the BdSWD and BRRWD was filed by the two watershed districts along with Otter Tail County with the Board on August 3, 2015.
2. **Property Description.** The territory included in the boundary change, the Petitioned Area, is located in parts of Sunnyside, Foxhome, and Bradford Townships in Wilkin County and in parts of Western, Aastad, and Buse Townships in Otter Tail County. 2,340 acres will be removed from the BdSWD and become part of the BRRWD. 3,531 acres will be removed from BRRWD and become part of the BdSWD. 1,924 acres within Otter Tail County will be removed from the BdSWD and not be within a watershed district. 638 acres within Otter Tail County currently not in a watershed district will become part of the BdSWD. Total acreage effected by this petition encompasses approximately 8,433 acres of land. The petition proposes actions at various locations along the boundaries of the two watershed districts. The Petitioned Area is depicted on a map attached to the petition and further identified as property identification tables.
3. **Reasons for Boundary Change.** The proposed boundary change would achieve a more accurate alignment between the hydrologic and legal boundaries of the BdSWD and BRRWD. The requested boundary change is consistent with the purposes and requirements of Minnesota Statutes, Section 103D.251.
4. **Board of Managers Authorization.** Motions authorizing the boundary change and managers to sign the Petition were adopted by the Board of Managers of the BdSWD on May 21, 2015 and the BRRWD on July 13, 2015. In addition Otter County Board of Commissioners adopted a similar motion in support on June 23, 2015.

5. **Notice of Filing.** Legal Notice of Filing of the proposed boundary change, pursuant to Minnesota Statutes, Section 103D.105 Subd. 2., was published in the Fergus Falls Daily Journal on August 1 and 8, 2015, and in the Wahpeton Daily News on August 2 and 9, 2015. Further, a copy of the notice of filing was mailed to several addressees including the affected counties, municipalities, and Soil and Water Conservation Districts.
6. **Public Hearing.** The Legal Notice of Filing was published pursuant to Minnesota Statutes, Section 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.
7. **Board Staff Review.** The Petition is valid and the Board has proper jurisdiction regarding ordering watershed district boundary change. The watershed districts and county exceeded their due diligence by holding public informational meetings and conducting field site visits with affected landowners to determine correct boundary alignment prior to submitting the petition. A public hearing was not requested and therefore not required. The proposed boundary more accurately aligns with hydrology than the current legal boundary. The proposed boundary change would be for the public welfare and public interest and would advance the purpose of Minnesota Statutes, Section 103D.
8. **Northern Region Committee.** The Committee met on January 13, 2016, at the United States Fish and Wildlife Regional Office, 26624 North Tower Road, Detroit Lakes, MN. Committee members present were Gerald Van Amberg, Brian Napstad, Gene Tiedemann, Rob Sip, Keith Mykleseth and Tom Schulz, chair. Board staff present were Ryan Hughes, Chad Severts, Dan Steward and Pete Waller and Doug Thomas (via phone). The Committee members reviewed the pertinent information and materials presented by Board staff. Board staff recommended the boundary changes should proceed. The Committee unanimously decided to recommend approval of the proposed boundary changes to the full Board.

CONCLUSIONS

1. The Petition for boundary change of the BdSWD and BRRWD is valid in accordance with Minnesota Statutes, Section 103D.251.
2. Proper notice was given and public hearing was not held 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 ordering a watershed district boundary change.
5. The requested boundary change is consistent with the purpose and the requirements of Minnesota Statutes, Section 103D.251.
6. The boundary change as proposed in the Petition would be for the public welfare and public interest and would advance the purpose of Minnesota Statutes, Section 103D.

7. The boundaries of the BdSWD and the BRRWD as proposed in the Petition are more accurately based on the hydrology of the subject area than the present boundaries.
8. The proposed boundary change should be approved per the Petition.

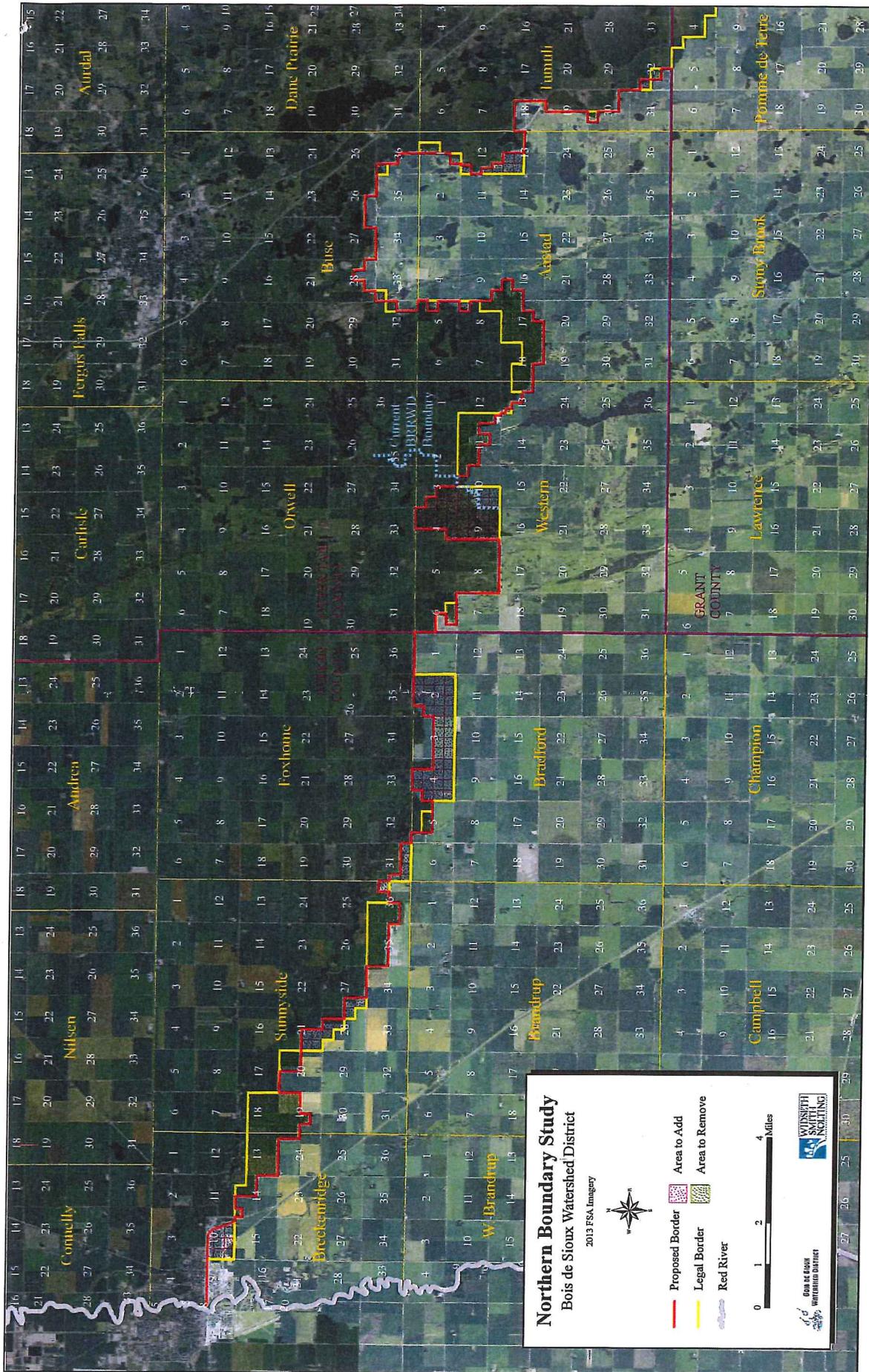
ORDER

The Board hereby orders that the boundaries of the BdSWD and the BRRWD are changed per the Petition as depicted on the map attached to this Order and made a part hereof, including the data sets the map was created from.

Dated at Saint Paul, Minnesota this 27th day of January, 2016.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: Brian Napstad, Chair



Parcel Changes
From Buffalo-Red River Watershed District
To Bois de Sioux Watershed District

TOWN	RANG	SECT	FORT_DESC	County	ADDITIONAL_NOTES	ChangeDesc
131	45	2	NENW	Wilkin		From BRRWD to BdSWD
131	45	2	NWNE	Wilkin		From BRRWD to BdSWD
131	45	2	NENE	Wilkin		From BRRWD to BdSWD
131	45	2	SWNW	Wilkin		From BRRWD to BdSWD
131	45	2	SENW	Wilkin		From BRRWD to BdSWD
131	45	2	SWNE	Wilkin		From BRRWD to BdSWD
131	45	2	SENE	Wilkin		From BRRWD to BdSWD
131	45	2	NWSW	Wilkin		From BRRWD to BdSWD
131	45	2	NESW	Wilkin		From BRRWD to BdSWD
131	45	2	NWSE	Wilkin		From BRRWD to BdSWD
131	45	2	NESE	Wilkin		From BRRWD to BdSWD
131	45	2	SWSW	Wilkin		From BRRWD to BdSWD
131	45	2	SESW	Wilkin		From BRRWD to BdSWD
131	45	2	SWSE	Wilkin		From BRRWD to BdSWD
131	45	2	SESE	Wilkin		From BRRWD to BdSWD
131	45	3	NWSW	Wilkin		From BRRWD to BdSWD
131	45	3	NESW	Wilkin		From BRRWD to BdSWD
131	45	3	NWSE	Wilkin		From BRRWD to BdSWD
131	45	3	NESE	Wilkin		From BRRWD to BdSWD
131	45	3	SWSW	Wilkin		From BRRWD to BdSWD
131	45	3	SESW	Wilkin		From BRRWD to BdSWD
131	45	3	SWSE	Wilkin		From BRRWD to BdSWD
131	45	3	SESE	Wilkin		From BRRWD to BdSWD
131	44	3	SWNW	Otter Tail		From BRRWD to BdSWD
131	44	3	NWSW	Otter Tail		From BRRWD to BdSWD
131	44	3	NESW	Otter Tail		From BRRWD to BdSWD
131	44	3	SWSW	Otter Tail		From BRRWD to BdSWD
131	44	3	SESW	Otter Tail		From BRRWD to BdSWD
131	45	4	NENW	Wilkin		From BRRWD to BdSWD
131	45	4	NWNE	Wilkin		From BRRWD to BdSWD
131	45	4	SWNW	Wilkin		From BRRWD to BdSWD
131	45	4	SENW	Wilkin		From BRRWD to BdSWD
131	45	4	SWNE	Wilkin		From BRRWD to BdSWD
131	45	4	NWSW	Wilkin		From BRRWD to BdSWD
131	45	4	NESW	Wilkin		From BRRWD to BdSWD
131	45	4	NWSE	Wilkin		From BRRWD to BdSWD
131	45	4	NESE	Wilkin		From BRRWD to BdSWD
131	45	4	SWSW	Wilkin		From BRRWD to BdSWD
131	45	4	SESW	Wilkin		From BRRWD to BdSWD
131	45	4	SWSE	Wilkin		From BRRWD to BdSWD
131	45	4	SESE	Wilkin		From BRRWD to BdSWD
131	44	4	NWNE	Otter Tail		From BRRWD to BdSWD
131	44	4	NENE	Otter Tail		From BRRWD to BdSWD
131	44	4	SWNE	Otter Tail		From BRRWD to BdSWD
131	44	4	SENE	Otter Tail		From BRRWD to BdSWD
131	44	4	NWSE	Otter Tail		From BRRWD to BdSWD
131	44	4	NESE	Otter Tail		From BRRWD to BdSWD
131	44	4	SESW	Otter Tail		From BRRWD to BdSWD
131	44	4	SWSE	Otter Tail		From BRRWD to BdSWD
131	44	4	SESE	Otter Tail		From BRRWD to BdSWD

Parcel Changes
From Buffalo-Red River Watershed District
To Bois de Sioux Watershed District

131	44	9	NENW	Otter Tail		From BRRWD to BdSWD
131	44	9	NWNE	Otter Tail		From BRRWD to BdSWD
131	44	9	NENE	Otter Tail		From BRRWD to BdSWD
131	44	9	SENW	Otter Tail		From BRRWD to BdSWD
131	44	9	SWNE	Otter Tail		From BRRWD to BdSWD
131	44	9	SENE	Otter Tail		From BRRWD to BdSWD
131	44	9	NESW	Otter Tail		From BRRWD to BdSWD
131	44	9	NWSE	Otter Tail		From BRRWD to BdSWD
131	44	9	NESE	Otter Tail		From BRRWD to BdSWD
131	44	9	SESW	Otter Tail		From BRRWD to BdSWD
131	44	9	SWSE	Otter Tail		From BRRWD to BdSWD
131	44	9	SESE	Otter Tail		From BRRWD to BdSWD
132	47	10	SWNW	Wilkin	EXCEPT portion north of rail road tracks	From BRRWD to BdSWD
132	47	10	SENW	Wilkin	EXCEPT portion north of rail road tracks	From BRRWD to BdSWD
132	47	10	SWNE	Wilkin	EXCEPT portion north of rail road tracks	From BRRWD to BdSWD
132	47	10	NWSW	Wilkin		From BRRWD to BdSWD
132	47	10	NESW	Wilkin		From BRRWD to BdSWD
132	47	10	NWSE	Wilkin	EXCEPT portion north of rail road tracks	From BRRWD to BdSWD
132	47	10	NESE	Wilkin	EXCEPT portion north of rail road tracks	From BRRWD to BdSWD
132	47	10	SWSW	Wilkin		From BRRWD to BdSWD
132	47	10	SESW	Wilkin		From BRRWD to BdSWD
132	47	10	SWSE	Wilkin		From BRRWD to BdSWD
132	47	10	SESE	Wilkin	EXCEPT portion north of rail road tracks	From BRRWD to BdSWD
131	44	10	SENE	Otter Tail	EXCEPT East half of SENE QQ (T131-R44-S10)	From BRRWD to BdSWD
131	44	10	NWNE	Otter Tail		From BRRWD to BdSWD
131	44	10	SWNE	Otter Tail		From BRRWD to BdSWD
131	44	10	NENE	Otter Tail		From BRRWD to BdSWD
132	46	21	NWSW	Wilkin		From BRRWD to BdSWD
132	46	21	NESW	Wilkin		From BRRWD to BdSWD
132	46	21	SWSW	Wilkin		From BRRWD to BdSWD
132	46	21	SESW	Wilkin		From BRRWD to BdSWD
132	46	27	NWSW	Wilkin		From BRRWD to BdSWD
132	46	27	SWSW	Wilkin		From BRRWD to BdSWD
132	46	28	NENW	Wilkin		From BRRWD to BdSWD
132	46	28	NWNE	Wilkin		From BRRWD to BdSWD
132	46	28	SWNE	Wilkin		From BRRWD to BdSWD
132	46	28	NESE	Wilkin		From BRRWD to BdSWD
132	45	31	NWSW	Wilkin		From BRRWD to BdSWD
132	45	31	SESE	Wilkin		From BRRWD to BdSWD
132	45	31	SWSW	Wilkin		From BRRWD to BdSWD
132	45	31	SESW	Wilkin		From BRRWD to BdSWD
132	45	31	SWSE	Wilkin		From BRRWD to BdSWD
132	46	36	SENE	Wilkin		From BRRWD to BdSWD

Parcel Changes
 From Bois de Sioux Watershed District
 To Buffalo-Red River Watershed District

TOWN	RANG	SECT	FORT_DESC	County	ADDITIONAL_NOTES	ChangeDesc
131	45	5	SENW	Wilkin		From BdSWD to BRRWD
131	45	5	SWNE	Wilkin		From BdSWD to BRRWD
131	45	5	SWNW	Wilkin	EXCEPT portion in parcel 04-005-0510 (ONLY portion in parcel 04-005-0500 INCLUDED)	From BdSWD to BRRWD
131	44	6	SESW	Otter Tail		From BdSWD to BRRWD
131	44	6	SWSE	Otter Tail		From BdSWD to BRRWD
132	47	13	SWNW	Wilkin		From BdSWD to BRRWD
132	47	13	SENW	Wilkin		From BdSWD to BRRWD
132	47	13	SWNE	Wilkin		From BdSWD to BRRWD
132	47	13	SENE	Wilkin		From BdSWD to BRRWD
132	47	13	NWSW	Wilkin		From BdSWD to BRRWD
132	47	13	NESW	Wilkin		From BdSWD to BRRWD
132	47	13	NWSE	Wilkin		From BdSWD to BRRWD
132	47	13	NESE	Wilkin		From BdSWD to BRRWD
132	47	13	SWSW	Wilkin		From BdSWD to BRRWD
132	47	13	SESW	Wilkin		From BdSWD to BRRWD
132	47	13	SWSE	Wilkin		From BdSWD to BRRWD
132	47	13	SESE	Wilkin		From BdSWD to BRRWD
132	47	14	NWNW	Wilkin	EXCEPT portion in parcel 06-014-0400, and EXCEPT portion in parcel 06-014-0300	From BdSWD to BRRWD
132	47	14	INWNE	Wilkin		From BdSWD to BRRWD
132	47	14	SWNE	Wilkin		From BdSWD to BRRWD
132	47	14	SENE	Wilkin		From BdSWD to BRRWD
132	46	18	SENE	Wilkin		From BdSWD to BRRWD
132	46	18	SWNE	Wilkin		From BdSWD to BRRWD
132	46	18	SENW	Wilkin		From BdSWD to BRRWD
132	46	18	SWNW	Wilkin		From BdSWD to BRRWD
132	46	18	NWSW	Wilkin		From BdSWD to BRRWD
132	46	18	NESW	Wilkin		From BdSWD to BRRWD
132	46	18	NWSE	Wilkin		From BdSWD to BRRWD
132	46	18	NESE	Wilkin		From BdSWD to BRRWD
132	46	18	SWSW	Wilkin		From BdSWD to BRRWD
132	46	18	SESW	Wilkin		From BdSWD to BRRWD
132	46	18	SWSE	Wilkin		From BdSWD to BRRWD
132	46	18	SESE	Wilkin		From BdSWD to BRRWD
132	46	19	NWNW	Wilkin		From BdSWD to BRRWD
132	46	19	NENW	Wilkin		From BdSWD to BRRWD
132	46	19	NWNE	Wilkin		From BdSWD to BRRWD
132	46	19	NENE	Wilkin		From BdSWD to BRRWD
132	46	19	SWNW	Wilkin		From BdSWD to BRRWD
132	46	19	SENW	Wilkin		From BdSWD to BRRWD
132	46	19	SWNE	Wilkin		From BdSWD to BRRWD
132	46	19	SENE	Wilkin		From BdSWD to BRRWD
132	46	19	NESW	Wilkin		From BdSWD to BRRWD
132	46	20	NWNE	Wilkin		From BdSWD to BRRWD
132	46	20	NENE	Wilkin		From BdSWD to BRRWD
132	46	20	SWNE	Wilkin		From BdSWD to BRRWD
132	46	20	SENE	Wilkin		From BdSWD to BRRWD
132	47	24	SENE	Wilkin	EXCEPT portion in parcel 06-024-0200	From BdSWD to BRRWD
132	47	24	NENE	Wilkin	EXCEPT portion in parcel 06-024-0200	From BdSWD to BRRWD
132	46	35	NWNW	Wilkin		From BdSWD to BRRWD
132	46	35	NENW	Wilkin		From BdSWD to BRRWD
132	46	35	NWNE	Wilkin		From BdSWD to BRRWD
132	46	35	NENE	Wilkin		From BdSWD to BRRWD
132	46	35	SWNW	Wilkin		From BdSWD to BRRWD
132	46	35	SENW	Wilkin		From BdSWD to BRRWD
132	46	35	SWNE	Wilkin		From BdSWD to BRRWD
132	46	35	SENE	Wilkin		From BdSWD to BRRWD
132	46	36	NWNW	Wilkin		From BdSWD to BRRWD
132	46	36	NENW	Wilkin		From BdSWD to BRRWD
132	46	36	SWNW	Wilkin		From BdSWD to BRRWD
132	46	36	SENW	Wilkin		From BdSWD to BRRWD
132	46	36	NWSW	Wilkin		From BdSWD to BRRWD
132	46	36	NESW	Wilkin		From BdSWD to BRRWD

Parcel Changes
 From Otter Tail County (No WD Jurisdiction)
 To Bois de Sioux Watershed District

TOWN	RANG	SECT	FORT_DESC	County	ADDITIONAL_NOTES	ChangeDesc
131	43	5	SENE	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
131	43	8	NENE	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
131	44	10	NWSW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
131	44	10	NESW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
131	44	10	SWSW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
131	44	10	SESW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
131	44	10	SENE	Otter Tail	EXCEPT West half of SENE QQ (T131-R44-S10)	From Otter Tail County (non-BRRWD) to BdSWD
131	43	12	NWNW	Otter Tail	EXCEPT portion in parcel 01000120062000	From Otter Tail County (non-BRRWD) to BdSWD
131	43	12	NWSW	Otter Tail	EXCEPT portion in parcel 01000120062000	From Otter Tail County (non-BRRWD) to BdSWD
131	43	12	SWSW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
131	43	13	NWNW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
131	43	13	NENW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
131	43	13	SWNW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
131	43	13	SENW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
131	42	32	SWNW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
132	43	33	NWNW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD
132	43	36	NWNW	Otter Tail		From Otter Tail County (non-BRRWD) to BdSWD

Parcel Changes
 From Bois de Sioux Watershed District
 To Otter Tail County (No WD Jurisdiction)

TOWN	RANG	SECT	FORT_DESC	County	ADDITIONAL_NOTES	ChangeDesc
131	43	1	NWNE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	1	SWNE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	1	SESW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	8	NESE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	8	SESE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	9	SWSW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	10	NENE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	11	NWNW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	11	NENW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	11	NWNE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	11	NENE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	11	SWNW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	11	SENW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	11	SENE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	11	SWNE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	11	NWSE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	12	NWNW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	12	SWNW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	12	NWSW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	12	SWSW	Otter Tail	EXCEPT portion in parcel 61000120052002, and EXCEPT portion in parcel 61000120052001 directly south of parcel 61000120052002	From BdSWD to Otter Tail County (non-BRRWD)
131	44	13	NENW	Otter Tail	EXCEPT portion in parcel 61000130058900, and EXCEPT portion in parcel 61000130058001 NOT directly south of parcel 61000130058900 (ONLY portion directly south of parcel 61000130058900 INCLUDED)	From BdSWD to Otter Tail County (non-BRRWD)
131	44	13	SENE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	44	13	NESE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	16	NWNW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	16	NENW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	16	SWNW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	NWNW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	NENW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	NWNE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	NENE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	SWNW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	SENW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	SWNE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	SENE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	NWSW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	NESW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	NWSE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	SWSW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	17	SESW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	18	SWNW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	18	SENW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	18	NWSW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	18	NESW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	18	NWSE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	18	NESE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	18	SWSE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	43	18	SESE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	42	30	NENW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
132	43	32	SENE	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)
131	42	32	NESW	Otter Tail		From BdSWD to Otter Tail County (non-BRRWD)



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Wadena County Priority Concerns Scoping Document

Meeting Date: January 27, 2016

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Northern

Contact: Chad Severts

Prepared by: Chad Severts

Reviewed by: Northern Committee(s)

Presented by: Tom Schulz

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

Approval of comments for the Wadena County Priority Concerns Scoping Document

LINKS TO ADDITIONAL INFORMATION

PCSD link <http://www.wadenaswcd.org/Draft 2015PCSD WadenaSWCD.pdf>

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

The Wadena Comprehensive Local Water Management Plan is due to expire on March 31, 2016. The County passed a resolution to begin the plan update process on December 2, 2014. The initial step in the update process, the Priority Concerns Scoping Document (PCSD), was developed by the County and routed to the state review agencies on November 18, 2015. The Northern Region Committee met on January 13, 2016, to discuss the County’s process to select priority concerns, content of the PSCD and the state agency comments and recommendations received for the final plan.

The Committee concurred with the priority concerns selected and recommend approval of the draft comment letter by the full Board.



January 27, 2016

Wadena County Commissioners
c/o Anne Oldakowski, Water Plan Coordinator
4 Alfred St. NE
Wadena, MN 56482

RE: Official Comments Pertaining to the State Review of the Wadena County Priority Concerns Scoping Document for the Comprehensive Local Water Management Plan Update

Dear Wadena County Commissioners:

Pursuant to Minnesota Statutes 103B.313, subdivision 5, this letter communicates the official comments of the State of Minnesota pertaining to the priority concerns Wadena County has chosen to address in the update of the County Comprehensive Local Water Management Plan (Plan).

The Wadena County Priority Concerns Scoping Document (PCSD) provides information about the county, summarizes the priority concerns development process, and provides the following priority concerns for inclusion in the Plan update:

- The cumulative impacts of current, past or potential land uses on the surface water resources in the Redeye and Crow Wing River Watersheds.
- The cumulative impacts of current, past or potential land uses on the ground water resources in the Pineland Sands and Wadena Surficial Aquifers.
- Ensure ground water sustainability to adequately address all various uses of ground water.
- Restore and protect key aquatic and terrestrial habitats that have positive impacts on water quality.

