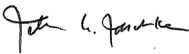




DATE: January 16, 2019

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

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice – January 23, 2019

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, January 23, 2019, beginning at 9:00 a.m. The board meeting will be held at the MNDOT Training Facility – Room 1, located at 1900 County Road I, Shoreview, MN, 55126.

The following information pertains to agenda items:

## COMMITTEE RECOMMENDATIONS

### *Northern Region Committee*

- Red Lake River Comprehensive Watershed Management Plan Amendment** – The Red Lake River Comprehensive Watershed Management Plan (Plan) was approved by the Board of Water and Soil Resources on April 26, 2017 for a ten-year period ending April 26, 2027. On August 15, 2018, the Red Lake River Policy Committee approved a resolution indicating the Partnership's intent to amend the Plan for the purpose of establishing Water Management Districts for two Red Lake Watershed District projects. The Partnership held a 60-day review process that ended on November 30, 2018, and a public hearing on December 19, 2018, in Thief River Falls, MN, before submitting the Amendment for final state agency review on December 20, 2018. The Northern Regional Committee (Committee) met on January 2, 2019, to review the content of the Amendment, State agency comments on the Amendment, and to make a recommendation for approval. The Northern Region Committee recommended approval by the full Board.  
**DECISION.**
- Red River Basin Commission Grant** – In 2017 the Legislature appropriated funds to the Board for grants to the Red River Basin Commission (RRBC) for waters quality and floodplain management, including administration of programs. The Northern Regional Committee (Committee) met January 2, 2019, to review and discuss the RRBC 2018 Annual Report, the RRBC 2019 Workplan and budget, the current status of the RRBC, and to make a recommendation of the Order authorizing the FY2019 grant to the Red River Basin Commission to the full Board. The Northern Region Committee recommended approval by the full Board.  
**DECISION**

### *RIM Reserve Committee*

- Blue Earth CSAH 1 RIM Easement Alteration (07-12-99-01)** – This is a proposed RIM Easement alteration of easement 07-12-99-01 to release 2.6 acres for an upgrade to County State Aid Highway 1 in Blue Earth County. The County Highway Department has acquired land which is in the easement to widen and straighten curves to bring the road up to current safety standards. This is a public project as defined by the BWSR Easement Alteration Policy, so easement staff has already given approval for the project and the County has paid the required \$32,079.20 for the release. The Board is being requested to formally approve

the alteration so staff can proceed to officially amend the easement. The BWSR RIM approved this proposal at the December 19, 2018 meeting. **DECISION.**

#### ***Buffers, Soils, and Drainage Committee***

1. **FY 2019 Buffer Implementation Grants** – SWCDs across the state have a wide ranging workload remaining to provide cost share, and administrative and technical assistance to landowners working to comply with the Buffer Law. The remaining funding to support Buffer Law implementation exists in three different funding sources and consolidation of those sources to the FY 2019 Buffer Implementation fund will provide for the most efficient distribution. Funding is being distributed to SWCDs base on anticipated remaining workload to implement the buffer law. This was assessed using compliance information and USDA planted acres. This funding is in addition to the existing FY 18 &19 Buffer implementation grants. Future Buffer implementation grants will be determined upon approval of the FY 20 & 21 budget. **DECISION.**

#### ***Audit and Oversight Committee***

1. **2018 Performance Review and Assistance Program (PRAP) report** – BWSR staff have prepared the 2018 Performance Review and Assistance Program (PRAP) Legislative Report which presents a summary of PRAP reviews and activities conducted in 2018. The report also contains a list of planned program objectives, including three new items for PRAP in 2019; Review and update Performance Standards Checklists for counties, soil and water conservation districts, watershed districts and watershed management organizations; Evaluate implementation progress for Level III reviews conducted in 2017 and 2018 and Develop performance standards that focus on reporting of resource outcomes for assessment of implementation of One Watershed One Plans. The report has been reviewed by the Board’s Audit and Oversight committee. The recommendation for Board action comes from the Committee, and is timed to meet a February 1, 2019 date for report submittal to legislative environmental policy committees, as required by M.S. 103B.102, Subd. 3. **DECISION.**

#### ***Central Region Committee***

1. **Swift County Comprehensive Local Water Management Plan Amendment** – The current Swift County Local Comprehensive Water Management Plan is in effect from December 2013 to December 2023, with the requirement for an amendment in 2018. Swift County submitted the plan amendment for review on October 26, 2018. The state review agencies who provided comments recommended approval of the plan as submitted. The Central Region Committee met on January 10, 2019 and provided a recommendation to the full Board for approval of the Swift County Comprehensive Local Water Management Plan amendment as submitted. **DECISION.**
2. **Rice Creek Watershed District Boundary Change** – The Rice Creek Watershed District has petitioned the BWSR for an order approving an adjustment of the common jurisdictional boundary between the Rice Creek Watershed District and the Brown’s Creek Watershed District, pursuant to Minnesota Statute 103B.215. The boundary change petition was legal notice in local newspapers for two consecutive week. The proposed boundary change was reviewed by the Central Region Committee on Thursday, January 10, 2019. The Central Region Committee recommended approval to the full BWSR Board contingent on there being no requests for a public hearing. There were no requests for a public hearing received during the 20 day comment period following the December 27, 2018 legal notice posting. **DECISION**

#### **NEW BUSINESS**

1. **Putting Minnesota on a Clean Water Trajectory: Freshwater Society Report** – The Freshwater Society will present about a report they authored about clean water in Minnesota. **INFORMATION**

If you have any questions regarding the agenda, please feel free to call me at 651-296-0878. We look forward to seeing you on January 23.

**BOARD OF WATER AND SOIL RESOURCES  
MNDOT TRAINING FACILITY – ROOM 1  
1900 COUNTY ROAD I  
SHOREVIEW, MN 55126  
WEDNESDAY, JANUARY 23, 2019**

**PRELIMINARY AGENDA**

**9:00 AM CALL MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF AGENDA**

**MINUTES OF DECEMBER 19, 2018 BOARD MEETING**

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

**INTRODUCTION OF NEW STAFF**

- Jamie Gudknecht, Human Resources Director
- Tom Gile, Resource Conservation Section Manager
- Sharon Doucette, Conservation Easement Section Manager

**CONFLICT OF INTEREST DECLARATION**

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

**REPORTS**

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

## **COMMITTEE RECOMMENDATIONS**

### ***Northern Region Committee***

1. Red Lake River Comprehensive Watershed Management Plan Amendment – Neil Peterson – ***DECISION ITEM***
2. Red River Basin Commission Grant – Tom Schulz – ***DECISION ITEM***

### ***RIM Reserve Committee***

1. Blue Earth CSAH 1 RIM Easement Alteration (07-12-99-01) – Tim Fredbo – ***DECISION ITEM***

### ***Buffers, Soils, and Drainage Committee***

1. FY 2019 Buffer Implementation Grants – Dave Weirens and Tom Gile – ***DECISION ITEM***

### ***Audit and Oversight Committee***

1. 2018 Performance Review and Assistance Program (PRAP) report – Dale Krystosek – ***DECISION ITEM***

### ***Central Region Committee***

1. Swift County Comprehensive Local Water Management Plan Amendment – Kevin Bigalke – ***DECISION ITEM***
2. Rice Creek Watershed District Boundary Change – Kevin Bigalke – ***DECISION ITEM***

## **NEW BUSINESS**

1. Putting Minnesota on a Clean Water Trajectory: Freshwater Society Report – Steve Woods – ***INFORMATION ITEM***

## **AGENCY REPORTS**

- Minnesota Department of Agriculture – Susan Stokes
- Minnesota Department of Health – Chris Elvrum
- Minnesota Department of Natural Resources – Sarah Strommen
- Minnesota Extension Service – Joel Larson
- Minnesota Pollution Control Agency – Shannon Lotthammer

## **ADVISORY COMMENTS**

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

## **UPCOMING MEETINGS**

## **ADJOURN**

**BOARD OF WATER AND SOIL RESOURCES  
EAGAN COMMUNITY CENTER - SOUTH OAKS ROOM  
1501 CENTRAL PARKWAY  
EAGAN, MN 55121  
WEDNESDAY, DECEMBER 19, 2018**

**BOARD MEMBERS PRESENT:**

Jill Crafton, Jack Ditmore, Kathryn Kelly, Tom Landwehr, DNR; Tom Loveall, Nathan Redalen, Tom Schulz, Jeff Berg, MDA; Steve Sunderland, Gerald Van Amburg, Glenn Skuta, MPCA; Joe Collins, Chris Elvrum, MDH; Patty Acomb, Harvey Kruger, Neil Peterson, Paige Winebarger, Joel Larson, University of Minnesota Extension; Duane Willenbring

**BOARD MEMBERS ABSENT:**

Rich Sve

**STAFF PRESENT:**

John Jaschke, Hannah Pallmeyer, Al Kean, Marcey Westrick, Kevin Bigalke, Dale Krystosek, Steve Christopher, Melissa Lewis, Angie Becker Kudelka, Dave Weirens, Tim Koehler, Dave Rickert, Tim Fredbo

**OTHERS PRESENT:**

Rob Sip, RRWMB

Sam Paske, Metropolitan Council

Judy Sventek, Metropolitan Council

Chessa Frahm, MACDE

Michelle Stindtman, MACDE

Brian Martinson, Southern Minnesota Beet Sugar Cooperative (SMBSC)

Jason Garms, Minnesota Department of Natural Resources (DNR)

LeAnn Buck, Minnesota Association of Soil and Water Conservation Districts (MASWCD)

Amber Glaeser, Minnesota Farm Bureau (MFB)

Amanda Bilek, MN Corn Growers Association

**Chair Gerald Van Amburg called the meeting to order at 9:00 AM**

#### **PLEDGE OF ALLEGIANCE**

**\*\*** **ADOPTION OF AGENDA** - Moved by Tom Schulz, seconded by Neil Peterson, to adopt the agenda.  
**18-69** *Motion passed on a voice vote.*

**\*\*** **MINUTES OF OCTOBER 24, 2018 BOARD MEETING** – Moved by Jill Crafton, seconded by Harvey Kruger,  
**18-70** to approve the minutes of October 24, 2018 meeting, as amended. *Motion passed on a voice vote.*

#### **PUBLIC ACCESS FORUM**

Jill Crafton discussed and appreciated the role that the Izaak Walton League played in metro water management.

John Jaschke thanked Patty Acomb for her participation on the board and congratulated her on her election to the state House of Representatives. John Jaschke also discussed how the board appointment process is likely to work with the new governor-elect. Board members who are currently serving on the board and whose terms expire in January can serve through the end of June unless they are replaced before then.

#### **CONFLICT OF INTEREST DECLARATION**

**Chair Van Amburg read the statement:**

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

#### **REPORTS**

**Chair & Administrative Advisory Committee** – Chair Gerald Van Amburg reported that the Administrative Advisory Committee has not met since the October board meeting. Glenn Skuta is representing the MPCA today, as Shannon Lotthammer is not able to attend. In November, Gerald Van Amburg attended the Climate Adaptation Conference at the University of Minnesota. Jill Crafton and Joe Collins also attended. Joel Larson helped to put on the conference through the Water Resources Center. One of the speakers was Mark Hertsgaard, author of “HOT: Living Through the Next Fifty Years.”

The Environmental Quality Board (EQB) met the day before Thanksgiving and Chair Van Amburg was not able to attend. He reported that the governor’s pollinator report was presented to the board, something that Dan Shaw at BWSR has been active in working on. Commissioner Tom Landwehr discussed the report and some of the ideas in the report. Chair Van Amburg mentioned that there is no consensus on the pollinator report to the EQB about pesticide regulation. The Minnesota Association of Watershed Districts (MAWD) conference was held in late November/early December. Several BWSR board members attended the conference. Several resolutions were approved at the MAWD conference. The MAWD bylaws were changed to allow full membership for Watershed Management Organizations

(WMOs). That may increase some of the metro participation in MAWD. Harvey Kruger enjoyed the new Night at the Movies portion of the conference. Harvey also mentioned that it seemed like more watershed district managers from the southern region participated this year. Duane Willenbring talked about the event and the connections with Soil and Water Conservation Districts (SWCDs).

**Audit and Oversight Committee** – Chair Gerald Van Amburg reported that the committee has not met since the October board meeting. A committee meeting may be planned for January 22, the evening before the January board meeting.

**Executive Director's Report** - John Jaschke acknowledged the diligent and long-term participation of DNR Commissioner Tom Landwehr at BWSR board meetings, and appreciated the leadership and engagement he brings to the board. The local government associations have recently had conventions and trade shows. Resolutions were discussed and adopted at the meetings. With regards to BWSR staffing, Al Kean has announced his retirement, which is scheduled for this spring. Al's job is being split into two jobs: a resource conservation manager and a chief engineer. The easement section manager position is also being backfilled as Bill Penning took a new position that is joint between BWSR and the MN Land Trust. A new HR director is starting at the end of the month. BWSR is hiring for two other positions: technical training and compliance coordinator.

The new federal farm bill has passed and is likely to be signed by the end of the year. The CRP program will have more acres but lower payment rates. Some of the reseeding standards for grasslands may be modified. EQIP and CSP are still in the bill. There will likely be additional emphasis on working lands.

Governor-elect Walz is starting to name his cabinet appointees. Myron Frans has been reappointed to the commissioner of MMB. The Commissioners of the agencies that have seats on the BWSR board have not yet been named.

An update to the Waters of the United States (WOTUS) has been released. Les Lemm thinks that this won't impact Minnesota too much, although it may impact parts of southwestern Minnesota. It would help with 404 assumption. John Jaschke walked through the board packet.

Board members appreciated the opportunity to attend annual meetings of MAWD, MASWCD, AMC, etc.

**Dispute Resolution Committee** – John Jaschke provided an update to the board. The update can be found in the board packet.

**Grants Program & Policy Committee** - Steve Sunderland reported that the committee met on November 26 and reviewed several programs. 136 CWF grant applications were submitted for \$29.8 million in requests. These will be discussed later in the meeting.

**RIM Reserve Committee** – Tom Loveall reported that the committee will meet immediately following the board meeting.

**Water Management & Strategic Planning Committee** - Jack Ditmore reported that the committee met on December 18<sup>th</sup>. The committee reviewed an update from Melissa Lewis and Julie Westerlund on the transition plan for One Watershed, One Plan. The plans are taking longer to complete than originally anticipated but acceleration toward completions is expected to happen in the future. Next year, the extension policy for existing plans may be revisited. The assurance elements (performance measures)



will also be discussed in 2019. It is important to show the successes with the program. The committee will likely meet jointly with the Grants Program and Policy committee in 2019. No meeting dates have been set at this time. Tom Loveall reported that the annual AMC conference had a very good session by BWSR staff about One Watershed, One Plan.

**Wetland Conservation Committee** - Tom Schulz reported that the committee has not met since the previous board meeting. As 404 assumption discussion continues, a committee meeting may be set to discuss.

**Buffers, Soils & Drainage Committee** - Kathryn Kelly reported that the committee has not met since the previous board meeting. The committee may meet on January 9, 2019.

**Drainage Work Group (DWG)** - Tom Loveall reported that the work group met on November 8 and December 13. The DWG discussed the reestablishment of drainage system records, but this is being largely tabled until a court case is settled. The DWG fact sheet is being updated. Drainage system repair cost apportionment options are being discussed, along with legislative language. The Bois de Sioux Watershed District may be pursuing statute language that applies to them only regarding redetermination of benefits. The DWG does not support or oppose. The DWG also is working on recommendations for drainage system acquisition and compensation of buffer strips.

Al Kean reported that local universities have had a drainage research forum. This was the 18<sup>th</sup> year of the forum and was held in Owatonna. The MAWD convention had a drainage workshop that Al participated in with Emily Javens of MAWD. Al discussed the challenges of reestablishing drainage system records. The DWG is working under a new process for consensus and non-consensus reports. The next meeting is scheduled for January 10, 2019. The Board discussed the Ag BMP Loan Program revolving fund, which has been funded by bonds, general fund, Clean Water Fund, state revolving fund, etc, and is administered by the Department of Agriculture.

## **COMMITTEE RECOMMENDATIONS**

### **Grants Program and Policy Committee**

**Performance Review and Assistance Program (PRAP) Assistance Grants** – Dale Krystosek presented the agenda item. The board order would revise the authorization of the Performance Review and Assistance Program (PRAP) approved in June 2018 through BWSR board order #18-41. This program provides for 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. Order #18-41 limited grant or contracts to only returned cost share funds, which has severely limited the program's ability to achieve its purpose, as the amount of returned cost share funds has decreased significantly since the PRAP services was originally established. This board order would approve the allocation of available funds, consistent with the appropriation of the designated or available funds, to eligible local government water management entities for fulfilling the provisions of Minnesota Statutes §103B.102.

The board inquired how much the PRAP program has spent in the past year. Dale mentioned that approximate \$19,000 was allocated to two local governments in 2018. The board appreciated that small amounts are available that can make a big difference to local governments.

\*\*  
18-71 Moved by Steve Sunderland, seconded by Paige Winebarger, to approve the Performance Review and Assistance Program (PRAP) Assistance board order. ***Motion passed on a voice vote.***

**FY2019 Clean Water Fund Implementation Program Policy and the FY2019 Clean Water Fund Competitive Grants Program Authorization** – Marcey Westrick presented the agenda item. John Jaschke reported that Harvey Kruger will not be participating in discussion and vote of the agenda item due to the BWSR conflict of interest policy.

Marcey discussed the process by which FY19 Clean Water Competitive grants are considered and allocated. On June 19, 2018 the Board adopted Board Order #18-33 which authorized staff to conduct a request for proposals from eligible local governments for Clean Water Fund projects in three program categories: Accelerated Implementation, Projects and Practices, and Multipurpose Drainage. Applications were accepted from July 9 through August 31, 2018. Local governments submitted 136 applications requesting \$29,832,685 in Clean Water Funds. BWSR Clean Water staff conducted multiple processes to review and score applications and involved staff of other agencies to develop the proposed recommendations for grant awards per the attached spreadsheets. The BWSR Senior Management Team reviewed the recommendations on November 13 and made the recommendation to the Grants Program and Policy Committee. The BWSR Grants Program and Policy Committee reviewed the recommendations on November 26, and made a recommendation to approve to the full Board.

The board discussed the MDH agreement with BWSR for well sealing and a correction was suggested for the board order regarding the MDH language about well sealing. The Department of Health makes recommendations for well sealing projects.

The board confirmed that grants can only be approved if the local government has an approved water plan. There is a 25% local match requirement. Returned funds could be reallocated by staff, per the board order. Melissa Lewis said that more information about returned funds should be known by early February. Currently about \$115,000 has been returned. Returned funds could be spent on additional projects that were the highest ranked but unfunded.

\*\*  
18-72 Moved by Chris Elvrum, seconded by Kathryn Kelly, to approve the FY2019 Clean Water Fund Implementation Program Policy and the FY2019 Clean Water Fund Competitive Grants Program Authorization, with an edit to the board order. ***Motion passed on a voice vote.***

Chair Van Amburg recessed the meeting at 10:40am. He called the meeting back to order at 11:00am.

## **NEW BUSINESS**

**Metropolitan Council Presentation – Met Council’s History and Role in Water Resources Management and Planning** – Kevin Bigalke, Sam Paske (Met Council) and Judy Sventek (Met Council) presented to the board. Kevin reviewed the history of Watershed Districts (WDs), Watershed Management Organizations (WMOs) and the Met Council, with regards to water planning and water coordination.

Sam Paske discussed that the Mississippi River experienced pollution and contamination in the past, which led to Minneapolis and St. Paul working together on a joint waste water treatment facility. The Met Council was formed in 1967 and operates critical regional systems, including 8 waste water treatment plants, transportation, and parks. Comprehensive Plans, which include information about water supply, waste water, surface water, and land use, are submitted to the Met Council for review and approval. The waste water system provides service to 2.5 million people and 109 communities through the greater Twin Cities.

Judy Sventek presented about the water resources policy plan and the Thrive MSP 2040 Water Sustainable Direction. Met Council is looking at a watershed approach to water quality and water management. In addition to the 188 comp plans that are due to Met Council this cycle, 182 local water management plans are also due. The Met Council and partners also monitor lakes (150-200 monitoring sites), rivers (20 monitoring sites), and streams (21 monitoring sites). Judy discussed monitoring trends in various water bodies.

The board discussed the work of Met Council and the role Met Council plays with highway development. Sam Paske discussed Metropolitan Area Water Supply Advisory Committee (MAWSAC). The group is currently discussing the 3M settlement. Patty Acomb is a MAWSAC member and appreciated the opportunity MAWSAC provides to collaborate with neighboring communities. The board also discussed the growth of the metropolitan area and how that may impact waste water treatment facilities. While Met Council operates 8 plants, 6 other plants are also operating. As part of the comp plans, communities need to look at their expected growth and ensure that there are existing or planned waste water facility capacity for that growth.

**Red River Watershed Management Board (RRWMB) Update** – Rob Sip, Executive Director of the RRWMB, presented to the board. The RRWMB was formed in 1976, largely to address flood control. The RRWMB has taxing authority, which splits taxes between the local watershed districts and the RRWMB. The RRWMB covers 21 counties and 7 watershed district members. The RRWMB partners with other organizations and North Dakota counterparts. The RRWMB provides benefits to local watershed districts in addition to flood control.

Some of the priorities for the RRWMB includes responsiveness, both to local governments and landowners, and transparency. Rob Sip discussed the budget for the RRWMB, and the funding process and investments made by the RRWMB. He also discussed the new legislative committee, which will help get input on and prioritize legislative requests. The RRWMB anticipates new funding requests to the legislature. Board members discussed the membership of the board.

#### **AGENCY REPORTS**

**Minnesota Department of Agriculture (MDA)** – Jeff Berg reported that the Administrative Law Judge that approved language of the proposed Groundwater Protection Rule but the rule cannot be adopted until after the 2019 legislative session, due to legislative action in the 2018 legislative session. Jeff Berg also discussed MDA pesticide monitoring of groundwater and surface water that occurs in partnership with DNR and MDH. MDA is also working on outreach information about neonicotinoids. The board discussed pesticide labeling, which is already the law.

**Minnesota Department of Health** – Chris Elvrum reported that Environmental Initiative had a forum on December 18 on source water protection.

**Minnesota Department of Natural Resources** – no report was provided.

**University of Minnesota Extension** – Joel Larson talked about recent conferences at the University, including the Water Resources Conference (which had a wetlands track) and the Climate Adaptation conference. A regional Extension educator will be hired to focus on rural water and agricultural issues. Anna Cates will be starting in January. The University is hiring Joan Gabel to be the next president.

**Minnesota Pollution Control Agency** – Glenn Skuta reported that Commissioner Stine will be leaving the MPCA and Governor-elect Walz is expected to announce a new commissioner soon. Deputy Commissioner Beeman will be acting commissioner until a new commissioner is appointed. Commissioner Stine has decided not to issue a permit for a feedlot in Fillmore County and is recommending that the EQB look at groundwater issues in the area. The board discussed the reasons for that decision.

#### **ADVISORY COMMENTS**

**Association of Minnesota Counties** – John Jaschke announced that Jennifer Berquam took another job and AMC is looking for a new policy analyst.

**Minnesota Association of Conservation District Employees** – Chesssa Frahm and Michelle Stindtman had a manager meeting in February 2018 to talk about issues that face SWCD managers. Another meeting occurred in July and other meetings may occur. In October 2018 MACDE approved a five year strategic plan that includes additional collaboration with BWSR. A meeting happened at BWSR Academy that had good turn out and was a good opportunity for employees to meet each other and learn about MACDE. Board members discussed how MACDE can contribute to BWSR Academy.

**Minnesota Association of Soil & Water Conservation Districts** – LeAnn Buck discussed the MASWCD annual convention and appreciated the work that BWSR staff and board members did to help with the convention. About 670 people attended. MASWCD's top legislative priority will be to shift the \$22 million capacity money from the Clean Water Fund into the general fund.

**Minnesota Association of Townships** – Nathan Redalen reported that the 2018 conference went well. The 2019 conference will be in Mankato and BWSR's attendance is requested.

#### **UPCOMING MEETINGS**

- Next BWSR Meeting is scheduled for Wednesday, January 23, 2019, at 9:00AM. The meeting will tentatively be held in Room 1 in the MNDOT Training and Conference Center, located at 1900 County Rd I, Shoreview, MN 55126. Confirmation of location information will be shared with board members and posted on the BWSR website in advance of the January meeting.

Chair Van Amburg adjourned the meeting at 12:43 PM.

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Dispute Resolution Committee Report

---

**Meeting Date:** January 23, 2019

**Agenda Category:**     Committee Recommendation     New Business     Old Business

**Item Type:**             Decision                                     Discussion             Information

**Section/Region:**    Central Office

**Contact:**             Travis Germundson

**Prepared by:**        Travis Germundson

**Reviewed by:**        \_\_\_\_\_ Committee(s)

**Presented by:**       Travis Germundson/Gerald VanAmburg

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

None

**LINKS TO ADDITIONAL INFORMATION**

See attached Report

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

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

Dispute Resolution Report  
January 11, 2019  
By: Travis Germundson

There is presently **one** appeal pending. There have been no new appeals filed since the last Board Meeting (December 19, 2018).

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 18-3 (10-31-18) This is an appeal of a restoration order in Hennepin County. The appeal regards the filling and draining of over 11 acres of wetland. Applications for exemption and no-loss determinations were submitted concurrently with the appeal. *The appeal has been placed in abeyance and the restoration stayed for the LGU to make a final decision on the applications.*

### Summary Table

Type of Decision	Total for Calendar Year 2017	Total for Calendar Year 2018
Order in favor of appellant		
Order not in favor of appellant	3	2
Order Modified		
Order Remanded	1	
Order Place Appeal in Abeyance	2	1
Negotiated Settlement		
Withdrawn/Dismissed	5	

**COMMITTEE RECOMMENDATIONS**

***Northern Region Committee***

1. Red Lake River Comprehensive Watershed Management Plan Amendment – Neil Peterson – ***DECISION ITEM***
2. Red River Basin Commission Grant – Tom Schulz – ***DECISION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Red Lake River Comprehensive Watershed Management Plan Amendment

**Meeting Date:** January 23, 2019

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** Regional Operations/Northern

**Contact:** Ryan Hughes

**Prepared by:** Matt Fischer

**Reviewed by:** Northern Regional    Committee(s)

**Presented by:** Neil Peterson

**Time requested:** 5 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

Approval of the Red Lake River Comprehensive Watershed Management Plan Amendment as recommended by the Northern Regional Committee.

**LINKS TO ADDITIONAL INFORMATION**

Amendment is on the West Polk SWCD website: <http://westpolkswcd.com/1w1p.html>

[Final Proposed Amendment](#)

[Current Red Lake River Comprehensive Watershed Management Plan \(2017-2027\)](#)

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

The Red Lake River Comprehensive Watershed Management Plan (Plan) Amendment was submitted for final state agency review on December 20, 2018. The Partnership held a 60-day review process that ended on November 30, 2018, and a public hearing on December 19, 2018, in Thief River Falls, MN.



The current Plan was approved on April 26, 2017, and expires on April 26, 2027. The reason for amending the Plan is the establishment of Water Management Districts (MS 103D.729) for the Red Lake Watershed District's (RLWD) Thief River Falls Westside Flood Damage Reduction and Black River Impoundment Projects. Water Management Districts provide an equitable mechanism for funding targeted and specific watershed district projects by developing a fee and funding structure on the basis of benefiter contribution as it relates to a particular pollution characteristic or to a particular water resource issue. A watershed district may establish a Water Management District only by amendment to its plan, or in this case the Red Lake River Comprehensive Watershed Management Plan, which is substituting for the RLWD's Watershed Management Plan.

On January 2, 2019, the Northern Regional Committee met with representatives from the Partnership and BWSR staff to review and discuss the Amendment. The Committee's decision was to recommend approval of the Red Lake River Comprehensive Watershed Management Plan Amendment to the full Board per the attached draft Order.

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

---

**In the Matter** of the review of the Comprehensive Watershed Management Plan Amendment for the Red Lake River Watershed, pursuant to Minnesota Statutes Sections 103B.101, Subdivision 14 and 103B.801.

---

**ORDER  
APPROVING  
COMPREHENSIVE  
WATERSHED  
MANAGEMENT PLAN  
AMENDMENT**

**Whereas**, on April 26, 2017, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Red Lake River Comprehensive Watershed Management Plan (Plan); and

**Whereas**, the Red Lake River Policy Committee (Partnership) submitted a Comprehensive Watershed Management Plan Amendment (Amendment) to the Board on December 20, 2018, pursuant to Minnesota Statutes Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #18-14; 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. On August 15, 2018, the Board received a petition from the Partnership stating its intent to amend its current Plan, pursuant to Minnesota Statutes Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #18-14.
2. On October 1, 2018, the Partnership submitted the proposed Amendment to the plan review authorities for a 60-day review process that ended on November 30, 2018.
3. On December 19, 2018, the Partnership held the required public hearing in Thief River Falls, MN.
4. On December 20, 2018, the Board received the Amendment, a record of the public hearing, copies of all written comments pertaining to the Amendment, and a summary of changes incorporated as a result for final State review pursuant to Board Resolution #18-14. The following state review comments were received during the comment period.
  - A. Minnesota Department of Agriculture (MDA): No written comments were received.
  - B. Minnesota Department of Health (MDH): MDH confirmed receipt of the Amendment at the final formal review and had no comments or concerns regarding the Amendment.
  - C. Minnesota Department of Natural Resources (DNR): DNR confirmed receipt of the Amendment at the final formal review and had no comments or concerns regarding the Amendment.

- D. Minnesota Pollution Control Agency (MPCA): MPCA confirmed receipt of the Amendment at the final formal review and had no comments or concerns regarding the Amendment.
  - E. Minnesota Environmental Quality Board (EQB): No written comments were received.
  - F. Minnesota Board of Water and Soil Resources (BWSR) regional staff: BWSR regional staff worked closely with the Partnership in the development of the Amendment and had no additional comments during the final review.
5. **Northern Regional Committee.** On January 2, 2019, the Northern Regional Committee of the Board reviewed the Amendment. Those in attendance from the Board's Committee were Neil Peterson, Gerald Van Amburg, Tom Schulz, Rita Albrecht, Jeffrey Berg, and Committee Chair Rich Sve. Board staff in attendance were Northern Regional Manager, Ryan Hughes, and Board Conservationist, Matt Fischer. The representatives from the Partnership were Myron Jesme and Gene Tiedemann, Red Lake Watershed District, Peter Nelson, Pennington SWCD, Dillon Nelson, HDR Engineering, and Tony Nordby, Houston Engineering. Board regional staff provided its recommendation of approval to the Committee. After discussion, the Committee's decision was to present a recommendation of approval of the Amendment to the full Board.
6. This Amendment will be in effect until April 26, 2027.

### **CONCLUSIONS**

- 1. All relevant substantive and procedural requirements of law have been fulfilled.
- 2. The Board has proper jurisdiction in the matter of approving a Comprehensive Watershed Management Plan Amendment pursuant to Minnesota Statutes Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #18-14.
- 3. The Amendment attached to this Order is in conformance with the requirements of Minnesota Statutes Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #18-14.

### **ORDER**

The Board hereby approves the attached Amendment of the Red Lake River Comprehensive Watershed Management Plan. The Amendment will be in effect until April 26, 2027.

Dated at Shoreview, Minnesota, this twenty-third of January, 2019.

### **MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

---

BY: Gerald Van Amburg, Chair

January 23, 2019

Red Lake River Policy Committee  
c/o Peter Nelson, 1W1P Coordinator  
201 Sherwood Ave S  
Thief River Falls, MN 56701

**RE: Approval of the Red Lake River Comprehensive Watershed Management Plan Amendment**

Dear Red Lake River Policy Committee,

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Red Lake River Comprehensive Watershed Management Plan Amendment was approved on January 23, 2019. Attached is the signed Board Order that documents approval of the Amendment and indicates the Amendment meets all relevant requirements of law and rule.

This Amendment of the Plan is effective until April 26, 2027. Please be advised, the partners must adopt and begin implementing the amended Plan within 120 days of the date of the Order in accordance with Minnesota Statute 103B.101, Subd. 14 and 103B.801, and the One Watershed, One Plan Operating Procedures.

Please contact your Board Conservationist, Matt Fischer, at 218-755-2683 or [matt.fischer@state.mn.us](mailto:matt.fischer@state.mn.us) for further assistance on this matter.

Sincerely,

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

Enclosure: BWSR Board Order

CC: Margaret Wagner, MDA (via email)  
Ryan Lemickson, MDA (via email)  
Jenilynn Marchand, MDH (via email)  
Barbara Weisman, DNR (via email)  
Nathan Kestner, DNR (via email)  
Juline Holleran, MPCA (via email)  
Denise Oakes, MPCA (via email)  
Ryan Hughes, BWSR Regional Manager (via email)  
Matt Fischer, BWSR Board Conservationist (via email)  
Julie Westerlund, BWSR One Watershed, One Plan Program Coordinator (via email)

Proposed Amendment to Section 8.1.3 of the plan at page 8-5 (per BWSR Recommendation)

### **Water Management Districts**

The RLWD may create a Water Management District to provide a mechanism for funding watershed projects addressing local resource concerns and priorities. Fee and funding formulas are developed on the basis of a benefit or contribution with respect to how the project addresses a flood problem or water resource issue. Appendix J includes information on and a map of the existing Water Management District in Thief River Falls that was established in 2010. Appendix N includes the procedure for amending this plan to create new Water Management Districts and contains all existing Water Management Districts.

# **Appendix N - Water Management Districts**

## **Section 1 – General Authority and Process**

### **Overview**

Pursuant to section 8.1.3 of this plan, the Red Lake Watershed District (RLWD) plans on using Water Management Districts (WMD) as one of several funding mechanisms for the implementation of activities to solve local and regional problems and issues. The provisions for collection of charges (MS 103D.729 and 444.075) allow a watershed district, through the amendment of its plan or during a plan update, the authority to establish one or more WMDs for the purpose of collecting revenues and paying the costs of projects initiated under MS 103B.231, 103D.601, 103D.605, 103D.611, or 103D.730. Appendix J of this plan contains the Board of Water and Soil Resources (BWSR) guidance for the establishment of WMDs and includes the previously established Thief River Falls Flood Damage Reduction Project Water Management District. Appendix J, however, includes several unrelated items of importance to this plan including RLWD Rules and Soil and Water Conservation District (SWCD) statutory authority, chapter 103C. This appendix N is dedicated solely to WMDs established or to be established by further amendment to this plan. Section 1 of this appendix N outlines the authority and processes for establishment of WMDs, including review of proposed WMDs and plan amendments by the One Watershed One Plan (1W1P) planning and policy committees. Current and future WMDs will be included as subsequent sections to this appendix N.

