



Soil and Water Conservation District

Performance Standards Checklist Guidance

January 2019

General Instructions

The Performance Standards checklist is to be used as part of BWSR's Level II PRAP review process. The purpose of this part is to provide an overview of your district's operations in four areas: administration, planning, execution, and communication/coordination.

The performance standards cover basic or required practices (■) and high performance practices (★). We expect each district to meet all of the basic practice standards. The high performance standards describe the practices of high performing districts and are met less frequently. Districts will receive BWSR commendations for compliance with high performance standards. Any unmet high performance standards can serve as stretch goals for performance improvement.

Administration

- **Financial statement: annual, on-time and complete**
This is the financial statement package that is due to BWSR by March 15th of each year.
- **Financial audit: completed as required by statute or as per BWSR Correspondence**
The audit is required by MS Chap. 103C.325 minimum every 3 years, or sooner if cumulative revenues since last audit reach \$500K. If required, audit, audit draft is due to Office of State Auditor by October 31 and final audit to BWSR by December 31. In special circumstances, BWSR may request an audit outside of this schedule.
- **eLink Grant Report(s) submitted on time**
The deadline for eLink reporting is February 1 of each year.
- **Data practices policy: exists and reviewed/updated within last 5 years**
A data practices policy describes how the SWCD responds to requests for information submitted under the Minnesota Data Practices Act (MS Chap. 13). Guidance for local governments is available at <http://www.ipad.state.mn.us/docs/accessmain.html>. To check "yes" you must have a local policy and have reviewed it (determined that it is up-to-date) or updated it within the past 5 years.
- **Personnel policy: exists and reviewed/updated by the County Attorney or Minnesota Counties Intergovernmental Trust (MCIT) within last 5 years**
A personnel policy includes such procedures as how staff are compensated, hired and dismissed, and also how benefits are provided and used. Some districts may choose to have their employees managed through the county personnel system in which case they should ensure that the County Attorney or MCIT has reviewed the policy within 5 years.
- **A technical professional with expertise in water resource management has been designated to serve on the WCA TEP and to prepare restoration and replacement orders associated with WCA enforcement. The SWCD must designate a staff member to fulfill these functions. The BWSR wetland specialist(s) will verify this.**

- **SWCD has an adopting resolution assuming WCA responsibilities and appropriate decision delegation resolutions as warranted.** LGU must have an adopting resolution assuming its responsibilities under the WCA. LGU may through resolution, rule or ordinance place decision-making authority with staff. Copies of resolutions, rules and/or ordinances will be reviewed to determine if the LGU has an appropriate adopting resolution and if all decision-making authorities have been formally and properly delegated. (N/A if SWCD has not been delegated LGU responsibilities for WCA).
- ★ **Job approval authorities: reviewed and reported annually**
Job approval authorities are granted by the federal Natural Resources Conservation Service and are required to maintain staff ability to design and certify certain conservation practices. SWCDs should maintain records of all employees JAA's, and review annually.
- ★ **Operational guidelines and policies exist and current**
Operational guidelines are written procedures and policies that are used to inform and guide the operation of the district. There is no prescribed format or content for these. However, the BWSR Operational Handbook provides comprehensive guidance for district operational procedures. Also, the Minnesota Office of the State Auditor website (osa.state.mn.us) has very helpful information regarding standard audit procedures for local government, including guidelines for meeting minutes content, fiscal procedures and conflict of interest.
- ★ **Board training: orientation and continuing education plan and record for each board member**
Districts who meet these standards will have a mandatory orientation session(s) for new board members. There will also be a training plan, which can be individually tailored for each board member that is intended to improve their skills or technical expertise related to their service in the district. The district will also maintain a record of what elements of the plan each board member has completed.
- ★ **Staff training: orientation and continuing education plan and record for each board member**
Districts who meet these standards will have a mandatory orientation session(s) for new staff members. There will also be a training plan, which can be individually tailored for each staff person that is intended to improve their skills or technical expertise related to their service in the district. The district will also maintain a record of what elements of the plan each staff member has completed.

Planning

- **Comprehensive Plan: updated within 5 years or current resolution adopting unexpired county LWM plan**
This standard identifies whether the district is operating under a comprehensive plan or a resolution adopting the county local water management plan as the district plan and whether the plan and resolution are current.
- **Biennial Budget Request submitted on time**
SWCDs are required to submit at least the Program and Operations Grant component of the Biennial Budget Request in order to receive their Cost Share Program Grant(s). In addition,

districts that submit a BBR prior to applying for Clean Water Fund grants receive a rating bonus on their grant application. The BBR is submitted biennially and covers a 2-year period.

- ★ **Prioritized, Targeted and Measureable criteria are used for Goals and Objectives in the local water management plan as appropriate.** Districts can meet this standard by ensuring that the goals and objectives in the approved water plan are prioritized based on resource value and impact issue, articulate what the planning partners want to achieve, can be evaluated for progress, and identify cost-effective, aimed, and measurable actions.
- ★ **Annual Plan of Work based on long-range or strategic plan**
Annual work plans used to be required but have been replaced by the Biennial Budget Request (BBR). However, districts can meet this high performance standard by continuing to prepare an annual work plan that allocates staff and financial resources to guide district activities. The work plan should be based on and tied to elements of the BBR Program and Operations Grant component, any strategic plan, and the district comp plan or local water management plan.