The Board of Water and Soil Resources (BWSR), along with the state review agencies, received the PCSD on November 18, 2015. Comments were received from the Department of Agriculture (MDA), Pollution Control Agency (MPCA), Department of Natural Resources (DNR) and Department of Health (MDH).

The MDA and MDH concurred with the priority concerns identified and noted they felt the process to identify the concerns was commendable. The MPCA concurs with the priority concerns and recommends incorporating strategies identified in the Crow Wing Watershed Restoration and Protection Strategies (WRAPS) and the draft Redeye Watershed WRAPS into the Local Water Resource

Bemidji 403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	Brainerd 1601 Minnesota Drive Brainerd, MN 56401 (218) 203-4470	Detroit Lakes 26624 N. Tower Road Detroit Lakes, MN 56501 (218) 846-8400	Duluth 394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	Mankato 12 Civic Center Plaza Suite 3000B Mankato, MN 56001 (507) 344-2821	Marshall 1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	New Ulm 21371 State Hwy 15 New Ulm, MN 56073 (507) 359-6074	Rochester 3555 9th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889
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Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767

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Wadena County Commissioners
January 27, 2016
Page Two

Management Plan update. The DNR concurs with the priority concerns and recommends including forest conservation as a priority concern. The DNR also recommends including Blueberry Lake, Lower Twin Lake, and Cat River as high priority surface waters in the final plan.

The BWSR Northern Region Committee met on January 13, 2016, to discuss comments received from state review agencies and others, discuss the content of the PCSD, and recommendations for the content of the final plan. The Committee's findings were presented to the BWSR Board at its meeting on January 27, 2016.

The BWSR Board has deemed the priority concerns to be addressed in the Plan are appropriate; no changes are required to the PCSD as drafted. Please proceed with the development of your Plan. The BWSR Board encourages the County to continue to engage in a process that includes a broad range of citizens and interest groups, in addition to local government officials, and state and federal resource managers during the development of goals, objectives, and an implementation plan.

We look forward to the completion of your Plan and its implementation. Please contact Chad Severts at 218-755-2671 or chad.severts@state.mn.us with any questions.

Sincerely,

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

cc: Anne Oldakowski, County Water Plan Coordinator
Rob Sip, MDA (via email)
George Minerich, MDH (via email)
Nathan Kestner, DNR (via email)
Juline Holleran, MPCA (via email)
Ryan Hughes, BWSR (via email)
Chad Severts, BWSR (via email)
Mary Jo Anderson, BWSR (file copy)



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Hubbard County Comprehensive Local Water Management Plan Update

Meeting Date: January 27, 2016

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Northern

Contact: Chad Severts

Prepared by: Chad Severts

Reviewed by: Northern Region Committee(s)

Presented by: Tom Schulz

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

Approval of the Hubbard County Comprehensive Local Water Management Plan Update 2016-2026 as recommended by the Northern Region Committee.

LINKS TO ADDITIONAL INFORMATION

The full Plan is located at <http://hubbardswcd.org/2013%20LWP%20draft1.pdf>

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

Hubbard County (County) has updated their Comprehensive Local Water Management Plan (Plan) as authorized under Minnesota Statutes, section 103B.301, the Comprehensive Local Water Management Act. On November 20, 2015, the BWSR received the Plan, a record of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Minnesota Statutes, section 103B.315, subd. 5. State agency review comments were received from MDA, MDNR, MDH and MPCA. The County has responded to all comments received and incorporated appropriate revisions to the final draft. The state agencies recommended that BWSR approve the entire Plan update as submitted.

The priority concerns to be addressed in the final Plan were deemed to be appropriate and no changes were recommended or required. These priority concerns included the following: 1) Aquatic Invasive Species, 2) Surface Water Quality and Quantity Improvement and Protection, 3) Groundwater Quality and Quantity Improvement and Protection, 4) Land Use and Habitat Protection for Water Quality. The County actively engaged citizens, partners and agency representatives in the development of the Plan Update and included measurable and targeted goals and strategies in their implementation program.

BWSR staff completed its review and found that it meets the requirements of Minnesota Statutes, section 103B.314. The Plan:

- focuses on the priority concerns identified in the PCSD;
- assesses the priority concerns and sets forth appropriate goals and objectives;
- provides an implementation program with measureable actions, timeline and budget; and
- includes all required sections.

On January 13, 2016, the Northern Region Committee met with County representatives and BWSR staff to review and discuss the Plan. The Committee's decision was to recommend approval of the Hubbard County Comprehensive Local Water Management Plan update to the full Board per the attached draft Order.

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

In the Matter of the review of the Comprehensive Local Water Management Plan for Hubbard County, pursuant to Minnesota Statutes, Section 103B.311, Subdivision 4 and Section 103B.315, Subdivision 5.

**ORDER
APPROVING
COMPREHENSIVE
LOCAL WATER
MANAGEMENT PLAN**

Whereas, the Hubbard County Board of Commissioners of Hubbard County (County) submitted a Comprehensive Local Water Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on November 20, 2015, pursuant to Minnesota Statutes, Section 103B.315, Subdivision 5, 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. On August 10, 2011, the Board received a Priority Concerns Scoping Document from Hubbard County, pursuant to Minnesota Statutes, Section 103B.312.
2. On September 28, 2011, the Board approved official comments on Hubbard County's Priority Concerns Scoping Document. The approval was mailed to the county on September 28, 2011.
3. The Plan focuses on the following priority concerns:
 - A. Aquatic Invasive Species
 - B. Surface Water Quality and Quantity Improvement and Protection
 - C. Groundwater Quality and Quantity Improvement and Protection
 - D. Land Use and Habitat Protection for Water Quality
4. On November 20, 2015, the Board received the Plan, a record of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Minnesota Statutes, Section 103B.315, Subd. 5. The Minnesota Pollution Control Agency, Minnesota Department of Natural Resources and Minnesota Board of Water and Soil Resources representatives attended and provided input at advisory committee meetings during development of the Plan. The following state review comments were received during the 90-day comment period.
 - A. Minnesota Department of Agriculture: Approved the plan and recommended including additional information of the types of wetlands that may be affected by center pivot irrigation, level or type of potential impact, and inclusion of monitoring data. There was also a clarification and suggestion for wording of a statement.
 - B. Minnesota Department of Health: Approved the entire plan as submitted.

- C. Minnesota Department of Natural Resources: Approved the plan and provided a number of clarifications and formatting recommendations.
 - D. Minnesota Pollution Control Agency: Approved the plan and provided a number of clarifications and formatting and terminology recommendations.
 - E. Minnesota Environmental Quality Board: No comments were received.
5. **Northern Region Committee.** On January 13, 2016, the Northern Region Committee of the Board reviewed the recommendation of the state review agencies regarding final approval of the Plan. The County presented a revised plan that addressed all recommendations from the state review agencies. Those in attendance from the Board's Committee were Brian Napstad, Gerald Van Amburg, Gene Tiedemann, Tom Schulz (Chair), Rob Sip, and Keith Mykleseth. Board staff in attendance were Ryan Hughes, Chad Severts, Dan Steward and Doug Thomas (via phone). The representative from the County was Julie Kingsley. Board staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee's decision was to present a recommendation of approval of the Plan to the full Board.
6. This Plan will be in effect for a ten-year period until January 27, 2026.

CONCLUSIONS

- 1. All relevant substantive and procedural requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Local Water Management Plan for Hubbard County pursuant to Minnesota Statutes, Section 103B.315, Subd. 5.
- 2. The Hubbard County Plan attached to this Order states water and water-related problems within the county; priority resource issues and possible solutions thereto; goals, objectives, and actions of the county; and an implementation program. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.301.

ORDER

The Board hereby approves the attached update of the Hubbard County Comprehensive Local Water Management Plan 2016-2026; with Goals, Objectives, and Action Items being amended prior to January 27, 2021.

Dated at St. Paul, Minnesota, this 27th day of January, 2016.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Todd County Comprehensive Local Water Management Plan

Meeting Date: January 27, 2016

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Northern Region

Contact: Dan Steward

Prepared by: Dan Steward

Reviewed by: Northern Region Committee(s)

Presented by: Tom Schulz

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

Approval of the Todd County Comprehensive Local Water Management Plan per the recommendation of the Northern Region Committee

LINKS TO ADDITIONAL INFORMATION

http://www.co.todd.mn.us/sites/default/files/soil_water/Draft%20Summary%20of%20Water%20Plan.pdf

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

Todd County has updated their Comprehensive Local Water Management Plan (Plan) as authorized under Minnesota Statutes, Section 103B.301, the Comprehensive Local Water Management Act. The initial step in the update process, the Priority Concerns Scoping Document (PCSD), was completed and the State's official comments were communicated to the County in a letter dated May 4, 2015.

On January 13, 2016, the Northern Region Committee met with County representatives and BWSR staff to review and discuss the Plan. The Committee's decision was to recommend approval of the Todd County Comprehensive Local Water Management Plan update to the full Board per the attached draft Order.

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

In the Matter of the review of the Comprehensive Local Water Management Plan for Todd County, pursuant to Minnesota Statutes, Section 103B.311, Subdivision 4 and Section 103B.315, Subdivision 5.

**ORDER
APPROVING
COMPREHENSIVE
LOCAL WATER
MANAGEMENT PLAN**

Whereas, the Todd County Board of Commissioners of Todd County (County) submitted a Comprehensive Local Water Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on December 17, 2015 pursuant to Minnesota Statutes, Section 103B.315, Subdivision 5, 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. On February 18, 2015, the Board received a Priority Concerns Scoping Document from Todd County, pursuant to Minnesota Statutes, Section 103B.312.
2. On April 29, 2015, the Board approved official comments on Todd County's Priority Concerns Scoping Document. The approval was mailed to the county on May 4, 2015.
3. The Plan focuses on the following priority concerns:
 - A. Lack of Conservation Ethics and Ecological Understanding
 - B. Control or Prevent Erosion, Sedimentation, Siltation and Related Pollution
 - C. Streambank and Buffer Strips Support
 - D. Groundwater Recharge Areas and DWSMA Protection
 - E. Chemical Pollution Control
4. On December 17, 2015, the Board received the Plan, a record of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Minnesota Statutes, Section 103B.315, Subd. 5. State agency representatives attended and provided input at advisory committee meetings during development of the Plan. The following state review comments were received during the comment period.
 - A. Minnesota Department of Agriculture: There are no evident issues with the priority concerns, and recommended the Plan be approved as submitted.

- B. Minnesota Department of Health: The Plan doesn't violate any statutory or rule requirements administered by the MDH, and recommends the Plan be approved as submitted.
 - C. Minnesota Department of Natural Resources: The Plan doesn't violate and DNR related statutes or rules, and recommended the Plan be approved as submitted.
 - D. Minnesota Pollution Control Agency: The Plan doesn't violate any statutory or rule requirements administered by the MPCA, and recommends the Plan be approved as submitted.
 - E. Minnesota Environmental Quality Board: The EQB had no comment on the Plan.
 - F. Minnesota Board of Water and Soil Resources regional staff: The Plan meets standards and the minor watershed assessment section exceeds standards.
5. **Northern Region Committee.** On January 13, 2016, the Northern Region Committee of the Board reviewed the recommendation of the state review agencies regarding final approval of the Plan. Those in attendance from the Board's Committee were Gene Tiedemann, Brian Napstad, Tom Schulz (Chair), Robert Sip, Keith Mykleseth and Gerald Van Amburg. Board staff in attendance were Ryan Hughes, Dan Steward, Chad Severts and Doug Thomas (via phone). The representatives from the County were Dale Katterhagen and Tim Stieber. Board regional staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee's decision was to present a recommendation of approval of the Plan to the full Board.
6. This Plan will be in effect for a five year period until January 27, 2021.

CONCLUSIONS

- 1. All relevant substantive and procedural requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Local Water Management Plan for Todd County pursuant to Minnesota Statutes, Section 103B.315, Subd. 5.
- 2. The Todd County Plan attached to this Order states water and water-related problems within the county; priority resource issues and possible solutions thereto; goals, objectives, and actions of the county; and an implementation program. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.301.

ORDER

The Board hereby approves the attached update of the Todd County Comprehensive Local Water Management Plan 2016-2021.

Dated at St. Paul, Minnesota, this 27th of January, 2016.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

EXECUTIVE SUMMARY

Introduction

Todd County is a large rural county covering almost 1,000 square miles, located in the geographical center of Minnesota. It is part of the transitional area where the eastern forest meets the western prairie. It is located in between the regional centers of Alexandria, Brainerd and St. Cloud. Although the County is somewhat removed from the more urbanized areas in the state, its water resources connect it to the larger communities in a critical way.

The landscape is dominated by glacial debris in the form of drumlin hills, level outwash sands, peat swamps and steep terminal moraines where glaciers stopped and began to recede.

Climate throughout the area consists of short and fairly warm summers and winters are very cold. The short frost-free period limits cropping to mainly forage, small grain and adapted vegetables. Soil usually freezes from a few inches up to a foot, however it may freeze to a depth of several feet when cold weather occurs before snow cover.

Six watersheds flow through Todd County, so what occurs in these watersheds not only affects the water resources used by the citizens of the County, but other Minnesotans living along the Mississippi River corridor, including the Twin Cities.

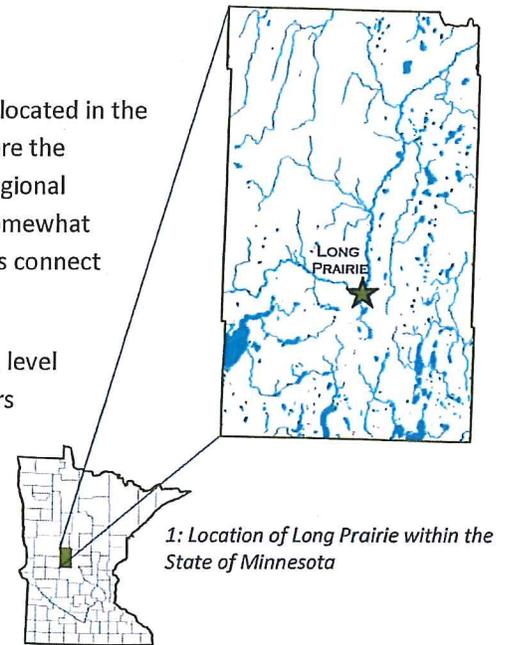
Precipitation is the source of almost all water inputs into a watershed and is monitored all twelve months through SWCD stations and volunteers. Rainfall in the Central region shows no significant trend over the last 20 years but has risen significantly over the past 100 years. Implementing land use practices which accommodate for these rainfall events must be considered to increase resiliency of installed best management practices, farming operations and cities throughout the watershed. Upland treatments when possible, should be the focus as designing engineered structures for 50 or 100 year rain events may not be financially feasible.

Throughout the planning process the voiced expectation for how water is managed in the county is:

- For all users to become educated on how they personally impact water resources
- There is equal enforcement of water protection rules
- Wastewater is treated to meet water quality standards
- To conserve resources for the future by efficient use today
- Decisions made on one landowner's property not negatively affect another landowner's property whether it be dirty or excessive clean run-off.

Purpose

The Todd County water management planning process started when the Board of Commissioners passed a resolution on September 19, 1989 to enter into the Comprehensive Local Water Planning (CLWP) process under chapter 103B.311 and 103B.315. The original Todd County Comprehensive Local Water Plan was completed and adopted in 1991 and implementation began that year. In 1995, the County completed its first plan update, with



updates following in 2000, 2005 and 2010. The 2016 plan update continues the tradition of promoting better planning and management of our shared natural resources and will serve as a guide for resource protection through the year 2020.

The purpose of local water management planning at the county level is to meet the requirements set forth in Chapter 103B.311 and 103B.315, through identification of existing and potential problems or opportunities for protection, management, and development of water resources and related land resources. The development and implementation of a plan of action is to promote sound hydrologic management of water and related land resources and to work towards effective environmental protection and management throughout the entire County, including municipalities.

In Todd County, we recognize that we must develop a long term mechanism for managing our water resources or we will eventually lose the opportunity to make intelligent local choices that anticipate or prevent water resource problems before the costs escalate and options are limited. We also recognize that a well-developed water management plan can integrate local initiatives with existing state and federal water related programs and funding sources.

This integration and the partnerships that are developed with the Todd SWCD as the catalyst for the water management planning process allows for efficient management and local ownership of all of these programs for the protection of water resources and the general well-being of the environment. Accomplishments of the Todd County Local Water Management Plan is a result of local citizens, representatives from local organizations and agency staff all working together, as evident by the membership of the Water Plan Advisory Taskforce. Regular contact was also maintained with BWSR personnel to keep current on local water planning issues in the state.

Plan Structure

The local water management plan is currently undergoing a shift towards minor watershed based planning. In an effort to transition to this approach the plan outlines first a traditional water plan outline with countywide goals, objectives and implementation schedule. It then shifts gears by presenting each of our six watersheds in their own chapter. These chapters were structured this way in anticipation of the One Watershed, One Plan becoming a reality across the state. It also mimics much of the work produced by the Minnesota Pollution Control Agency (MPCA) in the Total Maximum Daily Loads (TMDLs) and Watershed Restoration and Protection Strategy (WRAPS) plans. These chapters also provide watershed specific strategies for both protection areas and areas of concerns. The final section, the appendices, contain specific documents, maps or more detailed information referenced in this Water Plan. Where necessary the reader is directed to a specific appendix for more information. As new data is available the County Water Planner will use the Todd County website as a way to communicate information to citizens.

Methodology

County Goals and Objectives

Countywide goals and objectives were formulated through the Priority Concerns Scoping Document (PCSD) process. This was a public process which involved both agency and citizen input. Surrounding LGU's were contacted and asked to present applicable water resource based documents. Water Plans from the surrounding counties of Wadena, Douglas, Morrison, Stearns, Otter Tail and Cass were obtained. Citizen input was received through a survey, public hearing and Water Plan Task Force Meetings. Agency comments were obtained before the start of the Water Plan Update and again at the completion of the PCSD. More details on this process can be found in Appendix I.

Watershed Assessments

Watershed based specific strategies for both protection areas and areas of concerns were developed with the additional aid of current state agency efforts. Completed Minnesota Pollution Control Agency (MPCA) Total Maximum Daily Loads (TMDL) and Watershed Restoration and Protection Strategies (WRAPS) were consulted for the watershed which have been completed recently including the Sauk River Watershed, Red Eye River Watershed, Crow Wing River Watershed and the Long Prairie River Watershed. At the time of writing, both the Mississippi River Brainerd and Sartell were in process of being updated so water quality information was obtained off the MPCA website. Information regarding geology, public water, Lakes of Biological Significance, wild rice lakes, Lakes with Measured Phosphorus Sensitivity Significance, trout streams, Aquatic Invasive Species (AIS), groundwater monitoring, irrigation wells, dams, forested land, native plant communities, public land, and general lake information were obtained through the Department of Natural Resources (DNR). The Natural Resources Conservation Service (NRCS) Soil Survey has been referenced for this document. Areas with groundwater sensitivity were identified through the Minnesota Department of Agriculture (MDA) at the township level and the Minnesota Department of Health (MDH) for municipalities within Todd County which are covered by a Wellhead Protection Plan (WHPP). Wellhead Protection Plans from all cities in the county who are obligated to have a Wellhead Protection Plan were considered including the City of Long Prairie, City of Browerville, City of Clarissa, City of Eagle Bend, City of Bertha, City of Hewitt, City of Osakis and the City of Staples. In addition, the PCA's Animal Feedlot Rules Chapter 7020 is referenced as is the MDA recommendations for irrigation and agricultural drainage, the Board of Water and Soil Resources (BWSR) Wetland Conservation Act Rules Chapter 8420, the Minnesota Environmental Quality Board's 2015 EQB Water Policy Report's and the University of Minnesota Extension's 2015 Fields to Streams, Managing Water in Rural Landscapes. Todd County specific information was gained through previous Water Plan's, the Todd County Comprehensive Land Use Plan, the Todd County Planning and Zoning Ordinance and Todd Soil and Water Conservation District Annual Plan of Work. Valuable insight was provided by Dan Steward and Jeff Hrubes of BWSR. All maps credited to Todd County GIS were produced by Travis Genty.

The information presented in this updated Water Plan is therefore based on the most pressing concerns of our community members as well as the best available data available used in analyzing and rating individual watershed's health. At the forefront of the Todd County Water Plan's goals and objectives are the two core values of civic engagement and voluntary programs, both aimed at protecting and preserving our water quality and our unique landscape.

Minor Watershed Assessments

Minor or subwatersheds were also assessed in order to determine a protection approach to water conservation using current land cover data. Depending on the amount of disturbed land cover within a within a minor watershed determined the amount of risk to water quality. Using 2012 Landfire data and adjusting for land which is either cropped, in pasture or considered urban percentages of land disturbance of 10-20%, 20-40%, 40-60%, 60-80% and 80-100% were factored. This was then used to develop a protection matrix which gave the percentages a specific classification, risk, cost and opportunity/benefit rating.

A protection matrix below breaks down how water quality decisions can be ranked in the future to help ensure the most cost effective and opportunistic use of resources. Furthermore, the minor watershed map shows an overview of the entire county and the land cover disturbance rating. Additional maps of each of the subwatersheds will be available on the Todd County website as they are available. These maps include further

distinctions within the minor watershed to help aid in conservation planning and facilitate discussions between citizens and planners.

The methodology for minor watershed assessments was based largely on the work by Crow Wing County and Dan Steward at the Board of Water and Soil Resources (BWSR). Variation from this model was in two significant ways, mainly on not using public land and for not using water quality trends as indicators to the protection classification. The former was not used because Todd County does not have very much public land, which ultimately, would be the highest level of protection from land conversion and potential water contamination and was a main component to the Crow Wing model. This was justified by the author because looking at erosion potential and pollution threats, undisturbed areas such as forests, wetlands and grasslands ultimately offer the same runoff coefficient as public lands. The latter was not included because the author did not feel the water quality data for Todd County was complete enough to make accurate comparisons amongst watersheds. It is the goal of the next Water Plan Update to gather and compile a more complete picture of water quality within Todd County lakes. Water quality data was still used to develop watershed based priorities but was not use as a factor in the minor watershed assessments, it was exclusively developed on land cover.

Protection Matrix

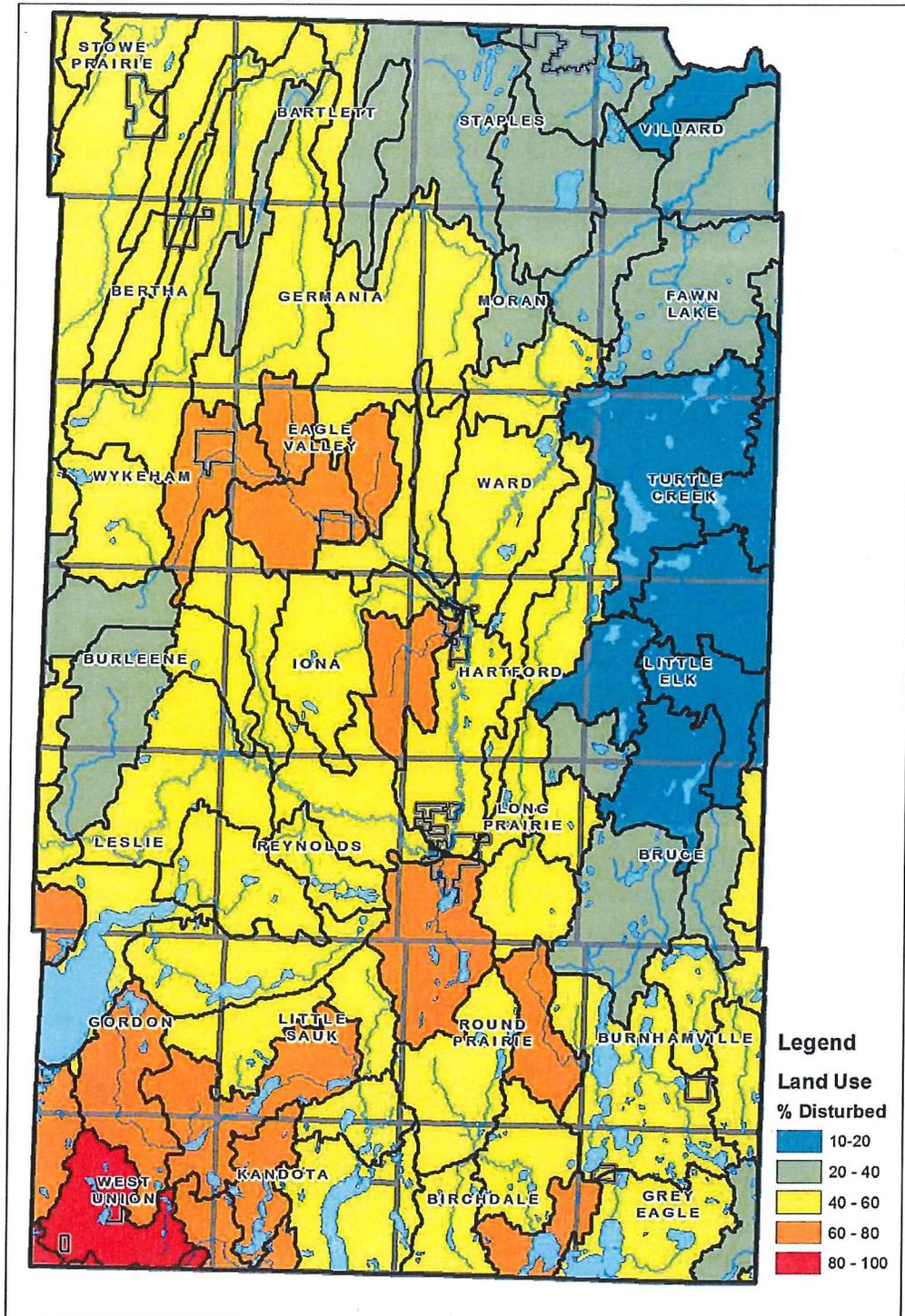
% Disturbed	Risk	Costs	Opportunity/Benefits	Classification
10-20	Very Low	Low	Moderate	Vigilance
20-40	Low	Moderate	High	Enhance Protection
40-60	Moderate	High	Moderate	Protect
60-100	High	Extreme	Low	Restore
Meanings:	Threat to Water Quality	Expense to Improve Water Quality	Ability to Improve Water Quality Through Conservation Efforts	

Costs

Costs	Very Low	Low	Moderate	High	Extreme
\$ Amount	Unassisted	\$100-5000	\$5000-60,000	\$60,000-200,000	>\$200,000
Examples	Tree Planting	Technical Assistance	Erosion Control	Feedlot Fix	Natural Stream Channel Restoration

2: Protection Matrix Based on Percent Disturbed Land Cover

Minor Watershed Classification Mapping



3: Minor Watershed Classification Mapping for Todd County

CHAPTER I: TODD COUNTY GOALS & OBJECTIVES

Recommendations to Other Plans & Official Controls

This revision to the Water Plan should be incorporated into ongoing activities of the county and watersheds which extend beyond the county into surrounding counties and cities. The priority concerns and goals presented in this plan express the wishes of Todd County residents and natural resource professionals in the area.