To establish a WMD, a plan update or amendment must describe the area to be included, the amount of the necessary charges, the methods used to determine the charges, and the length of time the WMD will remain in effect. After adoption, the plan update or amendment must be filed with the county auditor and county recorder of each county affected by the WMD. The WMD may be dissolved by the same procedures as prescribed for the establishment of the WMD – i.e. by plan update or amendment.

A distinguishing element of the WMD charge over an assessment, or ad valorem tax is that the watershed district exercises authority, similar to that of a municipality, to establish and impose a system of charges based on a prescribed method, such as a property's contribution of storm water and/or pollutants to a receiving body of water, conveyance or management system; or the extent of relief or protection afforded to property by an impoundment, conveyance or diversion. Thus, funds generated by utilizing a WMD charge can be based upon a mechanism related to the cost of the project in managing a burden created by the property or in providing protection to the property rather than the value of the property (ad valorem tax) or special economic benefit conferred (assessment). Ultimately the WMD provides a supplemental financing tool, within a prescribed area, for the RLWD and is especially useful in situations where project components are required to address a locally generated need or problem.

### **Review and Establishment Process**

Because this plan is a 1W1P based plan, WMD establishment, whether as part of a 10-year plan update or as a plan amendment, must follow the guidance provided in the BWSR One Watershed, One Plan Operating Procedures, version 2.0, effective 3-28-2018 (Board Decision #18-14) or its successor. The amendment process must also be consistent with the Operating Agreement for this plan which specifies the role of the Planning Workgroup and Policy Committee, confers upon the Planning Workgroup authority to develop and recommend plan amendments and confers upon the Policy Committee authority to review and adopt amendments as approved by the BWSR.

For WMD establishment by amendment, the following procedure will be followed:

1. **Initial Review by the Planning Workgroup:** The Planning Workgroup, as established in the Operating Agreement for this plan, consists of representatives from each SWCD partially or wholly within the 1W1P area and representatives of the RLWD. The Planning Workgroup shall either develop or be provided a copy of the proposed amendment for initial review. After review, the Planning Workgroup shall provide notice of the proposed amendment to the Plan Review Authorities and the public.
2. **Notice to Plan Review Authorities and Public:** Plan Review Authorities, including the Department of Agriculture, the Department of Health, the Department of Natural Resources, the Pollution Control Agency, the Board of Water and Soil Resources, SWCDs, other watershed districts and counties, cities, and towns partially or wholly within the One Watershed Plan area shall be provided notice and a copy of the proposed amendment along with a request for comments to be provided to the Planning Workgroup within 60 days of the notice. The public shall be noticed of the proposed amendment by publication in a newspaper in general circulation within the 1W1P area. The publication must state the general nature of the proposed amendment, provide the public information on how to obtain or view a copy of the proposed amendment and state that comments on the proposed amendment may be provided to the Planning Workgroup.
3. **Final review and referral by the Planning Workgroup:** Upon expiration of the 60 day comment period, the Planning Workgroup will conduct a final review of the proposed amendment and make necessary revisions based on the comments received, if any. The Planning Workgroup may adopt responses to the comments received. After final review and revisions, the Planning Workgroup shall refer the proposed amendment, along with all comments and responses, to the Policy Committee along with the Planning Workgroup's recommendation on approval. A copy of the Planning Workgroup's referral shall also be transmitted to the BWSR.
4. **Hearing of the Policy Committee:** The Policy Committee, as established in the Operating Agreement for this plan, will schedule and hold a public hearing on the proposed amendment no sooner than 14 days after receiving the Planning Workgroup's referral and recommendation. Notice of the public hearing shall be given by mail to the BWSR, Plan Review Authorities and the Planning Workgroup. Notice of the public hearing shall also be published in a newspaper in general circulation within the 1W1P area. A record shall be kept of the hearing to include an audio recording of the proceedings and copies of all written correspondence, comments or responses generated in the proceedings.
5. **Notice to Plan Review Authorities:** Following the public hearing, the Policy Committee shall provide a copy of the final proposed amendment along with its findings and recommendation regarding plan approval to the Plan Review Authorities and request that final comments, if any, be submitted to BWSR in advance of the BWSR consideration of the proposed amendment.
6. **Referral and Recommendation to BWSR:** Following the public hearing, the Policy Committee shall submit the final proposed amendment to BWSR for final review and approval. The submittal to BWSR must include the audio recording of the public hearing, a copy of all written comments and responses received on the proposed amendment and the Policy Committee's findings and recommendation on approval of the proposed amendment. After review, the BWSR Board, or a committee thereof, shall render a decision approving or disapproving the amendment in accordance with its operating procedures.
7. **Local Adoption:** If BWSR approves the proposed amendment, the Policy Committee, according to the authorities granted to it in the Operating Agreement for this plan, shall adopt a resolution, within 120 days of BWSR Board approval, adopting the amendment. A copy of the resolution to adopt the amendment must be sent to BWSR. Notice of the adopted amendment shall be published in a newspaper in general circulation within the 1W1P area along with notice of appeal rights as outlined below. Unless appealed, the plan amendment is effective 30 days after first publication of the Policy Committee resolution adopting the amendment.

## Implementation of Charges

Prior to implementing any charges within a WMD established in this plan, the Policy Committee must file a copy of the WMD plan amendment with the county auditor and county recorder of each county affected by the water management district. Along with the amendment, the Policy Committee may provide additional information to the auditors or recorders that is necessary to identify properties subject to charges within the water management district. With the consent of a city, charges to properties within the jurisdictional boundary of a city may be consolidated and presented to the city for payment.

Prior to the imposition of charges, the RLWD shall hold a public hearing in conjunction with a project's establishment. At the public hearing, the RLWD Board shall present the amount of the necessary charges, the methods used to determine charges, and the length of time the WMD will remain in force. The RLWD Board shall also provide information on the amount of charges to individual parcels within the WMD. In addition to other notices required by statute, the RLWD Board must, ten days prior to a hearing or decision on projects to be paid in whole or in part by WMD charges, provide notice to the city, town, or county within the WMD. The city, town, or county receiving notice shall submit to the managers concerns relating to the implementation of the project. The managers shall consider the concerns of the city, town, or county in the decision on the project.

WMDs established under this plan are intended to be perpetual for the life of this plan and any subsequent revisions, unless dissolved by plan amendment or update. Initial charges, if any, will be effective for a duration consistent with the time necessary to repay the capital cost of projects to be paid for, in whole or in part by charges within the WMD. Thereafter and upon hearing, WMD charges may be reinitiated to generate revenue to pay for project maintenance.

## Local Appeal

Local Appeal Procedure: Because WMDs established under this plan are proposed to be perpetual, the following local appeal procedure is established from the resolution adopting a plan amendment establishing a WMD:

1. Upon receipt of the Order of the BWSR authorizing a plan amendment establishing a WMD, the Policy Committee shall publish notice of its resolution adopting the plan amendment in a newspaper in general circulation in the part of the 1W1P area where the WMD is located.
2. Any landowner affected by the WMD may, within 30 days of first publication of notice of the resolution, appeal the establishment of the WMD to the Policy Committee by filing a letter stating the basis for the appeal.
3. Within 30 days of receiving a letter of appeal, the Policy Committee shall hold a hearing on the appeal, giving the appellant an opportunity to be heard and to present evidence why the WMD should not be established. The hearing shall be noticed as required for a special meeting under statutes chapter 103D.
4. The hearing shall be recorded in order to preserve a record for further review. The record of the appeal shall include the recording, any documentary evidence provided by the appellant and all records related to the establishment of the WMD.
5. Within 30 days of the hearing, the Policy Committee shall adopt and mail findings and an order on the appeal to the appellant and the BWSR.
6. Further appeal, if any, shall be as provided in Statutes Chapter 103D and existing authorities and procedures of the BWSR Board.



# Section 2 – Thief River Falls Flood Damage Reduction Project Water Management District

The following is reprinted from Appendix J, pages J-29 to J-32



## Memo

To:	Red Lake Watershed District Board of Managers		
From:	Nate Dalager, P.E.	Project:	Plan Amendment – Water Management District
cc:			
Date:	November 10, 2010	Job No:	131515

**Re: Plan Amendment - Establishment of a Water Management District for the Thief River Falls Flood Damage Reduction Project**

### ***Introduction***

Pennington County Ditch #1 (CD 1) has been a source of agricultural and urban flooding problems for years. Since its construction 100 or more years ago, the ditch has routinely flooded out of its banks in spite of cleanouts and culvert replacements. In 2005, the Pennington County Board of Commissioners, Thief River Falls City Council, RLWD, and others requested that HDR Engineering conduct a drainage study and provide a report of findings. Due to funding limitations and procedural uncertainties related to Minnesota (MN) ditch law, no entity was able to advance the project forward until a landowner ditch improvement petition was received by the Red Lake Watershed District (RLWD) in 2009.

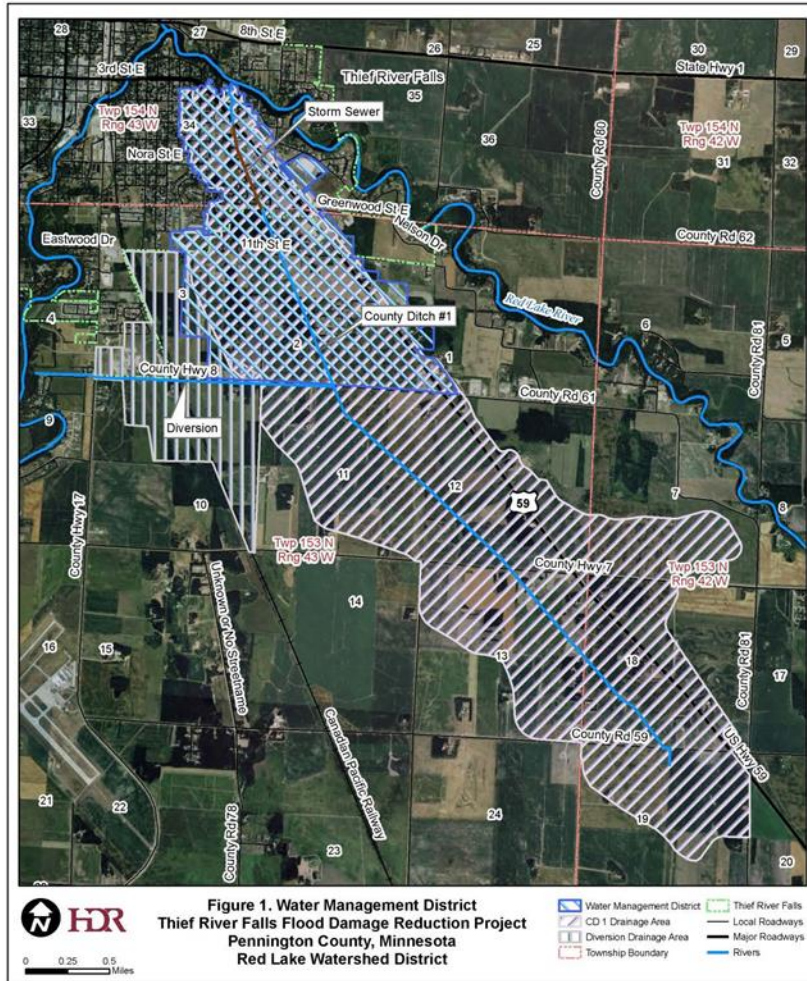
In response to the landowner petition, the RLWD has approved the Preliminary Survey Report and Detailed Survey Report in accordance with MN Statute 103E. These reports explain the project in detail and are available for review from the RLWD upon request.

Because of the severity of the flooding problem and the complexity and cost of the proposed CD 1 improvement within the urban environment, the RLWD established the Thief River Falls Flood Damage Reduction (FDR) Project in accordance with MN Statute 103D.605. As part of the funding strategy for the project, the RLWD is hereby proposing to amend Section 7.1.6.2 of its watershed plan in accordance with MN Statute 103D.411 to establish a Water Management District (MN Statute 103D.729) with the purpose of collecting revenue and paying for a portion of the costs of the Thief River Falls Flood Damage Reduction Project. This memo will outline the following as required by the amendment procedure:

- Area included in the Water Management District (WMD)
- The amount of the necessary charges
- The method used to determine the charges
- The length of time that the Water Management District will remain in force

**Water Management District Area**

The area encompassed by the proposed Water Management District extends from CSAH 8 at the south (upstream) end, to the northern extents of CD 1 outletting into the Red Lake River within the City of Thief River Falls. The outer boundary of the WMD follows property lines, because any property that has partial drainage or protection benefits from the project will be included in the Water Management District. The WMD is approximately 1,070 acres in area and is a mix of agricultural, commercial, industrial, and residential properties. See Figure 1 below for a map of the WMD boundary.



**Amount of Charges**

The project has been estimated to cost \$3 million, and is broken down into two distinct components:

- ditch improvement; and
- flood damage reduction project

The ditch improvement consists of an improvement of the ditch grade, cross-section, and culverts, and is estimated to cost approximately \$1,000,000. The ditch improvement component of the project will be paid for by benefitted landowners as determined by the viewers in the re-determination of benefits process.

The flood damage reduction component is estimated to cost \$2,000,000, and consists of a diversion down the CSAH 8/Challenger roadside ditch and the installation of storm sewer through the City, from Greenwood Street to the TH 59/1<sup>st</sup> St E intersection. The FDR project component will be paid for by contributions from the RLWD, the State of Minnesota FDR program, and the funds that the Water Management District would ultimately collect. The charges collected by the Water Management District for the construction of its portion of the flood damage reduction component shall consist of 30% of all costs associated with the FDR project, not to exceed \$700,000.

Table 1 below describes the breakdown of the project funding.

**Table 1. Project Funding Breakdown**

Project Component	Funding Source
Ditch Improvement	Benefitted Landowners
	35% Red Lake Watershed District
Flood Damage Reduction	35% State of MN - FDR Program
	30% WMD charges

**Method for Determining Charges**

The method used to determine the amount of charges each parcel will pay to the Water Management District will closely follow the method that the City of Thief River Falls uses to determine its monthly storm water utility charges. The monthly charge is determined by an approximation of the volume of storm water runoff from a parcel. Runoff volume is a factor of the parcel’s area, and the portion of the area that has impervious surfaces, such as rooftops, parking lots, driveways, and sidewalks. Each parcel that falls within the WMD boundaries will be placed into a land use classification, and assigned a Residential Equivalency Factor (REF) for each classification as follows in Table 2 below.

**Table 2. Residential Equivalency Factor (REF)**

<b>Land Use Classification</b>	<b>Residential Equivalency Factor (REF)</b>
Single Family	1.0
Manufactured Home	1.0
Multi-Family Residential	1.5
Commercial/Industrial	1.5
Schools/Churches/Institutional	1.5
City-Owned Land	1.0
Vacant/Vegetative/Agricultural/Unimproved	0.1 with cap

Then, the formula for determining the monthly charge is as follows:

$$\text{Water Management District Charge} = (\text{REF}) \times \text{size of parcel (acres)} \times \text{fee per acre}$$

The fee per acre will be determined upon a more detailed analysis of the final charges.

***Length of Time in Force***

The initial charges for the WMD for construction of the TRF FDR Project shall be assessed and recovered over a period not to exceed 20 years. In addition to the initial cost recovery period of 20 years, the WMD will remain in-place perpetually in order to assess fees for maintaining the WMD’s share of the flood damage reduction portion of the project. The managers may assess all the parcels of property and municipal corporations previously assessed for project construction of the TRF FDR project, to establish a maintenance fund for the project. The assessment for the WMD maintenance fund may not be made when the fund exceeds 20 percent of the original cost of construction for the Thief River Falls Flood Damage Reduction project.

***Conclusion***

In accordance with MN Statute 103D.729, this plan amendment proposal shall be forwarded to the City of Thief River Falls, Pennington County, and appropriate state agencies for review and comment. The Board of Water and Soil Resources will hold a public hearing in conjunction with the RLWD to receive testimony on the proposed plan amendment providing for the establishment of a Water Management District.

# Section 3 – Thief River Falls – West Side Flood Damage Reduction Project Water Management District

## Introduction

Pennington County Ditch #70 (CD 70) is located north and west of the City of Thief River Falls (City). The system drains areas north and west of the City, as well as areas within the City. CD 70 currently provides an estimated 2-year or less level of service for drainage in agricultural areas and an estimated 10-year level of service for drainage in residential/commercial areas. Currently, much of the system does not completely drain following wet weather events due to the inconsistent grade, channel size, and excess vegetation in the ditch. These conditions result in long periods of inundation on adjacent agricultural and commercial land from minor rainfall events. Although much of the area may be located outside of the 100-year floodplain, there are vital properties within the 11 mile drainage area that must be protected from a 100 year event.

In 2017 the Red Lake Watershed District (RLWD) partnered with the City and Pennington County (County) to study alternatives that would alleviate the flooding along CD 70. Upon the completion of the Flood Damage Reduction Analysis, the City and County filed petitions under Minnesota Statute 103D.705 to the RLWD for the design and construction of a proposed flood damage reduction project.

The RLWD established the Thief River Falls Westside Flood Damage Reduction Project in accordance with Minnesota Statute 103D.605. As part of the funding strategy for the Project, the RLWD proposes to establish a Water Management District (WMD) for the project in order to provide an efficient mechanism for collecting a local share of project costs. This section outlines the following requirements for the establishment of a WMD:

- Area included in the Water Management District;
- The amount of the necessary charges;
- The method used to determine the charges; and
- The length of time that the Water Management District will remain in force.

## Water Management District Area

The area encompassed by the proposed Thief River Falls-West Side Flood Damage Reduction Project WMD extends from the north (upstream) end of CD 70, to the outlet into the Red Lake River, as well as portions of the County Ditch 1 drainage area. The outer boundary of the WMD follows the drainage area boundaries or the benefitted area property lines, whichever is greater, because any property that has partial drainage or protection benefits from the Project will be included in the WMD. The WMD is approximately 10,670 acres in area and is a mix of agricultural, commercial, industrial, and residential properties. See Figure N-1 for a map of the WMD location. A listing of parcels affected by the WMD is included under a separate heading below.

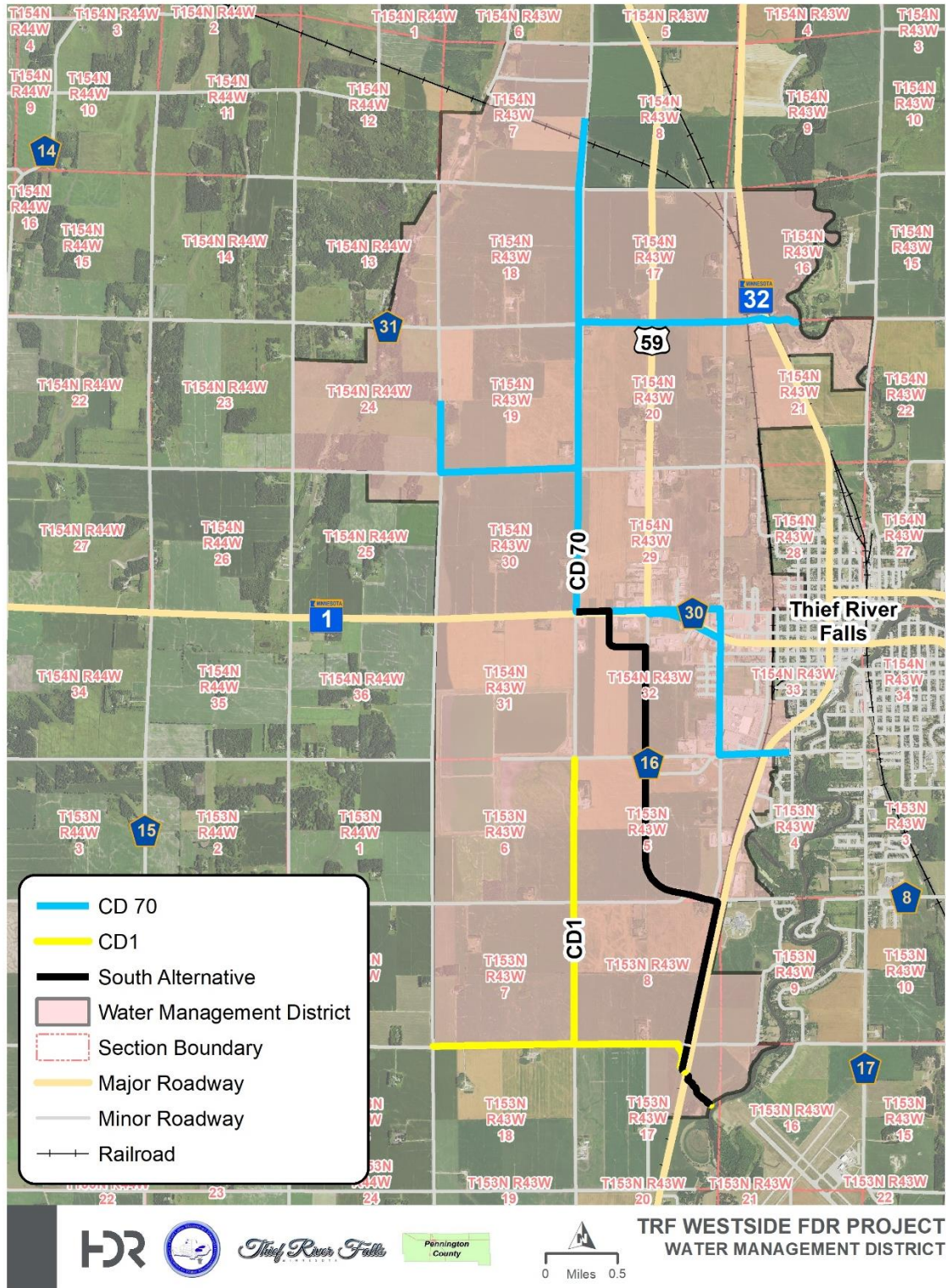


Figure N-1: Water Management District Location

## Amount of Charges

The Project has been estimated to cost \$6 million. The Project will be paid for by contributions from the RLWD, the State of Minnesota FDR program, Pennington County, the City of Thief River Falls, Minnesota Department of Transportation, and the funds collected from the WMD. The charges collected by the WMD for the construction of its portion of the flood damage reduction component shall consist of approximately 17% of all costs associated with the Project, not to exceed \$1,000,000. Table N-1 describes the breakdown of the Project funding.

Table N-1: Project Funding Breakdown

Funding Source	Project Participation
RLWD, City, County, MnDOT	\$2.5 Million (41.6%)
State of MN – FDR Program	\$1.5 Million (25%)
Red River Water Management Board	\$1.0 Million (16.7%)
Water Management District	\$1.0 Million (16.7%)

## Method for Determining Charges

The method used to determine the amount of charges each parcel will be assessed towards the WMD is based on the Pre-Project and Post-Project flood damage protection conditions (level of service) for each acre or fraction thereof in the water management district. The level of service is defined as the ability for a area of land to drain 12 hours after the storm event has ended. Subwatersheds within the drainage area of the Project were analyzed for a 2-year (2.49 inches), 10-year (3.77 inches), and 25-year (4.69 inches) 24 hour duration summer storm event. Based on the pre- and post-project level of service, a level of service factor (LSF) was assigned.

Table N-2: Level of Service Improvement Categories

Level of Service Improvement (LSI)	Level of Service Factor (LSF)
2 Year – 2 Year	Outlet Improvement (Base Rate = 1.0)
10 Year – 10 Year	Outlet Improvement (Base Rate = 1.0)
25 Year – 25 Year	Outlet Improvement (Base Rate = 1.0)
10 Year – 25 Year	2.0
2 Year – 10 Year	3.0
2 Year – 25 Year	4.0

The base rate will be determined by the following formula:

$$(Base\ Rate \times (Outlet\ Improvement\ LSF) \times Total\ LSI\ Parcels\ (Acres)) + (Base\ Rate \times (10Yr-25Yr\ LSF) \times Total\ LSI\ Parcels\ (Acres)) + (Base\ Rate \times (2Yr-10Yr\ LSF) \times Total\ LSI\ Parcels\ (Acres)) + (Base\ Rate \times (2Yr-25Yr\ LSF) \times Total\ LSI\ Parcels\ (Acres)) = \$1.0\ Million\ Max$$

The formula used for determining the total charge per parcel is as follows:

$$Water\ Management\ District\ Charge = (LSF) \times Base\ Rate \times Size\ of\ Parcel\ in\ Acres\ Contributing\ to\ the\ Project\ Drainage\ Area$$

*\*Parcels outside of the City of Thief River Falls are capped at a maximum assessment of 20 acres per parcel.*

*\*The minimum LSF within the City limits is 2.0 due to urban impervious surface and associated drainage benefits provided by the Project.*

## **Perpetual District; Duration of Charges, Subsequent Charges**

The water management district shall be perpetual for the life of this plan and any subsequent revisions, unless dissolved by plan amendment or revision. The initial charges for the WMD for construction of the Project shall be extended and recovered over a period not to exceed 20 years. In addition to the initial cost recovery period of 20 years. Subsequent maintenance charges within the WMD may be extended to establish and maintain a maintenance fund. The balance of a maintenance fund may not exceed 20 percent of the original cost of construction for the Project, consistent with the limitations found in statutes section 103D.631.

## **Affected Parcels**

The following is a list of parcels of record in the office of Pennington County Recorder that are included in the WMD:

(insert list of affected parcels that are included in the boundary of the WMD)

<The remainder of this page is intentionally blank>



# Section 4 – Black River Impoundment Project Water Management District

## Introduction

The Black River Impoundment Project's primary purpose is to provide flood damage reduction within the Black River sub-watershed. Reducing peak flows will reduce risk of flood damage to local public transportation facilities, erosion of agricultural and private lands upstream and downstream of the impoundment site, improve water quality, and improve the operation efficiency of the downstream Schirrick Dam on the Black River.

The Red River Watershed Management Board (RRWMB) funded a comprehensive plan for expanded distributed detention strategies for Minnesota membered watershed districts throughout the Red River Basin. This plan is summarized in the Red River Basin Commission's (RRBC) Long Term Flood Solutions (LTFS) Basin Wide Flow Reduction Strategy Report, and it concluded with a goal to reduce the Red River of the North (Red River) peak flow and volume by 20% during a flooding event comparable to the 1997 flood. To accomplish this, the report set forth guidelines while working with each of the watersheds to develop district specific strategies.

The Red Lake Watershed District's Expanded Distributed Detention Strategy recommended 58 locations of off channel retention and 8 locations of on channel retention to help achieve the goals set forth in the RRBC LTFS Basin Wide Flow Reduction Strategy Report. The Black River Sub-Watershed encompasses several of the identified 58 locations. To begin the development of a flood control impoundment project, the RLWD investigated preliminary alternatives for the Black River sub-watershed. Four preliminary impoundment site alternatives were reviewed within the Black River sub-watershed. The selected alternative was carried forward due to cooperation from local landowners and the potential storage capabilities of the site. Privately owned agricultural lands were made available by either fee title or permanent flowage easements to the RLWD for the impoundment site. The RLWD board proceeded with further engineering investigation of the selected alternative.

In addition to the impoundment site and associated structures, approximately 12 miles of diversion ditches are being proposed to efficiently direct runoff into the impoundment site; maximizing the impoundments contributing drainage area. All project costs associated with the impoundment and diversion ditches will be funded as part of the overall flood damage reduction project. The RLWD is proposing to establish a Water Management District (WMD) as part of an overall funding strategy for long term operation and maintenance of the project. See Figure N-2 for the locations of the project facilities and properties effected by the WMD.

The following section outlines the requirements for the establishment of a WMD:

- Define Water Management District Area
- Establish the amount of necessary charges
- Describe the method for determining charges
- Establish the length of time the WMD will remain in force

## Water Management District Area

The WMD area proposed for this project is generally bounded at the northerly limits by CSAH 7 and CSAH 12, a width approximately 1 mile east and 1 mile west of the intersection with CSAH 7, CSAH 13 and CSAH 12. The southerly limits are generally bounded by Pennington County Road 55 from the intersection with Pennington County Road 68, east for approximately 4 miles. The westerly limits of the proposed WMD is approximately Pennington County Road 68 from the intersection with CSAH 3, north approximately 3 miles, east 1 mile and north 1 mile along CSAH 12. The easterly limits follow the ridge line approximately 3 miles east

of Pennington County Road 68. The WMD area is bounded by either the limits of the drainage area or the limits of the benefitted area, whichever is greater. This is due to the opinion that any property having partial drainage or protection benefits will be include in the WMD. The WMD is approximately 10,288 acres of predominant agricultural land. Figure N-2 displays a more detailed boundary of the WMD area. A listing of parcels affected by the WMD is included under separate heading below.

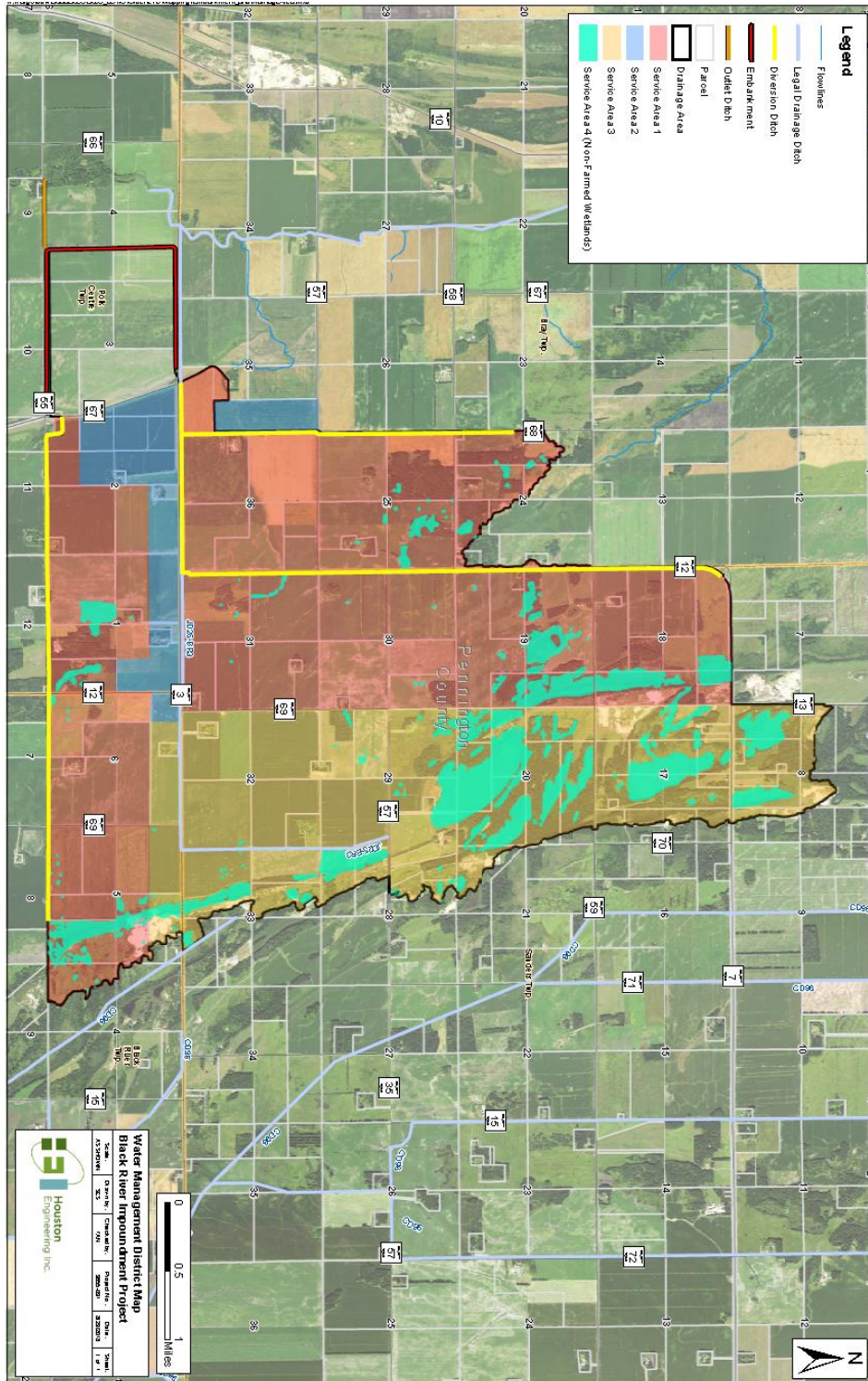


Figure N-2: Water Management District Location

## Amount of Necessary Charges

The construction of the Black River Impoundment Project is being proposed for funding through a combination of sources other than WMD Charges. These funding sources include the RLWD, State of Minnesota Flood Damage Reduction Program, and the RRWMB. However, for long term operations and maintenance of the project, the RLWD is proposing to use WMD charges as the primary funding mechanism.<sup>1</sup> Operations and maintenance is anticipated to include, but not be limited to, administration, inspection, vegetation management and mowing, repair, component replacement and reconstruction, and any other work deemed necessary by the RLWD to protect or preserve the function of the project. The RLWD anticipates a maximum annual operation and maintenance cost not exceed \$75,000 for the project. Thus, the total of annual WMD charges will not exceed \$75,000 during the life of the project.

## Method for Determining Charges

Landscape level land modification has contributed to the rate and volume of run-off within the project area and has created the need for regional rate and volume control in order to meet the rate and volume reduction goals of the RRBC LTFS Basin Wide Flow Reduction Strategy. Relative contribution to the need for the project was determined based on parcel proximity and parcel land use in relation to various conveyance infrastructure (diversion ditches) to the impoundment area. Parcel proximity with direct drainage to the diversion ditches are classified as Service Area 1. Service Area 1 reflects the highest level of service for the project, which correlates to the highest charge rate. Reduced charge rates were determined for parcels with limited access as outlined below. Parcels that have indirect drainage to the diversion ditches through culverts or modified drainage are classified as Service Area 2. Parcels that have no direct access to the diversion ditches but have indirect drainage along CSAH 3 or CSAH 12 are classified as Service Area 3. Parcels within Service Area 1 through 3 that are designated non-farmed wetlands as referenced under the National Wetland Inventory (NWI) are classified as Service Area 4. The WMD level of service summary is outlined in Table N-3 and Figure N-2.