Execution

- **Are state grant funds spent in high priority problem areas**
The district's high priority problem areas should have been identified in the comprehensive plan, or adopted local water management plan, according to MS Chap. 103C.331 subd. 11c.
- **Total expenditures per year (over past 10 years)**
This is the district's total expenditures from all sources of funds with a total dollar amount (in constant dollars) for each of the last 10 years for which data are complete. A table is provided at the bottom of the Part 2 checklist to enter these amounts.
- **Months of operating funds in reserve**
This value is based on data collected and maintained by BWSR. BWSR will compare the value reported with guidance issued by the Office of the State Auditor and will ask districts to explain values above 12 months or below 4 months.
- **Replacement and restoration orders are prepared in conformance with WCA rules and requirements.** WCA rules require that promptly upon being informed by the enforcement authority or the LGU of the need, an SWCD staff person must inspect a violation site and prepare a plan to restore the site and/or replace the impacted wetland. BWSR wetland specialists will review a sample of restoration and replacement orders issued in the county to insure that the SWCD is adequately fulfilling this requirement.
- **WCA TEP member is knowledgeable and trained in the technical aspects of WCA implementation.** The designated TEP member must have an understanding of WCA rules and the technical aspects of wetland functions and wetland delineations in order to meet this requirement. BWSR wetland specialists will review the background, training and experience of the designated TEP representative to determine if this requirement is met.
- **WCA TEP member contributes to TEP reviews, findings and recommendations as appropriate.** WCA rules require that the TEP make findings and recommendations to the LGU in regard to decisions and various technical aspects of rule requirements. The SWCD must provide a staff member to serve on the TEP. The SWCD representative should actively participate in and add value to the TEP findings and recommendations. BWSR wetland specialists will review a sample of projects and associated TEP recommendations and evaluate

the participation and effectiveness of the SWCD TEP member to determine if this requirement is met.

■ **WCA decisions and determinations made in conformance with all WCA requirements.** WCA requires LGUs to make decisions and determinations in conformance with specific noticing, timeline and other procedural and substantive requirements. BWSR wetland specialists will review a sample of decisions and determinations made by the LGU to determine if WCA rules are being followed. *(N/A if SWCD has not been delegated LGU responsibilities).*

■ **WCA TEP reviews and recommendations appropriately coordinated.** WCA rules require that the TEP make findings and recommendations to the LGU in regard to decisions and various technical aspects of rule requirements. The LGU must provide a staff member to serve on the TEP and must coordinate TEP reviews and recommendations to insure that they are technically sound and timely. BWSR wetland specialists will review a sampling of various decisions and associated TEP recommendations to determine if this requirement is met. *(N/A if SWCD has not been delegated LGU responsibilities).*

★ **Certified wetland delineator on staff or retainer**

Check the “yes” box if a member of the district staff is certified as a WCA wetland delineator or if the district has a standing contract with a certified private delineator who represents the district on TEPs.

★ **Outcome trends monitored and reported for key resources**

Districts that meet this optional high performance standard will have a program for regular, long-term monitoring of key resources beyond what is required in eLink. These trends will be regularly reported (e.g., in annual activity report). Resource parameters could include water quality, native vegetation, land use, soil loss, shoreland/aquatic habitat.

Communication and Coordination

■ **Website contains all content requirements, including grant reports**

BWSR has provided guidance to SWCDs regarding the statutorily required elements of district websites. In order to check “yes” for this item, all required elements must be included on the website, including the Programs and Operations component of the BBR or an annual work plan. For website grant reporting requirements, see guidance at <http://www.bwsr.state.mn.us/grants/reporting.html>.

★ **Website: contains additional content beyond minimum required**

Districts that meet this optional high performance standard will include items such as the comprehensive plan and/or the local water plan, links to programs, project descriptions, or monitoring results for key resources.

★ **Track progress for I & E objectives in Plan**

Districts that meet this optional high performance standard will have public information and education objectives in their comprehensive plan, and will have developed measures and data that they are tracking to determine their progress in meeting those objectives. Types of outcomes could include changed attitudes and behaviors, increased participation in district programs, and increased demand for district assistance with conservation projects. Districts without I & E objectives in their long range plan can indicate N/A (“not applicable”) for this standard.

★ **Obtain stakeholder input: within last 5 years**

Districts that meet this optional high performance standard will have obtained stakeholder opinions or interest in water management issues within the past 5 years. This effort can take several forms and need not be a scientifically based, random sample survey. One approach would be to establish a standing or ad hoc advisory committee of key district stakeholders. Such broad-based public input is particularly valuable in conjunction with major plan updates in order to give district stakeholders an opportunity to inform priority setting.

★ **Annual report communicates progress on plan goals**

Districts that meet this optional high performance standard will organize or include in their annual report (outside of eLINK and financial reports) an accounting of work done with respect to each of the comprehensive plan (local water management plan) goals. This can be as simple as indicating which of the comprehensive plan goals or objectives was addressed by a particular action item or project.

★ **Partnerships: cooperative projects/tasks with neighboring districts, counties, watershed districts, non-governmental organizations**

Districts that meet this optional high performance standard will have conducted programs and projects in cooperation with other local government, or non-governmental entities (e.g., Pheasants Forever, local lake association). Programs will include sharing in educational, monitoring, planning and implementation efforts. In general this standard implies a level of partnership that goes beyond the customary project cost share match.

★ **Coordination with County Board by supervisors or staff**

Districts that meet this optional standard will have regular, periodic contact and coordination with their county commissioners, usually by providing periodic status reports at county board meetings, inviting county board members or staff to attend district board meetings, or a regular consultation between county and district staff.