Goal 1: Provide conservation education and information to citizens and public representatives

- Objective 1. Educate school aged citizens
- Objective 2. Inform the general public and landowners
- Objective 3. Reach elected officials and community leaders with conservation information

Achieving This Goal: School aged citizens will be educated through Enviro-fest and by presentations made to class rooms. Landowners and the general public will be informed using displays, newsletters, news articles, the radio, internet, workshops, events, and tours. Elected officials will be kept informed on issues through one-on-one meetings, tours, and presentations. Todd SWCD will actively seek to provide information and services to minorities and traditionally under-served groups.

Goal 2: Protect and improve the quality and quantity of Todd County water resources

- Objective 1. Implement practices and systems designed to protect and improve surface water quality
- Objective 2. Implement practices and systems designed to protect and improve groundwater quality
- Objective 3. Evaluate surface and groundwater and develop plans to address problems

Achieving This Goal: Surface and ground water protection measures will be implemented using cost-share, partnering with other agencies, and by providing technical assistance to landowners. Emphasis will be on high priority areas identified through monitoring as not meeting state water standards. Water quality protection will be central to planning efforts for the county water plan, wellhead protection programs, TMDL plans, and erosion control plans as necessary to protect water.

Goal 3: Provide technical assistance to landowners, partners, and county departments and officials

- Objective 1. Provide technical support related to wetlands
- Objective 2. Manage Todd County Feedlot Program
- Objective 3. Provide technical support related to water and land resources
- Objective 4. Assist USDA-NRCS and FSA with conservation program implementation, delivery and promotion
- Objective 5. Support development of wildlife habitat

Achieving This Goal: Todd County SWCD and NRCS will support landowners seeking to enroll in cost-share and other programs designed to improve water quality, protect natural resources, and enhance wildlife habitat. Todd County will administer the Feedlot and Wetlands programs county-wide, SWCD will offer an annual conservation tree and shrub program to landowners, and assist partners, county departments, and officials with

COMMITTEE RECOMMENDATIONS

Audit & Oversight Committee

1. 2015 PRAP Report to the Legislature – Jenny Gieseke - ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: PRAP Report to the Legislature

Meeting Date: 1-27-2016

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Organizational Effectiveness - PRAP

Contact: Jenny Gieseke

Prepared by: Jenny Gieseke

Reviewed by: Audit and Oversight Committee(s)

Presented by: Jenny Gieseke

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

Approve PRAP report

LINKS TO ADDITIONAL INFORMATION

[2015 PRAP Report](#)

[Board Resolution - PRAP Report](#)

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

The 2015 PRAP report to the Legislature presents a summary of PRAP reviews and activities conducted during 2015. The report contains progress on planned objectives over the past 12 months and summarizes the results of the 2015 Level I and Level II reviews. The report also contains a list of planned program objectives for 2016. A draft of this report has been reviewed by the Board's Audit & Oversight Committee. The recommendation for Board action comes from that Committee and is timed to meet a February 1 due date for report submittal to legislative environmental policy committees, as required by M.S. 103B.102, subd. 3.



Board Resolution # _____

Performance Review and Assistance Program 2015 Report to the Minnesota Legislature

WHEREAS, the 2007 Legislature authorized the Board of Water and Soil Resources (Board) to develop and implement a program to evaluate and report on the performance of each local water management entity, and

WHEREAS, in 2007 the Board developed a set of guiding principles and directed staff to implement a program for reviewing performance, offering assistance, and reporting results, now called the Performance Review and Assistance Program (PRAP), in consultation with stakeholders and consistent with the guiding principles, and

WHEREAS, according to Minnesota Statutes Chapter 103B.102, Subdivision 3, beginning February 1, 2008, and annually thereafter, the Board shall provide a report 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 ninth annual PRAP Report to the Minnesota Legislature contains the summaries of the 20 local water management entity performance reviews conducted by BWSR staff in 2015 and a summary of findings describing the performance of 240 local water management entities regarding compliance with plan revision and basic reporting requirements, and

WHEREAS, the 2015 PRAP Report to the Minnesota Legislature was reviewed by the Board's Audit and Oversight committee, was revised based on committee comments, and was recommended for Board approval by the committee on January 27, 2016.

NOW THEREFORE BE IT RESOLVED, that the Board of Water and Soil Resources approves the 2015 Performance Review and Assistance Program Report to the Minnesota Legislature for transmittal to the Legislature and publication on the Board's website, with allowance for any minor editing modifications necessary for publication.

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

Date: _____



2015 Performance Review and Assistance Program

Report to the Minnesota Legislature

February 2016

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, MN 55155
651-296-3767
www.bwsr.state.mn.us

This report has been prepared for the Minnesota State Legislature by the Minnesota Board of Water and Soil Resources (BWSR) in partial fulfillment of Minnesota Statutes Chapter 103B.102, subdivision 3.

Prepared by Jenny Gieseke, PRAP Coordinator (jenny.gieseke@state.mn.us; 507-381-3131)

The estimated cost of preparing this report (as required by Minn. Stat. 3.197) was:

Total staff time: \$3,500

Production/duplication: \$250

Total: \$3,750

BWSR is reducing printing and mailing costs by using the Internet to distribute reports and information to wider audiences. This report is available at www.bwsr.state.mn.us/PRAP.index and available in alternative formats upon request.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES Performance Review and Assistance Program (PRAP)

Executive Summary

Since 2008, BWSR's Performance Review and Assistance Program has assessed the performance of the units of government constituting Minnesota's local delivery system for conservation of water and related land resources. The program goal is to assist these local government partners to be the best they can be in their management of Minnesota's land and water resources.

PRAP focuses on three aspects of Local Governmental Unit (LGU) performance:

- 1) Plan Implementation—how well an LGU's accomplishments meet planned objectives.
- 2) Compliance with performance standards—administrative mandates and best practices.
- 3) Collaboration and Communication—the quality of partner and stakeholder relationships.

BWSR's PRAP uses four levels of review to assess performance ranging from statewide oversight in Level I, to a focus on individual LGU performance in Levels II and III, and to remediation in Level IV.

2015 Program Summary

- Completed 20 Level II performance reviews.
- Surveyed 29 LGUs reviewed from 2008-2013 to assess implementation of BWSR's recommendations for organizational improvements. Of the 22 LGUs that completed the survey, 38% reported fully completing, and 38% reported partially completing the recommendations in their Level II performance review reports.
- Updated PRAP Assistance Fund application criteria and information.

2015 Results of Annual Tracking of 240 LGUs' Plans and Reports (PRAP Level I)

Overall compliance with LGU plan revision and reporting requirements improved slightly in 2015. All drainage buffer reports were submitted on time, and while WMO compliance continues to be lower than it should be, there were improvements in the past year.

- **Long-range Plan Status: the number of overdue plans decreased to 6 in 2015.**
 - Counties: one local water management plan is overdue; three metro county groundwater plan revisions are overdue.
 - Watershed Districts: one watershed management plan is overdue.
 - Watershed Management Organizations: one watershed management plan is overdue
- **LGUs in Full Compliance with Level I Performance Standards: 80%.**
 - Soil & Water Conservation Districts: 85% compliance (76/89).
 - County Water Management: 91% compliance (79/87).
 - Watershed Districts: 65% compliance (30/46).
 - Watershed Management Organizations: 44% compliance (8/18).

Selected PRAP Program Objectives for 2016

- Track 240 LGUs' Level I performance.
- Take measures to improve WMO and WD reporting.
- Maintain the target of 24 Level II performance reviews per year.
- Maintain the focus on resource outcomes in Level II performance reviews.

-
- Analyze and update the PRAP Review process to ensure performance standards and review efforts are in line with BWSR program changes.
 - Survey LGUs from 2014 Level II PRAP reviews to track LGU implementation of PRAP recommendations.
 - Reach 100% compliance within 18 months for Action Items assigned during a Level II review.
 - Continue the promotion and use of PRAP Assistance Grants to enhance LGU organizational effectiveness.
 - Determine the benefits and consequences of using the watershed-based approach to PRAP Level II reviews in watersheds where there is no existing watershed based organization or structure in place.

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What is the Performance Review & Assistance Program?

Supporting Local Delivery of Conservation Services

PRAP is primarily a performance assessment activity conducted by the Minnesota Board of Water and Soil Resources (BWSR). The subjects of the assessments are the local governmental units (LGUs) that deliver BWSR's water and land conservation programs. The primary focus is on how well LGUs are implementing their long-range plans. The LGUs reviewed are soil and water conservation districts (SWCDs), watershed districts (WDs), watershed management organizations (WMOs), and the water management function of counties—a total of 240 distinct organizations. PRAP, authorized in 2007 (see Appendix A), is coordinated by one BWSR central office staff member, with assistance from BWSR's 16 Board Conservationists and 3 regional managers, who routinely work with these LGUs.

Guiding Principles

PRAP is based on and uses the following principles adopted by the BWSR Board.

- Pre-emptive
- Systematic
- Constructive
- Includes consequences
- Provides recognition for high performance
- Transparent
- Retains local ownership and autonomy
- Maintains proportionate expectations
- Preserves the state/local partnership
- Results in effective on-the-ground conservation

The principles set parameters for the program's purpose of helping LGUs to be the best they can be in their operational effectiveness. Of particular note is the principle of proportionate expectations. This means that LGUs are rated

on the accomplishment of their own plan's objectives. Moreover, BWSR rates operational performance using both basic and high performance (or benchmark) standards specific to each type of LGU. (For more detail see www.bwsr.state.mn.us/PRAP/index.html.)

Multi-level Process

PRAP has three operational components:

- performance review
- assistance
- reporting

The **performance review** component is applied at four levels (see pages 5-9).

Level I is an annual tabulation of required plans and reports for all 240 LGUs. Level I is conducted entirely by BWSR staff and does not require additional input from LGUs.

Level II is a routine, interactive review intended to cover all LGUs at least once every 10 years. A Level II review evaluates progress on plan implementation, operational effectiveness, and partner relationships. This review includes assessing compliance with Level II performance standards. The map on page 2 shows which LGUs have received a Level II review.

Level III is an in-depth assessment of an LGU's performance problems and issues. A Level III review is initiated by BWSR or the LGU and usually involves targeted assistance to address specific performance needs. Since 2008 BWSR has conducted Level III reviews for three LGUs at their request. BWSR regularly monitors all LGUs for challenges that would necessitate a Level III review.

Level IV is for LGUs with significant performance deficiencies, and includes BWSR Board action to

Report on PRAP Performance

BWSR’s Accountability

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

section lists 2015 program activities with the corresponding objectives from the 2014-2015 PRAP legislative report.

PERFORMANCE REVIEW OBJECTIVES	
What We Proposed	What We Did
Maintain the target of 24 Level II performance reviews per year.	In 2015, 20 Level II performance reviews were completed, including 10 in the Crow Wing Watershed, and 10 in other areas. (Note: In early 2015, the PRAP coordinator accepted a different position within BWSR, and a new PRAP coordinator didn’t start until the end of April. This transition resulted in four fewer Level II PRAP reviews being completed in 2015.)
Adapt PRAP performance review methods for assessing the One Watershed-One Plan pilots.	Worked with One Watershed-One Plan program staff to identify how existing performance review measures can be adapted for future One Watershed-One Plan efforts.
Schedule surveys to track LGU compliance with Level II PRAP recommendations.	A follow-up survey was sent to 29 LGUs who had Level II reviews completed between 2008 and 2013. Of the 22 LGUs who responded to the survey, 38% reported fully implementing and 38% reported partially implemented BWSR’s recommendations.
Evaluate WMO and metro WD jurisdictional alignments in Level II performance reviews for potential water management benefits of LGU realignments.	Jurisdictional alignments did not arise as issues during the 2015 Level II PRAP reviews.
Track 240 LGUs’ Level I performance with emphasis on improving WMO and WD reporting.	All LGUs were tracked for basic plan and reporting compliance. Level I Compliance is documented in the PRAP Legislative report.

ASSISTANCE OBJECTIVES	
What We Proposed	What We Did
Promote the use of PRAP Assistance Grants to enhance LGU organizational effectiveness.	Board Conservationists were encouraged to work with LGUs who could benefit from PRAP Assistance grants. LGUs undergoing a Level II PRAP review were also notified of PRAP assistance funding when recommendations were made for activities that would be eligible for PRAP funds. As a result, six applications were awarded for a total of \$27,600.

REPORTING OBJECTIVES	
What We Proposed	What We Did
Maintain the focus on resource outcomes in Level II performance reviews.	All 2015 Level II reports featured Resource Outcome information. Seven of the plans have resource outcome targets in their planned goals, and 6 of those had follow-up data that addressed the identified targets.

2015 LGU Performance Review Results

Level I Results

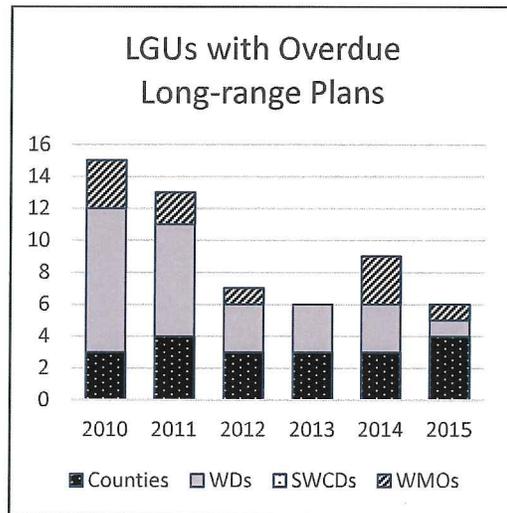
The Level I Performance Review monitors and tabulates all 240 LGUs' long-range plan updates and their annual reporting of activities, ditch buffer reports, grants, and finances. BWSR tracks these performance measures each year to provide oversight of legal and policy mandates, but also to screen LGUs for indication of potential problems. Chronic lateness in financial or grant reporting, for example, may be a symptom of operational issues that require BWSR assistance.

	2015	2014	2013
240 LGUs	80%	79%	68%
SWCDs (89)	85%	88%	82%
Counties (87)	91%	87%	62%
WMOs (18)	44%	28%	61%
WDs (46)	65%	65%	57%

Overall, LGU compliance with Level I standards improved only slightly in 2015. However, BWSR began tightening Level I compliance tracking in 2013, and as can be seen in the table above, improvement in overall compliance has occurred since that time.

Long-range plans. BWSR's legislative mandate for PRAP includes a specific emphasis on evaluating progress in LGU plan implementation. Therefore, helping LGUs keep their plans current is basic to that review. Level I PRAP tracks whether LGUs are meeting their plan revision due dates. For the purposes of Level I reviews, LGUs that have been granted an extension for their plan revision are not considered to have an overdue plan. At the time of this report, 16 Local Water Management plans were operating under extensions granted by the BWSR Board. The number of overdue plans declined in 2015. One WMO and one Watershed District have

overdue plans. There is one County with an overdue Local Water Management Plan, but the update has been submitted to BWSR and is expected to be reviewed in January 2016. Until these plans are revised and approved, these organizations are ineligible for Clean Water Fund grants. As in each of the past five years, there are still three metro area county groundwater plans that need updating. However, the Carver Groundwater management plan is expected to be completed in January of 2016.



Appendix D (page 19) lists the LGUs that are overdue for plan revisions.

Annual activity and grant reports. The Level I review tracks both missing and late reports. LGU annual reports are an important means of providing citizens and BWSR with information about LGU activities and grants expenditures.

As in 2014, there was a significant improvement in on-time submittal of drainage system buffer strip reports by both County and WD drainage authorities in 2015. Of the 96 LGUs that must submit annual buffer reports, 100% met the

February 1, 2015 deadline, compared to 91% in 2014 and 67% in 2013. This continued increase is attributed to persistent efforts by BWSR staff to contact LGUs with missing reports before the due date.

SWCDs and counties showed a slight improvement in their on-time submittal of grant status reports via BWSR's on-line eLINK system, with 94% of LGUs meeting the deadline compared with 93% in 2014 and 86% in 2013.

Watershed district and metro area WMO compliance with the annual activity report requirement was slightly higher than last year (80%) but is not as good as it should be.

Appendix E (page 20) contains more details about reporting.

Annual financial reports and audits. All SWCDs submit annual financial reports to BWSR, and most are required to prepare annual audits of their financial records. SWCDs whose annual expenditures fall below a certain threshold do not have to prepare audits. In 2015, 94% of SWCDs submitted their financial reports on time, and 91% met the audit performance standard.

Watershed Districts and WMOs are also required to prepare annual audits. In 2015, 80% of WDs met the audit performance standard, and 56% of WMOs met the standard. See Appendix F (page 22) for financial report and audit details.

BWSR does not track county audits because counties are accountable to the Office of the State Auditor.

Level II Performance Review Results

The Level II performance review process is designed to give both BWSR and the individual LGUs an overall assessment of the LGU's effectiveness in both the delivery and the effects of their efforts in conservation. The review looks at the LGU's implementation of their plan's action items and their compliance with BWSR's operational performance standards. Level II reviews also include surveys of board members, staff and partners to assess the LGU's effectiveness and existing relationships with

other organizations. BWSR uses two approaches in conducting Level II reviews: standard and watershed-based.

Standard Level II Performance Reviews

BWSR conducted standard Level II reviews of 10 LGUs in 2015: **Clay County and SWCD, Itasca County and SWCD, Pine County and SWCD, the Brown's Creek Watershed District and the Comfort Lake Forest Lake Watershed District, the Scott County WMO and the Carver County WMO.** In the instances where the County and the SWCD share the same local water plan (Clay, Itasca and Pine) the reviews were conducted jointly. The remaining LGUs received individual reviews. Appendix G (page 23-29) contains summaries of the performance review reports. Full reports are available from BWSR by request.

While none of the findings or conclusions from these reviews apply to all LGUs, there were general observations about LGU performance worth noting.

1. Add PTM specifics into water plan. All of the non-watershed based Level II PRAP reviews resulted in a recommendation that organizations include, or expand on existing use of Prioritized, Targeted and Measured as criteria in their next water planning efforts. The PTM criteria are the new standard for One Watershed-One Plan efforts currently underway and beyond those pilot projects, the degree to which this criteria is currently being used varies. However, continued and expanded use of these criteria by all organizations would be beneficial even before One Watershed – One Plan becomes the prevailing format for water planning efforts.

2. Analyze staffing and compensation. Anticipated workload increases corresponding to new and developing programs at the state level (such as the Buffer Program) are likely to impact Minnesota's SWCDs. With this in mind, recommendations for staffing capacity and

compensation analysis were included in all three of the SWCD Level II Reviews. The recent allocation of additional funding could be a resource for the districts should they discover that existing capacity is not enough to implement new programs in addition to their existing workload. Therefore it is a good time to conduct organizational analysis on this level.

3. Include water quality trends on website.

Another common thread seen in many of the 2015 Level II reviews was the lack of reporting of resource trends on websites and in annual reports. While many of the organizations reviewed are conducting water quality monitoring, few take the time to make the results available in formats that are easy for the public to access and understand. Additional efforts to report resource trends would help the organizations, as well as the State identify progress resulting from water quality improvement efforts. (See Program Conclusions, page 14.)

Watershed-based Level II Performance Reviews. In late 2014 BWSR began the third watershed-based performance review focused on LGUs with jurisdiction in the same watershed. In addition to evaluating plan implementation, the watershed-based review process examines the extent to which LGUs share a watershed focus and collaboration. BWSR selected the Crow Wing River watershed for this review because the Minnesota Pollution Control Agency completed a WRAPS (Watershed Restoration and Protection Strategies) project in the watershed just a few months prior. WRAPS identifies water quality conditions and trends in the lakes and streams, stressors affecting impaired waters, pollutant sources, and restoration and protection strategies targeted to particular resource priorities. The final WRAPS report was issued in December 2014 just as this performance review was getting started. BWSR was interested in examining the effect the WRAPS process had on collaboration among the involved LGUs.

The 10 LGUs included in this performance review participated in developing the WRAPS, along with other local and state agencies, during the past four



years. Unlike the two previous watershed based PRAP reviews, the LGUs in the watershed had no formal, or even informal collaborative structure other than the WRAPS project. The Crow Wing River Watershed review included 10 LGUs: **The counties and SWCDs in Becker, Cass, Crow Wing, Hubbard and Wadena counties.**

BWSR completed the process with the delivery of a joint report and individual reports to all LGUs. Appendix H (pages 30-34) contains the summaries from all the reports.

As part of the process, BWSR compared the priority concerns of each of the five county plans. A comparison of these broad plan elements showed that there were three concerns addressed by nearly all of the plans; protect drinking water/groundwater quality, protect surface water quality, and stormwater management.

In general, the LGUs operating in the Crow Wing River watershed are making good progress in implementing their planned projects and programs. However, the format of the plans themselves vary widely based on age of the existing plan. For example, the Crow Wing plan, adopted in 2013, contained the standard Goal, Objective, and Action listing with implementation organized according to minor watershed and with measurable

outcomes for each plan objective. Older plans were comprised of different variations on this structure.

Due to a high degree of variability in reported compliance with watershed based performance standards, it was difficult to draw conclusions about the actual amount and type of collaboration that is occurring among these 10 LGUs in the Crow Wing River watershed. However, there appeared to be reasonably good collaboration within each county between the county water management staff and the SWCD staff. Based on discussion among the LGU lead staff during this performance review process, the WRAPS process that was managed by the Minnesota PCA did not foster a significant level of watershed identity or collaboration among the 10 LGUs. While some LGUs will consult the WRAPS data in their plan updates, others found little use or applicability to their planning process

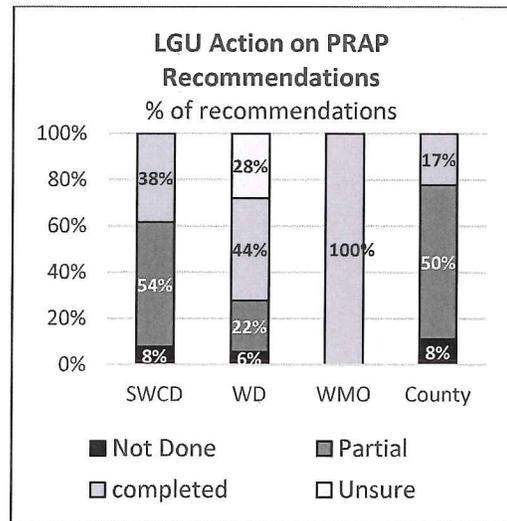
The survey results and subsequent discussion revealed that there is little if any collaboration on a major watershed scale among LGUs in the Crow Wing River watershed. BWSR believes that the size and diversity of this watershed requires a smaller scale as the focus for improved collaboration on implementation. The use of a common method of minor watershed analysis would identify areas in each jurisdiction within the major watershed that can be managed similarly. With collaboration on plan development over the next few years, there will be the opportunity to continue with good communication and coordination through implementation.

Coordination with One Watershed-One Plan.

Elements of the watershed-based performance review process were used in BWSR’s *One Watershed-One Plan* initiative. In a few years, BWSR will use the PRAP watershed-based process to assess the implementation of these new watershed plans.

Survey of LGU Implementation of PRAP Recommendations

A PRAP program goal for 2015 was to find out to what extent LGUs are following through on the recommendations BWSR offers as part of each performance review.