Table N-3: Level of Service Summary Black River Impoundment

Service Area	Level of Service Factor (LSF)
1	5.33
2	4.00
3	2.67
4	1.00

The base rate will be determined by the following formula:

$$(Base\ Rate \times 5.33 \times Service\ Area\ 1\ (Acres)) + (Base\ Rate \times 4.00 \times Service\ Area\ 2\ (Acres)) + (Base\ Rate \times 2.67 \times Service\ Area\ 3\ (Acres)) + (Base\ Rate \times 1.00 \times Service\ Area\ 4\ (Acres)) = \$75,000\ Maximum$$

The formula used for determining the total charge per parcel is as follows:

$$Water\ Management\ District\ Charge = LSF\ Value \times Base\ Rate \times Size\ of\ Parcel\ Contributing\ to\ the\ Project\ Drainage\ Area\ (Acres)$$

<sup>1</sup> Long term operations and maintenance funding may be supplemented with other revenue sources as deemed appropriate by the RLWD Board of Managers.

## **Length of Time Water Management District Will Remain in Force**

No charged assessment will be made to the WMD for the initial project cost. In order to generate revenue for future operation and maintenance, the WMD shall be perpetual for the life of this plan and any subsequent revisions, unless dissolved by plan amendment or revision. The imposition of charges for future operations and maintenance is subject to the fund limitations found in Minnesota Statute 103D.631.

## **Affected Parcels**

The following is a list of parcels of record in the office of Pennington County Recorder that are included in the water management district:

(insert list of affected parcels that are included in the boundary of the WMD)

<The remainder of this page is intentionally blank>

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Red River Basin Commission Grant

---

**Meeting Date:** January 23, 2019

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** Regional Operations/North

**Contact:** Ryan Hughes

**Prepared by:** Ryan Hughes

**Reviewed by:** Northern Regional    Committee(s)

**Presented by:** Tom Schulz

**Time requested:** 5 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

Approval of the Order to provide FY 2019 Legislatively allocated general funds to the Red River Basin Commission as recommended by the Northern Regional Committee

**LINKS TO ADDITIONAL INFORMATION**

Red River Basin Commission Homepage <https://www.redriverbasincommission.org/>

Long Term Flood Solutions available at <https://www.redriverbasincommission.org/resources>

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

The legislatively directed funding provided to the Red River Basin Commission (RRBC) is to support ongoing work related to their Natural Resources Framework Plan and Long Term Flood Solutions Plan. For Fiscal Year 2019 this amount is \$100,000. The RRBC has secured the required match from Manitoba and North Dakota and will help further the work that they do in outreach and education for projects and issues related to water

quality and floodplain management. The RRBC has secured the required matching funds from the State of North Dakota and Province of Manitoba.

**BOARD ORDER****Red River Basin Commission Grant****PURPOSE**

Provide fiscal year 2019 legislatively allocated general funds to the Red River Basin Commission.

**RECITALS /FINDINGS OF FACT**

1. The Laws of Minnesota 2017, Regular Session, Chapter 93, Article 1, Section 4(i) appropriated funds to the Board for grants to the Red River Basin Commission for water quality and floodplain management, including administration of programs.
2. The Northern Regional Committee, at their January 2, 2019 meeting, reviewed the Red River Basin Commission work plan and budget and recommended the Board approve this grant.

**ORDER**

The Board hereby:

1. Approves the allocation of \$100,000 to the Red River Basin Commission for water quality and floodplain management, including administration of programs.

Dated at Shoreview, Minnesota, this January 23, 2019.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

\_\_\_\_\_

Gerald Van Amburg, Chair  
Board of Water and Soil Resources

Date: January 23, 2019



# Red River Basin Commission 2019 Workplan

The Red River Basin Commission (RRBC) is a charitable; not-for-profit organization designed to help facilitate a cooperative approach to water management within the Basin and is a well-established forum for identifying, developing, and implementing solutions to cross-boundary land and water issues.

The RRBC is led by 44 directors from Manitoba, Minnesota, North Dakota and South Dakota representing the diversity of this multi-jurisdictional Basin. The board is comprised of local, state, provincial, the environmental community and at-large members dedicated to innovation in the management of the Red River Basin's water resources.

## **4 Centers of Activity**

### **1. Administration/Finance**

#### **Administration (5100) \$20,000 of FY2019 BWSR Funds**

- Board Meetings: March, June, September, November
- Board Retreat: March 6 & 7; In Fargo with a focus, by facilitator, on current organizational By Laws and review of potential changes.
- Summer Tour and Board Meeting in Morris Manitoba June 12-13 to include tour of Pembina Valley Water Coop water plant and intake facility. The Board meeting will address progress on the update of the Long Term Flood Solution (LTFS).
- Executive Committee: Monthly, 3<sup>rd</sup> Thursday, additional meetings as needed
- Workplan Development: January – March Finalized in March based on feedback from RRBC Board Retreat
- Staff Evaluations: November-December

#### **Finance (5400) \$13,600 of FY2019 BWSR Funds**

- Prepare Annual Budget: Draft budget presented October 2018, January board approval. Begin 2020 budget process in July 2019.
- Manage budgets. Report Monthly Income and expenditures, approval by Board when they meet and Executive Committee the other months.
- Prepare workplans for the agreements for base funding with states and province.
- Request and report to local units of government base funding supports annually.
- Manage existing project funding.
- Develop and prepare new project funding as appropriate for RRBC mission.
- Manage Annual Audit in Canada, United States and Combined, board approval June/July.
- Manage Red River Watershed Center expenses and payments, for all the partners located jointly with RRBC at our current location. (NRCS, IWI, River Keepers, ND DOH, ND SWC and RRRRA).

### **2. Partnerships (7000) \$32,000 of FY2019 BWSR Funds**

- Assist COE Basin Comprehensive Plan, integrate with Update to RRBC Natural Resource Framework Plan. Weave in the goals, objectives and action items into the NRFP. Identify any gaps



or overlaps between the CWMP and NRFP to bring forward to board for updates, changes, discussion, etc. The NRFP vs. CWMP is a main theme in the March Retreat.

- Facilitate Basin groups including the following in Minnesota: Roseau River International Watershed, MN Counties Red River Joint Powers Board, International Red River Board and South Valley Initiative.
- Coordinate with the MN Red River Watershed Management Board on flood damage reduction and natural resource enhancement and communication activities by participating at RRWMB monthly meetings as well as committee work.
- Coordinate outreach to local government entities in MN with administrator of RRWMB

### **3. NRFP Workings Groups (7100) \$2,400 of FY2019 BWSR Funds**

The Natural Resources Framework Plan (NRFP) was written with the intent of providing a vision for the Red River Basin as a whole – for citizens, local governments, and water management agencies. The complex nature of the Red River Basin has resulted in challenges to effective, integrated land and water management. As such, the Red River Basin Commission has developed the “Natural Resources Framework Plan” – to aid in achieving a basin-wide approach to integrated natural resource management, and provide a framework for overcoming political barriers. Primary issues of concern identified by the RRBC with input from citizens, governments and agencies included: Flood Damage Reduction; Fish, Wildlife, Aquatic and Riparian Ecosystem Health; Water Quality; Water Supply; Recreation; and Soil Conservation. Goals and objectives were developed and refined based on the identification of these issues of concern and the need for comprehensive, integrated watershed stewardship and management for the Basin. Focus in 2019 will be on Water Supply and Water Quality Committees

#### **Flood Damage Reduction and Hydrology**

- Focus during 2019 on update of the Long Term Flood Solutions, USACE collaboration on new Hydrologic Modelling of 200 & 500 year floods.
- Continue to work where appropriate with Buffalo Red Watershed District on integrated water management on a watershed scale,
- Scope the requirements for a similar project in the Cass County area of ND.
- Gaging/Forecasting Project: implementation of the gaging report that will include potential data coordination, installation of additional monitoring stations including soil moisture/frost and development of strategies to improve our gaging efforts. Work with broader community to better integrate existing sensor networks for forecasting as well as minimize gaps in coverage.
- Halstad Upstream Retention Project: continue outreach activity on implementation of distributed storage plans in conjunction with IWI, RRRRA, NDJWRD and MNRRWMB. Work with Buffalo-Red WSD and Bois de Sioux WSD to advance storage projects that can utilize \$25 million funding set aside by City of Fargo for storage projects in the southern end.
- Work to integrate Manitoba’s provincial Departments that are working on Roseau River watershed with work already completed on Minnesota side of this watershed. LiDAR for the Manitoba portion is now in place.
- Integrate efforts with Southern Chiefs Organization in Manitoba, layout framework for FDR planning for 33 First Nation Communities, continue outreach and build upon goals of the One Basin One Governance Project as funding becomes available

- Participate where appropriate in the discussions and ongoing planning for the Fargo-Moorhead Diversion Project.
- Continue outreach on the IWI lead, Basin Technical and Scientific Committee working on surface drainage and continue to work with that group on the implementation of the tile drainage guidelines.

### **Fisheries, Wildlife, Aquatic and Riparian Ecosystem Health**

- Continue work on the watershed AIS LCCMR Project, leveraging local resources, and completing the pilot watershed risk assessments for AIS. Promote, organize and bring together basin-wide participants from Minnesota, North Dakota and Manitoba to address AIS issues within the basin.
- Work with International Water Institute to expand River Watch program across the basin including targeted efforts in the Pembina and Roseau International Watersheds.

### **Water Quality**

- Continue to work on and expand the efforts of the Water Quality Strategic Plan, funded by the MN legislature through PCA to work with IRRB, MN, ND, and MB efforts and goals to produce a “State of the Basin: Water Quality Report” that can be annually updated. Legislative report was finalized in June 2018. A continued State of the Basin summary will be produced every six months from various lines of effort outlined in the strategy.
- Explore opportunities to establish a WQ trading plan that will directly improve water quality in watersheds of interest.
- Continue to assist and work with the IRRB-Water Quality Committee on the Nutrient Reduction initiatives that they and the individual states and province are advancing.
- Seek opportunities to continue the work of Dr. Joe Magner U of MN, St. Paul on sources of nutrients within the agricultural watershed that feeds the North Ottawa Impoundment. Projects will help future phosphorus reduction strategies by clearly identifying relative inputs of nutrients that contribute to the impoundment.
- Partner with the MN Ag Water Research Center and MN Department of Ag and ND Dept of Health to host citizen/farmer BMP workshop in Crookston.

### **Water Supply**

- Continue with meeting of the Water Supply Working group to integrate voices from all jurisdictions as they consider drought management studies.
- Continue work with the COE Comprehensive Plan to integrate our water supply work of our NRRP into COE Comprehensive Plan.
- Facilitate discussions with Minnesota and Manitoba on North Dakota’s Eastern Water Supply project where they propose to bring water to Fargo from the Missouri River.
- Work with International Red River Board’s initiative to develop low-flow protection levels and drought preparedness work for the entire Red River basin.

## **Recreation**

- Work with the COE Comprehensive Plan to integrate our NRFP recreation work into COE Comprehensive Plan. This will involve identifying problem areas, developing recreation goals and an implementation strategy.
- Collaborate with River Keepers in the Moorhead/Fargo area and other water recreation orientated organizations within the basin to improve water related recreational opportunities.

## **Soil Conservation and Land Use**

- Explore options to recognize River Friendly farmers in cooperation with SWCD.
- Work with the COE Comprehensive Plan to integrate our Soil Conservation/Soil Health work of the NRFP into COE Comprehensive Plan.
- Coordinate with SWCDs within the basin that are working on specific soil conservation grants from BWSR and others that are targeted to make improvements to soil health and water quality within the basin

### **4. Education & Information/Communication (7700) \$32,000 of FY2019 BWSR Funds**

- Press releases, Ripple Effect newspaper columns and Water Minutes done Monthly.
- Annual Summit Conference: January 15-17, 2019. Gathering of 300-400 participants basin stakeholders.
- Continue synergistic activities through co-location effort. Efforts include coordination with NRCS and Red River Retention Authority on implementation of Federal Farm Bill provisions for the Red River Basin. Coordinate, volunteer and supplement work being done with all co-location partners including River Keepers, ND Department of Health and ND State Water Commission. Explore the potential for future co-location efforts with MN funders and partners.
- RRBC website continues as a connection for organizations and is updated with reports.
- Participate in annual meetings of: MAWD, MN Assoc. SWCD, RRWMB/FDRWG and joint RRRA meetings and tour in August.

## **Other Grants**

The RRBC was successful in receiving competitive grants in two different project areas. This project work supplements our base funding and allows us to advance activities in the basin that we would not otherwise be able to undertake.

- The NRCS awarded \$100,000 to scope the integrated drainage plan in Cass County ND. This is similar to a project in the Buffalo Red Watershed of Clay county. The Project will enable collaborators to expedite planning efforts for comprehensive natural resource planning in a subwatershed that contributes runoff towards peak Red River floods. Flood reduction will be realized by timely management of water holding capacity of the watershed soil profile and drainage water management on subsurface drainage systems. This facilitated planning effort will incorporate objectives and missions of ag producers, local entities, ag suppliers, researchers, conservation agencies, and ag commodity groups into a comprehensive areawide plan equipped for speedy implementation.
- The RRBC was awarded \$30,000 by the MPCA to facilitate flood planning in Clay County communities as related to climate change. This will be a subsidiary element of the Update of the

Long Term Flood Solutions update which was awarded a \$125,000 grant by Cass County ND and is partnered with the US Corp of Engineers for updated hydrologic modelling of the Red River.



**Red River Basin Commission**

**1120 28<sup>th</sup> Ave N, Fargo, ND 58102 · 701-356-3183**

**205-1100 Concordia Ave. · Winnipeg, MB R2K 4B8 · 204-982-7250**

**[www.redriverbasincommission.org](http://www.redriverbasincommission.org)**

**COMMITTEE RECOMMENDATIONS**

***RIM Reserve Committee***

1. Blue Earth CSAH 1 RIM Easement Alteration (07-12-99-01) – Tim Fredbo – ***DECISION ITEM***

### BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Blue Earth CSAH 1 RIM Easement Alteration (07-12-99-01)

**Meeting Date:** January 23, 2019

**Agenda Category:**  Committee Recommendation  New Business  Old Business

**Item Type:**  Decision  Discussion  Information

**Section/Region:** Conservation Easement Section

**Contact:** Dave Weirens, Acting Section Mgr.

**Prepared by:** Tim Fredbo, Easement Specialist

**Reviewed by:** RIM Committee(s)

**Presented by:** Tim Fredbo

**Time requested:** 10 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**  Resolution  Order  Map  Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

Board approval to amend RIM easement 07-12-99-01 in Section 35 of South Bend Twp, T108N, R37W, Blue Earth County. To remove 2.6 acres from the 24.7 acre riparian easement adjacent to the Le Sueur River for required road safety improvements being undertaken by the Blue Earth County Hwy. Dept. The County has paid \$32,079.20 for the release of the acres as required by our Easement Alteration Policy, and received approval to start the project from BWSR easement staff.

**LINKS TO ADDITIONAL INFORMATION**

Easement alteration policy [http://www.bwsr.state.mn.us/easements/easement\\_alteration\\_policy.pdf](http://www.bwsr.state.mn.us/easements/easement_alteration_policy.pdf)  
Blue Earth CSAH 1 support docs.pdf (attached)

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

The Blue Earth County Highway Dept. has purchased additional right-of-way land for the required reconstruction of County State Aid Highway (CSAH) 1 that contains approximately 2.6 acres of an adjacent 24.7 acre MN River CREP easement that was recorded on 2/7/2001. This project is being undertaken to make

this road safer and more stable. It will be upgraded to meet current MNDOT State Aid Design Standards to help reduce higher than average crash numbers along this stretch of road. See the attached map in the supporting documents for location of this easement and adjacent CSAH 1.

The BWSR's policy for easement alterations on public road projects necessitates payback for released acres at twice the current easement payment rate, plus any cost-share payments and a \$500 administrative fee. The easement payment rates for South Bend Twp. in place back in June of 2018 were \$6,966/acre for cropland, and \$4,644/acre for non-cropland. 2 times these rates are \$13,932 for cropland and \$9,288 for non-crop. There are 1.6 acres of cropland and 1.0 acre of non-crop being released from this easement. There were no conservation cost-share payments on these acres when originally placed into CREP.

1.6 acres cropland for release X \$13,932 =	\$22,291.20
1.0 acres non-crop for release X \$ 9,288 =	\$ 9,288
Administrative fee =	<u>\$ 500</u>
PAYMENT REQUIRED =	\$32,079.20

BWSR has received full payment from Blue Earth County for this release and a copy of the check is included in the associated supporting documents.

**Recommendation**

Staff recommends approval to formally amend easement 07-12-99-01 to remove 2.6 acres. The RIM Committee of the BWSR approved this request at their 12-19-2018 meeting.

Board Resolution # 19- \_\_\_\_\_

---

**RIM Reserve Easement 07-12-99-01 Release for Public Road Improvement**

---

**WHEREAS** the BWSR previously acquired a 24.7 acre RIM easement in Sections 35 of South Bend Twp., T108N, R35W, Blue Earth County, on February 7, 2001 from Tony and Amy DeSantiago; and,

**WHEREAS** the Blue Earth County Hwy. Dept. has purchased 3.4 acres from the DeSantiago's, 2.6 acres of which are within RIM easement 07-12-99-01, in order to rebuild and upgrade County State Aid Highway (CSAH) 1 to comply with current highway safety standards; and

**WHEREAS** the Blue Earth County Hwy. Dept. has requested the release of the 2.6 acres in the RIM easement to complete the CSAH 1 reconstruction project; and

**WHEREAS** Section 8400.3610 of RIM rule and the BWSR Easement Alteration Policy related to public infrastructure projects allows government entities responsible for building the projects to request that BWSR release acres needed for their projects by paying for their release at two times the most current easement payment rate, plus a \$500 processing fee; and

**WHEREAS** the Blue Earth Co. Hwy. Dept. has already paid \$32,079.20 for the release of 2.6 acres from conservation easement 07-12-99-01 to enable the road construction on CSAH 1; and

**WHEREAS** BWSR Easement staff has given tentative approval for the easement release as allowed by current policy; and

**WHEREAS** the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on December 19, 2018 and recommends approval of this release;

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Minnesota Board of Water and Soil Resources (BWSR) approves the release of 2.6 acres from RIM easement 07-12-99-01 as proposed, and authorizes staff to work with the DeSantiago's, Blue Earth Hwy. Dept. and Blue Earth SWCD staff to officially amend the necessary RIM easement documents.

Dated at Shoreview, Minnesota this 23rd day of January, 2019

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

\_\_\_\_\_

Date: \_\_\_\_\_

Gerald Van Amburg, Chair

Board of Water and Soil Resources



# Blue Earth CSAH I AMMENDMENT

**Fredbo, Tim R (BWSR)**

---

**From:** Fredbo, Tim R (BWSR)  
**Sent:** Monday, June 18, 2018 11:29 AM  
**To:** 'Jeff Potts'; Ryan Thilges  
**Cc:** derek.denisen@blueearthswcd.org; jerad.bach@blueearthswcd.org  
**Subject:** RE: Easement #07-12-99-01  
**Attachments:** 20180618100103741.pdf

All,  
Based on information received in the attachments that were sent to me on June 8<sup>th</sup>, I have adjusted the acreage needed for release from our RIM easement to 2.6 acres because our original easement boundary did not go all the way to the current road ROW line. In the attached pdf of our easement boundary from our GIS layer you will see a small 0.8 acre area that was subtracted from the County's 3.4 acre figure originally proposed for release.

To release the 2.6 acres required for this road project the BWSR will need to receive payment from the County in the amount required by our Easement Alteration Policy. Here is the link to the policy on our website:  
[http://www.bwsr.state.mn.us/easements/easement\\_alteration\\_policy.pdf](http://www.bwsr.state.mn.us/easements/easement_alteration_policy.pdf)

In this case I have determined that the 2.6 acres was composed of 1.6 acres of cropland and 1.0 acre of non-cropland when it was originally put under easement in 2001. The current RIM payment rates for South Bend Twp are; \$6,966.00/acre for cropland, and \$4,644.00/acre for non-cropland. Our easement alteration policy stipulates 2 times these rates, \$13,932 / acre for cropland, \$9,288 for non-crop. Our policy also stipulates a \$500 processing fee to do the work required to alter the easement. With these rates following is the math which computes the amount BWSR will need to receive from the County:

1.6 acres cropland for release X \$13,932/ac =	\$22,291.20
1.0 ac non-crop for release X \$9,288/ac =	\$9,288.00
Processing fee =	<u>\$500.00</u>
<b>TOTAL PAYMENT REQUIRED</b>	<b>\$32,079.20</b>


This email serves as the tentative approval for this project from BWSR staff, as stipulated in our policy. Once we receive payment from Blue Earth County it will be presented to the BWSR Board for final approval.

Make check payable to the Board of Water and Soil Resources, and mail it to the following address:  
MN Board of Water and Soil Resources ATTN: Tim Fredbo  
444 Pine Street, Ste. 130  
St. Paul, MN 55155

It would be very helpful if the County Hwy. Dept. could send us the legal survey and GIS shape file for the new ROW boundary associated with the new road so we could use that exact info for creating our new amended legal description for this RIM easement.

If you have any questions or need anything further, please contact me.

*Tim Fredbo*  
*Easement Specialist*  
*Board of Water and Soil Resources*  
*651-539-2564*  
*Tim.fredbo@state.mn.us*



0.8 acres between easement boundary and ROW  
(not in easement)

07-12-99-01- -

---

**From:** Jeff Potts [mailto:jpotts@pheasantsforever.org]  
**Sent:** Friday, June 08, 2018 8:32 AM  
**To:** Fredbo, Tim R (BWSR) <tim.fredbo@state.mn.us>  
**Cc:** derek.denisen@blueearthswcd.org; jerad.bach@blueearthswcd.org  
**Subject:** Easement #07-12-99-01

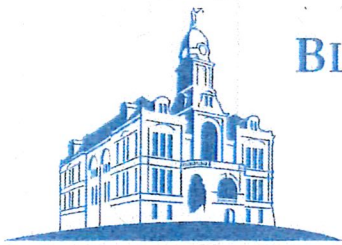
Tim,

Attached is the packet of materials that was presented to the SWCD board last night by Blue Earth County Engineer Ryan Thilges regarding the proposed RIM alteration for the road project. The SWCD board approved the necessary alteration to the RIM easement to facilitate the road project. Please review and reply to Jerad and Derek (cc'd) with what steps are remaining for the County to get a verbal approval to move forward with the project.

Thanks

**Jeff Potts** | Farm Bill Wildlife Biologist | **Associate Wildlife Biologist®**  
Pheasants Forever, Inc. and Quail Forever, Inc. | SWCD 1160 S. Victory Dr. | Mankato, MN 56001  
o. (507)345-4744 | m. (507)508-0615 |  
[jpotts@pheasantsforever.org](mailto:jpotts@pheasantsforever.org)  
<http://www.PheasantsForever.org>

Think Habitat!



# BLUE EARTH COUNTY

*Effectively and Efficiently  
Delivering Essential Services*

www.blueearthcountymn.gov

## COMMISSIONERS

- District 1 Drew Campbell
- District 2 Vance Stuehrenberg
- District 3 Mark Piepho
- District 4 Will Purvis
- District 5 Kip Bruender

May 31, 2018

Blue Earth Soil & Water Conservation District  
1160 Victory Drive, Suite 5  
Mankato, MN 56001

RE: Proposed RIM Land Release for Reconstruction of CSAH 1 (Old MN 66)

Dear Committee:

Blue Earth County hereby requests approval for release of approximately 3.4 acres of RIM land (parcel 6) formerly owned by Anthony and Amy DeSantiago for conversion to County Highway Right of Way. This segment of CSAH 1 is former Minnesota Highway 66 that has been turned back to Blue Earth County. As part of the turn back agreement MNDOT has agreed to fund reconstruction of the road to current design standards. CSAH 1 (old MN 66) from Good Thunder to Mankato is significantly deteriorated with poor sight distances, high crash rates, steep horizontal and vertical curves, very narrow road shoulders, steep eroding instable slopes, soft underlying soils, close proximity to the Le Sueur River. CSAH 1 is a south-north vital corridor commencing from the south County line through the City of Good Thunder to CSAH 90 and terminating at US highway 169 in Mankato. The reconstruction of CSAH 1 will provide the travelling public and adjacent landowners a significantly improved wider, stronger and safer road.

In addition to the aforementioned deficiencies this realignment section is of specific safety concern. The ten-year crash history approaching and within this area are very near or above the critical crash rates (based on volume per million entering vehicles) when compared to other roads of a similar purpose and nature, which signifies a safety issue. The primary reason for the high crash rates is because the existing road's horizontal and vertical curves are far below the minimum MNDOT State Aid Design Standards. The proposed realignment meets the minimum design standard of 45 mph for this segment which will significantly improve sight lines and mobility and reduce crash rates and severity of crashes.

Our design approach in this segment between CSAH 9 and CSAH 90 has been to reconstruct the road where deficiencies and significant safety or maintenance problems exist, utilize curb and gutter and storm sewer where needed, and to rehabilitate pavement where feasible. The reconstruction project will be designed to meet all MNDOT State Aid geometric requirements. The road will be constructed as a 10 Ton per axle rural section with a 45 mile per hour (minimum) design standard with softer horizontal and vertical curves to improve sight distances and driver

## Historic Courthouse

204 S. Fifth St.  
PO Box 8608  
Mankato, MN 56002

**Administration**  
TEL: 507-304-4150  
FAX: 507-304-4344

**Extension**  
TEL: 507-304-4325  
FAX: 507-304-4059

**Finance**  
TEL: 507-304-4182  
FAX: 507-304-4077

**Physical Plant**  
TEL: 507-304-4249

**Taxpayer Services**  
PO Box 3567  
TEL: 507-304-4251  
FAX: 507-304-4075

## Government Center

410 S. Fifth St.  
Mankato, MN 56001

**Human Services**  
PO Box 3526  
TEL: 507-304-4319  
FAX: 507-304-4379

**Environmental Services**  
PO Box 3566  
TEL: 507-304-4381  
FAX: 507-304-4431

**Taxpayer Services/  
License Center**  
PO Box 3524  
TEL: 507-304-4340  
FAX: 507-304-4396

**Veterans Services**  
PO Box 8608  
TEL: 507-304-4246  
FAX: 507-304-4225

**Information Technology**  
PO Box 8608  
TEL: 507-304-4204  
FAX: 507-304-4355

## Public Works

35 Map Dr.  
PO Box 3083  
Mankato, MN 56002  
TEL: 507-304-4025  
FAX: 507-304-4049

## Justice Center

401 Carver Road  
PO Box 8608  
Mankato, MN 56002

**Sheriff's Office**  
PO Box 228  
TEL: 507-304-4800  
FAX: 507-304-4818

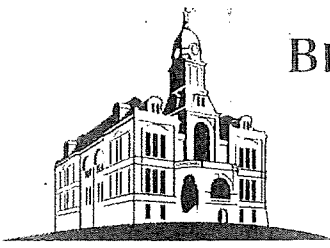
**County Attorney**  
PO Box 3129  
TEL: 507-304-4600  
FAX: 507-304-4620

**Probation**  
PO Box 3543  
TEL: 507-304-4750  
FAX: 507-304-4710

## Library

100 E. Main St.  
Mankato, MN 56001  
TEL: 507-304-4001  
FAX: 507-304-4009

www.beclibrary.org  
TDD: 507-304-4399



# BLUE EARTH COUNTY

*Effectively and Efficiently  
Delivering Essential Services*

www.blueearthcountymn.gov

## COMMISSIONERS

- District 1 Drew Campbell
- District 2 Vance Stuehrenberg
- District 3 Mark Piepho
- District 4 Will Purvis
- District 5 Kip Bruender

reaction time. The road will be widened to include 12' driving lanes with 8' shoulders with flattened and safer inslopes, curb and gutter sections, and new drainage pipes under the road and approach driveways, pavement underdrains, and new bituminous pavement. The 8' shoulders will provide a safe spot for stalled vehicles as well as a safe location for equipment during routine maintenance activities. During preliminary design we evaluated three different alignments through this area evaluating each alternatives environmental, economic, social, & safety impacts. The selected alignment provided the best balance of economy and minimization of environmental impacts. By utilizing two retaining walls on the west side of the road and using the minimum 45 MPH design standard curves we are able to minimize the amount of RIM land impacts as much as possible. We cannot move the road any further to the west without heavily excavating and deforesting the 160' +/- bluff on the west side of the road. This alignment also avoids placing fill in the Le Sueur River floodplain directly northeast of the road.

If you have questions or would like to discuss, please call me at 507-304-4025. We look forward to your response regarding this worthy project.

Sincerely,

Ryan Thilges, P.E.  
Public Works Director / County Engineer  
Blue Earth County Highway Department

- Attachments: Location Map (1)  
 CSAH 1 Realignment with Aerial Image (1)  
 Project Plan Sheets no. 90, 263 & 272 (3)  
 Southwest Bluff topography (1)  
 Proposed RIM Land Release (2)  
 BEC CSAH ROW Plat no. 39 with parcel 6 inflated view (4)

- cf: Jack Hermer, Associate Engineer – Right of Way  
 Stefan Gantert, P.E. – Assistant County Engineer  
 Mike Krosch, Associate Engineer – Bridges & Environmental Permits

h:\word-lr thilges\2018\1 (9 to 90) realign rim justification ltr.docx

- Historic Courthouse**  
204 S. Fifth St.  
PO Box 8608  
Mankato, MN 56002
- Administration**  
TEL: 507-304-4150  
FAX: 507-304-4344
- Extension**  
TEL: 507-304-4325  
FAX: 507-304-4059
- Finance**  
TEL: 507-304-4182  
FAX: 507-304-4077
- Physical Plant**  
TEL: 507-304-4249
- Taxpayer Services**  
PO Box 3567  
TEL: 507-304-4251  
FAX: 507-304-4075
- Government Center**  
410 S. Fifth St.  
Mankato, MN 56001
- Human Services**  
PO Box 3526  
TEL: 507-304-4319  
FAX: 507-304-4379
- Environmental Services**  
PO Box 3566  
TEL: 507-304-4381  
FAX: 507-304-4431
- Taxpayer Services/  
License Center**  
PO Box 3524  
TEL: 507-304-4340  
FAX: 507-304-4396
- Veterans Services**  
PO Box 8608  
TEL: 507-304-4246  
FAX: 507-304-4225
- Information Technology**  
PO Box 8608  
TEL: 507-304-4204  
FAX: 507-304-4355
- Public Works**  
35 Map Dr.  
PO Box 3083  
Mankato, MN 56002  
TEL: 507-304-4025  
FAX: 507-304-4049
- Justice Center**  
401 Carver Road  
PO Box 8608  
Mankato, MN 56002
- Sheriff's Office**  
PO Box 228  
TEL: 507-304-4800  
FAX: 507-304-4818
- County Attorney**  
PO Box 3129  
TEL: 507-304-4600  
FAX: 507-304-4620
- Probation**  
PO Box 3543  
TEL: 507-304-4750  
FAX: 507-304-4710
- Library**  
100 E. Main St.  
Mankato, MN 56001  
TEL: 507-304-4001  
FAX: 507-304-4009  
www.beclibrary.org  
TDD: 507-304-4399