BWSR surveyed a sample of 29 of the 63 LGUs that had a Level II performance review between 2008 and 2013. Lead staff were asked to indicate the level of completion for each of the recommendations included in their PRAP reports.

22 of the 29 LGUs (76%) responded. Survey results showed that LGUs self-reported fully completing 38% of the recommendations and partially completing another 38%, meaning that 76% of BWSR’s recommendations were addressed to some degree.

These survey results indicate that LGUs find the majority of the recommendations contained in the PRAP reports to be useful for their organizations. Additional follow up is needed to determine why some recommendations are implemented while others are not.

Level III Results

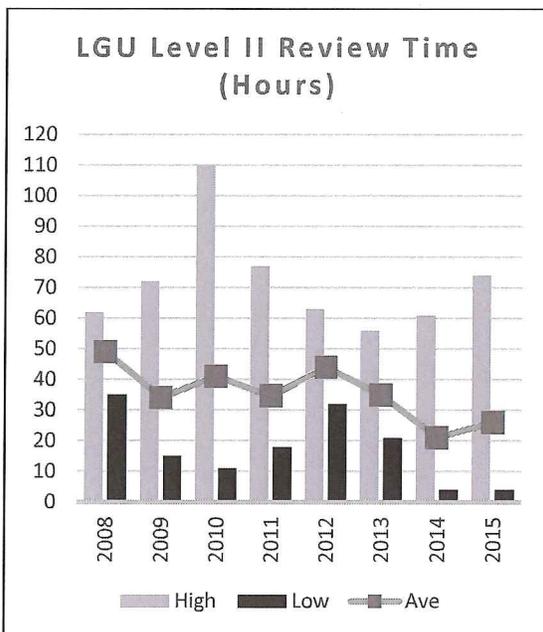
There were no Level III performance reviews conducted in 2015.

Level IV Results

No Level IV actions were conducted in 2015.

PRAP Performance Review Time

BWSR tracks the time spent by LGUs in a performance review as a substitute for accounting their financial costs. Factors affecting an LGU's time include the number of action items in their long-range plan, the number of staff who help with data collection, and the ready availability of performance data. In 2015 LGU staff spent an average of 26 hours on their Level II review, consistent with recent trends.



Not including overall performance review administration and process development, BWSR staff spent an average of 24 hours for each Level II performance review, consistent with the past few years.

While BWSR seeks to maintain a balance between getting good information and minimizing the LGU time required to provide it, spending less time on a PRAP review isn't always desirable. Our goal is to gather as much pertinent information as needed to assess the performance of the LGU, and offer realistic and useful recommendations for improving performance.

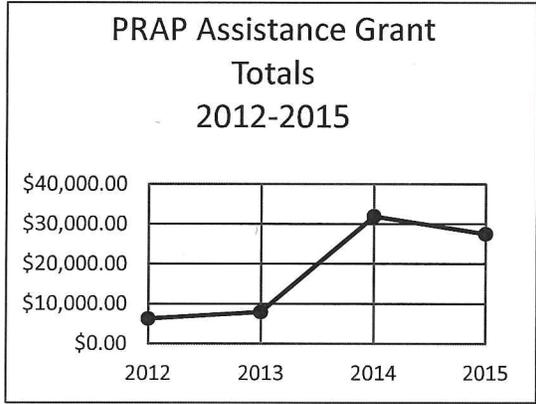
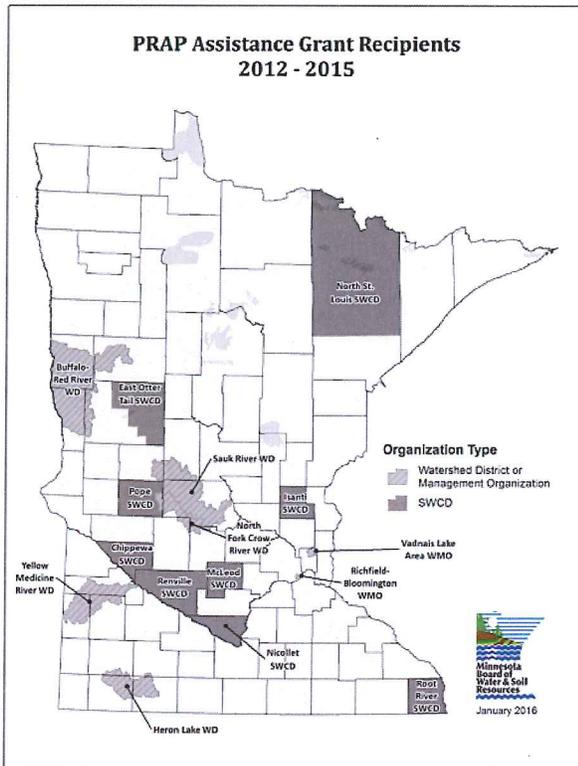
Assistance Services to Local Governments

PRAP Assistance Program

In 2012, BWSR developed the PRAP Assistance program to provide financial assistance to LGUs for improving operating performance and executing planned goals and objectives. Since the program started, more than \$73,000 has been awarded to LGUs around Minnesota. Priority is given to applicants submitting projects related to eligible PRAP Level II, III, or IV recommendations, but other organizations are also eligible. The grants are made on a cost-share, reimbursement basis with a cap of \$10,000 per LGU. The application process requires basic information about the need, the proposed use of funds, a timeline, and the source of match dollars. BWSR staff assess the LGU need as part of the application review process, and grants are awarded on a first-

come, first-serve basis as long as funds are available.

In 2015, the BWSR Board again delegated authority to the Executive Director to award grants or contracts for the purpose of assisting LGUs in making organizational improvements (see resolution in Appendix B). This resolution differed from previous years in that it did not tie the approval authority to a specific biennium. As a result, the board will continue to receive annual updates on the program, but will not need to renew the resolution each biennium until they choose to modify the program.



Grants totaling \$27,600 were issued to the Isanti SWCD, McLeod SWCD, Richfield-Bloomington WMO, Renville SWCD, the North Fork Crow River watershed District and the Yellow Medicine River Watershed District. The awarded funds will be used for the development of operating policies, employee compensation assessments, organizational assessments, strategic planning and goal setting.

In 2015, BWSR changed some of the application requirements for PRAP assistance funds, and provided more clarity about what types of activities and expenses are eligible for the grants. The new guidance and application information maintains the streamlined

process used in the past, but now asks applicants to describe how their Board will be involved in the project, to outline a scope of work, and to provide more detailed budget information as part of the application. The revised application information can be found in Appendix C.

The BWSR Executive Director regularly informs Board members of assistance grant status. Potential applicants can find information on the BWSR website <http://www.bwsr.state.mn.us/PRAP/index.html>.

Reporting

Purpose of Reporting

BWSR reports on LGU performance to:

- meet the legislative mandate to provide the public with information about the performance of their local water management entities, and
- provide information 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.

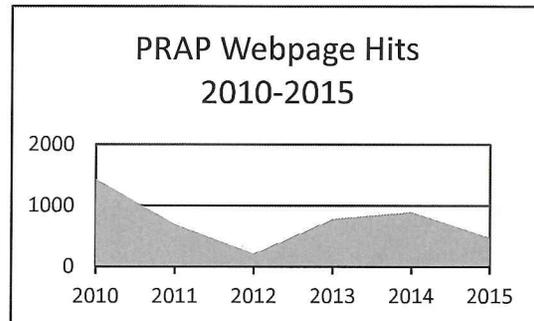
LGU-Generated

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 the Level I review process.

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 from 2008-2013. The reporting years of 2014 and 2015 are pending updates. In the future, BWSR plans to convert this database to BWSR's eLink system and add a portal to allow public access to the data. However that conversion is still not scheduled.

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.

Performance Review Reports

BWSR prepares a report containing findings, conclusions, and recommendations for each LGU subject of a Level II or Level III performance review. The LGU lead staff and board or water plan task force members receive a draft of the report to which they are invited to submit comments. BWSR then sends a final report to the LGU. A one page summary from each review is included in the annual legislative report (see Appendices G and H). In 2014 BWSR added a resource outcomes feature to all Level II reports, highlighting those changes in resource conditions related to LGU projects and program. This feature was continued in 2015.

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 LGUs providing 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, to statewide LGU associations and to the office of the legislative auditor.

Recognition for Exemplary Performance

The PRAP Guiding Principles include a provision for recognizing exemplary LGU performance. Each year this 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 J.)

For those LGUs that undergo a Level II performance review, their report lists a "commendation" for compliance with each high performance (or benchmark) performance standard, demonstrating practices over and above basic requirements. All 2015 standard Level II LGUs received such commendations.

Program Conclusions and Future Direction

Conclusions from 2015 Reviews

- **Reminders and incentives contribute significantly to on-time reporting by LGUs.** Overall reporting performance and plan status increased slightly in 2015. This is especially true in the case of buffer strip reporting, which reached 100% compliance in 2015, and can be attributed to close attention from BWSR staff.
- **While some organizations have begun including prioritized, targeted and measurable as criteria for goals and objectives in their water plan, continued encouragement is needed.** PRAP will continue to highlight the presences of PTM criteria in existing plans, and make recommendations for inclusions in plans where it is absent.
- **Website reporting of resource trends could be improved.** Many of the LGUs included in 2015 Level II reviews participate in or lead water quality monitoring programs, yet the use of websites to report trends and results is limited. Additional efforts to make these results easily accessible to the public would be beneficial.
- **The three watershed based reviews conducted between 2013 and 2015 have shown us that the watershed based PRAP level II process will be useful for the One Watershed One Plan approach in the future, and elements of this approach have been used in the One Watershed-One Plan initiative.** Further analysis is needed to determine if there is a benefit to applying the watershed-based PRAP level II process to organizations not currently involved in a watershed-based planning effort.
- **76% of the PRAP Level II recommendations for LGU improvements are seen as useful or necessary, as shown by the rates at which LGUs have adopted them.** However, BWSR must do more to follow-up with LGUs to find out why some recommendations are not being adopted, and to promote PRAP Assistance Grants as a means to implement improvements.

PRAP Program Objectives for 2016

- Track 240 LGUs' Level I performance
- Take measures to improve WMO and WD reporting.
- Maintain the target of 24 Level II performance reviews per year.
- Maintain the focus on resource outcomes in Level II performance reviews.
- Analyze and update the PRAP Review process to ensure performance standards and review efforts are in line with BWSR program changes.
- Survey LGUs from 2014 Level II PRAP reviews to track LGU implementation of PRAP recommendations.
- Reach 100% compliance within 18 months for Action Items assigned during a Level II review.
- Continue the promotion and use of PRAP Assistance Grants to enhance LGU organizational effectiveness.
- Determine the benefits and consequences of using the watershed-based approach to PRAP Level II reviews in watersheds where there is no existing watershed based organization or structure in place.

Appendix A

PRAP Authorizing Legislation 103B.102, Minnesota Statutes 2013

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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 as determined by the board based on budget and operations of the local water management entity, but not less than once every ten 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 of representatives 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; 2013 c 143 art 4 s 1

Appendix B

Board Authorization of Delegation for PRAP Assistance Grants



Board Resolution # 15-37

Minnesota Board of Water and Soil Resources
Board Authorization of Delegation for PRAP Assistance Grants to LGUs

WHEREAS the Board of Water and Soil Resources (BWSR) is mandated under Minnesota Statutes Chap 103B.102 to regularly review the performance of local government water management entities in the state and provide assistance for "underperforming entities," and

WHEREAS BWSR routinely monitors the performance of Minnesota's local government water and land management entities, and during the course of those reviews has identified the need for specialized assistance to improve their operational performance, and

WHEREAS BWSR receives other requests for specialized assistance to address particularly difficult operational or performance problems that cannot be addressed by routine BWSR staff support, and

WHEREAS the legislature has specifically authorized use of cost share rollover funds for local government assistance to address specialized assistance needs, and

WHEREAS the BWSR board has previously authorized the PRAP Assistance Grants as a delegated authority to the Executive Director, and

NOW THEREFORE BE IT RESOLVED THAT the BWSR Board authorizes the Executive Director to expend up to \$10,000 per grant or contract for specialized assistance to local government water management entities to address operational or service delivery needs identified through a PRAP assessment or specialized assistance request, and

BE IT FURTHER RESOLVED THAT the BWSR Board requires that all such funds awarded be cost shared by the grantee at a percentage dependent on the size of the grant and determined by the Executive Director, and

BE IT FURTHER RESOLVED THAT the aggregate amount of expenditures for the PRAP program and awards are consistent with any appropriation conditions set by the legislature and are reported to the Board at least once per year.


Brian Napstad, Chair

Minnesota Board of Water and Soil Resources

Date: 6/24/15

Appendix C

PRAP Assistance Grant Application Information

The PRAP Assistance program provides financial assistance to LGUs to improve operating performance and execution of planned goals and objectives. Funding priority is given to activities recommended as part of a Level II, III or IV PRAP review.

Examples of eligible activities: facilitation, mediation or consulting services related to organizational improvement such as reorganizations/mergers, strategic planning, organizational development, assessments for shared services, benchmarking, non-routine audits, and staff and board capacity assessments.

Activities that are not eligible for grant funds, or to be used as LGU match: Technology upgrades (computer equipment, software, smartphones, etc.), infrastructure improvements (vehicles, office remodel, furniture), staff performance incentives (bonuses, rewards program), basic staff training (BWSR Academy fees and expenses; Wetland Delineator Certification, subjects offered at BWSR Academy, training for promotion, basic computer training), water planning, conservation practices design or installation, publication or publicity materials, food & refreshments, (other than costs associated with meetings and conferences where the primary purpose is an approved, eligible grant activity) lodging, staff salaries, and regular board member per diems.

Note: Board member per diems and associated expenses outside of regular meetings, and associated with an approved, eligible activity are eligible for grant funds or can be used as match.

Grant Limit: \$10,000. In most cases a 50 percent cash match will be required.

Who May Apply: County water management/environmental services; SWCDs; watershed districts; watershed management organizations. In some cases, LGU joint powers associations or boards, or other types of LGU water management partnerships will be eligible for grants. Priority is given to applicants submitting projects related to eligible PRAP Level II, III, or IV recommendations.

Terms: BWSR pays its share of the LGU's eligible expenditures as reimbursement for expenses incurred by the LGU after the execution date of the grant agreement. Reporting and reimbursement requirements are also described in the agreement. Grant agreements are processed through BWSR's eLINK system.

How to Apply: Submit an email request to Jenny Gieseke, PRAP Coordinator (jenny.gieseke@state.mn.us) with the following information:

- 1) Description, purpose and scope of work for the proposed activity (If the activity or services will be contracted, do you have a contracting procedure in by-laws or operating guidelines?)
- 2) Expected products or deliverables
- 3) Desired outcome or result

- 4) Does this activity address any recommendations associated with a recent Level II, III or IV PRAP Assessment? If so, describe how.
- 5) How has your Board indicated support for this project? How will they be kept involved?
- 6) Duration of activity: proposed start and end dates
- 7) Itemized Project Budget including
 - a. Amount of request
 - b. Source of funds to be used for match (cannot be state money nor in-kind)
 - c. Total project budget
- 8) Have you submitted other funding requests for this activity? If yes, to whom and when?
- 9) Provide name and contact information for the person who will be managing the grant agreement and providing evidence of expenditures for reimbursement.

Appendix D

Level I: 2015 LGU Long-Range Plan Status as of December 31, 2015

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 Revisions

All but one local water management plans are current. The BWSR Board has approved extensions for 16 plans.

- The Hubbard County LWM plan expired in October of 2015. This plan has been submitted for State review and is on the agenda for the Northern Committee meeting in January.

Metro County Groundwater Plan Revision Overdue

- Carver (Carver Groundwater Plan is near completion)
- Ramsey
- Scott

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

Watershed Districts

10-Year Watershed Management Plan Revision Overdue

- Crooked Creek

Watershed Management Organizations

- Vermillion River WMO plan expired in December, 2015

Appendix E

Level I: Status of Annual Reports for 2014 as of December 31, 2015

Soil and Water Conservation Districts

eLINK Status Reports of Grant Expenditures

Three SWCDs submitted late reports; two SWCDs did not submit reports.

Late Reports:

- Aitkin SWCD
- Le Sueur SWCD
- Washington Conservation District

Reports Not Submitted:

- Carver SWCD
- Hennepin Conservation District

Counties

Drainage Authority Buffer Strip Reports

All reports submitted on time.

eLINK Status Reports of Grant Expenditures

Two counties submitted late reports; Three counties did not submit reports.

Late Reports:

- Chisago County
- Scott County

Reports Not Submitted:

- Hennepin County
- Le Sueur County
- Morrison County

Watershed Districts

Drainage Authority Buffer Strip Reports

All reports submitted on time.

Annual Activity Reports Not Submitted:

- Cormorant Lakes WD
- Joe River WD
- Pelican River WD

Annual Activity Reports Submitted Late:

Six reports were submitted late

- Brown's Creek WD
- Clearwater River WD
- Lower Minnesota River WD
- Middle Snake-Tamarac River WD
- Sand Hill WD
- Thirty Lakes
- Roseau River WD

Metro Joint Powers Watershed Management Organizations

Annual Activity Reports Not Submitted:

- Grass Lake
- Eagan-Inver Grove Heights

Annual Activity Reports Submitted Late:

Two reports were submitted late

- Black Dog WMO
- Middle St. Croix WMO

Appendix F

Level I: Status of Financial Reports and Audits for 2014 as of December 31, 2015

Soil and Water Conservation Districts

Annual Financial Reports (all 89 Districts)

All 89 SWCD's submitted financial reports. However, 5 submitted their reports late, after being granted extensions.

Late Financial Reports:

- Chippewa
- Lyon
- Nicollet
- East Ottertail
- Wabasha

Annual Audits (56 required)

Annual Audits Not Submitted

- Aitkin
- Anoka
- Itasca
- Lyon

Annual Audits Submitted Late

- Chisago

Watershed Districts

Annual Audits Not Completed:

- Yellow Medicine River WD
- High Island Creek WD
- Thirty Lakes WD
- Joe River WD
- Cormorant Lakes WD
- Pelican River WD

Annual Audits Submitted Late:

- Capital Region Watershed District
- Coon Creek Watershed District
- Prior Lake-Spring Lake Watershed District
- Lower Minnesota River Watershed District

Metro Joint Powers Watershed Management Organizations

Annual Audits Not Submitted:

- North Cannon River WMO
- Upper Rum River WMO*
- Scott WMO
- Sunrise River WMO*

* The Upper Rum River WMO and the Sunrise River WMO Audits were in process at the time of this report, and expected to be complete and submitted to BWSR in January 2016.

Annual Audits Submitted Late:

- Black Dog WMO
- Vermillion River WMO
- Middle St. Croix WMO
- Lower Rum WMO

Appendix G

Standard Level II Performance Review

Final Report Summaries

Brown's Creek Watershed District

Key Findings and Conclusions

The strong engagement and commitment of the Watershed District Board in combination with the proficiency of the Watershed District Administrator makes Brown's Creek Watershed District a very effective organization.

The organization consistently works toward achieving the goals outlined in their Water Management Plan, and has been successful in creating partnerships and joint efforts to do so.

Resource Outcomes

The BCWD watershed management plan contains specific, measurable resource outcomes as objectives for lakes and streams. In addition, the district has assigned goals to waterbodies in the watershed district through the Brown's Creek TMDL Implementation plan, and individual Lake Management Plans.

Performance Standards Compliance

- Brown's Creek WD met 13 out of 15 Watershed District Basic Performance Standards
- Brown's Creek WD met 12 out of 12 Watershed District High Performance Standards

The high marks given to the BCWD by their partners in the areas of communication, quality of work, relationships and follow through serve as further proof that the organization is on track, and highly functioning.

Action Items

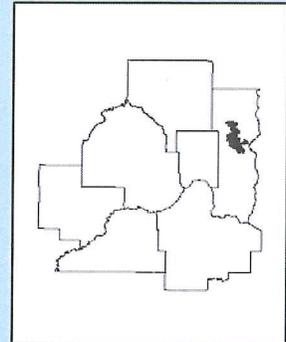
- Submit annual, on-time Activity Reports
- Provide a link to all grant reports on the BCWD website

Recommendations

Recommendation 1: Continue and expand the use of Prioritized, Targeted and Measureable as criteria for Goals and Objectives in the next water management plan as appropriate.

Recommendation 2: Address Action Items

Recommendation 3: Consider expanding partnerships with neighboring Watershed Districts



Carver WMO

Key Findings and Conclusions

The Carver WMO has a solid record of accomplishment in all areas of their water management plan. The organization can serve as an example of how a systematic approach to water management can be delivered.

Resource Outcomes

The Carver WMO watershed management plan contains specific, measureable resource outcomes goals for water quality. The WMO annual water quality report contains information about the water quality results achieved in area streams. According to the information available at the time of this review, the water quality of streams within the WMO is variable, with some watercourses showing improved water quality, while others show declines or do not appear to have trends in either direction.

Performance Standards Compliance

- Carver WMO met 13 out of 13 Water Management Organization Basic Performance Standards
- Carver WMO met 10 out of 12 Water Management Organization High Performance Standards

The WMO's compliance with BWSR performance standards puts them among the top performers in meeting the essential, administrative, planning and communication practices that lead to an effective, efficient organization.

The WMO's partners reinforce these conclusions in their high marks for communication, quality of work, relations with customers and follow-through.

Action Items

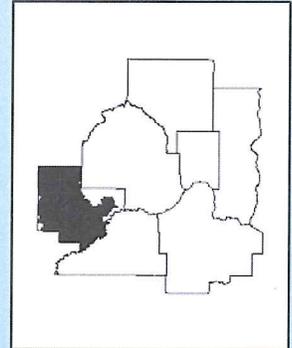
There are no Action Items for the Carver WMO

Recommendations

Recommendation 1: Continue and expand the use of Prioritized, Targeted and Measureable as criteria for Goals and Objectives in the next water management plan as appropriate.

Recommendation 2: Identify and track outcomes of educational efforts.

Recommendation 3: Make lake water quality data and trends easily accessible to the public.



Clay County and Clay SWCD

Key Findings and Conclusions

Clay County and the Clay SWCD are doing an adequate job of administering local water management and land conservation programs and projects. For the most part, both organizations are getting the work done, but more effort could be made to achieve higher performance.

Resource Outcomes

The Clay Local Water Management Plan does contain some resource outcome goals and objectives. However, progress toward those goals is not routinely reported.

Performance Standards Compliance

Clay County

- Clay County met 11 out of 11 County Basic Performance Standards
- Clay County met 8 out of 12 County High Performance Standards

Clay SWCD

- Clay SWCD met 10 of 12 SWCD Basic Performance Standards
- Clay SWCD met 10 of 15 SWCD High Performance Standards

With the upcoming revision of the comprehensive local water plan, there is an opportunity for Clay County and SWCD to reorient its local water plan to problems and priorities specific to the county's major waterbodies, and to provide resource specific outcomes.

Action Items

- A Data practices policy describing how the SWCD responds to requests for information submitted under the Minnesota Data Practices Act (MS Chap. 13) must be developed for the District.
- TAA (or JAA) levels of district staff need to be reviewed and reported annually

Recommendations

Joint Recommendation 1: Consider using Prioritized, Targeted and Measureable criteria for Goals and Objectives in the next water management plan.

Joint Recommendation 2: In the next Water Plan update, take care to identify realistic activities that will be accomplished within a 10 year time frame.

Clay SWCD Recommendation 1: Address Action Items and consider adding Benchmark standards.

Clay SWCD Recommendation 2: Conduct a strategic assessment of the District to determine whether existing mission, goals, staff capacity is sufficient to meet the needs and demands for conservation services in the district.

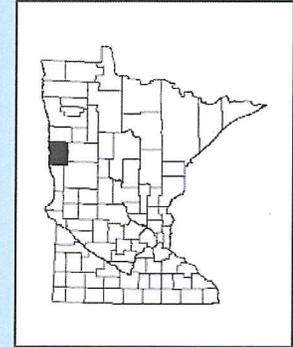
Clay SWCD Recommendation 3: Develop a plan and improve efforts to gather water quality data and post results to the website and include in annual reports.

Clay SWCD Recommendation 4: Establish stronger working relationships with partners.

Clay SWCD Recommendation 5: Work to improve communication with partners.

Clay County Recommendation 1: County staff should work to improve Communication with their partners.

Clay County Recommendation 2: Select benchmark performance standards to improve organizational performance.



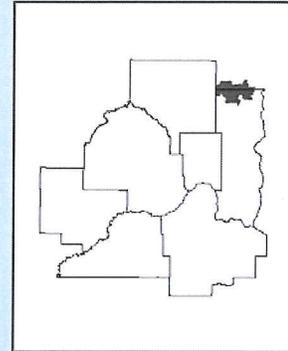
Comfort Lake-Forest Lake Watershed District

Key Findings and Conclusions

A general theme that emerged from this performance review is that the Comfort Lake Forest Lake Watershed District is a proactive organization, one that is willing to set ambitious goals for itself. The Board shows a willingness to challenge itself and staff to achieve impressive results.

Progress on the Watershed Management Plan is good. The District has shown intentional efforts toward completing action items outlined in the plan and is taking the initiative to amend/update the plan as issues and opportunities arise.