07-12-99-01--

T108N R27W S35

07-12-99-01--

T107N R27W S2

SENE

SWNW

SENW

SWNE

NESE

NWSW

NESW

NWSE

SESE

SWSW

SESW

SWSE

NENE

NWNW

NENW

NWNE

SENE

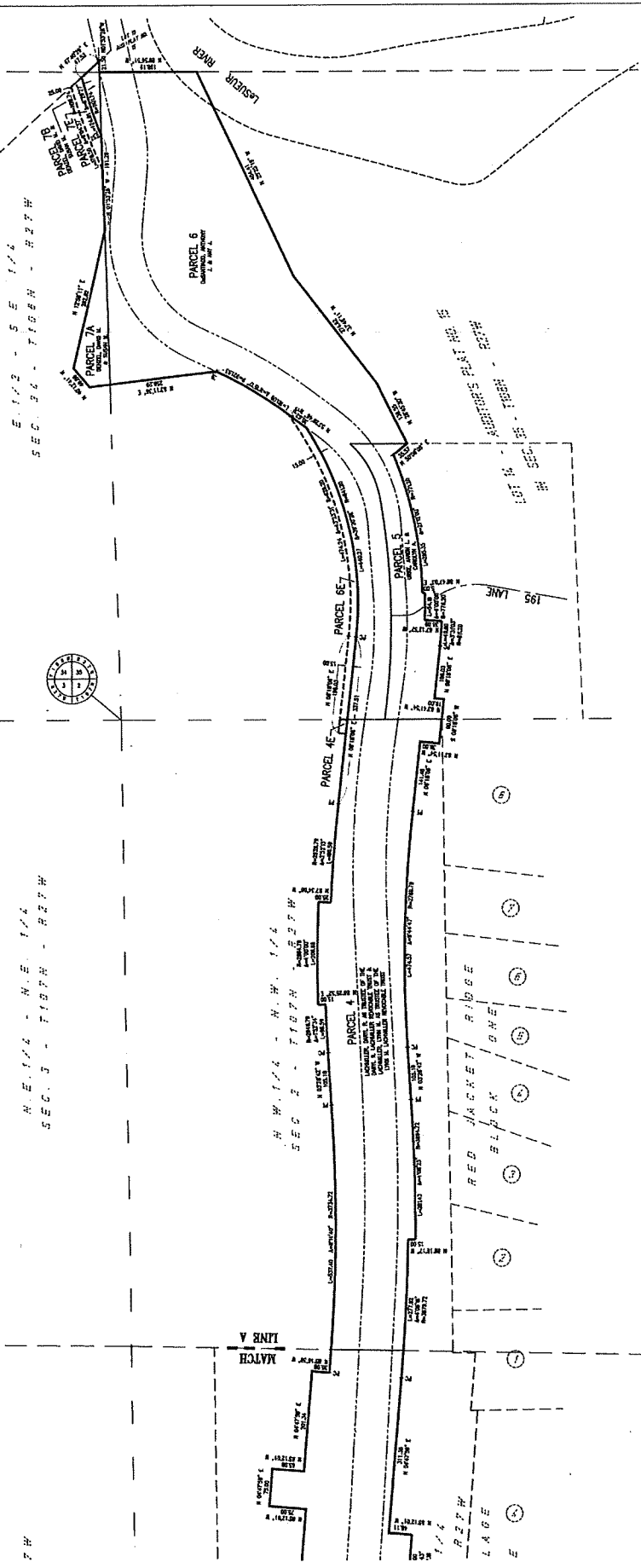
SWNW

SENW

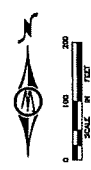
SWNE



# BLUE EARTH COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 39 C.S.A.H. NO. 1 - (FORMERLY T.H. 66)



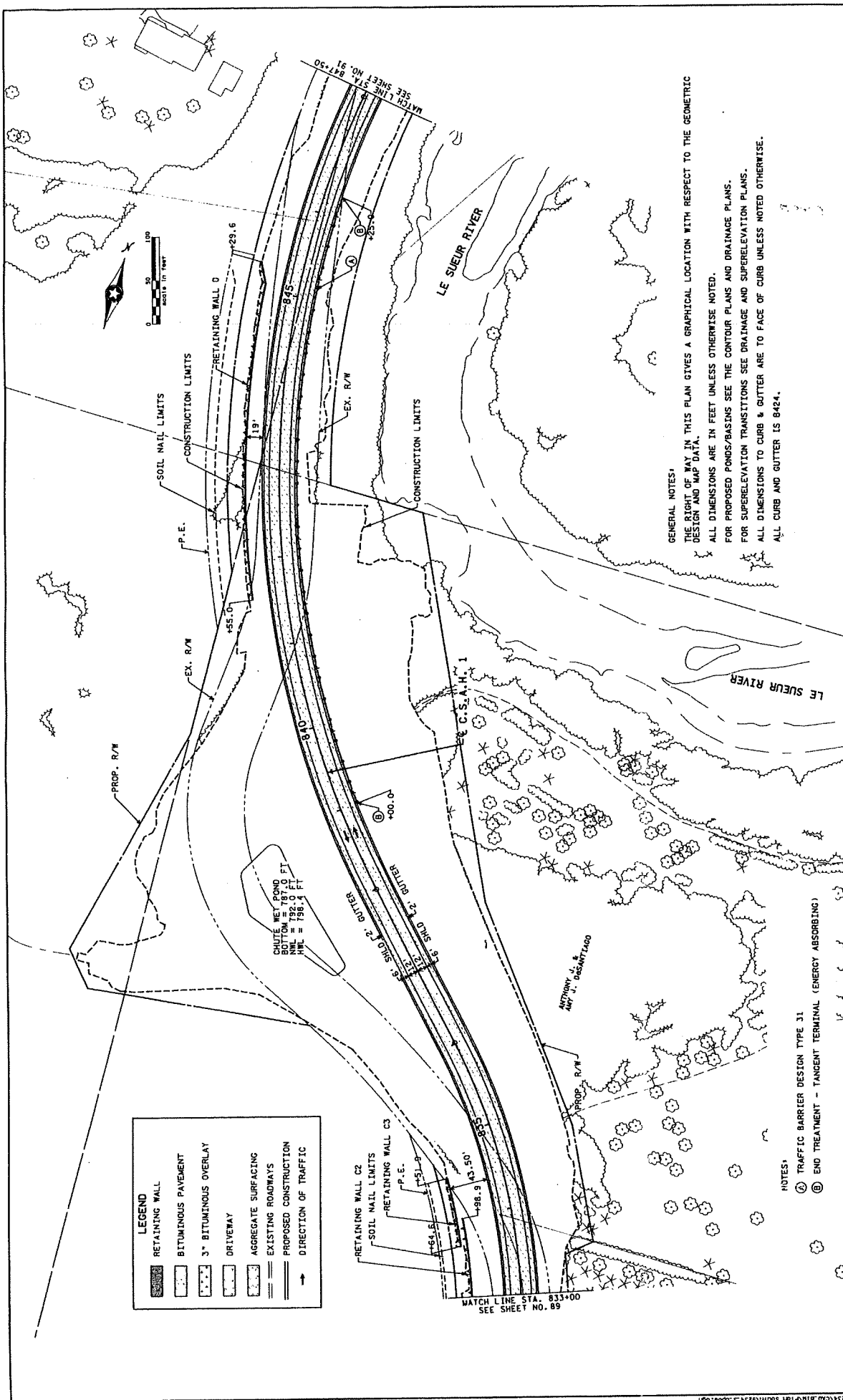
- INDICATES FOUND MONUMENT (SEE COORDINATE LIST FOR DESCRIPTION OF MONUMENT)
- L= INDICATES ARC DISTANCE
- A= INDICATES CENTRAL ANGLE
- PC= INDICATES POINT OF CURVATURE
- PT= INDICATES POINT OF TANGENCY
- PI= INDICATES POINT OF INTERSECTION
- CL= INDICATES CENTER LINE DIMENSION
- SL= INDICATES SECTION LINE DIMENSION



- BASES OF BEARINGS**  
NAD 83 COUNTY 2000 - 1003.11.1993
- \_\_\_\_\_ EXTERIOR SECTION LINES
  - \_\_\_\_\_ INTERIOR SECTION LINES
  - \_\_\_\_\_ 1/4 SECTION LINES
  - \_\_\_\_\_ EXISTING PARCEL LINES
  - \_\_\_\_\_ EXISTING PAV LINE
  - \_\_\_\_\_ NEW PARCEL LINES

**FINAL PLAT REVIEW**  
**PENDING 10/20/2022 SHEETS**  
BOSTON & MEYER, INC.  
100 EAST HANCOCK ST. AND 110 S. 14TH AVE. S. MINNAPOLIS, MN 55404  
DRAWN BY: WJ  
10/20/2022



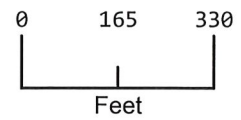
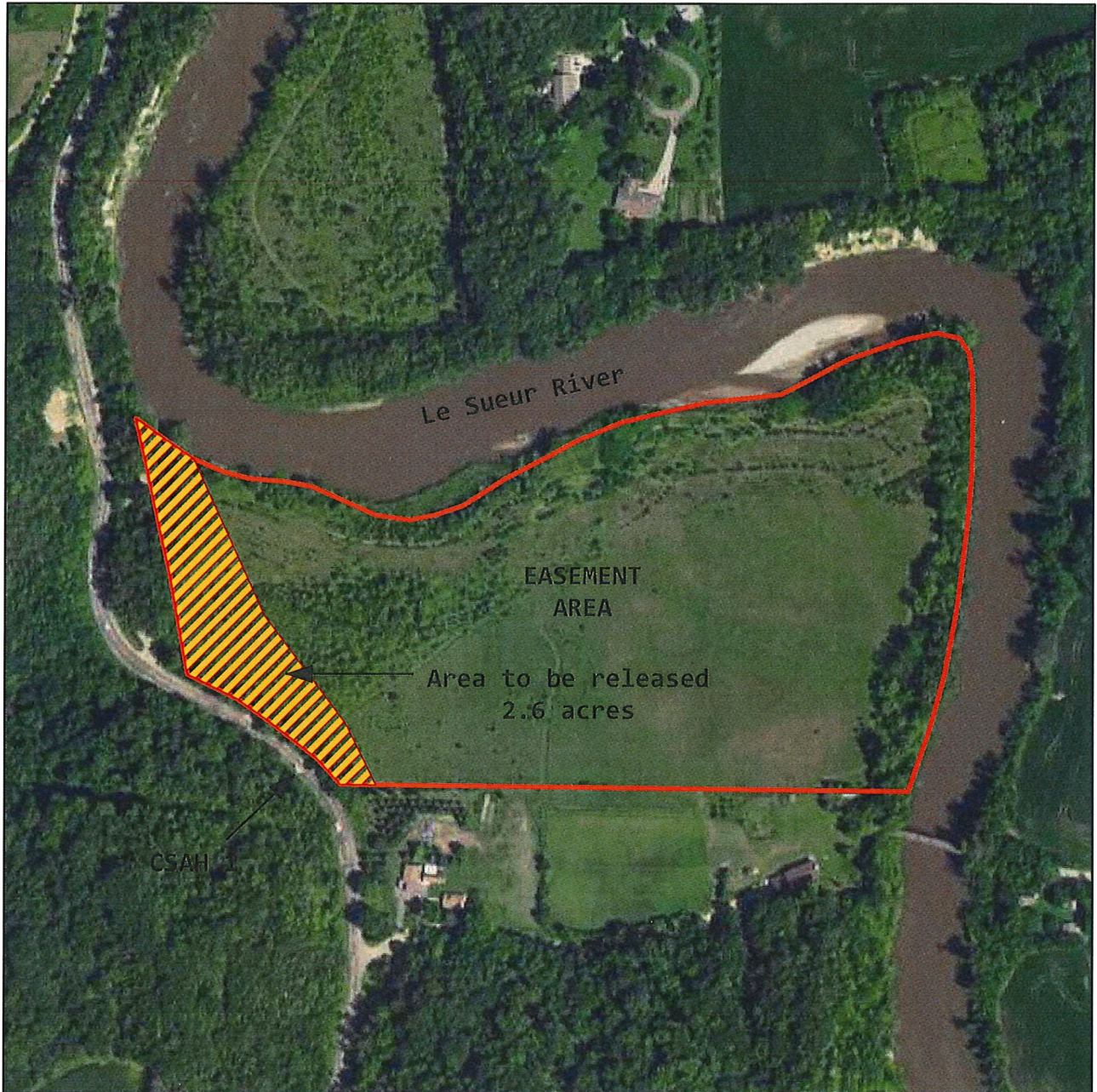


GENERAL NOTES:  
 THE RIGHT OF WAY IN THIS PLAN GIVES A GRAPHICAL LOCATION WITH RESPECT TO THE GEOMETRIC DESIGN AND MAP DATA.  
 ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.  
 FOR PROPOSED PONDS/BASINS SEE THE CONTOUR PLANS AND DRAINAGE PLANS.  
 FOR SUPERELEVATION TRANSITIONS SEE DRAINAGE AND SUPERELEVATION PLANS.  
 ALL DIMENSIONS TO CURB & GUTTER ARE TO FACE OF CURB UNLESS NOTED OTHERWISE.  
 ALL CURB AND GUTTER IS 8424.

LEGEND	
[Symbol]	RETAINING WALL
[Symbol]	BITUMINOUS PAVEMENT
[Symbol]	3" BITUMINOUS OVERLAY
[Symbol]	DRIVEWAY
[Symbol]	AGGREGATE SURFACING
[Symbol]	EXISTING ROADWAYS
[Symbol]	PROPOSED CONSTRUCTION
[Symbol]	DIRECTION OF TRAFFIC

- NOTES:  
 (A) TRAFFIC BARRIER DESIGN TYPE 31  
 (B) END TREATMENT - TANGENT TERMINAL (ENERGY ABSORBING)



SHEET <b>90</b> OF <b>329</b>	
BLUE EARTH COUNTY CONSTRUCTION PLANS <b>C.S.A.H. 1 (T.H. 66 TURNBACK)</b>	
ENGINEERS PLANNERS DESIGNERS <b>SRI</b> Consulting Group, Inc.	
DRAWN BY DETAILER DESIGNED BY J. DAUL CHECKED BY J. DAUL COMM. NO. 0119234	STATE AID PROJECT NO. 007-601-018 DATE 10/28/08
PREPARED BY THE ENGINEER OR ARCHITECT UNDER THE CLOSE PERSONAL SUPERVISION AND CONTROL OF THE REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT. BRIAN C. JOHNSON P. (1st) 508-238-1515 F. (1st) 508-238-1515	
NO. DATE BY CSD/MPR SOUTH A3234.S.dwg 10/28/08	REVISION



Prepared by:  
Board of Water and Soil Resources

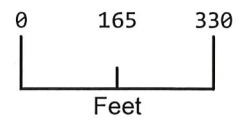
Dated:  
Nov 27 2018

Legend

-  Easement Boundary
-  Release Area



**Blue Earth CSAH 1 Alteration  
Proposed New Easement Boundary  
07-12-99-01**



Prepared by:  
Board of Water and Soil Resources

Dated:  
Nov 27 2018

Legend

 Easement Boundary

BLUE EARTH COUNTY - MANKATO, MINNESOTA 56002 Vendor Number: 732 Check Date: 06192018 Check Number: 00217624

Invoice Number	GL Account #	Service Date	Amount	Invoice Description	Net Invoice Amount
275406	H310-6550		32,079.20	1806 CSAH 1 RIGHT OF WAY FOR C	32,079.20

**RECEIVED**

JUN 25 2018

**Bd. of Water & Soil Resources**  
St. Paul

Vendor No.	Vendor Name	Check No.	Check Date	Check Amount
732	BOARD OF WATER & SOIL RESOURCES	00217624	06/19/2018	32,079.20

County Warrant - Check  
This instrument When Signed By  
The Director of Finance Shall Become A  
Check Payable To The order of The  
Payee Named For The Amount Stated  
Void if Not Cashed in 60 Days



**BLUE EARTH COUNTY**  
P.O. BOX 8608  
MANKATO, MN 56002

Check Number 00217624 06/19/2018 75-1592 912

US BANK  
East Grand Forks,  
Minnesota 56721

**\$32,079.20**

Pay Thirty Two Thousand Seventy Nine dollars and 20 cents \*\*\*\*\*

To The Order Of

BOARD OF WATER & SOIL RESOURCES  
444 PINE STREET, STE 130  
ST PAUL MN 55155-0000

*Dr. [Signature]* MP  
Chancellor  
*Lisa Malinski* MP  
Finance Director

Security features are included. Details on back.

**COMMITTEE RECOMMENDATIONS**

***Buffers, Soils, and Drainage Committee***

1. FY 2019 Buffer Implementation Grants – Dave Weirens and Tom Gile – ***DECISION ITEM***

## BWSR Board Member Conflict of Interest in Grant Review – Disclosure Form

**Meeting:** BWSR Board Meeting

**Date:** January 23, 2019

I certify that I have read and understand the descriptions of conflict of interest provided, reviewed my participation for conflict of interest, and disclosed any perceived, potential, or actual conflicts. As a BWSR Board member, appointed according to Minnesota Statute Section 103B.101, I am responsible for evaluating my participation or abstention from the review process as indicated below. If I have indicated an actual conflict, I will abstain from the discussion and decision for that agenda item.

*Please complete the form below for all agenda items. If you indicate that you do not have a conflict for an agenda item, you do not need to fill out additional information regarding that agenda item.*

Agenda Item	No conflict (mark here and stop for this row)	Grant applicant(s) associated with conflict (required if conflict identified)	Conflict Type (required if conflict identified)	Will you participate? (required if conflict identified)	Description of conflict (optional)
FY2019 Buffer Implementation Supplemental Grants (formula-based grants)			Perceived Potential Actual	Yes / No	

Printed name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# Board Member Conflict of Interest in Grant Review; Disclosure Procedures

## Purpose

---

This document defines the procedure by which the BWSR Board will address conflicts of interests during the grant review process.

## Definitions

---

**Conflict of Interest:** A conflict of interest, whether actual, potential, or perceived occurs “when a person has actual or apparent duty or loyalty to more than one organization and the competing duties or loyalties may result in actions which are adverse to one or both parties. A conflict of interest exists even if no unethical, improper or illegal act results from it.” (Office of Grants Management, Policy 08-01).

BWSR Board members are appointed to the BWSR Board according to Minnesota Statute Section 103B.101 for the express purpose of representing their respective units of government as a duly elected or appointed representative of those organizations across the state and/or citizens at large. Fulfilling this duty does not constitute a conflict of interest.

**Actual Conflict of Interest:** An actual conflict of interest occurs when a decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict. For example:

- A member uses his or her Board position to obtain personal advantage to benefit from the other party’s time, services, or influence.
- A member receives a direct benefit (financial or anything else of value) from the other party receiving grant funding. This does not include per diems received or expenses reimbursed as a duly elected or appointed board member of an organization and/or local government.
- A member was personally involved in preparing and/or submitting the grant application or letter of support.

**Potential Conflict of Interest:** A potential conflict of interest may exist when a decision or action could create an inappropriate influence or could result in future personal gain. For example:

- A member is an employee or family member of the other party.
- A member has potential to receive money (or anything else of value) as a future result of the decision.

**Perceived Conflict of Interest:** A perceived conflict of interest is any situation in which a reasonable third party would conclude that conflicting duties or loyalties exist.

Decisions or actions on grants that are formula-based or are slates of multiple grants that are independently scored or ranked are not considered a potential or perceived conflict of interest.

---

**General Exclusions:** Generally, a conflict of interest does not exist on a grant application when a board member or his/her family:

- Has collaborators in the organization, but they are not a part of the application.
- Lives in the community/county/district where the proposed project would take place, and there is public benefit for all that live there.

## Procedure

---

### Responsibilities:

It is the obligation of Board Members as grant reviewers to be familiar with the *Office of Grants Management (OGM) Policy 08-01: Conflict of Interest Policy for State Grant-Making* and to disclose any actual, potential or perceived conflicts of interest that may exist during a grant review process where grant applications are evaluated and/or grants are awarded. Board members are also obligated to be familiar with *Ethics in Government; Gubernatorial Appointees* found in Chapter VII, Section E of the Attorney General Board Member Handbook of Legal Issues.

BWSR Board adoption of the Board Member Conflict of Interest in Grant Review; Disclosure Procedures constitutes the required discussion and resolution components of OGM Policy 08-01.

### Process:

1. Chair's Statement. Before any review of grant distributions/grant applications, the chair of the meeting will make this statement about conflict of interest:

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

2. Each BWSR Board and Committee Member must review and evaluate if he or she has a conflict that will impact or compromise the grant review process. A member must disclose conflicts but are not required to describe the reason for disclosed conflict. All disclosed conflicts will be noted in the meeting minutes and conflict of interest disclosure forms are considered public data under Minn. Stat. §13.599.

When an actual, potential or perceived conflict has been evaluated and disclosed by any individual member, all other grant reviewers at the meeting must be made aware. At Board or Committee meetings, the chair or lead staff will review members' forms before a decision and announce: 1) members who disclose a conflict, 2) the type of conflict, 3) and the member's evaluation of whether to vote or abstain. If an actual conflict of interest is disclosed, the individual board or committee member must abstain from discussion or decision on the grant application(s) presented.



## BWSR Board Member Conflict of Interest in Grant Review – Sample Disclosure Form

Meeting: BWSR Board Meeting

Date: MONTH DATE, YEAR

I certify that I have read and understand the descriptions of conflict of interest provided, reviewed my participation for conflict of interest, and disclosed any perceived, potential, or actual conflicts. As a BWSR Board member, appointed according to Minnesota Statute Section 103B.101, I am responsible for evaluating my participation or abstention from the review process as indicated below. If I have indicated an actual conflict, I will abstain from the discussion and decision for that agenda item.

Please complete the form below for all agenda items. If you indicate that you do not have a conflict for an agenda item, you do not need to fill out additional information regarding that agenda item.

Agenda Item	No conflict (mark here and stop for this row)	Grant applicant(s) associated with conflict (required if conflict identified)	Conflict Type (required if conflict identified)	Will you participate? (required if conflict identified)	Description of conflict (optional)
Natural Resource Block Grants (NRBG) to various counties (formula)	X		Perceived Potential Actual	Yes / No	
SWCD Capacity Grants (formula)	X		Perceived Potential Actual	Yes / No	
CWF Competitive Grants (independently scored and ranked)	X		Perceived Potential Actual	Yes / No	
1W1P Implementation Grant(s)		<i>Alphabet Watershed District</i> [fiscal agent]	Perceived Potential <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">Actual</span>	Yes / <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">No</span>	<i>I have been informed that I own property that the county will need to acquire to complete the highest priority project in the plan</i>
PRAP Grant to Zeta SWCD		<i>Zeta SWCD</i>	Perceived <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">Potential</span> Actual	<span style="border: 1px solid black; border-radius: 50%; padding: 2px;">Yes</span> / No	

Printed name: *Sally Board Member*

Signature: *Sally Board Member*

Date: MONTH DATE, YEAR

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** FY 19 Buffer Implementation Supplemental Grants

---

**Meeting Date:** January 23, 2019

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** State Wide

**Contact:** Dave Weirens

**Prepared by:** Tom Gile

**Reviewed by:** Buffer Soils and Drainage    Committee(s)

**Presented by:** Dave Weirens & Tom Gile

**Time requested:** 15-20 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

To consolidate and distribute unallocated Buffer Program Funds to Soil and Water Conservation Districts with high remaining buffer implementation workload to help address administrative, technical and cost share need.

Authorize staff to enter into grant agreements or amendments for these purposes.

**LINKS TO ADDITIONAL INFORMATION**

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

SWCDs across the state have a wide ranging workload remaining to provide cost share, and administrative and technical assistance to landowners working to comply with the Buffer Law. The remaining funding to

support Buffer Law implementation exists in three different funding sources and consolidation of those sources to the FY 2019 Buffer Implementation fund will provide for the most efficient distribution. Funding is being distributed to SWCDs base on anticipated remaining workload to implement the buffer law. This was assessed using compliance information and USDA planted acres. This funding is in addition to the existing FY 18 &19 Buffer implementation grants. Future Buffer implementation grants will be determined upon approval of the FY 20 & 21 budget.

## BOARD ORDER

### FY19 Buffer Implementation Supplemental Grants

#### PURPOSE

To consolidate and distribute unallocated Buffer Program Funds to Soil and Water Conservation Districts with high remaining buffer implementation workload to help address administrative, technical and cost share need.

#### FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) has the responsibility to oversee the provisions of Minnesota Statute 103F.48 (the Buffer Law) and to provide funds to Soil and Water Conservation Districts (SWCDs) to implement the law.
2. Laws of Minnesota 2015, 1<sup>st</sup> Special Session, Chapter 2, Article 2, Sec. 7(e) appropriated fiscal year 2016 Buffer Implementation Grants.
3. Laws of Minnesota 2015, 1<sup>st</sup> Special Session, Chapter 2, Article 2, Sec. 7 (s) authorizes the board to “shift grant or cost-share funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans”.
4. Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sec. 7(o) appropriated fiscal year 2018 Buffer Cost Share Grants.
5. Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sec. 7(o) authorizes the board to “shift grant or cost-share funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans”.
6. Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sec. 7(e), appropriated fiscal year 2019 SWCD Buffer Implementation Grants.
7. Laws of Minnesota 2017, 1<sup>st</sup> Special Session, Chapter 1, Article 4, Sec. 24 established Riparian Protection Aid to provide funding to counties and watershed districts “to enforce and implement the riparian protection and water quality practices under section 103F.48”. This Law also provided funding to the Board for enforcement of the Buffer Law in counties and watershed districts which have not elected jurisdiction or are not with jurisdiction for the enforcement provisions of the law.
8. The proposed allocations in this order were developed consistent with the appropriations listed above.
9. The Board has received its distribution of Riparian Aid funding from the Minnesota Department of Revenue for fiscal year 2017 and fiscal year 2018.
10. SWCDs across the state have a wide ranging workload remaining to provide cost share, and administrative and technical assistance to landowners working to comply with the Buffer Law.
11. The remaining funding to support Buffer Law implementation exists in three different funding sources and consolidation of those sources to the FY 2019 Buffer Implementation fund will provide for the most efficient distribution.

12. The Buffer Soils and Drainage Committee at their January 9, 2019 Meeting, reviewed this proposal and recommended the Board approve these grants.

**ORDER**

The Board hereby:

1. Approves shifting the remaining balance of \$562,211, as of February 1, 2019, from the fiscal year 2016 Buffer Implementation funding to the fiscal year 2019 Buffer Implementation fund for distribution as amendments to the FY 19 Buffer Implementation grants.
2. Approves shifting the remaining balance of \$313,289 as of February 1, 2019, from the fiscal year 18 Buffer Cost Share funding to the fiscal year 2019 Buffer Implementation fund for distribution as amendments to the FY 19 Buffer Implementation grants.
3. Approves a contribution of up to \$300,000 from the BWSR Riparian Aid funding to the fiscal year 2019 Buffer Implementation fund for distribution as amendments to the FY 19 Buffer Implementation grants.
4. Approves the allocation to each eligible SWCD, consistent with the amount listed in the attached allocation table, up to \$1,150,000 in total.
5. Any unused funding from fiscal year 2019 Buffer Implementation fund may be distributed to other SWCDs, in an amount not to exceed per SWCD, based on a request to their Board Conservationists demonstrating need.
6. Authorizes staff to enter into grant agreements or amendments for these purposes.

Dated at Shoreview, Minnesota, this January 23, 2019.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

\_\_\_\_\_

Gerald Van Amburg, Chair  
Board of Water and Soil Resources

Date: \_\_\_\_\_

**Attachment:** FY19 Buffer Implementation Supplemental Grant Allocations table

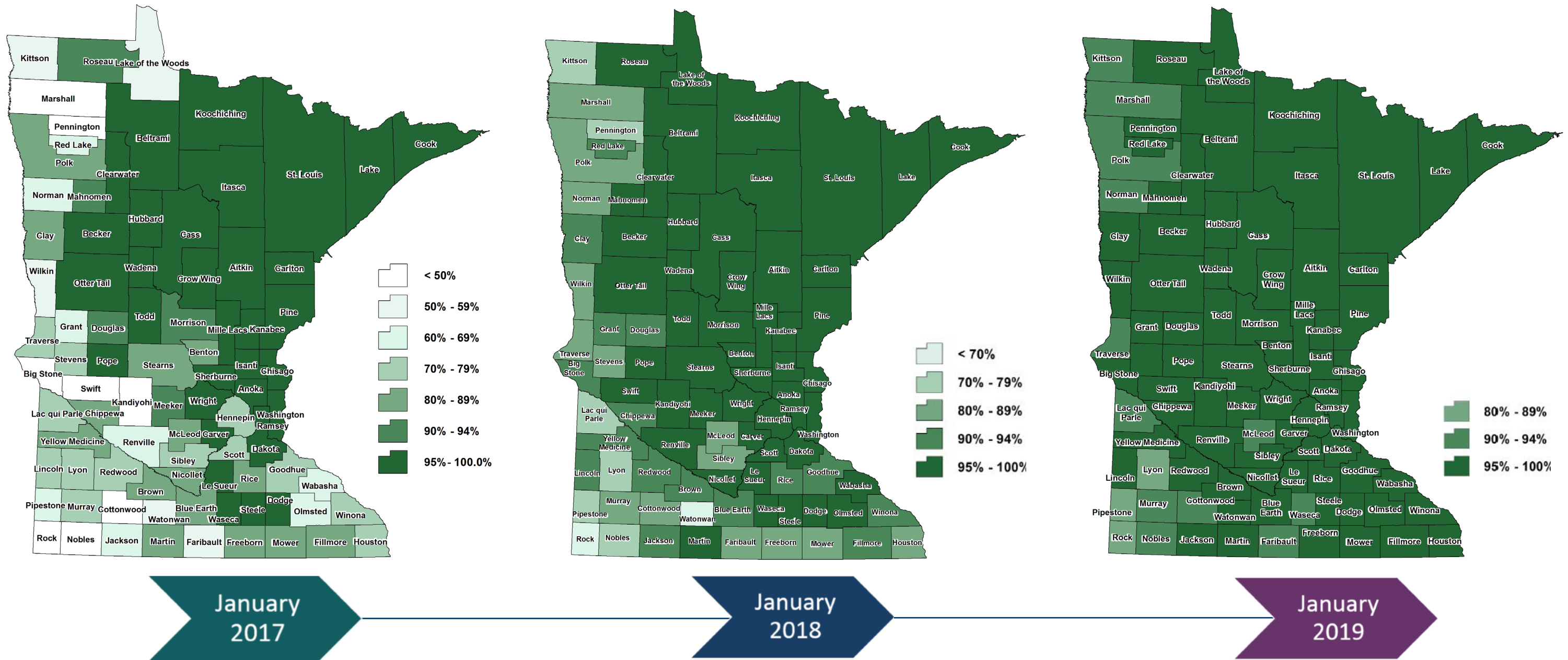
## Attachment

### FY19 Buffer Implementation Supplemental Grant Allocations

<b>Buffer Supplemental Allocations 2019</b>	
SWCD	Allocation
Beltrami	\$20,000
Meeker	\$20,000
Le Sueur	\$20,000
Grant	\$20,000
Douglas	\$20,000
McLeod	\$20,000
Waseca	\$20,000
Traverse	\$20,000
Nobles	\$20,000
Freeborn	\$20,000
Stearns	\$30,000
Faribault	\$30,000
Brown	\$30,000
Sibley	\$30,000
Blue Earth	\$30,000
Roseau	\$30,000
Murray	\$30,000
Yellow Medicine	\$30,000
East Polk	\$30,000
Kittson	\$40,000
Redwood	\$40,000
Wilkin	\$40,000
Lyon	\$40,000
Chippewa	\$40,000
Kandiyohi	\$40,000
Pennington	\$50,000
Norman	\$50,000
Clay	\$50,000
Lac qui Parle	\$50,000
Renville	\$50,000
Nicollet	\$50,000
West Polk	\$70,000
Marshall	\$70,000
	<b>\$1,150,000</b>

# Buffer Law Estimated Compliance On Public Waters

(50 ft or alternative required)



Preliminary compliance estimates were conducted by soil and water conservation districts based on parcel reviews via aerial/satellite imagery. It is important to note that these estimates do not represent non-compliance. Additional field-level reviews will be the next step in the inventory process.

As of January 2019, Public Waters compliance is at 99%.

**COMMITTEE RECOMMENDATIONS**

***Audit and Oversight Committee***

1. 2018 Performance Review and Assistance Program (PRAP) report – Dale Krystosek – ***DECISION  
ITEM***



## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Performance Review and Assistance Program (PRAP) 2018 Legislative Report

---

**Meeting Date:** January 23, 2019

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** Organizational Effectiveness

**Contact:** Dale Krystosek

**Prepared by:** Dale Krystosek/Jenny Gieseke

**Reviewed by:** Audit and Oversight    Committee(s)

**Presented by:** Dale Krystosek

**Time requested:** 10 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**  
Approval

**LINKS TO ADDITIONAL INFORMATION**

N/A

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

BWSR staff have prepared the 2018 Performance Review and Assistance Program (PRAP) Legislative Report which presents a summary of PRAP reviews and activities conducted in 2018. The report also contains a list of planned program objectives including three new items for 2019; Review and update Performance Standards Checklists for counties, soil and water conservation districts, watershed districts and watershed management

organizations; Evaluate implementation progress for Level III reviews conducted in 2017 and 2018 and  
Develop performance standards that focus on reporting of resource outcomes for assessment of  
implementation of One Watershed One Plans.



## BOARD ORDER

### Performance Review and Assistance Program 2018 Report to the Minnesota Legislature

#### PURPOSE

#### Approve 2018 PRAP Legislative Report

#### FINDINGS OF FACT / RECITALS

1. 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.
2. 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.
3. 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.
4. The twelfth annual PRAP Report to the Minnesota Legislature contains the summaries of the 24 local water management entity performance reviews conducted by BWSR staff in 2017 and a summary of findings describing the performance of 239 local water management entities regarding compliance with plan revision and basic reporting requirements.
5. The 2018 PRAP Report to the Minnesota Legislature was reviewed by the Board's Audit and Oversight committee on January 22, 2019, was revised based on committee comments, and was recommended for Board approval by the committee.

#### ORDER

The Board hereby:

Approves the 2018 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.

Dated at Shoreview, Minnesota, this January 23, 2019.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

\_\_\_\_\_

Date: \_\_\_\_\_

Gerald Van Amburg, Chair

# 2018 Performance Review and Assistance Program

Report to the Minnesota Legislature  
*(Draft 1/7/19)*

February 2019

**Minnesota Board of Water and Soil Resources**  
520 Lafayette Road North  
St. Paul, MN 55155  
651-296-3767  
[www.bwsr.state.mn.us](http://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 Dale Krystosek, PRAP Coordinator ([dale.krystosek@state.mn.us](mailto:dale.krystosek@state.mn.us) 218-820-9381)

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

Total staff time: \$3,500

Production/duplication: \$300

Total: \$3,800

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](http://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 local units of government constituting Minnesota's local delivery system for conservation of water and related land resources. These local units of government include 89 soil and water conservation districts, 87 counties, 45 watershed districts and 18 watershed management organizations. 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.

### **2018 Program Summary**

- Completed 24 Level II performance reviews.
- Surveyed 25 LGUs reviewed in 2016 to assess implementation of BWSR's recommendations for organizational improvements and action items. All 25 of the LGUs completed the survey, and reported fully completing 41% of their recommendations, and partially completing another 51% of their recommendations in their 2016 Level II performance review reports. This means that LGUs took some action on 92% of their recommendations. In 2016, six LGUs were given a total of 12 action items. All 12 of the 2016 action items were resolved within 18 months.
- Completed one Level III PRAP Assessment in 2018 (one soil and water conservation district). This SWCD requested a PRAP Assistance Grant which was approved to implement recommendations of the Level III report.
- Tracked 239 LGUs' Level I performance.
- Continued review of Wetland Conservation Act program implementation as part of Level II and Level III assessments to measure local government unit compliance with this program.
- Evaluated and updated potential key performance measures for PRAP Level II reviews within the framework of the watershed-based One Watershed-One Plan approach to LGU water plan implementation.
- Evaluated implementation progress of 4 watershed based funding initiatives - 2 Targeted Watershed Demonstration Program Grants (*Rice Creek Watershed District and Capitol Region Watershed District*) and two LGUs for early implementation of One Watershed, One Plan (*Lake Superior North - Lake County and Lake SWCD*). These reviews were done as part of 4 level III reviews that also reviewed progress on implementation of the LGU's water plan. (*New in 2018*)
- Developed protocol for evaluating Technical Service Area (TSA) performance including development of performance standards. (*New in 2018*).

## 2018 Results of Annual Tracking of 239 LGUs' Plans and Reports (PRAP Level I)

Overall compliance with LGU plan revision and reporting requirements improved to 94% in 2018. All drainage buffer reports were submitted on time, and WMO compliance was steady at 89% this year (same as 2017) compared to 78% in 2016 and 44% in 2015. Staff efforts will continue in 2019 to improve compliance.