The District should be commended for their efforts to keep the plan current in addressing issues and opportunities that avail themselves to the District. One potential challenge the CLFLWD may face is the potential to overextend District capacities to achieve scheduled activities and complete projects.



Resource Outcomes

The CLFLWD watershed management plan contains specific, measureable resource outcomes, particularly in regard to Lake Water Quality. The WD annual reports and monitoring reports contain detailed information about water quality in the lakes and streams of the watershed.

According to the information available at the time of this review, trends in stream water quality cannot be deduced based on existing data due to changes in sampling techniques. Most of the lakes monitored show a neutral trend – neither declining nor improving, but two lakes show a declining trend.

Performance Standards Compliance

- CLFLWD met 16 out of 16 Watershed District Basic Performance Standards
- CLFLWD met 10 out of 13 Watershed District High Performance Standards

Action Items

There are no Action Items for the CLFLWD at this time.

Recommendations

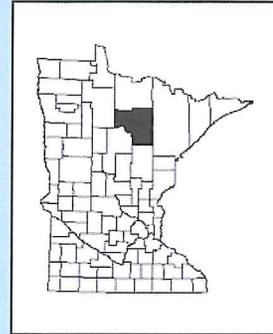
Recommendation 1: Implement Prioritized, Targeted and Measureable criteria for Goals and Objectives in the next water management plan.

Recommendation 2: To ensure that District resources are sufficient for meeting planned goals and objectives, conduct a detailed workload analysis of planned activities for next three years.

Itasca County ENVS and Itasca SWCD

Key Findings and Conclusions

The Itasca county ENVS and the Itasca SWCD have fostered a strong working relationship that serves both agencies well. This performance assessment has confirmed their effective administration of local water management and land conservation programs and projects. For the most part, their partners believe both entities are doing good work and are good to work with. Recent staff turnover at the SWCD has created the necessity to forge new working relationships among partners, but there is a strong base to build upon for future local water management in Itasca County.



With the upcoming revision of the comprehensive local water plan, there will be an opportunity for Itasca County and SWCD to reorient its local water plan to specific problems and priorities county's waterbodies.

Resource Outcomes

The Itasca Local Water Management Plan does not include targets or objectives for resource outcomes.

Performance Standards Compliance

Itasca County

- Itasca County met 13 out of 14 County Basic Performance Standards
- Itasca County met 9 out of 11 County High Performance Standards

Itasca SWCD

- Itasca SWCD met 12 of 12 SWCD Basic Performance Standards
- Itasca SWCD met 12 of 15 SWCD High Performance Standards

The partners who responded to the PRAP survey provided consistently high marks in their judgement of the performance of the ENVS, and mixed marks in the performance of the SWCD. This appears to be due to lack of experiences working with the new district staff, and not a reflection of staff performance.

Action Items

- Organize Local Water Management plan priority concerns, objectives and/or action items by major watershed

Recommendations

Joint Recommendation 1: Use the major or minor watershed scale for plan organization.

Joint Recommendation 2: Consider using Prioritized, Targeted and Measureable criteria for Goals and Objectives in the next water management plan.

Joint Recommendation 3: Structure website information to report progress and trends made in achieving resource outcome goals.

Joint Recommendation 4: Reassess organizational lead responsibilities in next water plan update.

Itasca SWCD Recommendation 1: Conduct a staff capacity and compensation assessment to determine whether existing staff capacity & compensation is sufficient to meet the needs and demands for conservation services in the district.

Pine County and Pine SWCD

Key Findings and Conclusions

The Pine county P&Z and the Pine SWCD meet the basic requirements of this assessment. The P&Z and SWCD show good compliance with BWSR's basic and benchmark performance standards, and the 2015, 5 year amendment of the Pine County Local Water Management Plan is likely to result in improved targeting and measurement of progress in plan implementation.



Resource Outcomes

One of the goals in the 2010 Pine County Local Water Management Plan was related to resource outcomes, but the plan did not contain measurable actions for that resource outcome. Therefore, this report of plan accomplishments does not include information about resource changes resulting from projects undertaken by the Pine P&Z or the Pine SWCD. However, it should be noted that the 2015, 5 year amendment does contain some resource outcome goals and measurable actions. Information about resource changes resulting from projects described in the 2015 amendment should be available for future PRAP assessments.

Performance Standards Compliance

Pine County

- Pine County met 9 out of 10 County Basic Performance Standards
- Pine County met 6 out of 11 County High Performance Standards

Pine SWCD

- Pine SWCD met 12 of 12 SWCD Basic Performance Standards
- Pine SWCD met 9 of 15 SWCD High Performance Standards

For the most part, surveyed partners believe both entities are doing good work and are good to work with. Staff turnover at both organizations has likely impacted some working relationships, but there is a strong base to build upon for future local water management in Pine County. In addition, there are opportunities for creating larger partnership networks for both entities that should be considered. Joint recommendation 1 provides more detail.

Action Items

There are no action items for either entity.

Recommendations

Joint Recommendation 1: Be proactive in establishing partnerships with additional organizations to assist in the implementation of water plan activities and other conservation actions.

Joint Recommendation 2: Conduct a staff capacity and compensation assessment to determine whether existing staff capacity, compensation and benefits are sufficient to meet the needs and demands for conservation services.

Pine SWCD Recommendation 1: Utilize water quality information and report progress and trends made in achieving resource outcome goals.

Pine SWCD Recommendation 2: Use Prioritized, Targeted and Measureable (PTM) criteria when selecting and implementing conservation projects.

Scott WMO

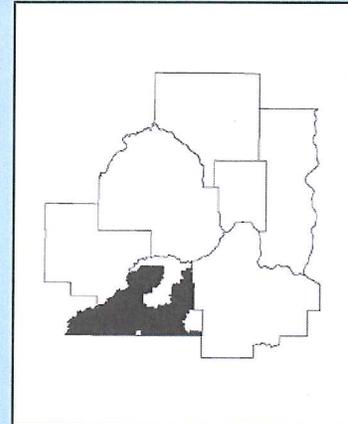
Key Findings and Conclusions

The Scott WMO can serve as an example of how a systematic approach to water management can be delivered. The WMO has a solid record of accomplishment in all areas of their water management plan.

The WMO's compliance with BWSR performance standards puts them among the top performers in meeting the essential, administrative, planning and communication practices that lead to an effective, efficient organization.

The responses of the WMO's partners reinforce these conclusions with high marks for communication, quality of work, relations with customers and follow-through.

The designation of 4 out of the seven goals in the water resource management plan as resource outcome goals is an innovative step toward outcome based tracking of progress in improving water quality. However, this designation could be improved through the creation of resource specific, measurable water quality and habitat objectives within the plan (see Recommendation 1).



Resource Outcomes

Four of the seven goals in the Scott WMO Water Resources Management plan are related to resource outcomes. The WMO uses long term metrics to track progress toward those resources goals each year in their annual report. No significant trends in the water quality of local resources have been reported since 2011. However, the 2014 reports an increase in the native plant diversity and coverage in Cedar Lake.

Performance Standards Compliance

- Scott WMO met 12 out of 13 Water Management Organization Basic Performance Standards
- Scott WMO met 11 out of 12 Water Management Organization High Performance Standards

Action Items

- Complete annual audit on time

Recommendations

Recommendation 1: Consider using Prioritized, Targeted and Measureable criteria for Goals and Objectives in the next water management plan.

Recommendation 2: Structure annual reports or website information to report progress and trends made in achieving resource outcome goals.

Appendix H

Crow Wing River Watershed Based Level II Review Final Report Summaries

Crow Wing River Watershed PRAP Summary of Performance Review

Becker County Planning and Zoning and Becker SWCD

Key Conclusions and Recommendations

The Becker LGUs operate well-defined programs to accomplish local water and related resource management. The PZD has delegated many areas of environmental management to the SWCD and then operates to implement its own regulatory programs. Better communication is needed to ensure maximum collaboration.

The upcoming local water management plan revision will present several challenges for the on-going work of these LGUs given the new information and context resulting from the MPCA's Crow Wing River WRAPS document and the DNR's Straight River Groundwater Management Area Plan. Both LGUs will have to determine the implications of these reports for local implementation within the limitations of local funding and staff capabilities.

The reported accomplishment of action items in the local water management plan is reasonably good given the amount staff turnover for both entities within the timeframe of the plan. Recent improvements to SWCD staff capacity and technological capability will serve the District and county well.

Resource Outcomes

The Becker County local water management plan does include targeted objectives for resource outcomes. However the targeted resources are not within the Crow Wing River watershed area.

Performance Standards Compliance

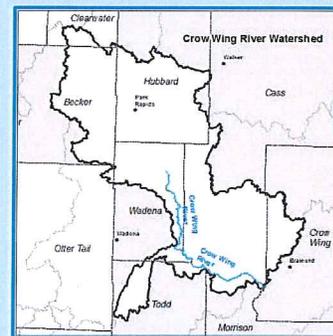
- Becker PZD met 9 out of 21 Watershed Collaboration Performance Standards
- Becker SWCD met 18 out of 21 Watershed Collaboration Performance Standards

Coordination between the county and SWCD, as recommended in bullet one below, is already occurring in a measured and effective way, according to reports from the SWCD.

Recommendations

Recommendation 1: Establish a regular mechanism to foster communication and collaboration between the county PZD and SWCD.

Recommendation 2: Develop an annual work plan to focus on SWCD priorities.



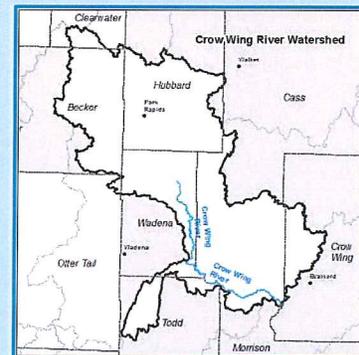
Crow Wing River Watershed PRAP Summary of Performance Review

Cass County Environmental Services and Cass SWCD

Key Conclusions and Recommendations

Since their service agreement in 2009 the Cass ESD and Cass SWCD have worked effectively as a team with a good allocation of staff among the various programs of both entities. The conservation, resource management and local water management work is generally well-respected, based on BWSR staff observation in working with the county.

The inclusion of resource trend assessments as a specific action in their comprehensive local water plan is commendable. The assessment data should be widely reported.



Resource Outcomes

The Cass County comprehensive local water management plan contains objectives or actions that focus on resource outcomes (e.g., Action C.1.12, Action G.2.1). The plan contains actions that require assessment of lake water quality trends and the cumulative effects of development on receiving surface waters. Lake data is reported on the county ESD webpage.

Performance Standards Compliance

- Cass ESD & SWCD met 17 out of 21 Watershed Collaboration Performance Standards

The upcoming comprehensive local water plan revision will provide an opportunity for the county and SWCD to take their conservation work to another level and to facilitate even more collaboration, especially across jurisdictional boundaries.

Recommendations

Recommendation 1: Update information about lake water quality trends and use it in the next plan revision to set priorities.

Recommendation 2: Use the minor watershed scale for plan organization.

Recommendation 3: Seek funding for a shared position to promote county objectives for forest management.

Crow Wing River Watershed PRAP Summary of Performance Review

Crow Wing County Local Water Management and Crow Wing Soil and Water Conservation District

Key Conclusions and Recommendations

During the past several years these two Crow Wing County water and resource management agencies have developed a strong, cooperative working relationship. There is good communication at the staff level and a good understanding of their respective spheres of operation. Their list of plan accomplishments is impressive for a recently revised plan. And the plan itself is a model for local water management guidance in this part of the state, with its minor watershed approach and emphasis on resource outcomes.

The reported compliance with watershed-based collaboration standards is reasonably good and the areas where one entity is weaker is compensated for by the strengths of the other.



Resource Outcomes

The Crow Wing County local water management plan does contain objectives for resource outcomes and targeting for a variety of priority areas and resource issues. The plan and the County LSD website reports trends for water quality of priority lakes.

Performance Standards Compliance

- Crow Wing County met 13 out of 21 Watershed Collaboration Performance Standards
- Crow Wing SWCD met 13 out of 21 Watershed Collaboration Performance Standards

The recent acquisition of a DNR grant for private forest management is another notable accomplishment. The pursuit of similar grants for shared positions with other LGUs in the watershed will serve the interests of Crow Wing County as a downstream area dependent on upstream counties to implement strong conservation programs.

Recommendations

Recommendation 1: Continue to seek funding for shared positions with neighboring counties to promote county objectives for resource management.

Recommendation 2: Seek opportunities to participate in the development of the upstream counties' local water plans to ensure that Crow Wing County's objectives are addressed.

Crow Wing River Watershed PRAP Summary of Performance Review

Hubbard County Environmental Services and Hubbard SWCD

Key Conclusions and Recommendations

The Hubbard Environmental Services Department (ESD) and Soil and Water Conservation District (SWCD) operate within well-defined boundaries to accomplish local water and related resource management in Hubbard County. The County ESD has delegated many areas of environmental management to the SWCD and then operates to maintain its own regulatory program responsibilities.

The upcoming local water management plan revision will present several challenges for the on-going work of these agencies given the new information and context resulting from the MPCA's Crow Wing River WRAPS document and the DNR's Straight River Groundwater Management Area Plan. The Hubbard LGUs will have to determine the implications of these reports for local implementation within the limitations of local funding and staff capabilities.



Resource Outcomes

The Hubbard County local water management plan does not have objectives or targets for resource outcomes. However the plan does include objectives that call for monitoring of ground and surface water resources. Presumably, the results of this monitoring activity are available for review and analysis.

Performance Standards Compliance

- Hubbard ESD met 2 out of 21 Watershed Collaboration Performance Standards
- Hubbard SWCD met 17 out of 21 Watershed Collaboration Performance Standards

The reported accomplishments of objectives (action items) in the existing local water management plan are reasonably good given the amount of SWCD staff turnover within the timeframe of the plan. The arrangement whereby the SWCD handles the multijurisdictional coordination of the county's water management projects and programs appears to be working, as well.

Recommendations

Recommendation 1: Use the minor watershed scale for plan organization.

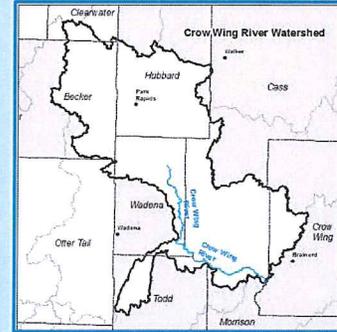
Recommendation 2: Seek funding for a shared position to promote county objectives for resource management.

Crow Wing River Watershed PRAP Summary of Performance Review

Wadena County Planning & Zoning Department and Wadena SWCD

Key Conclusions and Recommendations

The Wadena LGUs operate within well-defined boundaries to accomplish local water and related resource management. The SWCD has improved service delivery and funding support since the start of the shared services agreement with East Otter Tail SWCD. The county PZD provides good service in their areas of responsibility, including the sub-surface sewage treatment system and shoreland regulatory programs. The division of responsibilities for plan implementation between the county and SWCD appears to be working well. Both LGUs have reported good progress on action items in their local water management plan.



The biggest challenge for the delivery of local environmental and conservation services is the limited funding base in Wadena County to meet the needs. Consequently, in their upcoming plan revision the LGUs need to explore shared service delivery options that expand current limited staff capacity. The LGUs' compliance rating is lowest for performance standards regarding collaboration on program execution, confirming that more could be done in this area.

Resource Outcomes

The Wadena County local water management plan does not have objectives or targets for resource outcomes. Therefore, there are no resource outcomes to report. However, the SWCD does report well monitoring data on their website.

Performance Standards Compliance

- Wadena PZD and SWCD met 10 of 21 Watershed Collaboration Performance Standards

Recommendations

Recommendation 1: Use the minor watershed scale for plan organization

Recommendation 2: Seek funding for a shared position to promote county objectives for resource management.

Appendix I

Performance Standards Checklists used in Level II Reviews

COUNTY LOCAL WATER MANAGEMENT PERFORMANCE STANDARDS						
Performance Area	Performance Standard	Rating				
		Yes, No, or Value				
	<ul style="list-style-type: none"> ■ Basic practice or statutory requirement ★ High Performance (formerly called "benchmark") standard (see instructions at http://www.bwsr.state.mn.us/PRAP/index.html for explanation of standards) 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">YES</th> <th style="width: 50%; text-align: center;">NO</th> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> </table>	YES	NO		
YES	NO					
Admin	■ eLINK Grant Report(s): submitted on time	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>				
	■ Drainage authority buffer strip report submitted on time	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>				
■ NRBG Allocation and Contribution Report submitted & approved	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>					
★ Public drainage records: meet modernization guidelines	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>					
Planning	■ Local water mgmt plan: current, with 5-year update	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>				
	■ Metro counties: groundwater plan up-to-date	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>				
	■ Biennial Budget Request submitted on-time	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>				
■ LWM Plan organizes priority concerns, objectives and/or action items by major watershed	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>					
★ LWM Implementation Plan completed within 5 yrs of plan adoption	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>					
★ Water quality trend data used for short- and long-range plan priorities	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>					
Execution	■ Progress on plan priority concern #1	rating				
	■ Progress on plan priority concern #2	rating				
	■ Progress on plan priority concern #3	rating				
	■ Progress on plan priority concern #4	rating				
	■ Progress on plan priority concern #5	rating				
	★ State \$ leveraged at least 1.5 times in non-state \$	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>				
	★ Data collected to track outcomes for each priority concern	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>				
★ Water quality trends tracked for priority water bodies	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>					
Communication & Coordination	■ Grant report(s) posted on website	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>				
	■ Communication piece: sent within last 12 months	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>				
	★ Obtain stakeholder input: within last 5 yrs	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>				
	★ Partnerships: liaison with SWCDs/WDs and cooperative projects/tasks done	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>				
★ Annual report to water plan advisory committee on plan progress	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>					
★ Track progress for I & E objectives in Plan	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>					
★ County local water plan on county website	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>					
★ Water management ordinances on county website	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; height: 20px;"></td><td style="width: 50%; height: 20px;"></td></tr></table>					

SOIL AND WATER CONSERVATION DISTRICT PERFORMANCE STANDARDS

Performance Area	Performance Standard	Rating	
	<ul style="list-style-type: none"> ■ Basic practice or Statutory requirement ★ High Performance (formerly called "benchmark") standard (see instructions at http://www.bwsr.state.mn.us/PRAP/index.html for explanation of standards) 	Yes, No, or Value	
		YES	NO
Administration	■ Financial statement: annual, on-time and balances		
	■ Financial audit: completed within last 3 yrs or \$500K		
	■ eLINK Grant Report(s) submitted on-time		
	■ Data practices policy: exists and reviewed/updated within last 5 yrs		
	■ Personnel policy: exists and reviewed/updated within last 5 yrs		
	■ Technical approval authorities: reviewed and reported annually		
	★ Operational guidelines exist and current		
	★ Board training: orientation & cont. ed. plan and record for each board member		
★ Staff training: orientation and cont. ed. plan and record for each staff member			
Planning	■ Comprehensive Plan: updated within 5 yrs or current resolution adopting unexpired county LWM plan		
	■ Biennial Budget Request submitted on time		
	★ LWM or Comp Plan organizes priority concerns, objectives and/or action items by major watershed		
	★ Strategic plan sets priorities based on resource trend data and available capacity		
	★ Annual Plan of Work: based on comp plan, strategic priorities		
Execution	■ State cost share \$ spent in high priority problem areas	%	
	■ Total expenditures per year (over past 10 yrs)	see below	
	■ Months of operating funds in reserve		
	★ State \$ leverage at least 1.5 times in non-state \$		
	★ Certified wetland delineator: on staff or retainer		
	★ Outcome trends monitored and reported for key resources		
Communication & Coordination	■ Website contains all required content elements		
	★ Website contains additional content beyond minimum required		
	★ Track progress on I & E objectives in Plan		
	★ Obtain stakeholder input: within last 5 yrs		
	★ Annual report communicates progress on plan goals		
	★ Partnerships: cooperative projects/tasks with neighboring districts, counties, watershed districts, non-governmental organizations		
	★ Coordination with County Board by supervisors or staff		

GREATER MN WATERSHED DISTRICT PERFORMANCE STANDARDS				
Performance Area	Performance Standard		Rating	
	★ High Performance (formerly called "benchmark") standard ■ Basic practice or Statutory requirement (see instructions at http://www.bwsr.state.mn.us/PRAP/index.html for explanation of standards)		Yes, No, or Value	
			YES	NO
Administration	■ Annual report: submitted by mid-year			
	■ Financial audit: completed within last 12 months			
	■ Drainage authority buffer strip report submitted on time			
	■ eLink Grant Report(s): submitted on time			
	■ Rules: date of last revision or review		mo/yr	
	■ Personnel policy: exists and reviewed/updated within last 5 yrs			
	■ Data practices policy: exists and reviewed/updated within last 5 yrs			
	■ Manager appointments: current and reported			
	★ Administrator on staff			
	★ Board training: orientation & cont. ed. plan and record for each board member			
	★ Staff training: orientation & cont. ed. plan and record for each staff person			
	★ Operational guidelines exist and current			
	★ Public drainage records: meet modernization guidelines			
	Planning	■ Watershed management plan: up-to-date		
★ Biennial Budget Request submitted within last 24 months				
★ Strategic plan identifies short-term activities & budgets based on state and local watershed priorities				
★ Local water plans reviewed		number		
Execution	■ Engineer Reports: submitted for DNR & BWSR review			
	■ Total expenditures per year (past 10 yrs)		attach	
	★ Water quality trends tracked for priority water bodies			
	★ Watershed hydrologic trends monitored / reported			
Communication & Coordination	■ Website: contains annual report, financial statement, board members, contact info, grant report(s), watershed mgmt plan			
	■ Functioning advisory committee: recommendations on projects, reports, maintains 2-way communication with Board			
	■ Communication piece sent within last 12 months			
	★ Website: contains meeting notices, agendas & minutes; updated after each board mtg; additional content			
	★ Obtain stakeholder input: within last 5 yrs			
	★ Track progress for I & E objectives in Plan			
	★ Coord with County Board and City/Twp officials			
	★ Partnerships: cooperative projects/tasks with neighboring districts, counties, soil and water districts, non-governmental organizations			

METRO WATERSHED DISTRICT PERFORMANCE STANDARDS			
Performance Area	Performance Standard	Rating	
		YES	NO
Administration	★ High Performance (formerly called "benchmark") standard	Yes, No, or Value	
	■ Basic practice or statutory requirement (see instructions at http://www.bwsr.state.mn.us/PRAP/index.html for explanation of standards)		
	■ Activity report: annual, on-time		
	■ Financial report & audit completed on time		
	■ Drainage authority buffer strip report submitted on time		
	■ eLink Grant Report(s): submitted on time		
	■ Rules: date of last revision or review	mo/yr	
	■ Personnel policy: exists and reviewed/updated within last 5 yrs		
	■ Data practices policy: exists and reviewed/updated within last 5 yrs		
	■ Manager appointments: current and reported		
	■ Consultant RFP: within 2 yrs for professional services		
	★ Administrator on staff		
	★ Board training: orientation & cont. ed. plan and record for each board member		
	★ Staff training: orientation & cont. ed. plan and record for each staff person		
Planning	★ Operational guidelines exist and current		
	★ Public drainage records: meet modernization guidelines		
	■ Watershed management plan: up-to-date		
	■ City/twp. local water plans not yet approved	%	
	■ Capital Improvement Program: reviewed every 2 yrs		
Execution	★ Biennial Budget Request submitted within last 24 months		
	★ Strategic plan identifies short-term priorities		
	■ Engineer Reports: submitted for DNR & BWSR review		
	■ Total expenditures per year (past 10 yrs)	attach	
Communication & Coordination	★ Water quality trends tracked for priority water bodies		
	★ Watershed hydrologic trends monitored / reported		
	■ Website: contains annual report, financial statement, board members, contact info, grant report(s), watershed mgmt plan		
	■ Functioning advisory committee(s): recommendations on projects, reports, 2-way communication with Board		
	■ Communication piece: sent within last 12 months		
	★ Website: contains meeting notices, agendas & minutes; updated after each board mtg; additional content		
	★ Obtain stakeholder input: within last 5 yrs		
	★ Track progress for I & E objectives in Plan		
Communication & Coordination	★ Coordination with County Bd and City/Twp officials		
	★ Partnerships: cooperative projects/tasks with neighboring districts, counties, soil and water districts, non-governmental organizations		

WATERSHED MANAGEMENT ORGANIZATION PERFORMANCE STANDARDS

Performance Area	Performance Standard	Rating	
	<ul style="list-style-type: none"> ■ Basic practice or Statutory requirement ★ High performance (optional) standard (see instructions at http://www.bwsr.state.mn.us/PRAP/index.html for explanation of standards) 	Yes, No, or Value	
		YES	NO
Administration	■ Activity report: annual, on-time		
	■ Financial report & audit completed on time		
	■ eLink Grant Report(s): submitted on time		
	■ Consultant RFP: within 2 yrs for professional services		
	■ Personnel policy: exists and reviewed/updated within last 5 yrs		
	■ Data practices policy: exists and reviewed/updated within last 5 yrs		
	★ Board training: orientation and cont ed record for each board member		
	★ Staff training: orientation and cont ed record for each staff member		
Planning	★ Operational guidelines exist and current		
	■ Watershed Management Plan: up-to-date		
	■ Capital Improvement Program: reviewed every 2 years		
	■ City/twp. local water plans not yet approved		%
	★ Biennial Budget Request submitted within last 24 months		
Executio	★ Strategic plan identifies short-term activities & budgets based on state and local watershed priorities		
	■ Total expenditures per year (past 10 years)		attach
	★ Water quality trends tracked for priority water bodies		
Communication & Coordination	★ Watershed hydrologic trends monitored / reported		
	■ Website: contains annual report, financial statement, board members, contact info, grant report(s), watershed mgmt plan		
	■ Functioning advisory committee: recommendations on projects, reports; 2-way communication with Board		
	■ Communication piece: sent within last 12 months		
	★ Website: contains meeting notices, agendas & minutes; updated after each board mtg; additional content		
	★ Track progress for I & E objectives in Plan		
	★ Obtain stakeholder input: within last 5 yrs		
	★ Partnerships: cooperative projects/tasks done with neighboring districts and organizations, counties, cities, non-governmental organizations		
★ Coordination with County/City/Twp by WMO Board members or staff			

WATERSHED BASED PERFORMANCE STANDARDS				
	Performance Standard	Rating		
		YES	NO	Quantity or Type (see instructions)
	<i>Indicate your LGU's compliance with each standard. (see instructions at http://www.bwsr.state.mn.us/PRAP/index.html for explanation of standards)</i>			
Awareness & Communication	Send newsletters/reports to contributing LGUs			
	You know the priorities and problem areas of other contributing LGUs			
	Website contains links to federal/state agency watershed reports, TMDL implementation plans			
	Training for Board and staff in watershed problem areas and targets			(date of last)
	Invite contributing LGUs to special events/presentations/training			(no. in past 3 yrs.)
	Public education materials contain watershed focus			
Planning	Plan identifies/describes watershed area(s)			
	Contributing LGUs participate in your plan updates/revisions			
	Adopted/incorporated goals & objectives of other LGUs			(LGUs)
	Adopted a comprehensive watershed management plan	N/A		
	Formal regular joint strategic planning with contributing LGUs			(date of last)
Execution	Accessible menu of local water management skills/services is established and used			
	Party to a JPA for shared skills/services/equipment			
	Common fund for WS-wide projects/programs			(LGU & balance)
	Accounting system tracks \$ spent by priority area(s)			
	Partnerships: projects/programs with contributing LGUs that used cost sharing (\$ or in-kind)			(# of projects)
Outcomes & Accountability	Intensive watershed monitoring and assessment report completed			(year)
	Obtained stakeholder input at appropriate scale & within last 5 yrs			(date of last)
	Water quality trends monitored / widely reported			(date of last rep.)
	Watershed hydrologic trends monitored / widely reported			(date of last rep.)
	Contributing LGUs agree on conclusions about resource conditions and trends based on monitoring data			
	Contributing LGUs have developed and agree on targets for watershed resources			

Note: Watershed Performance standards are used in place of LGU-specific performance standards during Watershed-based Level II reviews.