- **Long-range Plan Status: the number of overdue plans is one in 2018** (*down from 3 in 2017 and 8 in 2016*).
  - Counties: No local water management plans are overdue.
  - Watershed Districts: No watershed management plans are overdue. (down from one overdue plan in 2017)
  - Watershed Management Organizations: One watershed management plan is overdue (Upper Rum River WMO).
- **LGUs in Full Compliance with Level I Performance Standards: 94%**.
  - Soil & Water Conservation Districts: 96% compliance (85/89).
  - County Water Management: 98% compliance (85/87).
  - Watershed Districts: 87% compliance (39/45).
  - Watershed Management Organizations: 89% compliance (16/18).

## Selected PRAP Program Objectives for 2019

- Track 239 LGUs' Level I performance.
- Continue efforts to improve WMO and WD reporting.
- Maintain the target of 24 Level II performance reviews per year.
- Complete up to two Level III performance reviews if needed in 2019.
- BWSR will provide leadership in enunciating the importance of measuring outcomes in Level II performance reviews.
- Survey LGUs from 2017 Level II PRAP reviews to track LGU implementation of PRAP recommendations.
- Continue monitoring and reviewing compliance with Action Items identified during a Level II review. This will allow us to determine if we are meeting the goal of 100% compliance within 18 months for required Action Items.
- Continue the promotion and use of PRAP Assistance Grants to enhance LGU organizational effectiveness.
- Continue updating protocol for PRAP Level I and Level II reviews for performance based funding for implementation of watershed-based One Watershed-One Plans.
- Continue development of protocol for evaluating Technical Service Area (TSA) performance and evaluate one TSA if time permits.
- Review and update Performance Standards Checklists for counties, soil and water conservation districts, watershed districts and watershed management organizations. (*New for 2019*).
- Evaluate implementation progress for Level III reviews conducted in 2017 and 2018 (*New for 2019*).
- Develop performance standards that focus on reporting of resource outcomes for assessment of implementation of One Watershed One Plans (*new for 2019*).

## Table of Contents

Executive Summary.....	iii
What is the Performance Review & Assistance Program? .....	1
Report on PRAP Performance.....	7
2018 LGU Performance Review Results.....	9
Assistance Services to Local Governments.....	15
Reporting.....	17
Program Conclusions and Future Direction.....	19
Appendix A.....	20
PRAP Authorizing Legislation .....	21
Subdivision 1.Findings; improving accountability and oversight. ....	21
Subd. 2.Definitions.....	21
Subd. 3. Evaluation and report. ....	21
Subd. 4. Corrective actions. ....	21
History:.....	21
Appendix B.....	22
Board Authorization of Delegation for PRAP Assistance Grants .....	22
Appendix C.....	24
PRAP Assistance Grant Application Information .....	24
Appendix D.....	26
Level I: 2018 LGU Long-Range Plan Status.....	26
Appendix E.....	27
Level I: Status of Annual Reports for 2017 .....	27
Appendix F.....	28
Level I: Status of Financial Reports and Audits for 2017 (as of 12/31/18) .....	28
Appendix G.....	29
Standard Level II Performance Review .....	29
Final Report Summaries.....	29
Appendix H.....	44
Performance Standards Checklists used in Level II Reviews .....	44
Appendix I.....	48
2018 Local Government Performance Awards and Recognition .....	48



# 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 and the process is designed to evaluate how well LGUs are implementing their long-range plans. The LGUs reviewed include soil and water conservation districts (SWCDs), watershed districts (WDs), watershed management organizations (WMOs), and the water management function of counties—a total of 239 distinct organizations. PRAP, authorized in 2007 (see Appendix A), is coordinated by one BWSR central office staff member, with assistance from BWSR's 18 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 standards specific to each type of LGU. (For more detail see [www.bwsr.state.mn.us/PRAP/index.html](http://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 9-12).

**Level I** is an annual tabulation of required plans and reports for all 239 LGUs. Level I is conducted entirely by BWSR staff and does not require additional input from LGUs.

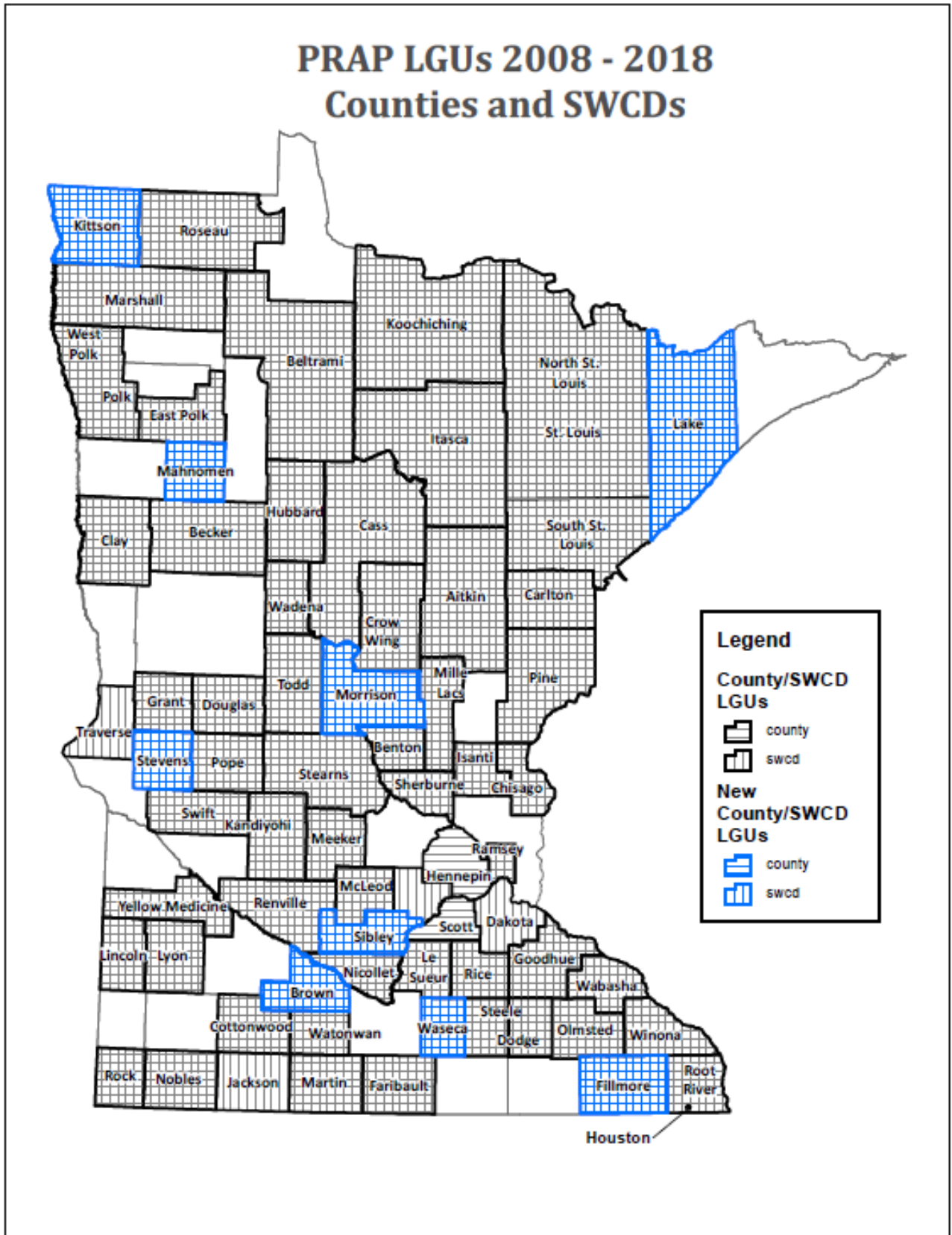
**Level II** is a routine, interactive review intended to cover all LGUs at least once every 10 years. A Level II review evaluates progress on plan implementation, operational effectiveness, and partner

relationships. This review includes assessing compliance with Level II performance standards. The maps on pages 3-5 show which LGUs have gone through a Level II review since the program started in 2008.

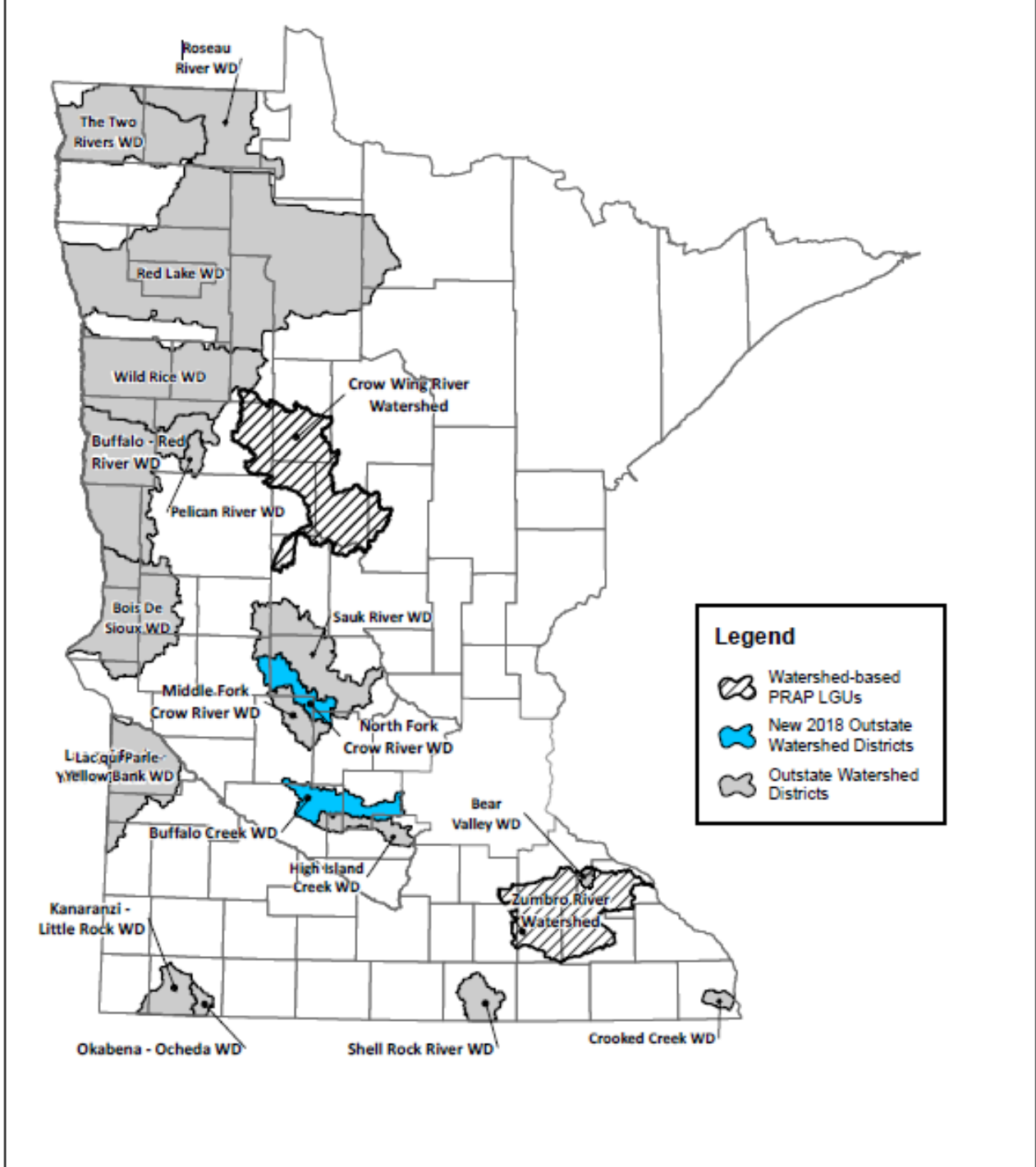
**Level III** is an in-depth assessment of an LGU's performance problems and issues. A Level III review is initiated by BWSR or the LGU and usually involves targeted assistance to address specific performance needs. Since 2008 BWSR has conducted Level III reviews for three LGUs at their request and in 2017 we completed two more. In 2018, a level III review was completed for Pine SWCD. 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 assign penalties as authorized by statute. Levels I-III are designed to avoid the need for Level IV. To date there have not been any Level IV reviews.

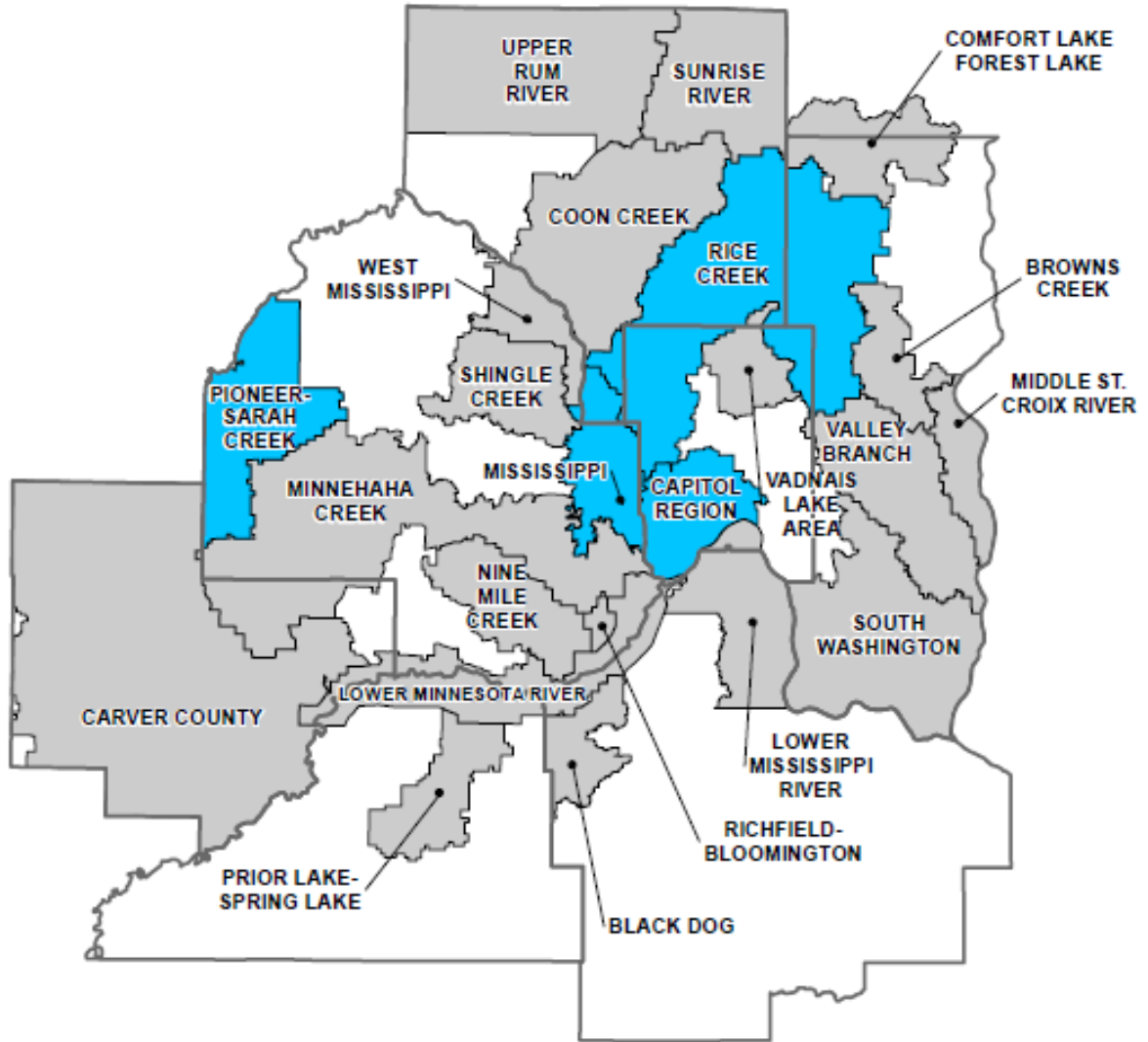
Sibley, Brown, Wasecas





## PRAP LGUs 2008 - 2018 Outstate Watershed Districts and Watersheds



## PRAP LGUs 2008-2018 Metro Watershed Districts and Management Organizations



**Legend**

-  New 2018 Watershed Districts and Management Orgs
-  Metro Watershed Districts and Management Orgs

**Assistance** (page 15). In 2012, BWSR began awarding PRAP assistance grants to assist LGUs in obtaining practical and financial assistance for organizational improvements or to address performance issues. The grants are typically used for consultant services for activities identified by the LGU, or recommended by BWSR in a performance review.

**Reporting** (pages 17-18) makes information about LGU performance accessible to the LGUs' stakeholders and constituents. Reporting methods specific to PRAP include links to performance review summaries and this annual report to the legislature, which can be accessed via the PRAP page on BWSR's website <http://www.bwsr.state.mn.us/PRAP/index.html> In addition, the PRAP Coordinator presents results from Level II performance reviews to LGU boards at the completion of the review, and to additional boards/committees upon request.

**Accountability: From Measuring Effort to Tracking Results**

The administration of government programs necessitates a high degree of accountability. PRAP was developed, in part, to deliver on that demand by providing systematic local government performance review and then reporting results. In 2018, BWSR expanded the scope of PRAP to lay the groundwork for future evaluation of SWCD Technical Service Areas (TSA) and for the first time, evaluated progress of implementation of one of the first One Watershed, One Plans that has begun implementation, the Lake Superior North plan.

# 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 2018 program activities with the corresponding objectives from the 2017 PRAP legislative report.

### PERFORMANCE REVIEW OBJECTIVES

What We Proposed	What We Did
Track 239 LGUs' Level I performance.	All LGUs were tracked for basic plan and reporting compliance. Level I Compliance is documented in the PRAP Legislative report. Overall, Level I performance continued its upward trend in 2018, reaching 94%. Overdue long-range water management plans decreased from 3 in 2017 to 1 in 2018.
Take measures to improve WMO and WD reporting.	Reminders were sent by PRAP Coordinator to Board Conservationists and LGUs to remind them of deadlines. WD compliance improved in 2018, although about 13% of Watershed Districts and 11% of Watershed Management Organizations still do not meet reporting or audit requirements.
Maintain the target of 24 Level II performance reviews per year.	In 2018, 24 Level II performance reviews were completed.
Complete up to 2 Level III performance reviews, if needed, in 2018.	A Level III performance review of the Pine Soil and Water Conservation District was initiated and completed in 2018. Follow up for the 2017 Level III Review of the Wabasha SWCD was achieved through a PRAP Assistance Grant.
Survey LGUs from 2016 Level II PRAP reviews to track LGU implementation of PRAP recommendations.	Surveyed 25 LGUs reviewed in 2016 to assess implementation of BWSR's recommendations for organizational improvements and action items. All 25 LGUs completed the survey and reported fully completing 41% of their recommendations, and reported partially completing another 51% of their recommendations in their Level II performance review reports, meaning that LGUs took action on 92% of the recommendations. A summary of survey results is in the report.
Continue monitoring and reviewing compliance with Action Items identified during a Level II review. This will allow us to determine if we are meeting the goal of 100% compliance within 18 months established for required Action Items.	All Action Items identified during 2018 PRAP Level II reviews were assigned an 18 month timeline for completion. BWSR followed up with these LGUs to verify completion within 18 months. The PRAP follow-up survey demonstrated that all of the action items included for 2016 LGUs were

	implemented within 18 months ( <i>twelve total action items assigned to 6 LGUs</i> ).
Continue evaluating and updating protocol for PRAP Level I and Level II reviews for performance based funding for implementation of watershed based One Watershed-One Plans.	Continued evaluation and refinement of key performance measures for PRAP Level II reviews within framework of watershed-based One Watershed-One Plan approach to LGU water plan implementation. Conducted an evaluation of early implementation of the Lake Superior North One Watershed, One Plan (Lake County and Lake SWCD).
Evaluate implementation progress of at least 3 Targeted Watershed Demonstration Program Projects as part of Level II reviews.	Evaluated implementation progress of the implementation of 4 LGU's watershed based initiatives - 2 Targeted Watershed Demonstration Program Grants ( <i>Rice Creek Watershed District and Capitol Region Watershed District</i> ) and two LGUs for early implementation of the Lake Superior North One Watershed, One Plan ( <i>Lake County Environmental Services Department and Lake Soil and Water Conservation District</i> ).
Develop protocol for evaluating Technical Service Area (TSA) performance including development of performance standards and evaluate one TSA if time permits.	Participated on a BWSR TSA Staff team and developed a draft Performance Standards Checklist for TSAs. The team decided to initially develop a TSA handbook ( <i>with LGU review and comments</i> ) and provide to TSAs prior to conducting a TSA assessment.

**ASSISTANCE OBJECTIVES**

<b>What We Proposed</b>	<b>What We Did</b>
Continue the promotion and 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. In fiscal year 2018, PRAP Assistance Grants were provided for Swift SWCD, Fillmore SWCD and Pine SWCD for a total of \$19,371.

**REPORTING OBJECTIVES**

<b>What We Proposed</b>	<b>What We Did</b>
Increase the focus on developing and reporting resource outcomes by LGUs in Level II reviews.	All 24 Level II performance reviews included a review and assessment of resource outcomes in the LGU's water plan, however only four Watershed Districts and one 1W1P have targets or report progress on resource outcomes.



# 2018 LGU Performance Review Results

## Level I Results

The Level I Performance Review monitors and tabulates all 239 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 indications of potential problems. Chronic lateness in financial or grant reporting, for example, may be a symptom of operational issues that require BWSR assistance.

	2018	2017	2016	2015	2014
<b>239 LGUs</b>	<b>94%</b>	<b>90%</b>	<b>87%</b>	<b>81%</b>	<b>79%</b>
SWCDs (89)	96%	93%	93%	87%	88%
Counties (87)	98%	94%	91%	91%	87%
WMOs (18)	89%	89%	78%	44%	28%
WDs (45)	87%	80%	73%	65%	65%

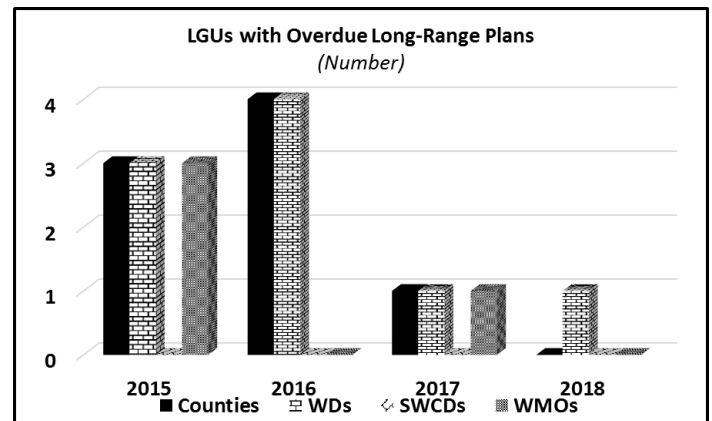
Overall, LGU compliance with Level I standards improved to 94% in 2018, up from 90% in 2017. BWSR began tightening Level I compliance tracking in 2013, and as can be seen in the table above, improvement in overall compliance has occurred since that time.

**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, 15 Local Water Management plans were operating under extensions granted by the BWSR Board. The number of overdue plans decreased to one

in 2018 compared to 3 in 2017. Only one Watershed Management Organization water management plan is overdue at the end of 2018. All other counties, soil and water conservation districts, watershed districts and watershed management organizations are operating under an approved or extended plan. Local government units without an approved water management plan are not eligible for Clean Water grant funds awarded by BWSR.

The Carver County Groundwater management plan was approved by the BWSR Board in January, 2016. Ramsey County and Scott County metro area county groundwater plans need updating, but are not considered overdue because the plans are optional and these counties are still eligible for Clean Water Fund grants.

Appendix D (page 26) lists the LGU that is overdue for a plan revision.



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

As in 2017, there was complete on-time submittal of drainage system buffer strip

reports by both County and WD drainage authorities in 2018. Of the 96 LGUs that must submit annual buffer reports, 100% met the February 1, 2018 deadline, maintaining the 100% compliance achieved from 2015 through 2017. This continued compliance is attributed to persistent efforts by BWSR staff to contact LGUs with missing reports before the due date.

SWCDs and counties maintained a high level of compliance for on-time submittal of grant status reports via BWSR's on-line eLINK system, with 98% of LGUs meeting the deadline compared with 97% in 2017, 96% in 2016, 95% in 2015, and 93% in 2014.

Watershed district compliance with the annual activity report requirement was slightly higher in 2018 at 89% compliance compared with 84% in 2017, and 82% in 2016, but is not as good as it should be. Continued improvement in WMO and WD reporting will continue to be an objective of BWSR staff in 2019.

Appendix E (page 27) 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 2018, only one SWCD financial report was not submitted on time, leaving 88 of 89 SWCDs in full compliance (99%), the same level as last year. 97% met the audit performance standard for SWCDs.

Watershed Districts and WMOs are also required to prepare annual audits. In 2018, 91% of WDs met the audit performance standard compared to 80% in 2017 and 76% in 2016. In 2018, 94% (17/18) of WMOs met this standard, maintaining the same level as in 2017. In 2016 78% of WMOs met the standard and in 2015, only 56% were in compliance with the audit standard. See Appendix F (page 28) 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 conducted standard Level II reviews of 24 LGUs in 2018: **Waseca County and SWCD, Buffalo Creek Watershed District, Brown County and SWCD, North Fork Crow River Watershed District, Rice Creek Watershed District, Mahnommen County and SWCD, Mississippi WMO, Stevens County and SWCD, Kittson County and SWCD, Fillmore County and SWCD, Morrison County and SWCD, Pioneer Sarah Creek WMO, Capitol Region Watershed District, Lake County and SWCD and Sibley County and SWCD.**

In the instances where the County and the SWCD share the same local water plan (*Waseca, Brown, Mahnommen, Stevens, Kittson, Fillmore, Morrison, Lake and Sibley*) the reviews were conducted jointly. The remaining LGUs received individual reviews. Appendix G (pages 29-47) contains summaries of the performance review reports. Full reports are available from BWSR by request.

## Common Recommendations in 2018

While none of the findings or conclusions from these reviews apply to all LGUs, there were general observations and commonly

used recommendations to improve LGU performance worth noting.

**1. Add Prioritized, Targeted and Measureable (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 Measureable 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. In 2018, two Level II reviews were completed where One Watershed-One Plans had been approved and the early stages of implementation had begun. The Level II review for Fillmore County and SWCD confirmed that the PTM approach had been incorporated into implementation of the Root River 1W1P. The Lake SWCD provided an accomplishment report for the early stages of implementation of the Lake Superior North 1W1P as part of their Level II review.

**2. Use the major or minor watershed scale for plan organization.**

BWSR has been recommending for both county water plan updates and new One Watershed-One Plan efforts currently underway that priority concerns be identified by major or minor watershed and action items also be carefully targeted to differing watershed priorities. While some recent water plans had begun to organize plans by watershed, this approach has been a standard recommendation for most PRAP Level II reports.

**3. Encourage strong participation and leadership in development and implementation of One Watershed One Plans (1W1P).** This recommendation focused on leadership in implementation of 1W1Ps where they have already been developed (Fillmore, Lake and Kittson Counties). For the rest of the SWCDs and counties that were reviewed in 2018, recommendations focused on strong

participation and leadership in development of the 1W1P within their counties.

**4. Recommendation to conduct a strategic assessment of the SWCD (or county department) to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the district.**

This commonly used recommendation focused on the increasing expectations and SWCD responsibilities in recent years. To meet new conservation challenges, the SWCDs were encouraged to consider conducting a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are sufficient to meet the conservation needs in the county. This recommendation recognizes that even the most competent organizations will lose effectiveness when workload exceeds staffing resources over an extended period of time.

**5. Evaluate, maintain or improve implementation of the Wetland Conservation Act.**

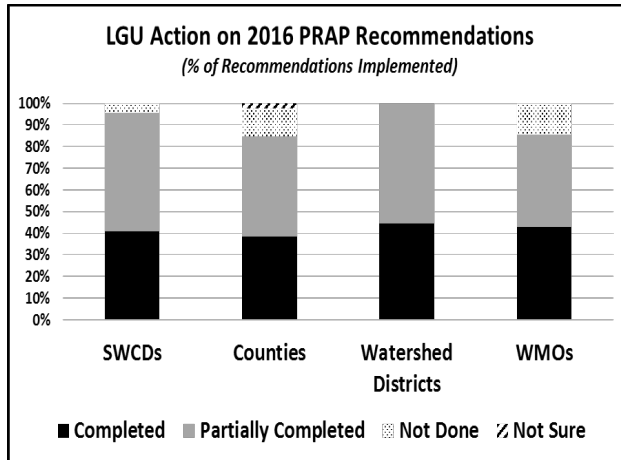
2018 was the second year that Level II reviews included an evaluation of the LGU's performance in implementing the Wetland Conservation Act. In general, most local government units were doing a good job implementing the program. However, the Level II reviews did identify several weaknesses in LGU implementation of the program. Examples of Wetland Conservation Act recommendations provided to LGUs in 2018, included to clarify wetland appeal processes, to improve coordination with DNR Enforcement and to update flawed LGU resolutions adopting the program. The addition of the Wetland Conservation Act to PRAP resulted in better coordination among LGU and state agency staff for surface water management.

**6. Website reporting of resource trends could be improved.**

Many of the LGUs included in 2018 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.

### Survey of LGU Implementation of PRAP Recommendations

A PRAP program goal for 2018 was to find out to what extent LGUs are following through on the recommendations BWSR offers as part of each performance review.



BWSR surveyed 25 LGUs that had a Level II performance review in 2016. Lead staff were asked to indicate the level of completion for each recommendation included in their PRAP reports.

All 25 (100%) of the LGUs surveyed responded. This survey response rate continued a trend of improvement from the 2017 rate of 93% and the 2016 response rate of 61%. Additional reminders were sent in an effort to improve the survey response rate in 2018. Survey results showed that LGUs self-reported fully completing 41% of the recommendations and partially completing another 51%, meaning that 92% of BWSR’s recommendations for these LGUs 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 completed while others are not fully implemented.

#### Action Items

During a Level II or Level III review, the LGU’s compliance with performance standards is

reviewed. Action items are based on the LGU’s lack of compliance with BWSR’s basic practice performance standards. LGU’s are given an Action Item in the PRAP Report to address lack of compliance with one or more basic standards.

All Action Items identified during 2018 PRAP Level II reviews were assigned an 18 month timeline for completion. BWSR followed up with these LGUs to verify completion within 18 months. The PRAP follow-up survey demonstrated that all of the action items included for 2016 LGUs were implemented within 18 months (*twelve total action items assigned to 6 LGUs*).

#### Level III Results

One Level III performance review was completed in 2018. This assessment was for Pine SWCD in east central Minnesota.

Below is a brief summary of the recommendations made for the Pine SWCD Level III assessment:

1. Recommendation 1: The Pine SWCD should consider contracting with a consultant to provide guidance to staff and board to improve organizational performance.
2. Recommendation 2: Conduct a strategic assessment of the District to determine whether existing mission, goals, and staff capacity are sufficient to meet the needs and demands for conservation services in the District and develop an annual work plan to address high priority items with specific, measurable action items.
3. Recommendation 3: Monitor staff delivery of programs and projects. Based on the Annual Work Plan, establish a regular quarterly agenda item during which staff report their time spent and results achieved on the

action items assigned to them from the plan.

4. Recommendation 4: Review the Pine SWCD’s Priority Concerns and begin utilizing existing programs, such as Clean Water Funds, to implement land treatment to accelerate progress toward solving the District’s top priority concerns.
5. Develop orientation and continued education plan for the board of supervisors and staff, and keep records of trainings attended.
6. Address action items within 18 months.
7. Address items from Self-Assessment and select PRAP high performance standards as goals to implement to improve organizational performance.
8. Present Pine SWCD 2019 Annual Work Plan to the Pine County Board of Commissioners as soon as possible.

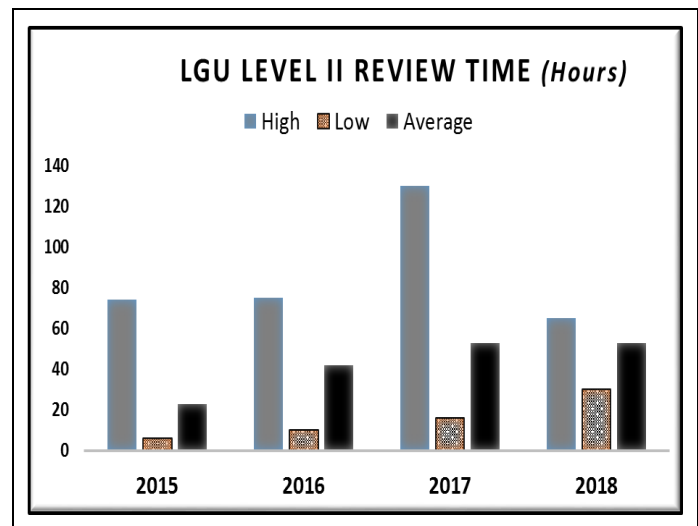
**Level IV Results**

No Level IV actions were conducted in 2018.

**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 2018 LGU staff spent an average of 44.6 hours on their Level II review, about 14% less than in the previous year.

Not including overall performance review administration and process development, BWSR staff spent an average of 76.5 hours for each Level II performance review, slightly higher than in 2017.