Appendix J

2015 Local Government Performance Awards and Recognition

(Awarding agency listed in parentheses.)

Outstanding SWCD Employee

(Board of Water and Soil Resources)

Brad Mergens, West Otter Tail SWCD and Darren Newville, East Otter Tail SWCD

Outstanding SWCD Supervisor Award

(Minnesota Association of Soil and Water Conservation Districts)

Dr. Kathryn Kelly, Renville SWCD

SWCD of the Year

(Minnesota Association of Soil and Water Conservation Districts)

West Ottertail SWCD

SWCD Appreciation Award

(Department of Natural Resources)

Wilkin SWCD

Outstanding Watershed District Employee

(Board of Water and Soil Resources)

Dan Wilkens, Sand Hill Watershed District

Watershed District of the Year

(Department of Natural Resources)

Buffalo-Red River Watershed District

WD Program of the Year

(Minnesota Association of Watershed Districts)

Riley-Purgatory Creek Watershed District

WD Project of the Year

(Minnesota Association of Watershed Districts)

Buffalo-Red River Watershed District - Manston Slough Project

County Conservation Award

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

Lake of the Woods County

COMMITTEE RECOMMENDATIONS

Grants Program & Policy Committee

1. St. Louis County FY2014 NRBG Amendment – Dave Weirens – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: St. Louis County FY2014 NRBG Amendment

Meeting Date: January 27, 2016

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Region/Wetland Section

Contact: Dave Weirens/Ken Powell

Prepared by: Dave Weirens

Reviewed by: Grants Program and Policy Committee(s)

Presented by: Dave Weirens

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

The Board is requested to approve the resolution that authorizes amending the FY2014 St. Louis County NRBG by adding up to \$300,000 to reimburse St. Louis County for a portion of its costs related to the approval of the Lake Superior Wetland Bank. The Grants Program and Policy Committee will be reviewing this proposed NRBG amendment on January 26, 2016.

LINKS TO ADDITIONAL INFORMATION

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

The proposal to reimburse St. Louis County for a portion of its costs to approve the Lake Superior Wetland bank arose during the 2015 Legislative session. The County raised concerns regarding the scale of the project and the decision-making authority transferred from the DNR to St. Louis County; which resulted in costs to the County significantly higher than any prior wetland bank. A method to address these concerns that was initially proposed was to provide a portion of wetland bank fee revenue to the counties that host wetland banks. These funds provide significant financial support to BWSR's wetland banking activities, any reduction would have a significant negative impact on this critical WCA program. An alternative that was accepted by the County and legislators was to grant BWSR authority to make one-time payments for unique circumstances, such as the one presented here, along with the repeal of an ongoing BWSR General Fund repayment that had been in place since 2008. The issues of scale and decision authority along with the restoration methods, extensive ditch abandonment and public outreach are rationale for this amendment



Memo to File

Date: January 15, 2016

Prepared By: Ken Powell, BWSR Wetland Banking Coordinator

Re: Lake Superior Wetland Bank Amendment to the FY 2014 Saint Louis County Natural Resources Block Grant

Beginning in 2012, negotiations and preliminary discussions were initiated by various parties (Ecosystem Investment Partners, Minnesota DNR, The Conservation Fund, Saint Louis County, BWSR, U.S. Army Corps of Engineers) for restoration of a large wetland area in southern Saint Louis County referred to as the Sax Zim bog. This complex negotiation ultimately resulted in an approximately 23,500-acre wetland area being transferred to private ownership for the purpose of restoring the wetland to generate compensatory wetland mitigation credits in the State wetland banking system. This single wetland bank is as large as the total area of the over 350 individual wetland banks throughout the state. In May 2015 during the final application phases of this project and the concurrent legislative session at the Capital, BWSR and Senator Tomassoni reached agreement on a process to compensate Saint Louis County for its otherwise unreimbursed costs in fulfilling its responsibilities relating to the review and approval of this project (see attached letter). This grant amendment is the mechanism proposed to reimburse the County. Justification for this amendment is as follows:

- **Size** - The wetland bank is almost 800 times larger than the average wetland bank in Minnesota and over 10 times larger than the largest bank to date. Monitoring site conditions, verifying restoration actions and assuring that management activities are followed according to the plan far exceed that of a typical wetland bank.
- **Restoration Methods** - The project involves new and untested restoration strategies to restore a large peatland. As such, the level of technical review and scrutiny required is well above normal. Many extra site visits are required to effectively monitor restoration success associated with application of these new techniques and strategies.
- **Ditch Abandonment** - Completion of this project required the abandonment of approximately 69 miles of public ditches, representing nearly 95% of the entire public ditch systems in that area. The scale of this type of abandonment requires a significant amount of engineering review by the County to ensure that benefitted properties were adequately protected.
- **Public Outreach** - The size and scale of this project necessitated public meetings to inform area residents, which is above and beyond what is typical for wetland banks.
- **Decision Authority** - Because of the complex ownership arrangements during the development of this wetland bank plan, both the State (DNR) and the County were tasked with reviewing and approving the plan. To consolidate the decision authority into one entity, the County assumed the decision authority from the State via mutual agreement. This placed a larger burden on the County without any associated compensation.

Attachment

Board Resolution # _____

Amendment to the FY2014 St. Louis County Natural Resources Block Grant

WHEREAS, the Board of Water and Soil Resources authorized the FY2014 Natural Resources Block Grant (NRBG) on June 26, 2013 via Board Resolution 13-49; and

WHEREAS, the FY2014 St. Louis County NRBG was executed on December 9, 2013; and

WHEREAS, St. Louis County is the Wetland Conservation Act (WCA) Local Government Unit for the Lake Superior Wetland Bank; and

WHEREAS, the Lake Superior Wetland Bank is an extremely large wetland bank located in St. Louis County and due to its size (23,500 acres) required the use of unique restoration techniques to establish the bank and special measures for how credits will be determined; and

WHEREAS, this wetland bank will provide long-term benefit to northeast Minnesota by providing wetland credits for wetland bank service areas 1 and 2; and

WHEREAS, Laws of Minnesota 2015, 1st Special Session, Chapter 4, Article 3, Section 10 authorize the Board to make grants to local governments as authorized in Minnesota Statutes, section 103B.3369 including onetime costs for implementation of natural resources block grant funded programs, the Wetland Conservation Act, wetland banking, shoreland management, and local water management program; and

WHEREAS, St. Louis County is eligible and expected to request reimbursement for its costs, estimated at up to \$300,000, for its responsibilities to oversee and approve the Lake Superior Wetland Bank; and

WHEREAS, the BWSR Grants Program and Policy Committee reviewed the proposed amendment to the FY2014 NRBG grant to St. Louis County for costs associated with oversight and approval of the Lake Superior Wetland Bank on January 26, 2016.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to amend the FY2014 St. Louis County NRBG to add up to \$300,000 to reimburse St. Louis County for a portion of its costs associated with oversight and approval of the Lake Superior Wetland Bank.

By: _____

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources



FY '16 STATE OF MINNESOTA
BOARD OF WATER and SOIL RESOURCES
FY 2014 & 2015 NATURAL RESOURCES BLOCK GRANT AGREEMENT
LAKE SUPERIOR WETLAND BANK AMENDMENT

Grant Agreement Start Date	December 9, 2013	Total Grant Amount	\$461,587
Original Grant Agreement Expiration Date	December 31, 2016	Original Grant Amount	\$161,587
Current Grant Agreement Expiration Date	December 31, 2016	Previous Amendment(s) Total	\$0
Requested Grant Agreement Expiration Date	December 31, 2017	This Amendment	\$300,000

Recitals

1. The Board has a Grant Agreement with the Grantee identified as the FY 2014 & 2015 Natural Resources Block (NRBG) Grant PO# 3000004009, to implement state natural resource programs.
2. The Grantee requests additional funds to cover costs of St. Louis County for activities associated with the Lake Superior Wetland Bank.
3. The Grantee will implement the provisions of MN Rule Chapter 8420 regarding the approval of a wetland bank plan and associated wetland bank credits.
4. The Board will extend the 2014 NRBG grant agreement due to the additional effort/tasks required.
5. Board Resolution #XX-X authorizes this Amendment.
6. The Board and the Grantee are willing to amend the original grant agreement as stated below.

Grant Agreement Amendment

REVISION 1. "Total Grant Awarded": ~~\$161,587~~ \$461,587

REVISION 2. **1 Term of Grant Agreement**

1.3 "**Expiration date:**" is amended as follows:
~~December 31, 2016,~~ December 31, 2017, or until all obligations have been satisfactorily fulfilled whichever comes first.

REVISION 3. **4 "Terms of Payment"** is amended as follows for the additional grant amount:

4.1 Payment of the FY 2014 grant amount will be made in one installment promptly after execution of the grant agreement. St. Louis County will submit an invoice following execution of the amendment, and after July 1, 2016, and July 1, 2017. Eligible expenses under the amendment include staff salary, benefits, and a 10 percent indirect cost allocation. The Board will pay invoices within 30 days of receipt.

Except as amended herein, the terms and conditions of the Original Grant Agreement remain in full force and effect.

St. Louis County

Board Of Water and Soil Resources

By : _____

By : _____

Title : _____

Title : _____

Date : _____

Date : _____

COMMITTEE RECOMMENDATIONS

Water Management & Strategic Planning Committee

1. One Watershed, One Plan Request for Public Comment Period – Melissa Lewis – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: One Watershed, One Plan Public Comment Period

Meeting Date: _____

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: statewide

Contact: Melissa Lewis

Prepared by: Melissa Lewis

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

Presented by: Melissa Lewis

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: Open public comment period
- General Fund Budget
- Capital Budget
- Outdoor Heritage Fund Budget
- Clean Water Fund Budget

ACTION REQUESTED

Authorization of public comment periods for the One Watershed, One Plan Operating Procedures, Plan Content Requirements, and Transition Plan.

LINKS TO ADDITIONAL INFORMATION

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

One Watershed, One Plan was adopted by the board as a pilot program in June 2014 through the authorization of five pilot areas and adoption of Operating Procedures for Pilots. Plan Content Requirements for Pilots were adopted by the board in September 2014. The pilot areas have been developing watershed management plans over the past year and a half and through their efforts testing the program requirements in these documents. The Water Management and Strategic Planning Committee (Committee) has reviewed the edits to these documents based on the pilot experiences and the new Comprehensive Watershed Management Program statute (Minnesota Statutes §103B.801). The Committee recommends a public comment period (Jan 28 – Feb 28). The Committee will review comments received and anticipates a final recommendation to the Board for adoption of a full One Watershed, One Plan Program in April 2016.

In addition, M.S. §103B.801, Subd. 5(a) requires the board to develop and adopt, by June 30, 2016, a

Transition Plan for development, approval, adoption, and coordination of comprehensive watershed management plans, with a goal of completing statewide transition by 2025. The Plan has been initially drafted; however, a final draft will not be ready until March. In order to meet the deadline for adoption and allow time for public comment, the Committee recommends approving a public comment period now of approximately late March through early May that would be initiated after the Committee reviews the final draft. Additionally, an overview of the Transition Plan may be provided at the March Board meeting. After the comment period, the Committee will review comments received and anticipates a final recommendation to the Board for adoption of the Transition Plan.



Board Resolution # 16-

COMPREHENSIVE WATERSHED MANAGEMENT PLANNING PROGRAM

WHEREAS, Minnesota Statutes §103B.801 establishes the Comprehensive Watershed Management Planning Program which is also known as One Watershed, One Plan; and

WHEREAS, Minnesota Statutes §103B.801, Subd. 3 provides that the board shall develop policies for coordination and development of comprehensive watershed management plans; and

WHEREAS, Minnesota Statutes §103B.801, Subd. 4 provides that the board shall develop policies for required comprehensive watershed management plan content consistent with comprehensive local water management planning; and

WHEREAS, Minnesota Statutes §103B.801, Subd. 5(a) provides that the board shall develop and adopt, by June 30, 2016, a transition plan for development, approval, adoption, and coordination of plans consistent with section 103A.212; and

WHEREAS, on December 15, 2015 the Water Management and Strategic Planning Committee recommended the board proceed with announcing public review and comment periods for the One Watershed, One Plan Operating Procedures and Plan Content documents from January 28, 2016 through March 4, 2016 and for One Watershed, One Plan Transition Plan to be initiated after final review of the Plan at the March 26, 2016 Committee meeting.

NOW THEREFORE BE IT RESOLVED, the Board hereby:

- 1) Authorizes staff to initiate review periods for the purpose of seeking comment prior to formal adoption by the Board of the One Watershed, One Plan:
 - a. Operating Procedures;
 - b. Plan Content Requirements; and
 - c. Transition Plan

Brian Napstad, Chair
Board of Water and Soil Resources

Date: _____

Attachments:

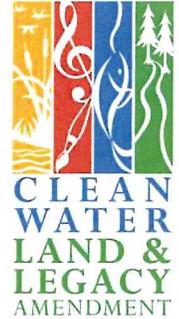
One Watershed, One Plan – Operating Procedures, January 27, 2016
One Watershed, One Plan – Plan Content Requirements, January 27, 2016



One Watershed, One Plan

Operating Procedures

January 26, 2015



Purpose: This document outlines processes for initiating a planning effort through the One Watershed, One Plan program as per Minnesota Statutes §103B.101 Subd. 14 and §103B.801.

This policy was adopted by the BWSR Board through resolution on _____.

Introduction

The State of Minnesota has a long history of water management by local government. One Watershed, One Plan is rooted in this history and in work initiated in 2011 by the Local Government Water Roundtable (Association of Minnesota Counties, Minnesota Association of Watershed Districts, and Minnesota Association of Soil and Water Conservation Districts). Roundtable members determined that it is in the public interest to manage groundwater and surface water resources from the perspective of watersheds to achieve protection, preservation, enhancement, and restoration of the state's valuable water resources. Supporting this determination, the Roundtable recommended that the local governments charged with water management should organize and develop focused implementation plans on a watershed scale.

The recommendation was followed in 2012 by the One Watershed, One Plan legislation ([Minnesota Statutes §103B.101 Subd. 14](#)) that permits the Minnesota Board of Water and Soil Resources (BWSR) to adopt methods to allow comprehensive plans, local water management plans, or watershed management plans to serve as substitutes for one another, or to be replaced with one comprehensive watershed management plan. The legislation also requires BWSR to establish a suggested watershed boundary framework for these plans. Additional legislation was passed in 2015 ([Minnesota Statutes §103B.801](#)) that outlines the purpose of and requirements for comprehensive watershed management plans.

One Watershed, One Plan is the next logical step in the evolution of water planning in Minnesota. The One Watershed, One Plan vision is to align local planning and implementation with state strategies over a ten year transition period into plans built largely around the state's major watersheds. The operating procedures in this document outline processes to achieve this vision.

Additional information about One Watershed, One Plan can be found on the BWSR website:
<http://www.bwsr.state.mn.us/planning/1W1P/index.html>.

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NOTE: Plan Content requirements provided in separate document.

I. Overview

Participation in One Watershed, One Plan is voluntary. Initiation and scheduling development of plans within the framework should be coordinated to the extent possible with existing plan update and amendment schedules and development or completion of Watershed Restoration and Protection Strategies (WRAPS). The timing and order of the steps below are for the most part suggested and some may be iterative. BWSR staff are available to assist at all steps and may be able to bring additional facilitation resources to the process if requested.

- Step 1.** Review the Suggested Boundary Map (see [II. Boundary Framework](#)) and gather potential local government participants based on the watershed selected.
- Step 2.** Initiate discussion(s) with potential participants and BWSR. This step may include multiple and variable sub-steps such as a number of formal and informal meetings and discussions between participants. The sub-steps will vary by the local governments involved, their history of partnership and/or collaboration, and other potential factors.
 - a. Informally notify BWSR staff of intent to explore developing a plan through the One Watershed, One Plan process.
 - b. Convene potential local government participants to consider the following items. Assistance with preparation and neutral facilitation of meeting(s) may be available.
 - i. Select a lead, shared lead, and/or a procedure for convening participants through this step.
 - ii. Confirm intended planning boundary with participants and BWSR staff. Invite additional local government participants if necessary (see [II. Boundary Framework](#) and [IV. Participation Requirements](#)).
 - iii. Discuss the requirement for formal agreement between partners (see [IV. Participation Requirements](#) and [V. Formal Agreement](#)).
 - iv. Consider requesting resolutions from the boards of the participating local governments as a means of confirming support.
- Step 3.** Finalize discussion(s) with potential participants and BWSR by:
 - a. Formally notifying BWSR of intent to initiate planning. Formal notification can be made electronically and must include confirmation of the:
 - i. Local government participants or partners (see [IV. Participation Requirements](#));
 - ii. Planning boundary with proposed changes as applicable (see [II. Boundary Framework](#)); and
 - iii. May include requested plan extensions and waivers for participants' existing plans as applicable. BWSR's policy for Plan Extensions can be found at www.bwsr.state.mn.us/planning/index.html.
 - b. Finalizing formal agreement(s) between local government participants (see [V. Formal Agreement](#)). Formal agreements must be finished prior to formal initiation of planning.
 - c. Consider applying for a BWSR Plan Development grant as available. If receiving a Plan Development grant, the formal agreement will need to be in place before the grant will be executed.
- Step 4.** Formally initiate planning (see [VI. Plan Development Procedures](#)). A thorough stakeholder process is required and should not be any less than procedures of water plans being substituted for or replaced.
 - a. Identify stakeholders, notify state agencies, and establish committees
 - b. Gather preliminary issues and priorities through review of existing plans and information and response from stakeholders and agencies.
 - c. Hold initial planning meeting (often called a 'kickoff meeting') to review and discuss the information gathered and input received.

- Step 5.** Draft plan (see [VI. Plan Development Procedures](#)). Specific requirements for plan content can be found in the *One Watershed, One Plan – Plan Content for Comprehensive Watershed Management Plans* (Plan Content) document. Steps may be iterative and will include input from stakeholders.
- Review and aggregate information from existing plans, land and water resource inventories, and WRAPS. Use the process to identify commonalities and gaps.
 - Review state goals and strategies for water and related land use. Use the process to determine identify where local priorities can contribute attaining state goals.
 - Consider the aggregated information in setting priorities and targets.
 - Develop implementation plan and schedule. Assess if implementation actions are capable of producing measurable results.
 - Finalize draft plan. Consider informal review by stakeholders if time allows and/or unresolved issues exist.
- Step 6.** Submit draft plan for formal review and hold public hearing.
- After the plan has been drafted, submit the plan to plan review authorities (see [VI. Plan Development Procedures](#)).
 - Schedule and hold a public hearing on the draft plan after the 60-day review period of the draft plan. A summary of comments received in the review period and the responses to those comments should be made available to all stakeholders and commenters prior to the hearing.
- Step 7.** Approval by BWSR
- Submit the final plan to the plan review agencies (see [VI. Plan Development Procedures](#)).
 - The BWSR Board will review the plan for conformance with the plan content requirements found in the *Plan Content* document.
 - Appeals and dispute of plan decision follow existing authorities and procedures of BWSR Board.
- Step 8.** Adopt the plan. Local adoption is required within 120 days of BWSR Board approval. Procedures for local adoption will vary by plan type and the formal agreement between the local governments. See also [VI. Plan Development Procedures](#) for more information.
- Step 9.** Implement, evaluate, and revise the plan. Additional information on plan content and evaluation requirements can be found in the *Plan Content* document.
- Local development and use of an annual and/or biennial work plan and report between partners is recommended for accountability, e.g. holding an annual meeting in the watershed to discuss the previous year's accomplishments and confirm direction for the next year. Additional annual/biennial reporting requirements can be found on the BWSR website.
 - Five year evaluation of performance is required and updating (amendment) of implementation plan and schedule as needed.
 - Revisions required every 10 years. Depth of revision dependent on evidence that implementation is occurring. BWSR can issue 'findings' when a plan is good enough that complete revision is not required.

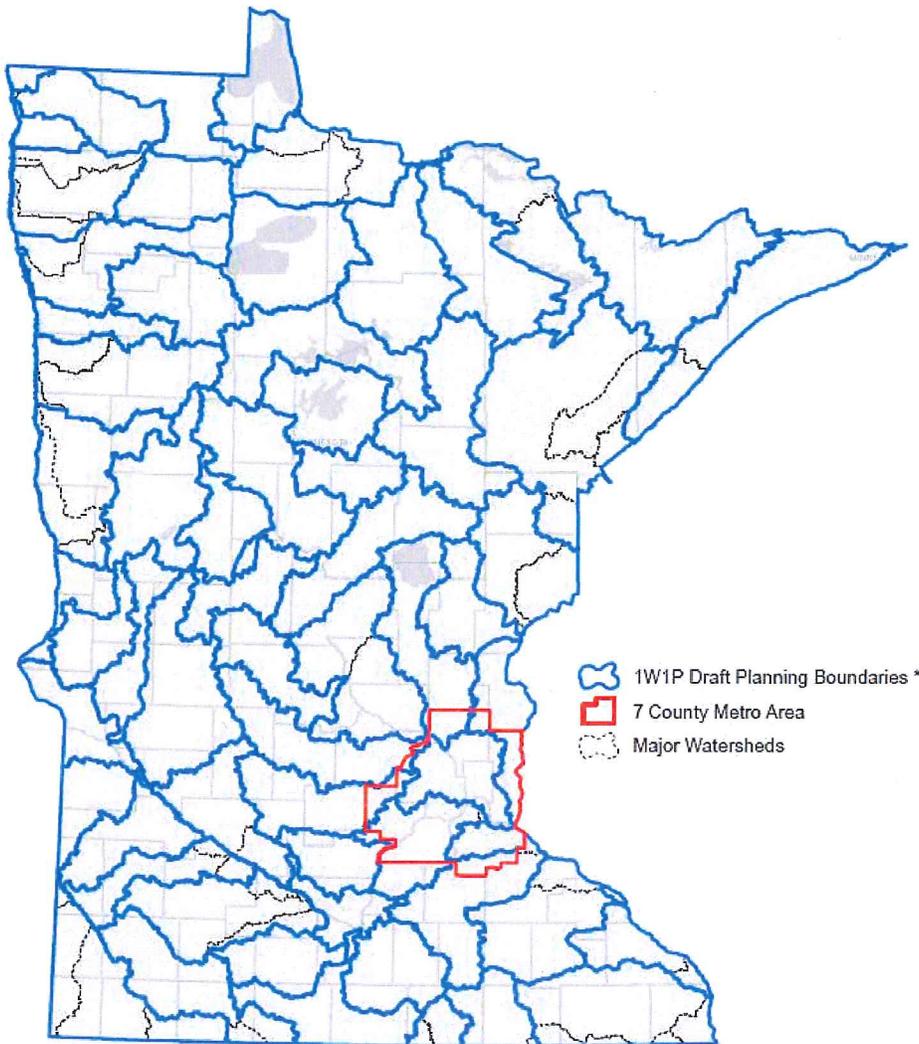
II. Boundary Framework

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

1. Suggested Map

Local governments partnering to develop a One Watershed, One Plan, must begin with the planning boundaries identified in the Suggested Boundary Map adopted by the BWSR Board on April 23, 2014 (see figure 1). This map was developed by through a formal comment period held January 1 through February 28, 2014. Boundaries within this map are recommended but not mandated; procedures for establishing and deviating from the boundaries can be found within the Boundary Procedures of this section. Alternative formats of the map are available on the BWSR website: <http://www.bwsr.state.mn.us/planning/1W1P/index.html>.