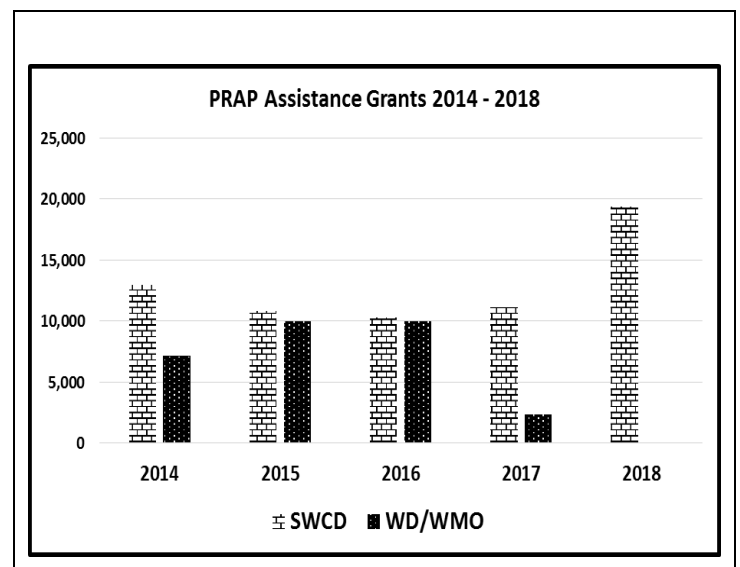
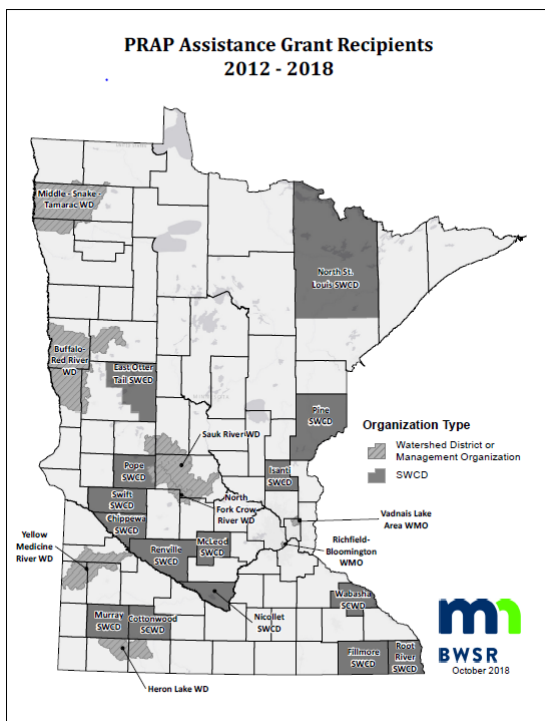
While BWSR seeks to maintain a balance between getting good information and minimizing the LGU time required to provide it, spending less time on a PRAP review isn’t always desirable. Our goal is to gather as much pertinent information as needed to assess the performance of the LGU, and offer realistic 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 \$120,000 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 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). 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.



In fiscal year 2018, PRAP Assistance Grants were provided for Swift SWCD, Fillmore SWCD and Pine SWCD for a total of \$19,371. No applications were received from watershed districts or watershed management organizations in 2018. 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.

The awarded funds will be used for the development of operating policies, 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.

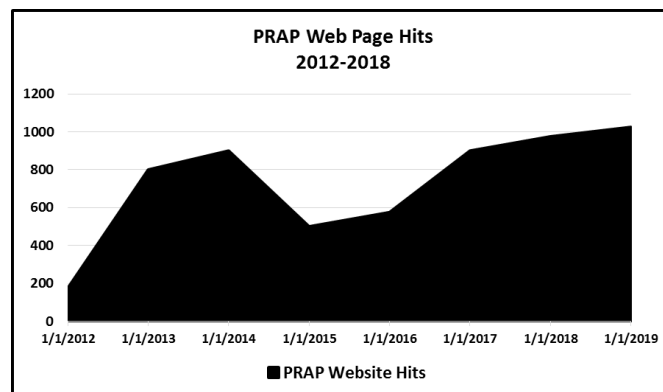
### BWSR Website

The BWSR website contains a webpage devoted to PRAP information. The site provides background information on the program including:

- Guiding principles for the program
- a description of the 4 Levels of PRAP
- Application information for PRAP grants
- Background on the PRAP Legislative Report
- Description of Level I Reporting

For more information see:

<http://www.bwsr.state.mn.us/PRAP/index.html>



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 2018.

**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 I, page 48).

For those LGUs that undergo a Level II performance review, their report lists a "commendation" for compliance with each high performance standard, demonstrating practices over and above basic requirements. All 2018 standard Level II LGUs received such commendations.

# Program Conclusions and Future Direction

## Conclusions from 2018 Reviews

- A 2018 LGU survey showed that 92% of 2016 PRAP Level II recommendations for LGU improvements were seen as useful or necessary, as shown by the rates at which LGUs have adopted them** (*from a follow-up survey of 25 LGUs who participated in PRAP Level II in 2016*). This compares to 90% from the follow-up survey conducted in 2017 and 87% from the follow-up survey conducted in 2016. This data shows a trend of more LGUs implementing recommendations in recent years. However, BWSR must do more to follow-up with LGUs to find out why some recommendations are not being adopted, and promote PRAP Assistance Grants as a means to implement improvements.
- Several LGUs are already making good progress on implementing One Watershed, One Plans.** In 2018, two Level II reviews were completed where One Watershed-One Plans had been approved and the early stages of implementation had begun. The Level II review for Fillmore County and SWCD confirmed that the PTM approach is being incorporated into implementation of the Root River 1W1P. The Lake SWCD provided an accomplishment report for the early stages of implementation of the Lake Superior North 1W1P as part of their Level II review.
- Evaluate, maintain or improve implementation of the Wetland Conservation Act.** 2018 was the second year that Level II reviews included an evaluation of the LGU's performance in implementing the Wetland Conservation Act. In general, most local government units were doing a good job implementing the program. However, the Level II reviews did identify several weaknesses in LGU implementation of the

program. Examples of Wetland Conservation Act recommendations provided to LGUs in 2018, included to clarify wetland appeal processes, to improve coordination with DNR Enforcement and to update flawed LGU resolutions adopting the program. The addition of the Wetland Conservation Act to PRAP resulted in better coordination among LGU and state agency staff for surface water management.

- The watershed based PRAP level II process is most useful if there is an existing watershed based plan in place.** BWSR PRAP staff continued working on an internal staff team evaluating key performance measures that may be used in the future to measure LGU progress in implementing One Watershed, One Plans. Implementation of several of these plans has begun and progress is being made in the Lake Superior North and several other recently approved plans, but several additional years will be needed to evaluate implementation progress for most plans.
- Reminders and incentives contribute significantly to on-time reporting by LGUs.** Overall reporting performance and plan status improved slightly in 2018. Buffer strip reporting was maintained at full LGU compliance after reaching 100% compliance in 2015 through 2017 which can be attributed to close attention from BWSR staff. In the last year WMO overall compliance was maintained at 89%, (the same as in 2017) compared to 78% in 2016 and 44% compliance in 2015. WD overall compliance improved to 89% in 2018 compared to 80% compliance in 2017, 73% in 2016 and 65% in 2015.
- A common recommendation for several local government units in 2018 was to conduct a strategic assessment** of the LGU

to determine whether existing mission, goals and staff capacity are sufficient to meet the demands and need for conservation services in the district. This recommendation was used where there appeared to be underperformance of the LGU due to shortage of staff or lack of focus on targeted land treatment and resource improvement.

- **Website reporting of resource trends could be improved.** Many of the LGUs included in 2018 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.

### Selected PRAP Program Objectives for 2019

- Track 239 LGUs' Level I performance.
- Continue efforts to improve WMO and WD reporting.
- Maintain the target of 24 Level II performance reviews per year.
- Complete up to two Level III performance reviews if needed in 2019.
- BWSR will provide leadership in enunciating the importance of measuring outcomes in Level II performance reviews.
- Survey LGUs from 2017 Level II PRAP reviews to track LGU implementation of PRAP recommendations.
- Continue monitoring and reviewing compliance with Action Items identified during a Level II review. This will allow us to determine if we are meeting the goal of 100% compliance within 18 months for required Action Items.
- Continue the promotion and use of PRAP Assistance Grants to enhance LGU organizational effectiveness.
- Continue updating protocol for PRAP Level I and Level II reviews for performance based funding for implementation of watershed-based One Watershed-One Plans.
- Continue development of protocol for evaluating Technical Service Area (TSA) performance and evaluate one TSA if time permits.
- Review and update Performance Standards Checklists for counties, soil and water conservation districts, watershed districts and watershed management organizations. *(New for 2019)*.
- Evaluate implementation progress for Level III reviews conducted in 2017 and 2018 *(New for 2019)*.
- Develop performance standards that focus on reporting of resource outcomes for assessment of implementation of One Watershed One Plans *(new for 2019)*.

# Appendix A

## PRAP Authorizing Legislation 103B.102, Minnesota Statutes 2013

Copyright © 2013 by the Office of Revisor of Statutes, State of Minnesota.

### 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 DECISION # 18-71



### BOARD ORDER

#### Performance Review and Assistance Program (PRAP) Assistance Service

#### PURPOSE

Authorize PRAP Assistance services and delegate approval of payment to the Executive Director.

#### FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) regularly monitors and evaluates the performance and activities of local water management entities and provides assistance in improving performance under the authorities and requirements of Minnesota Statutes §103B.102.
2. In June 2018, the Board through Resolution #18-41 which "reconfirmed the delegation of authority to the Executive Director to approve individual PRAP Assistance grants up to \$10,000, and requires that program awards are reported to the Board at least once per year."
3. The Board continues to receive requests for PRAP assistance services to address operational or service delivery needs identified through a PRAP assessment or specialized assistance request.
4. The Board has authorities under Minnesota Statutes §103B.3369 and 103B.101 to award grants and contracts to accomplish water and related land resources management.
5. The Grants Program and Policy Committee, at their November 26, 2018 meeting, reviewed this request and recommended the Board approve this order.

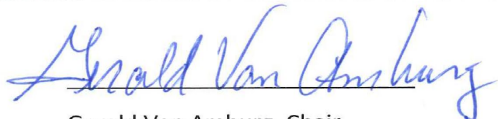
#### ORDER

The Board hereby:

1. Approves the allocation of designated or available funds, consistent with the appropriation of the designated or available funds, to eligible local government water management entities for fulfilling the provisions of Minnesota Statutes §103B.102.
2. Reconfirms the delegation of authority to the Executive Director to approve PRAP Assistance grants or contracts up to \$10,000 per contract with a maximum of \$50,000 per year and requires that program awards are reported to the Board at least once per year.
3. Establishes that all PRAP Assistance awards be cost shared by the grantee at a percentage determined by the Executive Director.
4. Authorizes staff to enter into grant agreements or contracts for these purposes.
5. Establishes that this order replaces previous Board resolution #18-41.

Dated at St. Paul, Minnesota, this December 19, 2018.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**



Gerald Van Amburg, Chair  
Board of Water and Soil Resources

Date: 12-19-2018

# 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 Dale Krystosek, PRAP Coordinator ([dale.krystosek@state.mn.us](mailto:dale.krystosek@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: 2018 LGU Long-Range Plan Status as of December 31, 2018

#### **Soil and Water Conservation Districts**

(Districts have a choice of option A or B)

**A. Current Resolution Adopting County Local Water Management Plan**

All resolutions are current.

**B. Current District Comprehensive Plan**

All comprehensive plans are current.

#### **Counties**

**Local Water Management Plan Revision Overdue: Plan Revision in Progress**

- All Plans are current

**Metro County Groundwater Plan Revision Not Updated (*These Plans are Optional*)**

- Ramsey
- Scott

The Carver County Groundwater Plan update was approved by BWSR in 2016. Anoka and Hennepin Counties have chosen not to participate in this optional program authorized under 103B.255. Ramsey and Scott County have decided to not update their groundwater plan. Development of these groundwater plans is optional and so they are not considered overdue.

#### **Watershed Districts**

**10-Year Watershed Management Plan Revision Overdue: Plan Revision in Progress**

- All plans are current

#### **Watershed Management Organizations**

One WMO plan is expired, but is currently being updated.

- Upper Rum River WMO plan is expired

# Appendix E

## Level I: Status of Annual Reports for 2017 as of December 31, 2018

### Soil and Water Conservation Districts

#### eLINK Status Reports of Grant Expenditures

##### Late Reports:

- Rock SWCD

### Counties

#### Drainage Authority Buffer Strip Reports

All reports submitted on time.

#### eLINK Status Reports of Grant Expenditures

Two counties submitted late reports.

##### Late Reports:

- Nobles County
- Mille Lacs County

### Watershed Districts

#### Drainage Authority Buffer Strip Reports

All reports submitted on time.

#### Annual Activity Reports Not Submitted:

- Ramsey Washington Metro WD
- Joe River WD
- Lower Minnesota River WD
- Stockton-Rollingstone-MN City WD
- Sand Hill River
- Cormorant Lakes WD

### Metro Joint Powers Watershed Management Organizations

#### Annual Activity Reports not submitted

- None

## Appendix F

### Level I: Status of Financial Reports and Audits for 2017 as of December 31, 2018

#### **Soil and Water Conservation Districts**

##### **Annual Financial Reports (all 89 Districts)**

##### **Financial Reports Not Completed:**

- None

##### **Annual Audits (78 required)**

##### **Annual Audits Not Submitted (or submitted late)**

- Redwood SWCD
- Nobles SWCD

#### **Watershed Districts**

##### **Annual Audits Not Completed (or submitted late):**

- Cormorant Lakes WD
- Stockton-Rollingstone-MN City WD
- Joe River WD
- Lower Minnesota River WD
- Sand Hill River WD
- Riley-Purgatory-Bluff Creek WD

#### **Metro Joint Powers Watershed Management Organizations**

##### **Annual Audits Not Submitted:**

- Richfield Bloomington WMO

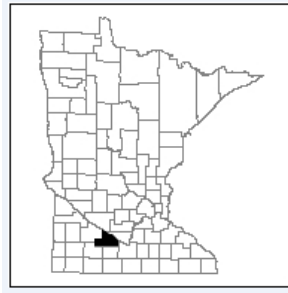
# Appendix G

## Standard Level II Performance Review

### Final Report Summaries

#### Brown County Planning and Zoning Department

#### Brown Soil and Water Conservation District



#### **Key Findings and Conclusions**

The Brown County Planning and Zoning Department (County) and the Brown Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county. For the most part, their partners believe both entities are doing good work and are good to work with. Ongoing water management challenges in southern Minnesota have created the necessity to forge new working relationships among partners to improve local water management in Brown County. Strong participation in the development of One Watershed, One Plans provide an opportunity for Brown County and SWCD to reorient its water planning efforts to focus on specific problems and priorities for the county's waterbodies. The partners who responded to the PRAP survey provided good to strong marks in their judgement of the performance of the County, and acceptable to strong marks in the performance of the SWCD.

#### **Resource Outcomes**

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

#### **Commendations:**

The Brown Soil and Water Conservation District is commended for meeting 4 of 14 high performance standards for SWCDs and the Brown County Planning and Zoning Department is commended for meeting 5 of 13 high performance standards.

#### **Recommendations:**

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

**Joint Recommendation 2:** Develop 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 and implementation of County Water Plan.

**Brown SWCD Recommendation 1:** Address action item within 18 months.

The Brown SWCD should address the action item by developing a data practices policy.

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

**Brown County Recommendation 1:** Conduct a strategic assessment of the Planning and Zoning Department to determine whether existing mission, goals and staff capacity are sufficient to address the conservation challenges in Brown County.

## Buffalo Creek Watershed District



### Key Findings and Conclusions

Buffalo Creek Watershed District is active in administering local water management programs and projects. The organization is getting important work done in the areas of flood damage reduction and drainage maintenance.

With the upcoming opportunity to participate in One Watershed, One Plan development, there is an opportunity for the Buffalo Creek Watershed District to focus its local water plan to problems and priorities specific to the watershed's major waterbodies, and to provide resource specific outcomes.

The Buffalo Creek Watershed District shows generally good compliance with BWSR's basic and high performance standards.

### Resource Outcomes

The Buffalo Creek Watershed District Plan does not contain resource outcome goals and objectives.

### Commendations

The Buffalo Creek Watershed District is commended for meeting 7 out of 16 High Performance Standards

Action Items – The Buffalo Creek Watershed District has one action item which should be addressed within the next 18 months:

- **The Watershed District should develop a data practices policy.**

### Recommendations:

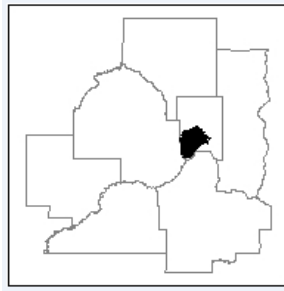
**Recommendation 1:** Continue and expand the use of Prioritized, Targeted and Measureable as criteria for Goals and Objectives in the next water management plan as appropriate.

**Recommendation 2:** Participate in the development of One Watershed One plans for watersheds within the District using the major or minor watershed scale for plan organization.

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

**Recommendation 4:** Complete the action item within 18 months to develop a data practices policy.

## Capitol Region Watershed District



### Key Findings and Conclusions

The Capitol Region Watershed District (CRWD) has been very effective in conducting water quality monitoring programs and water quality improvement projects. The CRWD has been particularly effective in conducting water management research and increasing awareness of water quality issues.

The CRWD has been very effective in achieving the goals outlined in their water management plan, and has been successful in creating partnerships and joint efforts to do so.

High marks were given to the CRWD by about 90% of their partners in the areas of quality of work, relationships, initiative and follow through with 78% rating the District strong or good in the communication area. This demonstrates a strong working relationship with partners.

The CRWD shows complete compliance with BWSR's basic and high performance standards.

### Resource Outcomes

The CRWD Plan does contain some resource outcome goals and objectives.

### Commendations

The CRWD is commended for meeting 11 out of 11 High Performance Standards

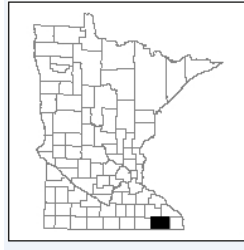
Action Item – The CRWD has no action items.

### 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:** Structure website information to report progress and trends made in achieving resource outcome goals.

## Fillmore County Zoning Department Fillmore Soil and Water Conservation District



### Key Findings and Conclusions

The Fillmore County Zoning Department (County) and the Fillmore Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county. New water management challenges have 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 Fillmore County. With the ongoing opportunities for implementation of One Watershed, One Plan, there are opportunities for Fillmore County and SWCD to focus its water plan implementation activities to specific problems and priorities for the county's waterbodies.

The partners who responded to the PRAP survey provided strong to poor marks in their judgement of the performance of the County, and good to strong marks in the performance of the SWCD.

The Fillmore SWCD reports compliance with 18 of 18 basic standards, and 10 of 14 high performance standards. For this Level II review, the county reports compliance with 8 of 8 basic standards. The county reported compliance with 8 of 12 high performance standards.

**Resource Outcomes** - The Fillmore Local Water Management Plan does not include targets or objectives for resource outcomes.

### Commendations:

The Fillmore Soil and Water Conservation District is commended for meeting 10 of 14 high performance standards for SWCDs and the Fillmore County Zoning Department Office is commended for meeting 8 of 12 high performance standards for counties.

### Recommendations:

**Fillmore SWCD Recommendation 1:** Engage in mediated strategic discussions with NRCS staff to ensure that both organizations address any issues that could adversely affect their partnership.

**Fillmore SWCD Recommendation 2:** Conduct a staffing analysis, staff training and succession planning session for the SWCD.

**Fillmore County Recommendation #1:** Conduct a strategic assessment of the Department to determine whether existing mission, goals and staff capacity are sufficient to meet the demands of conservation services in the county.

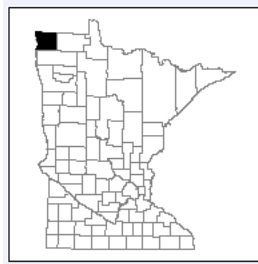
**Joint Recommendation 1:** Provide strong participation in the Root River 1W1P implementation using the watershed scale for prioritizing projects and program implementation and using Prioritized, Targeted and Measureable criteria for measuring progress for goals and objectives.

**Joint Recommendation 2:** Structure website information to report progress and trends made in achieving resource outcome goals and implementation of 1W1P.

**Action Items:** Fillmore County and Fillmore SWCD have no action items.



## Kittson County Environmental Services Department and Kittson Soil and Water Conservation District



### Key Findings and Conclusions

The Kittson County Environmental Services Department (County) and the Kittson Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county. For the most part, their partners believe both entities are doing good work and are good to work with. New water management challenges have created the necessity to forge new working relationships among partners, for future local water management in Kittson County. With the ongoing opportunities for development of One Watershed, One Plan, there will be an opportunity for Kittson County and SWCD to reorient its local water plan to specific problems and priorities for the county's waterbodies.

The partners who responded to the PRAP survey generally provided strong to acceptable marks in their judgement of the performance of the County, and in the performance of the SWCD.

### Resource Outcomes

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

### Commendations:

The Kittson Soil and Water Conservation District is commended for meeting 4 of 14 high performance standards for SWCDs and the Kittson County Environmental Services Department Office is commended for meeting 2 of 13 high performance standards for counties.

### Recommendations:

**Kittson SWCD Recommendation 1:** Conduct a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the district.

**Joint Recommendation 1:** Address action items in the next eighteen months.

**Joint Recommendation 2:** Provide strong participation in the development and implementation of One Watershed, One Plans (1W1P).

**Joint Recommendation 3:** Structure website information to report progress and trends made in achieving resource outcome goals and implementation of County Water Plan.

### Action Items:

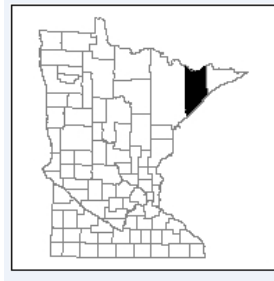
**Kittson SWCD has one action item.**

- The SWCD should develop a data practices policy.

**Kittson County and the SWCD have one joint action item.**

**The County and SWCD should clarify who the decision maker is for all WCA decisions.**

## Lake County Environmental Services Department and Lake Soil & Water Conservation District



### Key Findings and Conclusions

The Lake County Environmental Services Department (County) and the Lake Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county. For the most part, their partners believe both entities are doing good work and are good to work with. New water management challenges have 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 Lake County. With the upcoming opportunities for implementation of One Watershed, One Plan, there will be an opportunity for Lake County and SWCD to focus projects on specific problems and priorities for the watershed and county's waterbodies. The partners who responded to the PRAP survey provided generally good to strong marks in their judgement of the performance of the County, and good to strong marks in the performance of the SWCD.

### Resource Outcomes

The Lake County Local Water Management Plan (the basis for most of the report) does not include targets or objectives for resource outcomes. The Lake Superior North One Watershed One Plan does include targets and measures for resource outcomes. The early stages of plan implementation was evaluated as part of this assessment and there has already been significant progress made.

### Commendations:

The Lake Soil and Water Conservation District is commended for meeting 11 of 14 high performance standards for SWCDs and the Lake County Environmental Services Department is commended for meeting 9 of 12 high performance standards for counties.

### Recommendations:

**Joint Recommendation 1:** Continue providing strong participation in the Lake Superior North 1W1P implementation using the watershed scale for prioritizing projects and program implementation and using Prioritized, Targeted and Measurable criteria for measuring progress for goals and objectives.

**Joint Recommendation 2:** Structure website information to report progress and trends made in achieving resource outcome goals and implementation of the 1W1P.

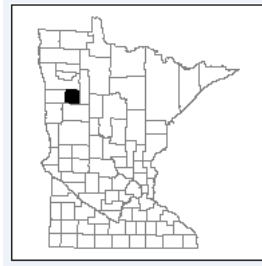
**Lake SWCD Recommendation 1:** Implement the strategic assessment of the SWCD to revise and improve existing mission, goals and staff capacity to meet the demands for conservation services in the district.

**Lake County Wetland Conservation Act Recommendation 1:** The County should pass a new Wetland Conservation Act resolution adopting the Rule.

**Lake County Wetland Conservation Act Recommendation 2:** The County should continue to work with BWSR and TEP and DNR Water Resources Enforcement Officer to review administration of the WCA in the County.

**Action Items:** Lake SWCD and Lake County Environmental Services Department have no action items.

## Mahnomen County Planning and Zoning Department Mahnomen Soil and Water Conservation District



### Key Findings and Conclusions

Mahnomen County and the Mahnomen 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.

The County and SWCD show good compliance with BWSR's basic and high performance standards. With the upcoming opportunities for development of One Watershed, One Plan, there will be an opportunity for Mahnomen County and SWCD to reorient its local water plan to specific problems and priorities for the county's waterbodies. The partners who responded to the PRAP survey provided acceptable to good marks in their judgement of the performance of the County, and gave mostly good marks for the performance of the SWCD.

### Resource Outcomes

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

### Commendations:

The Mahnomen Soil and Water Conservation District is commended for meeting 5 of 14 high performance standards for SWCDs and the Mahnomen County Planning and Zoning Department is commended for meeting 5 of 13 high performance standards for counties.

### Recommendations:

**Joint Recommendation 1:** Use the major or minor watershed scale for plan organization through development of a 1W1P for the Wild Rice River WD.

**Joint Recommendation 2:** Develop 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 and implementation of County Water Plan.

**Mahnomen SWCD Recommendation 1:** Conduct a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the district.

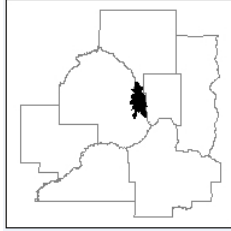
**Mahnomen SWCD Recommendation 2:** Develop staff technical capacity through the new BWSR Technical Training and Certification Program (TTCP).

**Mahnomen SWCD Recommendation 3:** Pursue strategic grant funding opportunities to implement prioritized conservation practices.

### Action Items:

Mahnomen SWCD and Mahnomen County have no action items.

## Mississippi Watershed Management Organization



### Key Findings and Conclusions

The Mississippi WMO has a good record of accomplishment in implementation of their current water management plan which covers the years 2011-2021.

The WMO's compliance with BWSR performance standards is very good 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.

### Resource Outcomes

The Mississippi 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 surface waters. The Mississippi WMO has completed 30 action items in the current plan with another 198 activities ongoing.

### Action Items:

Mississippi WMO has no action items.

### Commendations

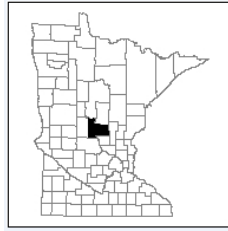
The Mississippi WMO is commended for meeting 10 out of 11 High Performance Standards (applicable to WMOs), which is an outstanding performance.

### Recommendations

**Recommendation 1:** Develop and implement training plan for each board member.

**Recommendation 2:** Make water quality data and trends easily accessible to the public.

## Morrison County Land Services Department and Morrison Soil and Water Conservation District



### Key Findings and Conclusions

The Morrison County Land Services Department (County) and the Morrison Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county.

For the most part, their partners believe both entities are doing good work and are good to work with. New water management challenges have 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 Morrison County. With the upcoming opportunities for development of One Watershed, One Plan, there will be an opportunity for Morrison County and SWCD to reorient its local water plan to specific problems and priorities for the county's waterbodies. The partners who responded to the PRAP survey provided good to strong marks in their judgement of the performance of the County, and good to strong marks in the performance of the SWCD.

The county and SWCD are both making very good progress on implementing their assigned action items in the local water plan. The county and SWCD have made progress on implementing 106 of their 118 action items (90 percent). The County and SWCD have completed 23 of their action items, 83 items are ongoing and twelve action items have not been started.

### Resource Outcomes

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

### Commendations:

The Morrison Soil and Water Conservation District is commended for meeting 11 of 14 high performance standards for SWCDs and the Morrison County Land Services Department is commended for meeting 9 of 13 high performance standards for counties.

### Recommendations:

**Joint Recommendation 1:** Focus implementation of water plan projects by using Prioritized, Targeted and Measureable criteria for measuring progress for goals and objectives.

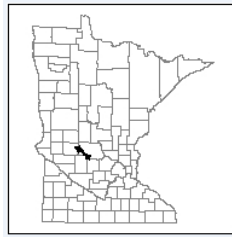
**Joint Recommendation 2:** Structure website information to report progress and trends made in achieving resource outcome goals and implementation of County Water Plan.

**SWCD Recommendation 1:** SWCD should clarify in District Policy the appropriate appeal path of a Wetland Conservation Act staff decision.

### Action Items:

**Morrison SWCD and Morrison County have no action items.**

## North Fork Crow River Watershed District



### Key Findings and Conclusions

North Fork Crow River Watershed District is doing a good job of implementing its watershed management plan and conducting water monitoring programs and projects. The organization is getting important work done in the areas of drainage maintenance.

With the current participation in One Watershed, One Plan implementation, there is an opportunity for the North Fork Crow River Watershed District to focus its implementation activities to focus on problems and priorities specific to the watershed's major waterbodies, and to provide resource specific outcomes.

The North Fork Crow River Watershed District shows excellent compliance with BWSR's basic and high performance standards.

### Resource Outcomes

The North Fork Crow River Watershed District Plan does contain some resource outcome goals and objectives. However, progress toward those goals is not routinely reported.

### Commendations

The North Fork Crow River Watershed District is commended for meeting 7 out of 15 High Performance Standards.

**Action Item** – The North Fork Crow River Watershed District has no action items.

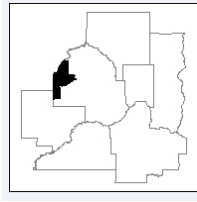
### Recommendations:

**Recommendation 1:** Continue and expand the use of Prioritized, Targeted and Measureable as criteria for Goals and Objectives in implementing the North Fork Crow River 1W1P.

**Recommendation 2:** Develop orientation and continued education plan for both board and staff and keep records of trainings attended.

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

## Pioneer Sarah Creek Watershed Management Organization



### Key Findings and Conclusions

The Pioneer Sarah Creek WMC has a good record of accomplishment in implementation of their current water management plan which covers the years 2015-2020.

The WMC's compliance with BWSR performance standards is good in meeting the essential, administrative, planning and communication practices for a watershed management organization.

**Overall, the partner's ratings of the Pioneer Sarah Creek WMC's performance in five key areas of communication, quality of work, relations with customers, initiative and follow-through ranged widely from strong to poor.**

### Resource Outcomes

The Pioneer Sarah Creek WMC watershed management plan contains some specific, measurable resource outcomes goals for water quality. The Pioneer Sarah Creek WMC has completed 2 of 35 action items in the current plan with another 32 activities ongoing.

### Action Items:

The Pioneer Sarah Creek WMC has no action items at this time.

### Commendations

The Pioneer Sarah Creek WMC is commended for meeting 7 out of 9 High Performance Standards (applicable to WMCs).

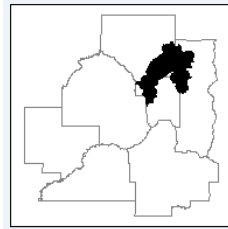
### Recommendations

**Recommendation 1:** Develop and implement training plan for each board member.

**Recommendation 2:** Make water quality data and trends easily accessible to the public.

**Recommendation 3:** Conduct a strategic planning initiative and workload analysis to assess the WMC's ability to comply with the 8410.0105 Subpart 1, and 8410.0140 Subpart 1. C. requirements that the WMC shall evaluate progress for the implementation of plan actions at a minimum of every two years.

## Rice Creek Watershed District



### Key Findings and Conclusions

Rice Creek Watershed District is doing a very good job of administering local water management and conducting water monitoring programs and projects. The organization is getting important work done in the areas of flood damage reduction, drainage maintenance, and water quality protection.

With the upcoming opportunity to update the Watershed District Plan there is an opportunity for the Rice Creek Watershed District to focus its watershed plan to problems and priorities specific to the watershed's major waterbodies, and to provide resource specific outcomes.

The Rice Creek Watershed District shows excellent compliance with BWSR's basic and high performance standards.

### Resource Outcomes

The Rice Creek Watershed District Plan does contain some resource outcome goals and objectives.

### Commendations

The Rice Creek Watershed District is commended for meeting 11 out of 12 High Performance Standards.

**Action Item** – The Rice Creek Watershed District has no action items.

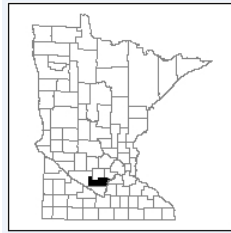
### Recommendations:

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



## Sibley County Property Assessing and Zoning Department and Sibley Soil and Water Conservation District



### Key Findings and Conclusions

The Sibley County Property Assessing and Zoning Department (County) and the Sibley Soil and Water Conservation District (SWCD) need to continue to build a strong working relationship to meet the water management and conservation challenges in the county. For the most part, their partners believe both entities are doing good work and are good to work with. New water management challenges have 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 Sibley County. With the upcoming opportunities for development of One Watershed, One Plan, there will be an opportunity for Sibley County and SWCD to reorient its local water plan to specific problems and priorities for the county's waterbodies.

The partners who responded to the PRAP survey provided generally good marks in their judgement of the performance of the County, and for the performance of the SWCD.

#### Resource Outcomes

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

### Commendations:

The Sibley Soil and Water Conservation District is commended for meeting 5 of 14 high performance standards for SWCDs and the Sibley County Property Assessing and Zoning Department Office is commended for meeting 8 of 13 high performance standards for counties.

### 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 and implementation of County Water Plan.

**Joint Recommendation 4:** Address action items in the next 18 months.

**Sibley SWCD Recommendation 1:** Conduct a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the district.

### Action Items:

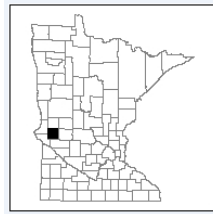
Sibley County has one action item which should be addressed in the next 18 months:

- The County should maintain current BWSR grant reports on their website.

Sibley SWCD has one action item which should be addressed in the next 18 months:

- **The SWCD website should be updated to contain all required items.**

## Stevens County Environmental Services and Stevens Soil and Water Conservation District



### Key Findings and Conclusions

**Stevens County and the Stevens 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.**

With the current opportunities for development of One Watershed, One Plan, there will be an opportunity for Stevens County and SWCD to reorient its local water plan to specific problems and priorities for the county's waterbodies and to provide resource specific outcomes.

The partners who responded to the PRAP survey generally provided acceptable to strong marks in their judgement of the performance of the County, and strong to poor marks in the performance of the SWCD.

#### Resource Outcomes

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

#### Commendations:

The Stevens Soil and Water Conservation District is commended for meeting 4 of 14 high performance standards for SWCDs and the Stevens County Environmental Services Office is commended for meeting 4 of 13 high performance standards for counties.

#### Action Items:

**Stevens County has no action items.**

**Stevens SWCD has one action item which should be addressed in the next 18 months:**

- The SWCD should develop a data practices policy

#### Recommendations:

**Stevens SWCD Recommendation 1:** Conduct a strategic assessment of the SWCD to determine whether existing mission, goals and staff capacity are sufficient to meet the demands for conservation services in the district.

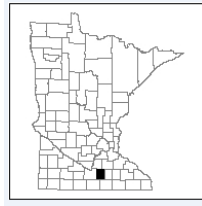
**Stevens SWCD Recommendation 2:** Address action item to develop a data practices policy in the next eighteen months.

**SWCD Recommendation 3:** Improve and maintain a consistent level of communication among office staff internally and externally to build a stronger working relationship with existing and new partners.

**Joint Recommendation 1:** Provide strong participation in the Pomme de Terre and Mustinka/Bois de Sioux 1W1P (and eventually the Chippewa 1W1P) using the watershed scale for plan organization and use of Prioritized, Targeted and Measureable criteria for goals and objectives.

**Joint Recommendation 2:** Meet annually with Water Plan Task Force to review annual accomplishments and set priorities for next year.

## Waseca County Planning and Zoning Department and Waseca Soil and Water Conservation District



### Key Findings and Conclusions

The Waseca County Planning and Zoning Department (County) and the Waseca Soil and Water Conservation District (SWCD) appear to have a strong working relationship in partnering to meet the water management and conservation challenges in the county. For the most part, their partners believe both entities are doing good work and are good to work with. New water management challenges have created the necessity to forge new working relationships among partners. With the upcoming opportunities for development of One Watershed, One Plan, there will be an opportunity for Waseca County and SWCD to reorient its local water plan to specific problems and priorities for the county's waterbodies.

The partners who responded to the PRAP survey generally provided acceptable to strong marks in their judgement of the performance of the County, and good to acceptable marks in the performance of the SWCD.

### Resource Outcomes

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

#### Commendations:

The Waseca Soil and Water Conservation District is commended for meeting 4 of 14 high performance standards for SWCDs and the Waseca County Planning and Zoning Department Office is commended for meeting 5 of 13 high performance standards for counties.

#### Recommendations:

**Waseca SWCD Recommendation 1:** Conduct a strategic assessment of the SWCD to determine whether existing mission, goals, staff capacity and resources are sufficient to meet the demands for conservation services in the district.

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

**Joint Recommendation 2:** Develop 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 and implementation of County Water Plan.

**Waseca County Recommendation 1:** Conduct a strategic assessment of the Planning and Zoning Department to determine whether existing mission, goals, staff capacity and resources are sufficient to meet the demands for services in the county.

**Action Items:** Waseca County and Waseca SWCD have no action items.

# Appendix H

## Performance Standards Checklists used in Level II Reviews

### COUNTY LOCAL WATER MANAGEMENT PERFORMANCE STANDARDS

LGU Name: \_\_\_\_\_

Performance Area	Performance Standard	Level of Review	Rating	
	<ul style="list-style-type: none"> <li>■ Basic practice or statutory requirement</li> <li>★ High Performance standard (see instructions for explanation of standards)</li> </ul>	I Annual Compliance  II BWSR Staff Review & Assessment (1/10 yrs)	Yes, No, or Value	
			YES	NO
Admin	■ eLINK Grant Report(s): submitted on time	I		
	■ County has resolution assuming WCA responsibilities and delegation resolutions (if needed).	II		
	■ County has knowledgeable and trained staff to manage WCA program or secured a qualified delegate.	II		
	■ Drainage authority buffer strip report submitted on time	I		
	★ Public drainage records: meet modernization guidelines	II		
Planning	■ Local water mgmt plan: current	I		
	★ Metro counties: groundwater plan up-to-date	I		
	■ Biennial Budget Request submitted on-time	I		
	★ Prioritized, Targeted & Measureable criteria are used for Goals & Objectives in local water management plan as appropriate.	II		
	★ Water quality trend data used for short- and long-range plan priorities	II		
Execution	■ WCA decisions and determinations are made in conformance with WCA requirements.	II		
	■ WCA TEP reviews and recommendations are appropriately coordinated.	II		
	★ Certified wetland delineator on staff or retainer	II		
	★ Water quality data collected to track outcomes for each priority concern	II		
	★ Water quality trends tracked for priority water bodies	II		
Communication & Coordination	■ BWSR grant report(s) posted on website	I		
	★ Communication piece sent within last 12 months: indicate target audience below	II		
	Communication Target Audience:			
	★ Obtain stakeholder input: within last 5 yrs	II		
	★ Partnerships: liaison with SWCDs/WDs and cooperative projects/tasks done	II		
	★ Annual report to water plan advisory committee on plan progress	II		
	★ Track progress for I & E objectives in Plan	II		
	★ County local water plan on county website	II		
★ Water management ordinances on county website	II			

**SOIL AND WATER CONSERVATION DISTRICT PERFORMANCE STANDARDS**

LGU Name: \_\_\_\_\_

Performance Area	Performance Standard	Level of Review	Rating		
			YES	NO	
	<ul style="list-style-type: none"> <li>■ Basic practice or Statutory requirement</li> <li>★ High Performance standard (see instructions for explanation of standards)</li> </ul>	<ul style="list-style-type: none"> <li>I Annual Compliance</li> <li>II BWSR Staff Review &amp; Assessment (1/10 yrs)</li> </ul>	Yes, No, or Value		
Administration	■ Financial statement: annual, on-time and complete	I			
	■ Financial audit: completed as required by statute (see guidance) or as per BWSR correspondence	I			
	■ eLINK Grant Report(s) submitted on-time	I			
	■ Data practices policy: exists and reviewed/updated within last 5 yrs	II			
	■ Personnel policy: exists and reviewed/updated within last 5 yrs	II			
	■ Technical professional appointed and serving on WCA TEP	II			
	■ SWCD has an adopting resolution assuming WCA responsibilities and appropriate decision delegation resolutions as warranted (If WCA LGU)	II			
	★ Job approval authorities: reviewed and reported annually	II			
	★ Operational guidelines and policies exist and are current	II			
	★ Board training: orientation & cont. ed. plan and record for each board member	II			
★ Staff training: orientation and cont. ed. plan/record for each staff member	II				
Planning	■ Comprehensive Plan: updated within 5 yrs or current resolution adopting unexpired county LWM plan	I			
	■ Biennial Budget Request submitted on time	I			
	★ Prioritized, Targeted and Measureable criteria are used for Goals and Objectives in the local water management plan as appropriate.	II			
	★ Annual Plan of Work: based on comp plan, strategic priorities	II			
Execution	■ Are state grant funds spent in high priority problem areas	II			
	■ Total expenditures per year (over past 10 yrs)	II	see below		
	■ Months of operating funds in reserve	II			
	■ Replacement and restoration orders are prepared in conformance with WCA rules and requirements.	II			
	■ WCA TEP member is knowledgeable/trained in WCA technical aspects	II			
	■ WCA TEP member contributes to TEP reviews, findings & recommendations	II			
	■ WCA decisions and determinations are made in conformance with all WCA requirements (If WCA LGU)	II			
	■ WCA TEP reviews/recommendations appropriately coordinated(if LGU)	II			
	★ Certified wetland delineator: on staff or retainer	II			
★ Outcome trends monitored and reported for key resources	II				
Communication & Coordination	■ Website contains all required content elements	I			
	★ Website contains additional content beyond minimum required	II			
	★ Track progress on I & E objectives in Plan	II			
	★ Obtain stakeholder input: within last 5 yrs	II			
	★ Annual report communicates progress on plan goals	II			
	★ Partnerships: cooperative projects/tasks with neighboring districts, counties, watershed districts, non-governmental organizations	II			
	★ Coordination with County Board by supervisors or staff	II			

**METRO WATERSHED DISTRICT and WMO PERFORMANCE STANDARDS**

LGU Name: \_\_\_\_\_

Performance Area	Performance Standard	Level of Review	Rating	
	<ul style="list-style-type: none"> <li>★ High Performance standard</li> <li>■ Basic practice or statutory requirement (see instructions for explanation of standards)</li> </ul>	<ul style="list-style-type: none"> <li>I Annual Compliance</li> <li>II BWSR Staff Review &amp; Assessment (1/5 yrs)</li> </ul>	Yes	No
Administration	■ Activity report: annual, on-time	I		
	■ Financial report & audit completed on time	I		
	■ Drainage authority buffer strip report submitted on time	I		
	■ eLink Grant Report(s): submitted on time	I		
	■ Rules: date of last revision or review	II	mo/yr	
	■ Personnel policy: exists and reviewed/updated within last 5 yrs	II		
	■ Data practices policy: exists & reviewed/updated within last 5 yrs	II		
	■ Manager appointments: current and reported	II		
	■ Consultant RFP: within 2 yrs for professional services	II		
	■ <b>WD/WMO has resolution assuming WCA responsibilities and appropriate delegation resolutions as warranted(N/A if not LGU)</b>	II		
	■ <b>WD/WMO has knowledgeable &amp; trained staff that manages WCA program or has secured a qualified delegate. (N/A if not WCA LGU)</b>	II		
	★ Administrator on staff	II		
	★ Board training: orient.& cont. ed. Plan, record for each board member	II		
	★ Staff training: orient. & cont. ed. plan and record for each staff person	II		
★ Operational guidelines for fiscal procedures and conflicts of interest exist and current	II			
★ Public drainage records: meet modernization guidelines	II			
Planning	■ Watershed management plan: up-to-date	I		
	■ City/twp. local water plans not yet approved	II		
	■ Capital Improvement Program: reviewed every 2 yrs	II		
	★ Biennial Budget Request submitted on time	II		
	★ Strategic plan identifies short-term priorities	II		
Execution	■ Engineer Reports: submitted for DNR & BWSR review	II		
	■ <b>WCA decisions and determinations are made in conformance with all WCA requirements. (if delegated WCA LGU)</b>	II		
	■ <b>WCA TEP reviews &amp; recommendations appropriately coordinated. (if delegated WCA LGU)</b>	II		
	■ Total expenditures per year (past 10 yrs)	II	see below	
	★ Water quality trends tracked for key water bodies	II		
★ Watershed hydrologic trends monitored / reported	II			
Communication & Coordination	■ Website: contains information as required by MR 8410.0150 Subp. 3a, i.e. as board meeting, contact information, water plan, etc.	II		
	■ Functioning advisory committee(s): recommendations on projects, reports, 2-way communication with Board	II		
	■ Communication piece: sent within last 12 months	II		
	Communication Target Audience:			
	★ Track progress for I & E objectives in Plan	II		
	★ Coordination with County Board, SWCD Board, City/Twp officials	II		
Partnerships: cooperative projects/tasks with neighboring organizations, such as counties, soil and water districts, watershed districts and non-governmental organizations	II			

**GREATER MN WATERSHED DISTRICT PERFORMANCE STANDARDS**

LGU Name: \_\_\_\_\_

Performance Area	Performance Standard	Level of Review	Rating	
			YES	NO
	<ul style="list-style-type: none"> <li>★ High Performance standard</li> <li>■ Basic practice or Statutory requirement (see instructions for explanation of standards)</li> </ul>	<ul style="list-style-type: none"> <li>I Annual Compliance</li> <li>II BWSR Staff Review &amp; Assessment (1/10 yrs)</li> </ul>	Yes, No, or Value	
Administration	■ Annual report: submitted by mid-year	I		
	■ Financial audit: completed within last 12 months	I		
	■ Drainage authority buffer strip report submitted on time	I		
	■ eLink Grant Report(s): submitted on time	I		
	■ Rules: date of last revision or review	II	mo/yr	
	■ Personnel policy: exists and reviewed/updated within last 5 yrs	II		
	■ Data practices policy: exists and reviewed/updated within last 5 yrs	II		
	■ Manager appointments: current and reported	II		
	■ <b>WD has resolution assuming WCA responsibilities &amp; appropriate delegation resolutions as warranted. (N/A if not LGU)</b>	II		
	■ <b>WD has knowledgeable &amp; trained staff that manages WCA program or has secured a qualified delegate. (N/A if not WCA LGU)</b>	II		
	★ Administrator on staff	II		
	★ Board training: orientation & cont. ed. Plan/record for each board member	II		
	★ Staff training: orientation & cont. ed. Plan/record for each staff	II		
	★ Operational guidelines exist and current	II		
★ Public drainage records: meet modernization guidelines	II			
Planning	■ Watershed management plan: up-to-date	I		
	★ Biennial Budget Request submitted on time	II		
	★ Strategic plan identifies short-term activities & budgets based on state and local watershed priorities	II		
	★ Member of County Water Plan Advisory Committee(s)	II		
Execution	■ Engineer Reports: submitted for DNR & BWSR review	II		
	■ <b>WCA decisions and determinations made in conformance with all WCA requirements. (N/A if not LGU)</b>	II		
	■ <b>WCA TEP reviews/recommendations coordinated (N/A if not LGU)</b>	II		
	■ Total expenditures per year for past 10 years	II	attach	
	★ Water quality trends tracked for key water bodies	II		
★ Watershed hydrologic trends monitored / reported	II			
Communication & Coordination	■ Functioning advisory committee: recommendations on projects, reports, maintains 2-way communication with Board	II		
	■ Communication piece sent within last 12 months	II		
	★ Website: contains annual report, financial statement, board members, contact info, grant report(s), watershed management plan, meeting notices, agendas & minutes, updated after each board	II		
	★ Obtain stakeholder input: within last 5 yrs	II		
	★ Track progress for I & E objectives in Plan	II		
	★ Coordination with County Board, SWCD Board, City/Twp officials	II		
	★ Partnerships: cooperative projects/tasks with neighboring districts, counties, soil and water districts, non-governmental organizations	II		

# Appendix I

## 2018 Local Government Performance Awards and Recognition

(Awarding agency listed in parentheses.)

### **Outstanding Soil and Water Conservation District (SWCD) Employee**

(Board of Water and Soil Resources)

Donna Rasmussen, Fillmore Soil & Water Conservation District Administrator

### **Outstanding SWCD Supervisor Award**

(Minnesota Association of Soil and Water Conservation Districts)

Ian Cunningham, Pipestone Soil and Water Conservation District Supervisor

### **SWCD of the Year**

(Minnesota Association of Soil and Water Conservation Districts)

Sherburne Soil and Water Conservation District

### **SWCD Appreciation Award**

(Department of Natural Resources)

West Polk Soil and Water Conservation District

### **Community Conservationist Award**

(Minnesota Association of Soil and Water Conservation Districts /Minnesota Pollution Control Agency)

City of Crosby, nominated by Crow Wing Soil and Water Conservation District

### **Outstanding Forest Steward Award**

(Minnesota Association of Soil and Water Conservation Districts / Department of Natural Resources)

Erik and Amanda Nelson, nominated by Itasca Soil and Water Conservation District

### **Outstanding Watershed District Employee**

(Board of Water and Soil Resources)

Dan Livdahl, Okabena-Ocheda Watershed District

### **Watershed District of the Year**

(Department of Natural Resources)

Roseau River Watershed District

### **Program of the Year Award**

(Minnesota Association of Watershed Districts)

Valley Branch Watershed District, Valley Creek Watershed Restoration and Stabilization Program

### **WD Project of the Year**

(Minnesota Association of Watershed Districts)

Capitol Region Watershed District, Upper Villa Park Stormwater Infiltration and Reuse Project

### **County Conservation Award**

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

Kandiyohi County, Grass Lake Prairie Wetland Restoration



**COMMITTEE RECOMMENDATIONS**

***Central Region Committee***

1. Swift County Comprehensive Local Water Management Plan Amendment – Kevin Bigalke – ***DECISION ITEM***
2. Rice Creek Watershed District Boundary Change – Kevin Bigalke – ***DECISION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Swift County Comprehensive Local Water Management Plan Amendment

**Meeting Date:** January 23, 2019

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** Central

**Contact:** Kevin Bigalke

**Prepared by:** Tara Ostendorf

**Reviewed by:** Central    Committee(s)

**Presented by:** Kevin Bigalke

**Time requested:** 10 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

Approval of the Swift County Comprehensive Local Water Management Plan Amendment

**LINKS TO ADDITIONAL INFORMATION**

<http://www.swiftswcd.org/uploads/9/8/2/9/98296824/combined.pdf>

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

The current Swift County Local Comprehensive Water Management Plan is in effect from December 2013 to December 2023, with the requirement for an amendment in 2018. Swift County submitted the plan amendment for review on October 26, 2018. The state review agencies who provided comments recommended approval of the plan as submitted. The Central Region Committee met on January 10, 2019 and provided a recommendation to the full Board for approval of the Swift County Comprehensive Local Water Management Plan amendment as submitted.

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 Amendment for Swift County, pursuant to Minnesota Statutes Section 103B.315, Subdivision 6.

---

**ORDER  
APPROVING  
COMPREHENSIVE  
LOCAL WATER  
MANAGEMENT PLAN  
AMENDMENT**

**Whereas**, on December 18, 2013, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Swift County 2013-2023 Comprehensive Local Water Management Plan (Plan); and

**Whereas**, this Board Order stipulated that Swift County was required to update the goals, objectives, and action items of the Plan through amendment by December 31, 2018; and

**Whereas**, the Swift County Board of Commissioners of Swift County (County) submitted a Comprehensive Local Water Management Plan Amendment (Amendment) to the Board on December 18, 2018, pursuant to Minnesota Statutes Section 103B.314, Subdivision 6; 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. On November 1, 2018, the Board received a petition from Swift County stating its intent to amend its current Plan, pursuant to M.S. Section 103B.314, Subd. 6.
2. On October 26, 2018, Swift County provided proper notice to local units of government and state agencies of the county's intent to amend its current Plan and invited all recipients to participate in the amendment process.
3. Swift County received written comments from the Board on November 9, 2018.
4. On December 18, 2018, the Board received the Amendment, a record of the public hearing, and copies of all written comments pertaining to the Amendment pursuant to Minnesota Statutes, Section 103B.314, Subd. 6. The following summarizes state review agencies' written comments provided to Swift County.
  - Minnesota Department of Agriculture: Supported and amendment and offered additional resources under its Water Plan Assistance program. Specific comments to the amendment included:
    - Groundwater sensitivity maps for Swift County

- Information related to the Township Testing Program for private wells in Swift County
  - Additional tools for irrigation management information
- A. Minnesota Department of Health was pleased to see actions related to groundwater and drinking water and offered no further comments.
  - B. Minnesota Department of Natural Resources: Did not submit written comments on the plan amendment.
  - C. Minnesota Pollution Control Agency stated that through their involvement in the amendment process, they felt all of their comments and recommendation were adequately addressed in the plan and have no further recommendations.
  - D. Minnesota Environmental Quality Board: Did not submit written comments on the plan amendment.
5. No other local government unit provided written comments to Swift County.
6. **Central Regional Committee.** On January 10, 2019 the Central Regional Committee of the Board reviewed the Amendment. Those in attendance from the Board's Committee were Paige Winnebarger (by telephone), Jack Ditmore, Joseph Collins, Jill Crafton (by telephone), and Duane Willenbring. Board staff in attendance were Central Regional Supervisor Kevin Bigalke and Board Conservationist Tara Ostendorf. The representatives from the County were Andrew Albertson, Swift SWCD Manager and Scott Collins, Swift County Environmental Services Director (both by telephone). Board regional staff provided its recommendation of approval to the Committee. After discussion, the Committee's decision was to present a recommendation of approval of the Amendment to the full Board.
7. This Plan will be in effect until December 31, 2023.

### **CONCLUSIONS**

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Comprehensive Local Water Management Plan Amendment pursuant to Minnesota Statutes, 103B.315, Subd. 6.
3. The Amendment attached to this Order is in conformance with the requirements of Minnesota Statutes, Section 103B.301.

### **ORDER**

The Board hereby approves the attached Amendment of the Swift County Comprehensive Local Water Management Plan 2014-2023 . The plan will be in effect until December 31, 2023.

Dated at Shoreview, Minnesota, this 23rd of January, 2019.

### **MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

---

BY: Gerald Van Amburg, Chair



January 23, 2019

Swift County Commissioners  
c/o Scott Collins, Water Plan Coordinator  
1000 Industrial Drive PO Box 288  
Benson MN 56215

**RE: Approval of the Swift County Comprehensive Local Water Management Plan Amendment**

Dear Swift County Commissioners:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Swift County amended Comprehensive Local Water Management Plan (Plan) was approved at its regular meeting held on January 23, 2019. Attached is the signed Board Order that documents approval of the Plan amendment and indicates the Plan meets all relevant requirements of law and rule.

Please be advised, the County must adopt and begin implementing the plan within 120 days of the date of the Order in accordance with Minnesota Statutes §103B.315, Subd. 6. Additionally, the County will be required to post the amended plan on their website. BWSR looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Board Conservationist Tara Ostendorf of our staff at 320-223-7074 or [tara.ostendorf@state.mn.us](mailto:tara.ostendorf@state.mn.us) for further assistance in this matter.

Sincerely,

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

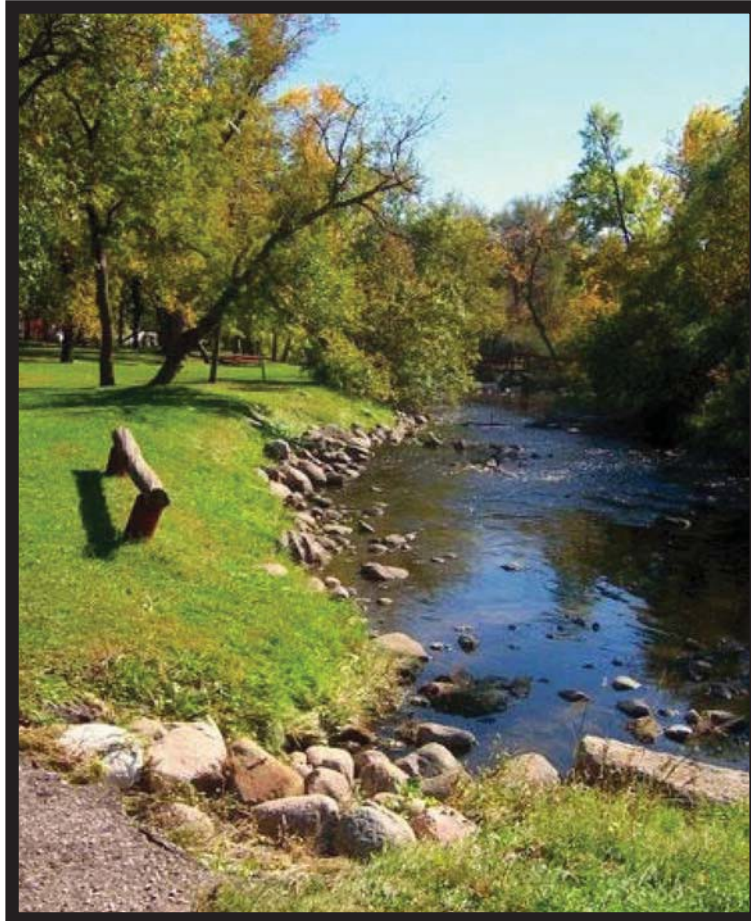
Enclosure:

BWSR Board Order

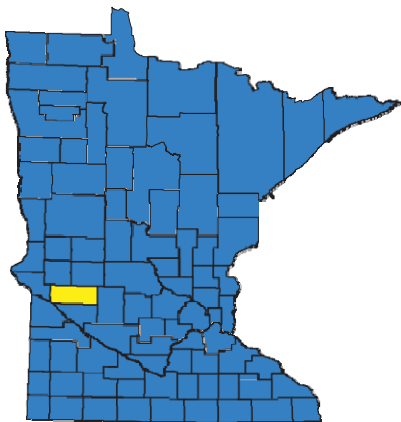
CC: Jeff Berg, MDA (via email)  
Amanda Strommer, MDH (via email)  
Rob Collett, DNR (via email)  
Juline Holleran, MPCA (via email)  
Kevin Bigalke, BWSR Regional Manager (via email)  
Tara Ostendorf, BWSR Board Conservationist (via email)  
Hannah Pallmeyer, BWSR (file copy)

# Swift County 2014-2023 Local Water Plan

~Five Year Update (2019)~



*Chippewa River*



# Swift County

## Local Water Plan Task Force

Pam Perizzo

Environmental Assistance

Scott Collins

Environmental Services Director

Mike Johnson

Parks, Drainage & Wetlands Supervisor

Andy Albertsen

Soil & Water Conservation District Manager

Emma Volz

Chippewa River Watershed Project

Stephanie Adams

Pomme de Terre River Association

Barry Bouwman

Swift County Feedlot Officer

Ethan Jenzen

Minnesota Department of Natural Resources Area Hydrologist

Paul Wymar

Minnesota Pollution Control Agency Watershed Project Manager

# Swift County Water Plan

## ~ Table of Contents ~

---

<b>Executive Summary</b> .....	<b>iii</b>
A: Purpose of the Local Water Plan.....	iii
B: A Description of Swift County’s Priority Concerns.....	iv
C: Summary of Goals, Objectives, Action Steps, and Estimated Cost .....	iv
D: Relationship to Other Plans .....	viii
<b>Chapter One: Swift County Priority Concerns Scoping Document</b> .....	<b>1-1</b>
Section One: Introduction to the Water Plan & Swift County .....	1-1
A: Water Plan Background.....	1-1
B: Swift County Profile .....	1-2
Section Two: Priority Concerns Scoping Document Planning Process .....	1-4
C: Resolution to Update the Swift County Water Plan .....	1-4
D: Notice of Plan Update .....	1-4
E: Water Plan Public Meeting.....	1-4
F: State & Local Stakeholder Comments .....	1-5
Section Three: Swift County Priority Water Planning Issues .....	1-9
G: Water Plan Task Force .....	1-9
H: Priority Water Planning Issues .....	1-9
I: Priority Issues Not Addressed by this Water Plan .....	1-10
Section Four: Swift County Ongoing Water Plan Activities.....	1-11
<b>Chapter Two: Assessment of Priority Concerns</b> .....	<b>2-1</b>
Section One: Surface Water Quality: Reducing Priority Pollutants.....	2-2
A: Watersheds Assessment .....	2-2
B: TMDL Implementation Assessment.....	2-36



C: Feedlots and Livestock Management Assessment .....	2-42
D: Subsurface Sewage Treatment Systems Assessment .....	2-45
E: Erosion and Sediment Control Assessment .....	2-46
Section Two: Surface Water Management.....	2-50
F: Agricultural Drainage Assessment.....	2-50
G: Stormwater Management Assessment.....	2-55
H: Wetlands and Water Storage/Retention Assessment .....	2-57
Section Three: Groundwater Quality and Quantity.....	2-63
I: Groundwater Quality Assessment.....	2-63
J: Groundwater Quantity Assessment .....	2-75
<b>Chapter Three: Goals, Objectives, and Action Steps.....</b>	<b>3-1</b>
A: Definition of Goals, Objectives and Action Steps .....	3-1
B: Action Step Information .....	3-1
C: Goals, Objectives, and Action Steps (2019-2023) .....	3-3
<b>Chapter Four: Water Plan Administration .....</b>	<b>4-1</b>
A: Plan Coordination.....	4-1
B: Implementation Plan and Priorities .....	4-1
C: Types and Sources of Water Plan Funds.....	4-3
D: Recommended State Cooperation .....	4-5
E: Intergovernmental Conflicts/Resolution Process .....	4-6
F: Water Plan Amendment Procedure.....	4-6
G: Water Plan Key Stakeholders.....	4-6
<b>Appendices</b>	
<b>Priority Concerns Supporting Documents .....</b>	<b>Appendix A</b>
<b>Priority Concerns Input Forms/Correspondence .....</b>	<b>Appendix B</b>
<b>Public Review &amp; Adoption Documents .....</b>	<b>Appendix C</b>

## **Swift County Water Plan:** *Executive Summary*

*The Swift County Water Plan follows the provisions set forth in Minnesota State Statutes 103B.314 - Contents of Water Plan.*

### **A. Purpose of the Local Water Plan**

According to Minnesota Statute 103B, each county is encouraged to develop and implement a local water management plan with the authority to:

- Prepare and adopt a local water management plan that meets the requirements of this section and section 103B.315;
- Review water and related land resources plans and official controls submitted by local units of government to assure consistency with the local water management plan; and
- Exercise any and all powers necessary to assure implementation of local water management plans.

Pursuant to the requirements of the law, the Swift County Water Plan:

- Covers the entire area of Swift County;
- Addresses water problems in the context of watershed units and groundwater systems;
- Is based upon principles of sound hydrologic management of water, effective environmental protection and efficient management;
- Is consistent with comprehensive water plans prepared by counties and watershed management organizations wholly or partially within a single watershed unit or groundwater system; and
- Will serve as a 10-year water plan (2014-2023), with a 5-year implementation plan (2014-2018). In 2018, the implementation plan will be updated.

In addition, the Water Plan will also serve as the Swift County Soil and Water Conservation District's (SWCD) Comprehensive District Plan. This will be passed by the SWCD's Board of Supervisors by Resolution.

## **B. A Description of Swift County’s Priority Concerns**

The Swift County Water Plan Task Force, listed on the inside cover page, met on August 29, 2018, to discuss the 5-year plan update requirement. The Water Plan Task Force identified the following as Swift County’s priority water planning issues (note: these issues are not ranked in order of priority). A complete assessment of each Priority Concern as well as Goals, Objectives and Action items can be found in later sections of this Plan.

1. Surface Water Management
  - a. Agricultural Drainage
  - b. Stormwater Management
  - c. Wetlands and Water Storage/Retention
2. Reducing Priority Pollutants ~ Surface Water Quality
  - a. TMDL Implementation
  - b. Feedlot/Livestock Management
  - c. Subsurface Sewage Treatment Systems
  - d. Erosion and Sediment Control
3. Groundwater Quality & Quantity
4. Plan Administration
  - a. Watershed Focus - Stakeholder Cooperation
  - b. Raising Public Awareness - Education

## **C. Summary of Goals, Objectives, Action Steps, and Estimated Costs**

To address the priority concerns identified in the scoping process, the Swift County Water Plan Task Force held meetings and developed four goal areas. These four goal areas are further broken down into interrelated objectives that specific resource concerns. More importantly, each objective has a series of action steps designed to help address the priority concerns.

A summary of the County’s Water Plan Goals, Objectives and Action Steps is provided below. Collectively they form the Implementation Plan for the County. In addition, a summary of annual estimated costs is provided. These estimated expenses are separated into Overall Costs and Local Costs. Overall Costs include all monies spent by water plan stakeholders, including the County, watershed districts, state agencies, and landowners. The Local Costs include funds spent and activities performed by Swift County (including items such as the County’s 103E administrative costs) and the Swift County SWCD. The Swift County Water Plan Task Force recognizes that not all the identified Action Items will be accomplished over the course of the

Water Plan's time-frame, however, the intent is to accomplish as many implementation activities as feasible. Also keep in mind the costs identified are only estimates, and actual direct and/or indirect costs may be more or less than indicated. Finally, many of the Action Items will be dependent upon receiving grants. Chapter Three contains the Water Plan's complete Goals, Objectives, and Action Steps, and Chapter Four provides additional details on administering the Water Plan.

### **Goal 1: To Ensure Swift County's Surface Water Resources Exceed Minimum Water Quality Standards**

The first goal area focuses on addressing surface water quality issues. Objectives were developed for maintaining a watershed focus and removing waters off the MPCA's 303d list of Impaired Waters. Additional objectives address feedlots, Subsurface Sewage Treatment Systems (SSTS), and erosion and sediment control. Implementation steps under the first goal area include a wide range of the following initiatives and Best Management Practices (BMPs):

- **Watershed Focus/TMDLs.** Continue to work as a team to better understand, assess, and identify gaps related to the condition of the County's water resources. Utilize reports and tools (such as the PTMapp) to prioritize subwatersheds for BMP targeting and implementation. Supporting watershed planning, monitoring, and implementation by providing financial and in-kind assistance; annually reviewing monitoring data and participating in the watershed restoration and protection strategy with the Chippewa River, Pomme de Terre, and Upper Minnesota River Watersheds; and seeking opportunities to refine watershed analysis and management through GIS and other technology.
- **Feedlots.** Target feedlot inspections in shoreland areas; host annual educational meetings with feedlot operators; and cost share ag/waste feedlot BMPs, including nutrient management plans, manure management plans, closing unused ag waste impoundments; and identifying where grazing management improvements are needed.
- **SSTS.** Work with approximately 30 homeowners annually on compliance inspections; provide low interest loans to upgrade noncompliant systems; cost-share upgrading five low income noncompliant systems annually; Publish information in local newspapers and newsletters on proper maintenance and promote SSTS management plans; and inspect all SSTS in impaired subwatersheds.
- **AIS.** Provide educational and financial assistance on AIS prevention methods; host an AIS public informational meeting every other year with assistance from MNDNR; create and AIS task force; and create an AIS Management Plan.
- **Erosion and Sediment Control.** Provide educational, technical, and financial assistance, to landowners for the implementation of erosion and sediment control BMPs with the goal of utilizing the WRAPS Implementation plans; work with the watersheds districts/projects

on implementing their numerous erosion and sediment control projects; promote soil health by publishing information in newsletters and newspapers; and promote and seek funding for soil health and sustainable practices such as cover crops, nutrient management, minimal tillage, grazing management, and other new and innovative practices.

The various action steps identified to address the first goal area of surface water quality improvements in Swift County are estimated to have an overall 5-year cost of \$3,214,500, which averages to approximately \$642,900 annually. Many of the implementation activities will be paid for through grants and in-kind expenses.

## **Goal 2: Surface Water Management Initiatives**

The second goal area is aimed at effectively managing surface water resources for multiple purposes (surface water quantity). Separate objectives are included for agricultural drainage, stormwater management, and wetlands/surface water retention. The key implementation steps include the following:

- **Agricultural Drainage:** Re-determining the benefits on systems as requested; maintain and update a County Ditch Inventory; installing ten side inlets annually to control erosion; cost-sharing a wide range of drainage BMPs; and seeking funds to complete a drainage management plan.
- **Stormwater Management:** Assist with stormwater management planning; providing educational, technical, and financial support for the implementation of stormwater BMPs; and cost-sharing providing 20 rain barrels annually.
- **Wetlands/Water Retention:** Targeting impaired subwatersheds for wetland restorations and increasing the number of Conservation Reserve Enhancement Program easements by two each year on marginal farmland. Work with partners on wetland restorations in designated wildlife areas. Educate landowners on the benefits of converting drained wetlands back to a permanent vegetative state, using conservation programs.

The various action steps identified to address the second goal area of surface water management in Swift County are estimated to have an overall 5-year cost of \$1,020,000, which averages to approximately \$204,000 annually. Many of the implementation activities will be paid for through grants and in-kind expenses.