Figure 1: Suggested Boundary Map



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

2. Boundary Establishment and Adjustment Procedures

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

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

3. Boundary Criteria

The following criteria, based on the criteria used for establishing the Suggested Boundary Map, are recommended for use in justifying adjustment to planning boundaries.

- A. **The adjustment will not leave small, orphaned watershed areas between planning boundaries.**
- B. **Smaller than the suggested planning boundary:**
 - Smaller area does not conflict with the purposes/intent of 1W1P.
 - Significant dissimilarities or complexities in resource issues and solutions within suggested planning boundary justify the smaller area.

- Suggested planning boundary crosses a major river, e.g. on both sides of the Mississippi River.
 - Existing watershed district in the area.
 - Suggested planning boundary crosses Metro Water Planning area
 - Boundary for the smaller area closely follows a minor watershed, e.g. a 10 or 12 digit hydrologic unit code or watersheds defined by drainage systems managed pursuant to Minnesota Statutes §103E.
- C. Larger than a suggested planning boundary, e.g. one boundary plus additional minor or major watershed(s)**
- Inclusion of a partial watershed on a state line.
 - Confluence of major basins.
 - Efficiencies due to similarity of issues and solutions.
 - Existing watershed district that includes larger area.
 - Major watersheds/8-digit hydrologic unit codes already lumped for PCA 10-year watershed approach/WRAPS.
 - Boundary for the larger area closely follows a minor watershed, e.g. a 10 or 12 digit hydrologic unit code.
- D. When a suggested planning boundary crosses into the seven-county metro:**
- The area within the seven-county metro may or may not be considered for inclusion in the boundary. If included, the area within the seven-county metro is not excluded from Metro Surface Water Management Act.

III. Participation Requirements

Two Guiding Principles of One Watershed, One Plan include: “*One Watershed, One Plan must involve a broad range of stakeholders to ensure an integrated approach to watershed management,*” and, “*One Watershed, One Plan implementation will be accomplished through formal agreements among participating local governments on how to manage and operate the watershed.*” When the One Watershed, One Plan planning process is initiated within a watershed area, all potentially affected local units of government within the given planning boundary should be invited to participate. This section outlines participation requirements for local units of government in order to meet these guiding principles while still providing realistic and pragmatic balance for required participation.

In order to balance the need to maximize participation of all affected water planning authorities in watershed-based planning with the reality of the constraints on that participation (particularly in the transition period to One Watershed, One Plan) this section outlines flexibility in participation requirements. For the purposes of this section, levels of participation are defined as:

Required Participant: the local government unit must formally agree to a role in plan development and subsequent implementation. “Formally agree” means an in-writing consent to participate (see [V. Formal Agreement](#)).

Optional Participant: the local government unit is encouraged to be directly involved in the planning process, but is not required to formally agree. All municipalities (cities and townships) are optional participants.

Table 2: Participation Requirements by Local Government

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

*Metro means seven-county metropolitan area.

All local governments with land area within the watershed are given the opportunity to participate in the One Watershed, One Plan and implementation. However, small areas may or may not be critical or practical in management of the watershed to achieve the goals of the plan. If only a small portion of the local government unit is within the watershed planning boundary, the criteria listed in A and B below can be used to determine when participation is required. C and D below outline options for involvement when participation is optional.

- A. If less than 5% of the jurisdictional land area of the local government is within a One Watershed, One Plan planning boundary, participation is optional.
- B. If 5% or greater and less than 10% of the jurisdictional land area of the local government is within the One Watershed, One Plan planning boundary, participation is optional unless:

- i. The area is identified as a priority area as per the Watershed Restoration and Protection Strategies (WRAPS) document, a completed TMDL, a local diagnostic study, and/or other studies or plans. If the WRAPS is not completed additional factors or criteria such as the anticipated impact to the planning process, or perceived challenges with implementation of the resulting plan if certain critical stakeholders are unwilling to participate may also be considered.
 - ii. The area contains or is in close proximity to the watershed outlet or a priority resource(s) as per the Watershed Restoration and Protection Strategies (WRAPS) document, a completed TMDL, a local diagnostic study, and/or other studies or plans such that lack of participation will be detrimental to implementation of the plan.
- C. Required participants are encouraged to:
- i. Keep all local governments within the watershed informed in plan development and encourage participation as practical;
 - ii. Overtly identify a process in the watershed plan for involving optional participants in implementation when applicable; and
 - iii. Consider incorporating streamlined procedures for including optional participants in formal agreements in the future.
- D. Optional participants for those areas that meet A or B above are encouraged to:
- i. Keep themselves informed of plan development as practical;
 - ii. For areas where the local government is not a required participant (e.g. not part of a formal agreement to plan where A or B above applies), the local government is encouraged to adopt the plan for these areas once approved by BWSR, and to consider becoming part of future agreement(s) to implement the plan in these areas if applicable.

1. Participation Requirements Procedure

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

Lack of willingness or interest of one local government unit should not be used as an initial basis for denying participation of the majority in One Watershed, One Plan. Additional factors or criteria may be considered, including the anticipated impact to the planning process or perceived challenges with implementation of the resulting plan if certain critical stakeholders are unwilling to participate. At the request of the majority of participants, BWSR may conduct an assessment of the potential impact of the nonparticipation and make a determination as to if the remaining participants should be able to proceed. This assessment and the final recommendation will be reviewed by the executive director and brought before the BWSR Board if resolution cannot be found. In some situations, a watershed planning group may not be able to proceed until One Watershed, One Plan participation requirements are met.

2. Participation Requirements and Plan Adoption

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

In the case that a required participant decides not to formally adopt the plan after it has been approved by BWSR, the remaining local governments will need to reassess whether or not the plan can be successfully implemented without

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

See also [VI. Plan Development Procedures](#) for more detailed and specific plan adoption information.

DRAFT

IV. Formal Agreement

A Guiding Principle of One Watershed, One Plan is that *“One Watershed, One Plan implementation will be accomplished through formal agreements among participating local governments on how to manage and operate the watershed.”* The purpose of this principle is to provide assurances that decision making spanning political boundaries is supported by an in-writing commitment from participants. This section outlines options for this commitment through formal agreement.

Formal Agreement in the context of One Watershed, One Plan refers to the participating partners and processes these partners will use to write and implement a watershed-based plan, and is not intended to address or mandate consolidation or change existing authorities of local governments. The details of formal agreements between participating organizations establishing the process for governance will vary by the goals of the participants; with recommended overarching goals of maximizing efficiency, minimizing redundancy, preventing duplication of efforts, and clearly outlining the intent and responsibilities of the participants.

Step 1. Planning Phase. Review existing formal agreements between participants as applicable; existing Joint Powers Agreements encompassing suggested planning boundaries in some areas of the state may currently meet the requirements for planning through One Watershed, One Plan. Existing agreements must include the following:

- a. Purpose that includes participation in planning;
- b. Inclusion of all required participants (see [IV. Participation Requirements](#); agreement may include more than the required participants, e.g. a regional agreement that encompasses multiple One Watershed, One Plan planning boundaries);
- c. Operating procedures and/or bylaws outlining, at a minimum, the means and method for decision making, including plan submittal (see [VI Plan Development, 3. Formal Review and Public Hearing](#)), and potentially procedures for stakeholder processes, committees, etc.;
- d. Identification of a fiscal agent and/or requirement for an audit meeting the provisions of Minnesota Statutes §6.756 if the agreement creates an entity or organization that will be receiving funds directly; and
- e. Formal agreements for the purposes of planning should be in place prior to initiating plan development.

Step 2. Planning Phase. If a formal agreement does not exist between required participants or existing agreement(s) do not meet the requirements outlined in Step 1, participants will need to establish a new or modify an existing formal agreement for the purposes of completing the plan. A Memorandum of Agreement, with the items outlined in Step 1 above, is acceptable for purposes of plan development.

Step 3. Implementation Phase. Participants should be prepared to revisit the agreement near the end of the planning process. Through plan development, opportunities for increased collaboration between participants or elements essential to achieving goals for the watershed may be identified such that further modification of existing—or establishment of a new type of formal agreement—becomes necessary. Assistance from the Minnesota Counties Insurance Trust and/or the legal counsel of the participating organizations may be required. See [VI. Plan Development Procedures](#).

1. Agreement Formats and Recommended Use

The information in Table 3 should not be considered legal advice; assistance from the legal counsel of the participating organizations is recommended.

Table 3: Formal Agreement Types and Recommended Uses

Type of Agreement	General Description	Recommended use in relation to <i>One Watershed, One Plan</i>
Memorandum of Agreement (MOA)	<ul style="list-style-type: none"> • Minimum requirement of plan development through One Watershed, One Plan. • Method of formally recognizing a partnership(s). • Specifies mutually-accepted expectations and guidelines between parties. • Generally not considered legally binding; the significance of an MOA is typically in the visibility. 	<ul style="list-style-type: none"> • Recommended to signal intent of participants & outline the decision-making process during plan development. • Cannot be used if the intent is to directly receive state funds as an organization. • Likely not sufficient for collaborative grant applications and sharing of services (JPA recommended for these). • Can be sufficient if the final plan will be adopted individually by each participant, e.g. each participant adopts the completed plan as the organization’s own plan.
Joint Powers Agreement (JPA)	<ul style="list-style-type: none"> • Agreement to jointly deliver a service or product, or manage or own property. • Legally binding. • Must meet requirements of Minnesota Statute § 471.59. 	<ul style="list-style-type: none"> • Recommended if the intent is for the resulting organization to apply for and receive state funds directly for planning and implementation. • Recommended if future sharing of services is anticipated.
Joint Powers Entity (JPE)	<ul style="list-style-type: none"> • Type of JPA that specifically establishes a new entity or board that operates autonomously from the members. Risk is transferred to this entity. • Legally binding. • JPA of 7-county Metro Watershed Management Organizations must establish JPE and include provisions required by MN Statutes §103B.211 and MN Rule, Chapter 8410.0030. 	<ul style="list-style-type: none"> • Necessary/required/recommended if the final plan will be adopted collectively, e.g. one plan is “held” through the JPA/by the JPE and the participants adopt one plan by reference. • JPA or JPE depends on the purpose and intent of the agreement and amount of risk and liability acceptable to the participants; consult legal counsel.

2. Formal Agreement Templates and Example Bylaws

Templates for Formal Agreements and example Bylaws will be found on the BWSR website at:

<http://www.bwsr.state.mn.us/planning/1W1P/index.html>.

V. Plan Development Procedures

Once formal agreements are in place, plan development may begin. The vision of the Local Government Water Roundtable for plan development is a future of limited updates to watershed-based plans. The vision consists of a streamlined process to incorporate or reference collected data, trend analysis, changes in land use, and prioritization of resource concerns into the watershed-based plan; and an emphasis on watershed management and implementation through shorter-term work plans and budgeting. This vision includes acknowledging and building off of existing plans and data (including local and state plans and data), as well as existing local government services and capacity.

This vision and the consideration that development of a plan through One Watershed, One Plan should not be any less than the implementation requirements of plans that are being substituted for or replaced is reflected in these procedures. Specific content requirements can be found in the *Plan Content document*.

1. Committees, Notifications and Initial Planning Meeting

One of the Guiding Principles of One Watershed, One Plan is that the process “*must involve a broad range of stakeholders to ensure an integrated approach to watershed management.*” The first actions in achieving this principle are to establish committee(s) and notify stakeholders. The following steps assume the formal agreement and/or bylaws establishing the planning partnership, and outlining the process and procedures for committee involvement and decision-making are in place. If this process has not been established, additional actions to do so should be included.

Step 1. Establish committees and workgroups. The following committees and workgroups are all critical to successful development and implementation of the plan.

- a. Planning Workgroup – This workgroup is **not a requirement** of the plan development process; however, a smaller workgroup of local staff, typically the local water planners and lead staff from participating local governments, BWSR Board Conservationist, and possibly consultant(s) is strongly recommended for the purposes of **logistical (not policy)** and process decision-making in the plan development process and in formulating recommendations for consideration by the Advisory Committee.
- b. Policy Committee – This is a required committee of local plan authorities for the purposes of **making final decisions** about the content of the plan and its submittal and regarding expenditure of funds allocated for plan development. The committee membership and the committee’s decision-making process must clearly be a part of the formal agreement for planning and associated bylaws (see [V. Formal Agreement](#)). This committee may or may not continue after plan adoption.
- c. Advisory Committee(s) – An advisory committee is required to meet public and stakeholder participation goals and requirements identified in rule and statute for existing local water plans. The purpose of an advisory committee is to **make recommendations** on the plan contents and plan implementation to the Policy Committee. Full establishment of the Advisory Committee may not be finalized until after Steps 2 and 4 (below).
 - i. Depending on size and scope, more than one advisory committee may be necessary. Consider multiple advisory committees when the watershed is large enough to justify regional committees, and/or specialized enough to split into specialty areas such as separate citizen and technical advisory subcommittees.
 - ii. Advisory committee members should include members of the planning workgroup, drainage authority representatives, county highway and planning and zoning staff, and potentially other stakeholders as noted in Step 2 below.
 - iii. Advisory committee membership must include state agency representatives. The state’s main water agencies, or plan review agencies, are committed to bringing state resources to the planning process. Each agency will designate a lead contact for their agency to participate on

the advisory committee; however, specific participation may vary depending on local needs. Consideration should also be given to including federal agency representatives.

- iv. In the initial meeting of the advisory committee(s), a basic set of ground rules should be adopted that identify a decision-making process, and a chair should be appointed. Consensus or modified consensus decision-making is recommended for the advisory committee and the position of chair can be rotating.

Step 2. Notify plan review authorities and other stakeholders. Prior to the development of the plan, notification must be sent to the plan review authorities of plan initiation. The notification must include an invitation to submit priority issues and plan expectations, and must allow 60 days for response to the notification. The notification may also be sent to other stakeholders or alternative methods for receiving input may be used for these interested parties.

- a. Stakeholders: drainage authorities, federal agencies, tribal governments, lake or river associations, citizen-based environmental group(s), sporting organization(s), farm organization(s) and agricultural groups, other interested and technical persons such as current and former county water plan taskforce members.
- b. Additional methods for public input should also be considered in addition to the formal notification process, such as web surveys, workshops with specific interest groups, and other citizen surveys.

Step 3. Start to aggregate watershed information. Make use of existing local water plans, input received from agencies, TMDL studies, WRAPS, and other local and agency plans. Information to be aggregated includes land and water resources inventories, data, issues, goals, strategies, actions, etc. This aggregation of plan information is not intended to be exhaustive, but rather a compilation for the purposes of understanding current priorities and goals for the watershed and orientation to the watershed. This step and the previous step generally occur concurrently.

Step 4. Hold initial planning meeting. The meeting is often referred to as the public information meeting for county water planning or a kickoff meeting in watershed district planning after the priority issues of stakeholders have been gathered; and should be held after steps 2 and 3 above.

- a. The planning meeting must be legally noticed to meet the requirements of MN Statutes §103B.313, Subd. 3 (county water planning).
- b. In consideration of the size of the watersheds, participants may want to consider more than one initial planning meeting and/or options for participating through video conference. Be sure to thoroughly document this participation.
- c. Talk to BWSR staff about potential resources available to assist in planning and facilitating this initial planning meeting in order to achieve effective participation.

2. Draft Plan

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

Step 1. Review and assess aggregated watershed information for commonalities, conflicts, and gaps; and to better support understanding, discussion, and prioritization. Make use of input received at the initial planning meeting, existing local water plans, input received from agencies, TMDL studies, WRAPS, and other local and agency plans. .

- Step 2.** Analyze gathered information and start writing the plan using available tools for prioritizing, targeting, and assessing measurability.. The following is an overview of the content requirements; details can be found in the *One Watershed, One Plan – Plan Content Requirements* document.
- a. **Data and Inventory Information.** Most data and inventory information will be incorporated into the plan by reference, with a general description and information on where to find the data and inventory information. If gaps in inventory information are identified through the plan development process, consider implementation action(s) to fill the gaps rather than delaying the planning process to generate new data.
 - b. **Analyze and Prioritize Issues.** Prioritization is the act of ranking something in order of importance, typically such that the more important things are addressed first. This part of the plan writing process is used to reach understanding and agreement on the watershed issues and priorities that will be addressed within the lifespan of the plan.
 - c. **Establish Measurable Goals.** After gaining understanding of the issues and priorities in the watershed, measurable goals are developed to address the priority issues. These goals will describe where the planning partners want to be or what they want to achieve within the 10-year timeframe of the plan. Keep in mind that a watershed-based plan may include both goals that are common to the watershed as a whole as well as goals individual to the specific local government participant(s).
 - d. **Develop a Targeted and Measureable Implementation Plan and Schedule.** Targeting takes a closer look at the priority issues and goals and identifies specific actions and management practices to achieve the goals. The targeted implementation schedule is a table of specific actions that are planned to be implemented, including items such as location, responsibility, cost, schedule, and potential funding sources of the actions. The implementation plan describes the coordination and programs necessary for achieving the actions in the schedule. The implementation plan and schedule are developed in consideration of available technical skills and capabilities and funding resources, and will:
 - i. Have targeted and measurable actions;
 - ii. Cover a period of 10 years and be designed in a way that supports creation of shorter term work plans and budgets for participating local governments. Depth of future revisions will be dependent on evidence that implementation is occurring. BWSR can issue ‘findings’ when a plan is good enough that complete revision is not required; and
 - iii. Coordinate local water management responsibilities, activities, and necessary technical services across jurisdictional lines while maintaining core local government services on jurisdictional boundaries.
- Step 3.** Reassess the Formal Agreement used for the planning process and modify as necessary to implement the actions identified in the plan, such as shared services or collaborative grant-making. Modifications and/or a new agreement may or may not be necessary depending on the implementation plan and needs of the participating local governments. The Minnesota Counties Intergovernmental Trust and/or legal counsel of the participating organizations may be consulted to assist in this determination.
- Step 4.** Consider informal review of the plan, specifically if there were local governments within the watershed who chose not to participate in the planning process, stakeholders interested in the process but not on an advisory committee, or any other issues or concerns that merit broader informal review.

3. Formal Review and Public Hearing

After the plan has been drafted, the Policy Committee submits the plan on behalf of the local plan authorities to the plan review authorities (see definitions below) for formal review. Depending on the decision-making outlined in the

formal agreement for plan development, the participating local governments may need to approve the draft prior to submittal.

- A. The draft plan may be submitted to the plan review authorities electronically. If paper copies are requested, they must be provided. It is also encouraged to make a copy of the draft plan available online with a clear process for stakeholder comments.
- B. Plan review authorities have 60-days to provide comment on the plan. Comments must be submitted to both the Policy Committee (can be via a staff or consultant contact; does not mean submitting to each member of the policy committee) and BWSR (Board Conservationist).
- C. The Policy Committee will schedule and hold a public hearing(s) on the draft plan no sooner than 14 days after the 60-day review period of the draft plan. A summary of comments received during the review period must be provided to BWSR, the state review agencies, and anyone who provided comments, and must be made available to all others online or upon request.
 - i. Depending on the formal agreement, the participating local governments may need to hold individual public hearings.
 - ii. If the formal agreement allows the Policy Committee to 'host' the public hearing, the committee may want to consider more than one hearing in a large watershed.

4. Approval by BWSR

After the public hearing, the Policy Committee submits the final draft plan on behalf of the local plan authorities: a copy of all written comments received on the draft plan, a record of the public hearing(s), and a summary of responses to comments including comments not addressed and changes incorporated as a result of the review process to the plan review agencies for final review. Depending on the decision-making outlined in the formal agreement, the participating local governments may need to approve the final draft prior to submittal.

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

5. Local Adoption

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

6. Plan Development Definitions

The following definitions are used in this section:

Local plan authority. For purposes of this policy, a local plan authority means: a county, soil and water conservation district, or watershed organization with authority to write and implement a local plan. County local water planning may be delegated with restrictions as per Minnesota statutes §103B.311.

Local water plan. For purposes of this policy, “local water plan” or “water plan” means: a county water plan authorized under Minnesota statutes §103B.311, a watershed management plan required under §103B.231, a watershed management plan required under §103D.401 or 103D.405, a county groundwater plan authorized under §103B.255, or a soil and water conservation district “comprehensive plan” under Minnesota statutes §103C.331, Subd. 11.

Metropolitan Council. “Metropolitan Council” means the Metropolitan Council created by Minnesota Statutes, section 473.123.

Plan review agencies. “Plan review agencies” means the Department of Agriculture, the Department of Health, the Department of Natural Resources, the Pollution Control Agency and the Board of Water and Soil Resources; and the Metropolitan Council if substituting for or replacing a plan under MN Statutes §103B.231.

Plan review authorities. “Plan review authorities” means the Department of Agriculture, the Department of Health, the Department of Natural Resources, the Pollution Control Agency, the Board of Water and Soil Resources, and counties, cities, towns, and soil and water conservation districts partially or wholly within the watershed; and the Metropolitan Council if substituting for or replacing a plan under MN Statutes §103B.231.



One Watershed, One Plan

Plan Content Requirements

January 27, 2015



Purpose: This document outlines plan content requirements for developing comprehensive watershed management plans as per Minnesota Statutes §103B.801.

Introduction

This document contains specific content requirements for drafting a comprehensive watershed management plan through the One Watershed, One Plan program. Full operating procedures for developing the plan - including initiating the planning process through review, approval, and adoption - are contained in the *One Watershed, One Plan Operating Procedures* document.

The following [Guiding Principles](#) provided sideboards and direction in the plan content requirements outlined in this document:

- One Watershed, One Plan will result in plans with prioritized, targeted, and measurable implementation actions that meet or exceed current water plan content standards.
- One Watershed, One Plan will strive for a systematic, watershed-wide, science-based approach to watershed management, driven by the participating local governments.
- Plans developed within One Watershed, One Plan should embrace the concept of multiple benefits in the development and prioritization of implementation strategies and actions.
- One Watershed, One Plan planning and implementation efforts will recognize local commitment and contribution.
- One Watershed, One Plan is not intended to be a one-size-fits-all model.

The requirements in this document are also supported by the vision of the Local Government Water Roundtable that future watershed-based plans will have sufficient detail that local government units can, with certainty, indicate a pollutant of concern in a water body, identify the source(s) of the pollutant, and provide detailed projects that address that particular source. This vision also includes a future of limited wholesale updates to watershed-based plans; with a streamlined process to incorporate collected data, trend analysis, changes in land use, and prioritization of resource concerns into the watershed-based plan; and an emphasis on watershed management and implementation through shorter-term work plans and budgeting. This vision includes acknowledging and building off of existing plans and data (including local and state plans and data), as well as existing local government services and capacity.

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NOTE: Operating Procedures for establishing planning boundaries, requirements for participation and formal agreement between local governments within the boundary, and procedures for plan development are provided in a separate document.

I. Overview

The organization of this document includes background information and guidance about the requirements with the specific plan content requirements contained in a shaded box. The primary planning terms used are: priority issues, goals, and actions. These terms are defined within the sections they are used.

Plan development procedures and steps such as: initiating a plan, establishing a planning boundary, requirements for participation and formal agreements between local governments within the boundary, and procedures for formal review and approval can be found in the *One Watershed, One Plan Program Operating Procedures* document. Overall organization and format of the plan is a local decision unless otherwise specified in these requirements.

Planning partners are strongly encouraged to consider the potential for more extreme weather events and their implications for the water and land resources of the watershed in the analysis and prioritization of issues. While these events cannot be predicted with certainty as to time and occurrence, the meteorological record shows increased frequency and severity of extreme weather events, which has a direct effect on issues in local water planning.

Minnesota Statutes, Section 103B.801, subdivision 4 indicates that comprehensive local water plans should consider and discuss several issues as part of the watershed planning process. These issue areas include:

- Surface water and ground water quality protection, restoration, and improvement, including prevention of erosion and soil transport into surface waters.
- Restoration, protection, and improvement of surface water and groundwater storage and retention systems.
- Promotion of groundwater recharge.
- Flood damage reduction, especially to minimize future public expenditures needed to correct flooding problems.
- Wetland enhancement, restoration, and establishment.
- Shoreland and riparian zone management and buffers.
- Protection and enhancement of fish and wildlife habitat and water recreational facilities.

However, the local water planning process is not limited to these issues. Broad issues areas likely to be identified and discussed through the watershed planning process include:

- Soil health
- Altered hydrology
- Maintenance of core services; understanding of local capacity
- Water supply (protect, provide and conserve)
- Drinking water supply
- Drainage system management
- Wastewater management
- Drought mitigation
- Education, outreach and civic engagement
- Contaminants of emerging concern
- Emerging issues (e.g. land cover, climate change, etc.)
- Invasive species management

The list above is not all-inclusive. Any land and water related issue could be part of the plan. Further, issues may also include addressing administrative priorities (e.g., establishment of uniform local policies and controls in the watershed) or fiscal challenges (e.g., minimizing public capital expenditures in resolving problems in areas such as flood control or water quality protection).

Although not required, recommended steps in the planning process include developing an overarching mission or vision statement for the watershed, as well as higher-level guiding principles or purposes. The purpose of establishing a vision, mission, and/or guiding principles is to provide a sense of direction for the plan and participants in the planning process.

An underlying theme within these requirements is the intent for watershed-based plans developed through One Watershed, One Plan to be succinct, with a thorough and science-based process used in development, and an emphasis

in the resulting plan on the implementation schedule and implementation programs. For example, the information found in a Land and Water Resources Inventory is extremely valuable to the planning process and ultimate implementation of the actions in the plan; however, the majority of this information can be incorporated into the final plan document by reference.

Finally, through the development of the One Watershed, One Plan program, BWSR partnered with the University of Minnesota to assess tools and models available to assist in plan development. Models and tools were assessed based on: the complexity of the tool, scale at which the tool is best used, ability of scenarios to be evaluated with the tool, ability for the tool to evaluate multiple constituents, and whether the tool has historical use or support in Minnesota. The resulting recommendations will be available on the BWSR website, and assistance with selecting and using models and tools for plan development may be available. More than one tool or model may be used in a planning effort and different tools may be used in subsequent implementation. However, the tools utilized in developing a capital improvements program must be able to demonstrate prioritized, targeted and measurable outcomes

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II. Plan Content Requirements

Each watershed-based plan will contain the elements outlined in the following sections.

1. Executive Summary

Each plan will have a section entitled Executive Summary. The purpose of the executive summary is to provide a condensed and concise plain language summary of the contents of the overall plan. A well-written executive summary is beneficial for current and future elected officials, staff, citizens, and stakeholders to achieve an understanding of the plan and its intent.

Plan Content Requirement: Executive Summary

Each plan will have a section entitled Executive Summary. The purpose of the executive summary is to provide a brief look at the contents of the plan. The summary will include:

- A. Purpose, mission, or vision statement if developed;
- B. A general map or description of the planning boundary and smaller planning or management units if used;
- C. A summary of the priority issues and goals that are addressed in the plan;
- D. A summary of the implementation actions and programs;
- E. A brief description of the process used to identify the measurable goals and targeted implementation actions; and
- F. An outline of the responsibilities of participating local governments.

In addition to the Executive Summary, the plan may need a table of acronyms and a definitions section; however, these are not required and may be included in the appendices.

2. Analysis and Prioritization of Issues

This section of the plan is intended to summarize the process that the planning partners used to reach agreement on the watershed issues and priorities that will be addressed within the lifespan of the plan. Prioritizing is recognition that not all identified issues can be addressed in the timeframe of a ten year plan—some items will be addressed before others. The process for considering and prioritizing issues generally has two parts: agreement on priority natural resources, sometimes called geographic targeting, and agreement on priority issues impacting those resources. High quality recreational lakes, the main stem of the primary river in the watershed, or a specific groundwater aquifer that is the primary drinking water source in the watershed are all examples of priority resources. Identifying priority issues goes a step further by focusing on the issue(s) that impact the priority resources of the watershed, such as: “high quality recreational lakes showing a downward trend in water quality” or “sedimentation in the main stem of the priority river.”

Through plan development, potential priority resources and issues are reviewed, aggregated, and summarized from: existing local plans, studies, and information; modeling, data collection, and assessment completed through the WRAPS and/or TMDLs; other state plans or studies; feedback received from the initial notifications to the plan review authorities and stakeholders; and the initial planning meeting(s) held in the watershed (see *One Watershed, One Plan Operating Procedures*). These summarized issues are then filtered through local knowledge and information, and priority issues are selected in consideration of:

- Science and data generated through modeling, data collection, and assessment such as WRAPS, TMDLs, or equivalent;
- Anticipated future impacts or land use changes that may provide an opportunity or escalate a risk if nothing occurs;
- Understanding of trends and/or tipping points for individual water resources;

- Understanding of precipitation frequency as per National Oceanic and Atmospheric Administration (NOAA) Atlas 14;
- Understanding of citizen and local landowner willingness to participate in potential changes to watershed management;
- Local values which may incorporate specific water or landscape resources as a priority.

Additional consideration should be made of the high-level state priorities identified in the state's Nonpoint Priority Funding Plan for Clean Water Implementation Funding. These are the priorities identified by state agencies for investing Clean Water Fund nonpoint implementation money:

- Restore those impaired waters that are closest to meeting state water quality standards.
- Protect those high-quality unimpaired waters at greatest risk of becoming impaired.
- Restore and protect water resources for public use and public health, including drinking water.

Plan Content Requirement: Analysis and Prioritization of Issues

The plan must contain:

1. A summary of the issues and resource concerns identified;
2. The steps used to consider and prioritize the identified resources and issues; and
3. A list of the agreed upon priority resources and issues for the watershed and a brief description of why the issue was selected.

Priority issues can be articulated in the plan through both a list/descriptions and map(s). The format and exact planning terminology used in the plan for presenting priority issues may vary as long as the plan covers the three requirements above and the terminology used is defined in the plan (the summary and steps are suggested to be included as appendices). The plan is not expected to address all identified issues; however, it should include a brief explanation as to why certain issues were rejected as priorities for this planning cycle.

In the event that conflicts exist in the interpretation of issues and/or selection of priority issues, consider whether the conflict can be addressed by defining both watershed-wide priorities as well as individual priorities of the participating local governments.

Plans that do not demonstrate a thorough analysis of issues, and that do not use available science and data, will not be approved. BWSR will consider the guidance and recommended tools outlined in *Section 2 Analysis and Prioritization of Issues* in assessing if analysis has been thorough.

3. Establishment of Measurable Goals

The plan must contain measurable goals, sometimes called objectives in planning, to address each of the priority issues. Measurable goals articulate what the planning partners want to achieve and allow for evaluation of progress. A useful method for assessing if a goal is measurable is to ask the question for each goal: "will we be able to measure / show / report that we have been successful in achieving this goal when we assess implementation of the plan in the future?"

The development of measurable goals and the resulting implementation actions will be an iterative process. Goals from existing local water plans and information should be summarized and discussed for potential inclusion as part of this process. WRAPS, TMDLs, and the models used for the prioritization process noted above should all be used in the setting of goals. The implementation programs and schedule for achieving the goals should be considered and goals adjusted to reflect which are achievable within the timeframe of the plan versus goals that may reflect a longer view.

Formatting, terminology, and organization in the plan to meet this requirement can vary. For example, a goal to “maintain clean drinking water for future generations” by itself is too broad to be measurable and may better serve as a guiding principle. However, a broad goal such as this could be acceptable if it is supported by a series of measurable sub-goals or objectives. The plan may contain a blend of goals common to the watershed as a whole, goals individual to a specific local government participant(s) and/or resource, and goals that persist beyond the timeframe of the plan.

Not every goal can be measurable within the timeframe of the plan; however, the aggregate of goals in the plan should together articulate an intended pace of progress. For example, if a water quality standard is unable to be met within the lifespan of the plan, the plan should contain longer-term goals with interim points at which progress can be examined and methods and models to establish the goal can be reevaluated. Ideally, these interim points would use some measure to show attainment of an interim goal.

The timeframe of goals may also need to recognize unique settings and situations across the state. As an example, The Minnesota Geological Survey notes that response time of nitrate concentrations to changes in land use practices in southeast Minnesota will likely vary in different hydrogeologic settings, and may lag behind land use changes by decades. In addition, some water quality or designated use support goals may take decades to achieve (e.g. changes in stream biota or altered base flow hydrology).

Plan Content Requirement: Establishment of Measurable Goals

Each priority issue must have associated measurable goals for addressing the issue. Some goals will be watershed-wide; however, the majority should be focused on a specific subwatershed, natural resource, or local government. Goals for prevention of future water management problems should also be considered.

Plans that do not contain sufficient measurable goals to indicate an intended pace of progress for addressing the priority issues will not be approved.

BWSR will consider Minnesota Statutes §103B.801, Subd. 4 (2), and the balance of broad versus focused goals and shorter-term versus longer-term goals and detail in the targeted implementation schedule to assess whether goals are sufficient. Additionally, the pace of progress towards achieving goals will be used in determinations of the extent or depth of future ten year plan revisions. BWSR may consider issuing findings when a plan and associated implementation is sufficient that a complete revision will not be required.

4. Targeted Implementation Schedule

Targeting takes a closer look at the priority issues and identifies cost-effective, targeted, and measurable actions necessary to achieve the goals. These actions are included in the plan in consideration of available technical skills and capabilities, knowledge of landowner willingness, funding resources available, implementation items or projects from existing local water plans, and information and the Strategies and Actions table from the WRAPS. Actions are entered into a schedule or table that provides the details of:

- A brief description of each action;
- Location targeting where the action will occur;
- Identification of roles and who is responsible for the action;
- An estimate of cost and potential sources of funding for implementing the action;
- An estimate of when the implementation will occur within the ten year timeframe of the plan; and
- How the action will be measured.

The purposes of the implementation schedule are to: clearly indicate an intended pace of progress for achieving the goals; support development of shorter term work plans and budgets for the planning partners; and to support budget

requests to the state through BWSR's Biennial Budget Request (BBR). The schedule should be supported by maps indicating the location(s) of the targeted activities.

The development of a targeted implementation schedule and associated actions is an iterative process. Additionally, BWSR recognizes that some actions may require a prior feasibility study to refine a potential implementation strategy.

The depth and specificity of targeted actions identified in the plan will vary. For example, capital improvement projects and best management practices to be implemented on public land can generally be specifically located and identified in the plan. By contrast, conservation practices proposed for private lands may be specifically identified through the use of models and tools for purposes of developing measurable goals and the targeted implementation schedule, but those locations are only generally described in the plan itself. For these private lands, the plan must overtly describe actions to work with landowners in these critical areas and tailor conservation practices.

Plan Content Requirement: Targeted Implementation Schedule

Each plan will have a targeted implementation schedule for achieving the goals with:

1. A brief description of each action;
2. Location targeting where the action will occur;
3. Identification of roles and the responsible government unit for the action;
4. An estimate of cost and potential sources of funding for implementing the action;
5. An estimate of when the implementation will occur within the ten year timeframe of the plan; and
6. How the outcomes of the action will be measured.

The schedule must clearly identify the actions the planning partners will undertake with available local funds versus the actions that will be implemented only if other sources of funds become available, and should be supported by maps indicating the location(s) of the targeted activities.

5. Implementation Programs

The implementation programs described below support the targeted implementation schedule by describing the overarching program(s) that will be used to implement actions identified in the schedule and how these programs will be coordinated between the local water management responsibilities. All programs described in this section must be included in the plan.

- A. **Plan Administration and Coordination:** The plan must describe the following administration and coordination programs.
- i. **Decision-making and Staffing:** Describe how the partners will transition from a planning partnership to implementation of a watershed-based plan through descriptions of roles and responsibilities of participating local governments.
 - a. **Policy Committee** (decision-making): Describe if the policy committee created to develop the plan will continue through plan implementation, or clearly outline an alternative method to provide oversight and maintain accountability throughout plan implementation.
 - b. **Advisory Committee** (advising): Describe if the advisory committee(s) created for plan development will continue through plan implementation and/or describe alternative methods to ensure: a

dependable forum to exchange information and knowledge about the watershed and implementation of the plan, and meet the statutory requirements for ongoing advisory committees of counties (Minnesota Statutes §103B.301-103B.3355) and watershed districts (Minnesota Statutes §103D.331-103D.337).

The plan should also establish procedures for engaging state agencies, and describe the ongoing role and commitments of the state agencies for plan implementation.

- c. **Identification and Coordination of Shared Services (staffing):** Describe specialized and shared service areas that will be used in the watershed to implement the actions identified in the schedule and achieve greater efficiencies in service delivery. This may include shared services for program management, such as if a plan action requires forest resource management technical assistance, but the local government where the action is occurring does not have a staff forester. The watershed plan and associated formal agreements should describe how the service will be shared and/or the need met. Or the plan may include project management. For example if one county has history and experience implementing a large-scale multipurpose drainage project, another county in the watershed may want to contract for services with staff from the experienced county to implement a similar project. Shared services may also include partnership with non-governmental organizations.
- ii. **Collaboration with other Units of Government:** Describe relationships with other units of government not part of the formal agreement for plan development, including the drainage authorities within the planning boundary. For example, cities and townships are not required participants. However, recognition and inclusion of cities and townships is important and especially critical to recognize for actions involving waste water treatment plants, source water and wellhead protection for population centers, and MS4s, for example. Additionally, federal government partners are not required participants. However, federal programs and partnerships are very important resources in watershed management.
- iii. **Funding:** Describe how actions in the implementation schedule will be funded. Both the state and local governments have responsibility for funding water management. All funding methods currently available to participants remain available to the participants and/or to the organization as a whole through the participants.
 - a. **Local Funding:** The local government planning partners have variable methods and options for generating funds to implement watershed management and to leverage state and other funding. The funding sources and commitments of participants must be clearly outlined in the plan.
 - b. **State Funding:** Describe state funding needed for implementation of the plan. This can be achieved through separation in the targeted implementation schedule of locally funded projects versus projects that will proceed only with state funds.
 - c. **Collaborative Grants:** Describe the intended approach to coordinated submittal of state grant applications. Collaborative funding and implementation is a goal of One Watershed, One Plan.
 - d. **Federal Funding:** Federal sources of funds can be important to watershed management. The plan should describe what type of federal funding resources may be pursued to implement the plan.
 - e. **Other Funding Sources:** Other sources of funds, such as from non-governmental organizations and private landowner funding, can be important to watershed management. The plan should describe what other types of funding may be pursued to implement the plan.
- iv. **Work Planning:** Describe how the targeted implementation schedule and the implementation programs will be used for work planning. For example, describe if a collaborative work plan for the watershed, individual work plans for each local government participant, or some combination of work planning will be used; and describe how the work plan will be finalized and approved.

- a. **Local Work Plan Purpose:** Include a frequency, method, decision-making, and local purposes for work planning. Frequency is suggested to be annual in order to be incorporated into local budgeting and staffing decisions related to implementation of the plan. Purposes depend on the extent of collaboration intended in the implementation schedule, programs, and subsequent agreements, as well as the extent of collaborative grant-making intended.
 - b. **State Work Plan Purpose:** Describe a biennial commitment to collaboratively review and submit a BWSR biennial budget request (BBR) from the watershed. Future BBRs should be generated from the Targeted Implementation Schedule.
- v. **Assessment and Evaluation:** Describe the frequency, method(s), purposes, decision-making, and procedures for periodic assessment and evaluation of plan implementation. Periodic understanding of accomplishments—based on the targeted implementation schedule—is needed to measure progress, drive the work plan, and provide accountability. If a Watershed Restoration and Protection Strategies report is completed within the planning area after the plan is complete, this report must be considered at the next scheduled evaluation.
- a. **Annual Evaluation:** Describe an annual commitment to collaboratively review and submit to BWSR’s Level I [Performance Review and Assistance Program](#) (PRAP) plans and reports for each local government in the partnership. Additionally, describe sufficient baseline local evaluation of previous years’ work to support generation of the local work plan in iv.a above (if an annual local work plan is being used) and reporting requirements in v.d below.
 - b. **Biennial Evaluation:** If the partnership chooses a biennial work plan, a biennial evaluation must be described to evaluate the previous years’ work and support the work plan. It is recommended that this baseline evaluation is tied to the requirement for measurability in the targeted implementation schedule and that a method for tracking implementation consistently across the watershed be described.
 - c. **Five Year Evaluation:** Include a schedule for a thorough five year assessment and potential revision to implementation schedule. The purpose of this evaluation is to determine progress and consider whether staying the course or resetting direction is necessary. It may also include revisions to models and considerations of new monitoring data. If a WRAPS has been completed or revised since the plan was originally adopted, this evaluation must include an assessment of any changes necessary due to the WRAPS. BWSR involvement in this evaluation may include Level II PRAP.
 - d. **Reporting:** Describe collaborative approaches to provide accountability to stakeholders and to meet annual reporting requirements of local governments, grant reporting requirements, and specific program and financial reporting requirements. Information on required annual reporting can be found on the BWSR website: www.bwsr.state.mn.us/grants/reporting/reporting.html. Consider a periodic ‘state of the watershed report,’ or individualized ‘waterbody report cards’ or other methods to provide accountability and demonstrate outcomes locally. See also the Education and Information requirements below.
- vi. **Plan Amendments:** Describe procedures for considering plan amendments, who can propose amendments, what criteria will be used in considering amendments, and who makes the decision to proceed with amendments.
- vii. **Formal Agreements:** List and briefly describe any formal agreements between local governments that are pertinent to water management. This includes existing agreements and any new agreements to be implemented as part of the plan. For example, prior to completion of the plan, the formal agreement between partners for planning purposes should be revisited in consultation with Minnesota Counties Intergovernmental Trust (MCIT) and legal counsel. MCIT may recommend revising the planning agreement,

establishing separate agreements or contracts for specific services or actions and/or developing a broader, watershed-wide agreement for ongoing partnership.

- B. Plan Implementation Programs:** Describe the following programs to support the targeted implementation schedule, including necessary feasibility studies.
- i. **Incentive Programs:** Describe local voluntary cost share or grant programs necessary to achieve the goals, including the general purpose and scope, criteria that will be used to select projects/disperse funds, actions to work with landowners in these critical areas to tailor conservation practices, and how the program(s) will be implemented across the watershed to provide consistency and achieve goals. Incentive programs may be targeted to specific issues, e.g. grants for sealing abandoned wells, or specific areas, e.g. a watershed of priority lakes.
 - ii. **Capital Improvements:** Describe opportunities for watershed-wide collaboration (e.g. sharing of specialized services and/or lessons learned on these large-scale projects) on capital improvements (physical/structural improvement with an extended life) identified in the targeted implementation schedule. Consider including opportunities for improved water management associated with county and township roads and within drainage systems managed through Drainage Law.
 - a. **Drainage:** Describe opportunities for enabling large-scale, multi-purpose projects on a watershed basis and for engaging drainage authorities and drainage inspectors in implementation of the watershed plan. Describe local procedures for ensuring future drainage projects are not inconsistent with the goals of the plan
 - b. **Capital Improvement Programs (CIPs) for Watershed Districts:** CIPs are required in the plan when a watershed district is included, consistent with the requirements of Minnesota Statutes §103B and 103D. A CIP is an itemized program for at least a five-year prospective period, and any amendments to it, subject to at least biennial review, that sets forth the schedule, timing, and details of specific contemplated capital improvements by year, and, together with their estimated cost, the need for each improvement, financial sources, and the financial effect that the improvements will have on the local government unit or watershed management organization. This requirement can be incorporated into the targeted implementation schedule if the specific requirements of Minnesota statutes §103B and 103D are clearly met.
 - c. **Permanent Protection:** Describe opportunities for permanent land protection necessary to meet the resource needs and achieve the goals for the watershed.
 - iii. **Operation and Maintenance:** Include a description of who is responsible for inspection, operation and maintenance of capital projects, stormwater infrastructure, public works, facilities, and natural and artificial watercourses. Specify any new programs or revisions to existing programs needed to accomplish the goals or that may benefit from watershed-wide collaboration.
 - iv. **Regulation and Enforcement:** Describe existing regulations, controls, and authorities relevant to water management for the purposes of highlighting areas of duplication, gaps, and opportunities. Use this analysis to identify areas to maximize effectiveness and build efficiencies through improved coordination and consistent application of regulations, and/or to develop new regulation or enforcement in support of meeting plan goals. Consider also opportunities for efficiencies in required annual reports related to regulation, and enforcement and connections to possible data gaps. Include a description of drainage authorities and responsibilities and local implementation of the buffer law, passed in the 2015 1st Special Session. Regulatory areas to consider include, but are not limited to: shoreland, floodplain, septic, Wetland Conservation Act, Protected Waters Inventory, erosion control, municipal wastewater, minimum impact design standards, land use, aggregate mining, feedlots, hazard mitigation, buffers, and prescription drug drop off locations.

- a. **Regulation and Enforcement for Watershed Districts:** Describe the rules and associated permit programs of watershed districts in the watershed, consistent with and as necessary to meet the requirements of Minnesota statutes §103B.337-103D.345.
 - b. **Comprehensive or land use plans:** Describe the land use authorities within the watershed as well as potential opportunities to achieve goals through, or potential conflicts with, comprehensive land use plans.
- v. **Data Collection and Monitoring:** Describe data collection and monitoring activities necessary to support the targeted implementation schedule and reasonably assess and evaluate plan progress.
- a. **Inventory:** Describe additional inventories needed in the watershed to address any gaps in the land and water resources inventory support actions in the targeted implementation schedule.
 - b. **Monitoring:** Describe the locations, frequency, and parameters of existing water quality, quantity and other monitoring programs in the watershed. Describe if these established monitoring programs are capable of producing an accurate evaluation of the progress being made toward the goals, including improved calibration of model(s), and any new monitoring needed to improve understanding of the watershed baseline or assess particular resources. State agencies are available to assist with identification of state monitoring activities.

Include a requirement for periodic analysis of the data, a commitment to collect data consistent with state compatibility guidelines, and a commitment to submit locally collected data to the appropriate state agency for entry into public databases.

- vi. **Information, Outreach, and Education Programs:** The plan must describe information, outreach, and education program(s); specifically, opportunities where there are benefits from watershed-wide collaborations and areas where focused or targeted actions will support the priority issues and goals of the plan. At a minimum, include the purpose, targeted audiences, and a description of the actions or methods. Consider development of an education plan for the overall watershed using an approach currently successfully used in Minnesota, an adaptation of the U.S. Environmental Protection Agency guidance “Getting in Step: A Guide for Conducting Watershed Outreach Campaigns” available at: www.epa.gov/owow/watershed/outreach/documents/getnstep.pdf.

6. Plan Appendix - Land and Water Resources Inventory

A land and water resource inventory is simply an account of the water resources and physical factors affecting the water resources within the watershed. In most cases, adequate data, inventories, and general analysis of land and water resources already exist; new information does not necessarily need to be generated and the majority of resource information can be incorporated by reference with a brief general description. At a minimum, the plan should acknowledge the resource information from existing local water plans and the Watershed Restoration and Protection Strategies Report (WRAPS) and NOAA Atlas 14 data. This information is important not just to understand the historic status of the watershed, but is useful in considering the future.

Going forward, wholesale updates and/or revisions to land and water resource inventories should be limited. Instead greater flexibility and a streamlined process for more frequent updates to incorporate collected data, updated trends analysis, and changes in land use typically associated with land and water resource inventories are envisioned.

Plan Content Requirement: Land and Water Resources Inventory

The plan must contain sufficient land and water resources information to inform the planning process and support actions in the plan. Specifically, the plan must include a brief general description of—and reference where to find—the typical and available land and water resource information. This information includes, but is not limited to:

- Topography, soils, general geology;
- Precipitation;
- Water Resources
 - Surface water resources, including streams, lakes, wetlands, public waters and public ditches;
 - Groundwater resources, including groundwater and surface water connections if known;
 - Water quality and quantity, including trends of key locations and 100-year flood levels and discharges, regulated pollutant sources and permitted wastewater discharges;
 - Stormwater systems, drainage systems and control structures;
 - Water-based recreation areas;
- Fish and wildlife habitat, rare and endangered species; and
- Existing land uses and proposed development.

Inventory information critical to supporting the priorities and actions of the plan may need to be more thoroughly described. For example, a description of results of trend analysis may need more in-depth description to support a priority issue in the plan; however, the data behind the analysis can be referenced.

If gaps in inventory information are identified through the plan development process, consider implementation action(s) to fill the gap rather than delaying the planning process to generate new data.

NEW BUSINESS

1. Vice-Chair Nomination – John Jaschke – *DECISION ITEM*



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:

Vice-Chair Nomination

Meeting Date: January 27, 2016

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: _____

Contact: John Jaschke

Prepared by: Mary Jo Anderson

Reviewed by: John Jaschke Committee(s)

Presented by: John Jaschke

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

Vice-Chair Nomination

LINKS TO ADDITIONAL INFORMATION

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

Vice-Chair Nomination – BWSR Bylaws state: “The Vice-Chair shall be elected to a two-year term by the members of the Board. The Vice-Chair shall be elected by majority vote at the first regularly scheduled meeting of every EVEN calendar year.”