## **Goal 3: Groundwater Quantity and Quality Initiatives**

The third goal area focuses on addressing groundwater quality and quantity issues. Objectives were developed for wellhead protection areas, ensuring there is an adequate supply of safe

drinking water, and working with stakeholders to protect groundwater levels for multiple uses. Implementation steps include a wide range of the following groundwater Best Management Practices (BMPs):

- **Wellhead Protection Areas (WPA).** Target groundwater BMP Programs in Wellhead Protection Areas, such as RIM, CRP, manure management and nutrient planning, abandoned well sealing and proper SSTS compliance; and target sealing all abandoned wells in Wellhead Protection Areas.
- **Safe Drinking Water.** Complete a pesticide management plan and water conservation plan with each new irrigation system; incorporate Swift County’s sensitive groundwater recharge areas map into to the local land use decision making process; implement two groundwater BMP projects into the local and use decision making process annually; host nitrate testing clinics annually; host an annual hazardous waste recycling day.
- **Groundwater Quantity.** Continue to monitor groundwater test sites annually; host a workshop every three years with the DNR and Minnesota Geological Survey on how best to incorporate the county’s geologic and groundwater information into the land use making process; pursue funding to establish a water conservation/drought contingency plan.

The various action steps identified to address the third goal area of groundwater quality and quantity in Swift County are estimated to have an overall 5-year cost of \$339,000, which averages to approximately \$67,800 annually. Many of the implementation activities will be paid for through grants and in-kind expenses.

#### **Goal 4: Plan Administration Initiatives**

The fourth goal area is aimed at effectively administering the Swift County Water Plan. A specific objective was developed to “Engage the Citizens and Stakeholders on key water planning issues and implementation opportunities.” Implementation steps include the following:

- **Ongoing Issues and Programs.** Properly raise awareness on key water planning issues and available BMP funding opportunities.
- **Water Plan Funding/Support.** Secure funding and stakeholder cooperation to properly implement the Water Plan’s Action Steps; meet quarterly to review progress.
- **Watershed Focus and Stakeholder Cooperation.** Partner with watershed and stakeholder groups on implementation activities.

The various action steps identified to address the fourth goal area of effectively administering the Water Plan in Swift County are estimated to have an overall 5-year cost of \$65,000, which averages to approximately \$13,000 a year.

---

### *Summary of Estimated Costs*

The four water plan goal areas and their corresponding estimated costs are summarized below in Table 1. The initiatives identified in Chapter Three are estimated to cost approximately \$4,638,500 over the five years, which averages to approximately \$927,700 annually.

**Table 1:  
Summary of Swift County’s Water Plan  
Estimated Overall and Local Costs**

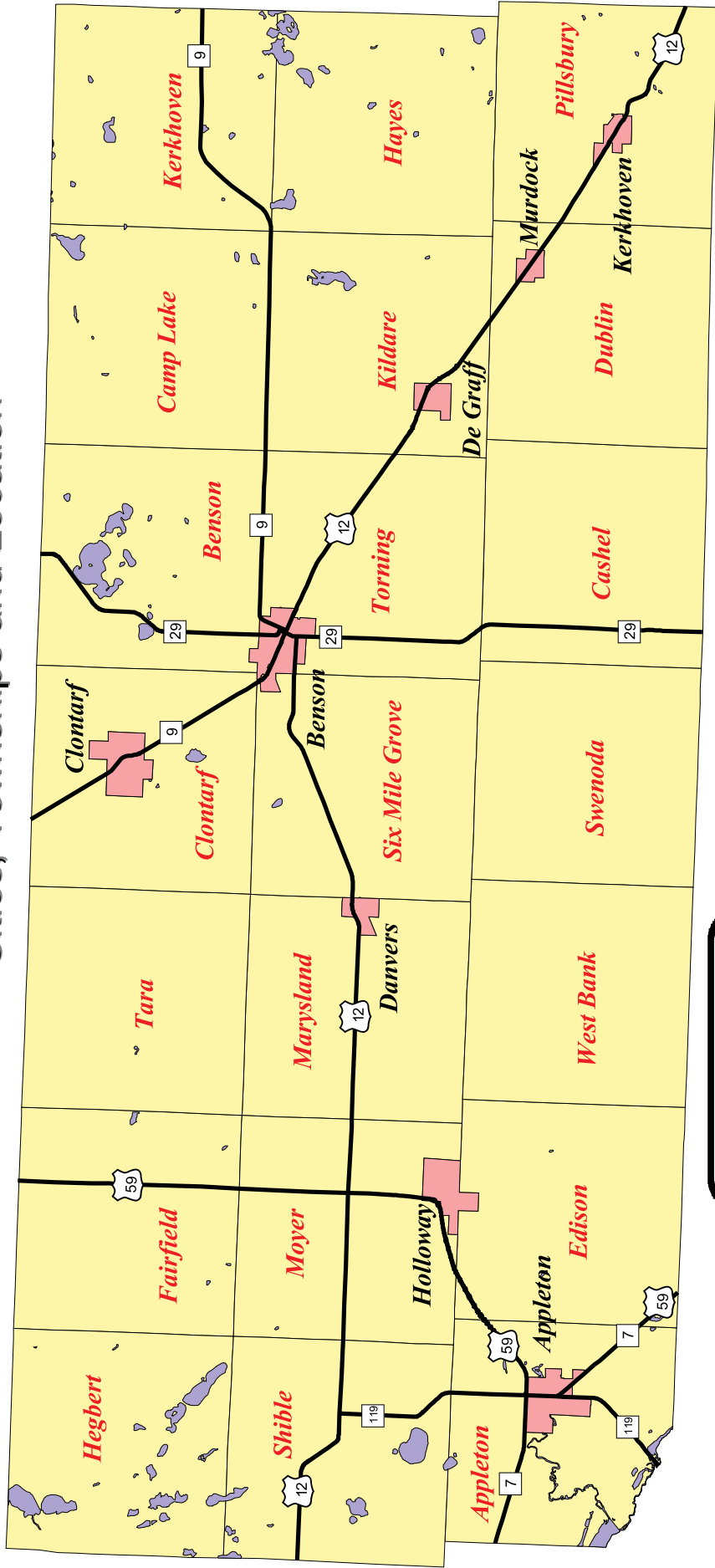
	<b>5-Year</b>	<b>Yearly</b>
Goal Area One: Surface Water Quality	\$3,214,500	\$642,900
Goal Area Two: Surface Water Management	\$1,020,000	\$204,000
Goal Area Three: Groundwater Quality/Quantity	\$339,000	\$67,800
Goal Area Four: Plan Administration	\$65,000	\$13,000
<b>Totals</b>	<b>\$4,638,500</b>	<b>\$927,700</b>

*\*Note:* Please refer to Chapters Three and Four for a more detailed description of the estimated five-year and annual costs; expenses may seem exaggerated, but represent the numerous stakeholders involved and a collaboration of their corresponding activities and budgets.

#### **D. Relationship to other Plans**

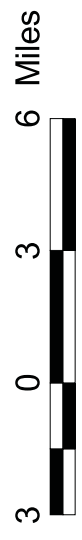
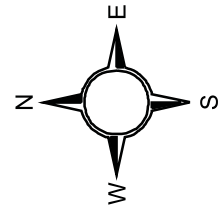
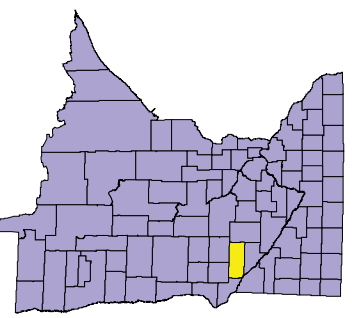
The Swift County water planning process included feedback from local governmental units and stakeholders to ensure the Water Plan, and its corresponding Goals, Objectives and Action Steps, were developed to be consistent with existing plans and official land use controls. As a result, the updated Swift County Water Plan is believed to be consistent with the plans and official controls of the other pertinent local, State and regional plans and controls. In conclusion, there are no recommended amendments to other plans and official controls to achieve consistency with this Water Plan.

# Map 1A: Swift County's Cities, Townships and Location



## Legend

- Major Roads
- Lakes
- Cities
- Townships





## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Rice Creek Watershed District Boundary Change

**Meeting Date:** January 23, 2019

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** Central Region

**Contact:** Kevin Bigalke

**Prepared by:** Kevin Bigalke and Annie Felix-Gerth

**Reviewed by:** Kevin Bigalke    Committee(s) Central Region

**Presented by:** Kevin Bigalke

**Time requested:** 5 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

Board action approving the boundary change between the Rice Creek Watershed District and the Brown’s Creek Watershed District.

**LINKS TO ADDITIONAL INFORMATION**

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

The Rice Creek Watershed District has petitioned the BWSR for an order approving an adjustment of the common jurisdictional boundary between the Rice Creek Watershed District and the Brown’s Creek Watershed District, pursuant to Minnesota Statute 103B.215. The boundary change petition was legal notice in local newspapers for two consecutive week. The proposed boundary change was reviewed by the Central Region Committee on Thursday, January 10, 2019. The Central Region Committee recommended approval to

the full BWSR Board contingent on there being no requests for a public hearing. There were not requests for a public hearing received during the 20 day comment period following the December 27, 2018 legal notice posting.

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

---

**In the Matter** of the Boundary Change for  
the Rice Creek Watershed District and  
Brown's Creek Watershed District in  
Washington County pursuant to Minnesota  
Statutes Chapter 103B.215.

---

**ORDER  
BOUNDARY  
CHANGE**

**Whereas**, the Rice Creek Watershed District (RCWD) and the Brown's Creek Watershed District (BCWD) filed a Petition dated November 14, 2018 with the Board of Water and Soil Resources (Board) on November 19, 2018 to change the boundaries of the RCWD and BCWD pursuant to Minn. Stat. § 103B.215, 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 boundary of the RCWD and BCWD was filed by the RCWD Board of Managers with the Board on November 14, 2018.
2. **Property Description.** The territory included in the boundary change, the Petitioned Area, is located in Washington County entirely within the metropolitan area and totals 106 parcels. The Petitioned Area includes the transfer of 78 parcels from the BCWD to the RCWD, and the transfer of 28 parcels from the RCWD to the BCWD. The Petitioned Area is depicted on a map attached to the Petition and further identified in property identification tables attached to the Petition.
3. **Reasons for Boundary Change.** The proposed boundary change would achieve a more accurate alignment between the hydrologic and legal boundaries of the RCWD and the BCWD. The requested boundary change is consistent with the purposes and requirements of Minn. Stat. §§ 103B.205 to 103B.255.
4. **Statements of Concurrence.** The required statements of concurrence pursuant to Minn. Stat. §103B.215, Subd. 2 (c) from the Rice Creek Watershed District, Brown's Creek Watershed District, and the Cities of Grant and Hugo were submitted with the Petition.
5. **Effect on Benefits and Damages.** The Petition states the proposed boundary change will not affect the benefits or damages for any improvements previously constructed by the RCWD or the BCWD pursuant to Minn. Stat. § 103B.225.

6. **Notice of Filing.** Legal Notice of Filing of the proposed boundary change, pursuant to Minn. Stat. § 103B.215, Subd. 3, was published in the White Bear Press on December 19 and 26, 2018, and mailed to the RCWD, BCWD, Washington County Director of Property Records and Taxpayer Services, and the city administrators of Grant and Hugo.
7. **Public Hearing.** The Legal Notice of Filing was published pursuant to Minn. Stat. § 103B.215, Subd.3, which requires within 20 days of the last date of publication of the Notice of Filing of the Petition that at least one request for hearing be received by the Board before a hearing will be held. No requests for hearing and no comments were received during the specified period of time and no hearing was held.
8. **Central Region Committee.** On January 10, 2019, the Board's Central Region Committee and staff met in St. Paul to review and discuss the boundary change Petition. Those in attendance from the Board's Committee were Paige Winebarger (by telephone), Jill Crafton (by telephone), Glenn Skuta, Joel Larson, Jack Ditmore, Duane Willenbring and Joe Collins as chair. Board staff in attendance were Central Region Manager Kevin Bigalke and Tara Ostendorf, Board Conservationist. Board staff recommended approval of the boundary change. After discussion, the Committee unanimously voted to recommend approval of the RCWD and BCWD boundary change to the full Board, contingent on no requests for a public hearing being received.

## **CONCLUSIONS**

1. The Petition for boundary change of the RCWD and BCWD is valid in accordance with Minn. Stat. § 103B.215.
2. All relevant substantive and procedural requirements of law and rule have been fulfilled.
3. The Board has proper jurisdiction in the matter of ordering a watershed district boundary change.
4. The territory included in the requested boundary change is within the hydrologic boundaries of the RCWD or the BCWD.
5. The governing bodies of the RCWD, BCWD, and Cities of Grant and Hugo concur with the requested boundary change.
6. The requested boundary change is consistent with the purpose and requirements of Minn. Stat. §§ 103B.205 to 103B.255.
7. The requested boundary change can be accomplished in conformance with Minn. Stat. § 103B.225 regarding benefits and damages.
8. The proposed boundary change should be approved per the Petition and the RCWD and BCWD should be encouraged to change their organizational boundaries consistent with this Order.

# ORDER

The Board hereby orders that the boundaries of the Rice Creek Watershed District and Brown's Creek Watershed District 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. The Board recommends that the Rice Creek Watershed District and Brown's Creek Watershed District take immediate action to change its organizational boundary consistent with this Order.

Dated at Shoreview, Minnesota this 23rd day of January, 2019.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: \_\_\_\_\_  
Gerald Van Amburg, Chair

**PETITION FOR  
BOUNDARY CHANGE BETWEEN THE  
RICE CREEK WATERSHED DISTRICT AND THE BROWN'S CREEK  
WATERSHED DISTRICT**

\*\*\*\*\*

In the matter of the Petition for Boundary Change Between  
The Rice Creek Watershed District (RCWD) and the  
Brown's Creek Watershed District (BCWD)  
Pursuant to Minnesota Statutes §103B.215

TO: The Board of Water and Soil Resources  
520 Lafayette Road North  
Saint Paul, MN 55155

The Rice Creek Watershed District ("Petitioners,"), a Minnesota Special Purpose Unit of Government with powers set forth at Minnesota Statutes § 103B and § 103D, pursuant to the RCWD Board of Managers Resolution 2018-34, hereby petition the Board of Water and Soil Resources (Board) for an order approving the adjustment of the common jurisdictional boundary between The Rice Creek Watershed District and the Brown's Creek Watershed District, pursuant to Minnesota Statutes §103B.215, for the following reasons:

1. The RCWD is an existing watershed district contained entirely within the Twin Cities Metropolitan Area;
2. The areas proposed to be moved to the RCWD are contiguous with it, are within its hydrologic boundary, and are all within the Cities of Grant, MN and Hugo, MN. The areas to be moved to RCWD are described on the parcel list attached hereto as Exhibit A. The areas proposed to be moved to the BCWD are contiguous with it, are within its hydrologic boundary, and are all within the Cities of Grant, MN and Hugo, MN. The areas to be moved to BCWD are described on the parcel list attached hereto as Exhibit B. A map of the proposed changes is attached hereto as Exhibit C;
3. The petitioned adjustments would be of the public benefit and welfare, cause the common jurisdictional boundary to more closely conform to the hydrological boundary between the two entities, would facilitate the watershed-based water resource planning and management, and for these and other reasons would be consistent with the purposes and requirements of Minnesota Statutes §§103B.205 to 103B.255;

4. Pursuant to Minnesota Statutes § 103B.215, subdivision 2(c), the City of Grant, City of Hugo, and the Brown's Creek Watershed District concur in this petition, as evidenced by a letter from each, appended hereto as Exhibits D, E, and F respectively;

5. Pursuant to Minnesota Statutes § 103B.225, Petitioners represent that no property in the affected areas is responsible for any outstanding indebtedness, levies or assessments, and that the boundary change will not affect any benefits or damages for previously constructed improvements.

6. A copy of the RCWD Board of Managers Resolution 2018-34 is included hereto as Exhibit G.

WHEREFORE, in accordance with Minnesota Statutes §103B.215 and the rules and procedures of the Board, Petitioners respectfully petition the Board to make the boundary change requested herein.

**RICE CREEK WATERSHED DISTRICT**

---

Patricia Preiner, President

Date:

11-14-2018

**EXHIBIT A**

The following 78 parcels would be transferred from BCWD to in RCWD:

163-2403121220001	163-2203021230004
163-0303021340001	163-2303121240005
163-0303021320002	163-2403121310002
163-0303021340004	163-1603021420004
163-0303021420001	163-2303121140001
163-0303021320003	163-1003021220001
163-0903021110004	163-0303021310004
163-0303021310001	163-0903021130002
163-0303021330002	163-0903021140001
163-2203021320006	163-1603021430004
163-3603121330003	163-0303021330007
163-0303021330008	163-2403121210001
163-1603021430006	163-2303121340003
163-2303121240002	163-0303021340002
163-0903021130001	163-0903021130004
163-0903021420002	163-1603021430005
163-1003021220006	163-3603121330004
163-2203021320010	163-2303121330004
163-0303021430002	163-2303121340004
163-2203021310012	163-0903021130003
163-2403121120001	163-2303121330003
163-0903021110001	163-2303121330001
163-1603021430003	163-0903021110005
163-0303021320004	163-2303121330002
163-0303021330009	163-1003021220002
163-1003021210002	163-2203021310011
163-2303121240003	163-2303121340001
163-1003021120005	163-2303121240004
163-1003021220005	163-2203021230003
163-1003021220004	163-0903021110003
163-0303021240003	163-2203021320011
163-0303021340003	163-0903021140003
163-0903021120001	163-2303121320001
163-1003021220003	163-0303021310002
163-1003021120004	163-2303121310001
163-0403021430002	163-0903021420001
163-0303021430001	163-1003021120006
163-2203021310013	163-2203021310016
163-2203021320002	163-2303121420005



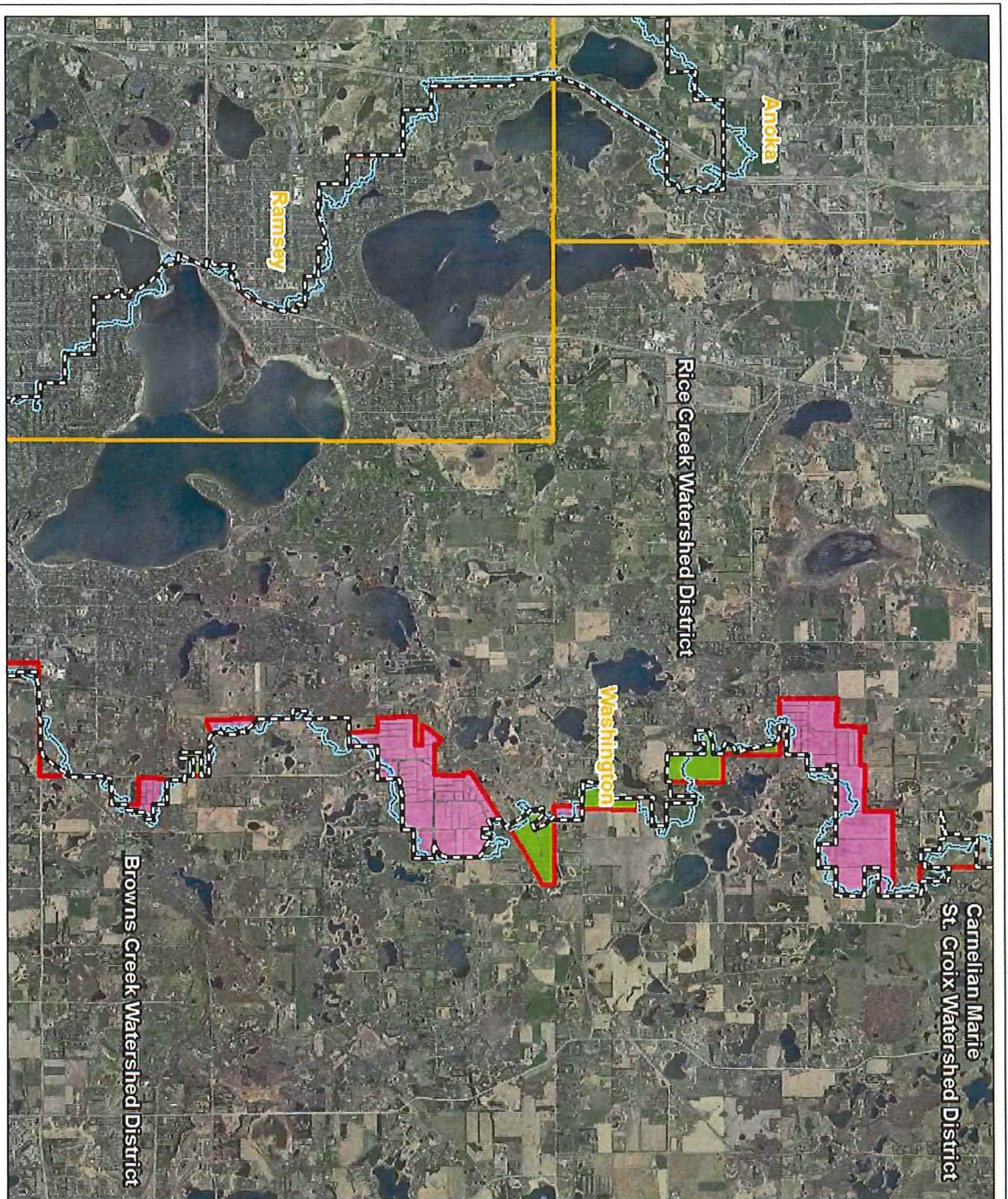
**EXHIBIT B**

The following 28 parcels would be transferred from RCWD to BCWD:

163-3503121410003
163-0303021120006
163-2603121210007
163-0303021110006
163-2603121210006
163-0303021110007
163-2603121210008
163-3503121410004
163-2603121240006
163-3503121410001
163-2603121420001
163-0303021210004
163-2603121240011
163-0303021120004
163-3503121410005
163-0303021120005
163-2603121310002
163-2603121210009
163-0303021110005
163-2603121210004
163-2103021110002
163-3503121140001
163-0303021110004
163-0303021110003
163-3503121410002
163-2603121210005
163-0303021110008
163-0303021240009

EXHIBIT C

Map of proposed Boundary Changes



# RCWD/BCWD Proposed Boundary Modification

- Proposed Boundary Modification
- RCWD Current Hydrologic Boundary
- RCWD Current Legal Boundary
- New Watershed District**
- RCWD to BCWD
- BCWD to RCWD
- County Boundary

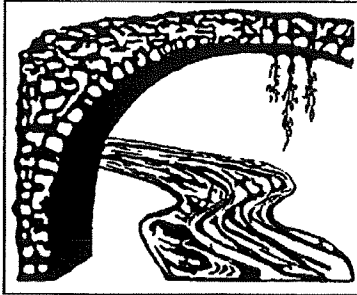


Legal Boundary Review - Location Map Page 1 of 11			
Date	Drawn by	Checked by	Project No.
11/14/2018	BJD		1512-212
			10/23/2018
Houston Engineering Inc.		Maple Grove	
P: 763-293-6272		F: 763-293-6276	

**EXHIBIT D**

**EXHIBIT E**

**EXHIBIT F**



**BROWN'S  
CREEK  
WATERSHED  
DISTRICT**

455 HAYWARD AVE N  
OAKDALE, MN  
55128

651.330.8220 X26 [PHONE]  
651.330.7747 [FAX]  
WWW.BCWD.ORG

October 10, 2018

Phil Belfiori  
Rice Creek Watershed District  
4325 Pheasant Ridge Dr NE, Suite 611  
Blaine, MN 55449

**RECEIVED**  
**OCT 15 2018**  
Rice Creek  
Watershed District

Re: Petition for Boundary Change, Rice Creek Watershed District: Letter of Concurrence

Dear Mr. Belfiori,

The Brown's Creek Watershed District has reviewed and considered the proposal to change the common boundary between the Rice Creek Watershed District and Brown's Creek Watershed District. Pursuant to Resolution #18-09, the Brown's Creek Watershed District authorized concurrence with the proposed petition to change the common boundary between the Rice Creek Watershed District and Brown's Creek Watershed District.

Your point of contact regarding this concurrence is Karen Kill, BCWD Administrator, 455 Hayward Ave N, Oakdale, MN 55128.

Sincerely,

Craig Leiser, BCWD President

**Managers:**

Craig Leiser, President • Sharon Schwarze, Vice-President • Anne Maule Miller, Secretary • Gerald Johnson, Treasurer • Klayton Eckles

**RESOLUTION 18-09**

**Brown's Creek Watershed District**

**Concurring the boundary change and authorizing letter of concurrence in boundary change**

**WHEREAS**, Rice Creek Watershed District ("RCWD") has analyzed and identified certain discrepancies in the common boundary between the Brown's Creek Watershed District and the RCWD. The discrepancies arise because of differences between the boundaries as established by State order and the hydrologic boundaries as determined by modern mapping information;

**WHEREAS**, RCWD has developed a revised boundary for inclusion in a petition to the Board of Water and Soil Resources for boundary change;

**WHEREAS**, RCWD has presented the revised boundary for consideration by Brown's Creek Watershed District;

**WHEREAS**, the RCWD Engineer has prepared a revised watershed district boundary map and affected parcel listing (Exhibit 1) which have been considered by the Brown's Creek Watershed District;

**WHEREAS**, Minnesota Statutes section 103B.215 requires a petition for boundary change to be accompanied by a written statement of concurrence in the petition from the governing body of each statutory or home rule charter city and town and each watershed management organization having jurisdiction over the territory proposed to be added or transferred;

**WHEREAS**, RCWD has requested concurrence from Brown's Creek Watershed District in the proposed boundary change and in the filing of a petition for boundary change with the Board of Water and Soil Resources that reflects the boundary changes described in Exhibit 1;

**WHEREAS**, Brown's Creek Watershed District and RCWD have agreed that Brown's Creek Watershed District will continue to administer permits that have been issued by it for work on properties subject to this resolution at the time of its adoption, and will notify RCWD on completion of all work and satisfaction by the permittee of obligations under the permit, at which point regulatory jurisdiction will no longer be administered by Brown's Creek Watershed District over properties transferred to RCWD.

**NOW THEREFORE BE IT RESOLVED THAT** the Brown's Creek Watershed District Board of Managers concurs with the proposed boundary changes found in Exhibit 1 and

authorizes the president to execute the attached concurrence letter for inclusion with the RCWD petition to the Board of Water and Soil Resources for boundary change.

The question was on the adoption of the resolution and there were 5 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
ECKLES	X			
JOHNSON	X			
LEISER	X			
MAULE MILLER	X			
SCHWARZE	X			

Upon vote, the chair declared the resolution adopted.

Anne Maule Miller  
Anne Maule Miller, Secretary

October 10, 2018

\* \* \* \* \*

I, Anne Maule Miller, secretary of the Brown's Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the BCWD and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 10 day of October, 2018.

Anne Maule Miller  
Anne Maule Miller, Secretary

# Technical Memorandum

---

**To:** Phil Belfiori  
Rice Creek Watershed District

**Cc:** Catherine Nester, RCWD

**From:** Chris Otterness P.E. & Timothy Erickson P.E.  
Houston Engineering, Inc.

**Subject:** Hydrologic and Legal Boundary Revisions based on comments from BCWD.

**Date:** April 9, 2018

**Project #:** R155555-0250

## INTRODUCTION

The purpose of this technical memorandum is to summarize changes to the Rice Creek Watershed District's (RCWD) proposed hydrologic and legal boundaries based on comments from Brown's Creek Watershed District (BCWD) detailed in a February 25<sup>th</sup>, 2016 memorandum drafted by Emmons and Olivier Resources, Inc (EOR) in response to RCWD's proposed boundary revisions detailed in an October 2<sup>nd</sup>, 2015 memorandum titled *Boundary Review in Washington County* prepared by Houston Engineering, Inc (HEI).

## HYDROLOGIC BOUNDARY REVIEW AND REVISIONS

In BCWD response memorandum, BCWD found discrepancies in the hydrologic boundaries determined by BCWD's consultant and HEI's 2015 hydrologic boundary review. These discrepancies were identified in the response memorandum. HEI reviewed the identified areas to determine if the adjustments suggested by BCWD are warranted and correct. The review consisted of using the RCWD LiDAR data, and the State of Minnesota's LiDAR dataset for Washington County, including the 1-meter digital elevation model (DEM), the 1-meter hillshade dataset, and the derived 2-foot contours dataset.

After close inspection of the hydrologic boundary comparisons, it was determined that all of the discrepancy areas identified by BCWD were determined to be likely to be accurate. The reasons for the discrepancies in the HEI 2015 memorandum include:

1. Generally flat topography at these locations
2. Hydrologic boundaries near or beyond the extent of the RCWD's LiDAR data; and
3. BCWD staff knowledge regarding specific flowpath near the hydrologic boundary.

The RCWD hydrologic boundary was adjusted to coincide with the BCWD hydrologic boundary, remove overlapping areas or gaps between the boundaries, and achieve agreement between the hydrologic boundaries. The attached mapbook identifies the areas impacted by the revised hydrologic boundary.



## LEGAL BOUNDARY REVISIONS

Once the agreement between districts is reached on the hydrologic boundaries, the parcel assignment in the affected areas can be revised. Any parcels along the hydrologic boundaries with >50% area within a district was assigned to the respective district. The attached mapbook identifies the parcels that are changing districts, per the revised hydrologic boundary. Once the parcels have been assigned to the appropriate district, the proposed legal district boundary was revised to aid discussions between districts and in petitioning of BWSR for alteration of the legal boundary.

Lists of the affected parcels along the boundary between the RCWD and BCWD are given in the below tables: **Table 1** provides a list of parcels recommended to be reassigned from the RCWD to the BCWD and **Table 2** provides a list of parcels to be reassigned from the BCWD to the RCWD. Each table includes a map identification number corresponding to the parcel in the Mapbook, the parcel number, and mapbook page(s) containing the parcel. A total of 29 parcels are recommended to be reassigned from RCWD to the BCWD, and 81 parcels from the BCWD to the RCWD.

**Table 1. Parcels changing from the RCWD to the BRWD.**

Map ID	Parcel PIN	Old District	New District	Mapbook Page Number(s)
1	03.030.21.11.0003	RCWD	BCWD	6
2	03.030.21.11.0004	RCWD	BCWD	6
3	03.030.21.11.0005	RCWD	BCWD	6
4	03.030.21.11.0006	RCWD	BCWD	6
5	03.030.21.11.0007	RCWD	BCWD	6
6	03.030.21.11.0008	RCWD	BCWD	6
7	03.030.21.12.0004	RCWD	BCWD	6
8	03.030.21.12.0005	RCWD	BCWD	6
9	03.030.21.12.0006	RCWD	BCWD	6
10	03.030.21.21.0004	RCWD	BCWD	6
12	03.030.21.24.0009	RCWD	BCWD	6
60	21.030.21.11.0002	RCWD	BCWD	3
92	26.031.21.13.0002	RCWD	BCWD	9
93	26.031.21.21.0004	RCWD	BCWD	9
94	26.031.21.21.0005	RCWD	BCWD	9
95	26.031.21.21.0006	RCWD	BCWD	9
96	26.031.21.21.0007	RCWD	BCWD	9
97	26.031.21.21.0008	RCWD	BCWD	9
98	26.031.21.21.0009	RCWD	BCWD	9
99	26.031.21.24.0006	RCWD	BCWD	9

Map ID	Parcel PIN	Old District	New District	Mapbook Page Number(s)
100	26.031.21.24.0011	RCWD	BCWD	9
101	26.031.21.31.0002	RCWD	BCWD	9
102	26.031.21.42.0001	RCWD	BCWD	8,9
103	35.031.21.14.0001	RCWD	BCWD	8
104	35.031.21.41.0001	RCWD	BCWD	6,8
105	35.031.21.41.0002	RCWD	BCWD	8
106	35.031.21.41.0003	RCWD	BCWD	8
107	35.031.21.41.0004	RCWD	BCWD	6,8
108	35.031.21.41.0005	RCWD	BCWD	6,8

**Table 2. Parcels changing from the BCWD to the RCWD.**

Map ID	Parcel PIN	Old District	New District	Mapbook Page Number(s)
11	03.030.21.24.0003	BCWD	RCWD	5,6
13	03.030.21.31.0001	BCWD	RCWD	5,6,7
14	03.030.21.31.0002	BCWD	RCWD	5,6,7
15	03.030.21.31.0004	BCWD	RCWD	5,6
16	03.030.21.32.0002	BCWD	RCWD	5,6
17	03.030.21.32.0003	BCWD	RCWD	5,6
18	03.030.21.32.0004	BCWD	RCWD	5
19	03.030.21.33.0002	BCWD	RCWD	5
20	03.030.21.33.0007	BCWD	RCWD	5
21	03.030.21.33.0008	BCWD	RCWD	5
22	03.030.21.33.0009	BCWD	RCWD	5
23	03.030.21.34.0001	BCWD	RCWD	5,7
24	03.030.21.34.0002	BCWD	RCWD	5,7
25	03.030.21.34.0003	BCWD	RCWD	5,7
26	03.030.21.34.0004	BCWD	RCWD	5,7
27	03.030.21.42.0001	BCWD	RCWD	6,7
28	03.030.21.43.0001	BCWD	RCWD	7
29	03.030.21.43.0002	BCWD	RCWD	7
30	03.030.21.43.0004	BCWD	RCWD	7
31	04.030.21.43.0002	BCWD	RCWD	5
32	09.030.21.11.0001	BCWD	RCWD	5
33	09.030.21.11.0003	BCWD	RCWD	5
34	09.030.21.11.0004	BCWD	RCWD	5
35	09.030.21.11.0005	BCWD	RCWD	5
36	09.030.21.12.0001	BCWD	RCWD	5

Map ID	Parcel PIN	Old District	New District	Mapbook Page Number(s)
37	09.030.21.13.0001	BCWD	RCWD	4,5
38	09.030.21.13.0002	BCWD	RCWD	4,5
39	09.030.21.13.0003	BCWD	RCWD	4,5
40	09.030.21.13.0004	BCWD	RCWD	4,5
41	09.030.21.14.0001	BCWD	RCWD	4,5
42	09.030.21.14.0003	BCWD	RCWD	4,5
43	09.030.21.42.0001	BCWD	RCWD	4
44	09.030.21.42.0002	BCWD	RCWD	4
45	10.030.21.12.0004	BCWD	RCWD	7
46	10.030.21.12.0005	BCWD	RCWD	7
47	10.030.21.12.0006	BCWD	RCWD	7
48	10.030.21.21.0002	BCWD	RCWD	5,7
49	10.030.21.22.0001	BCWD	RCWD	5
50	10.030.21.22.0002	BCWD	RCWD	5
51	10.030.21.22.0003	BCWD	RCWD	5
52	10.030.21.22.0004	BCWD	RCWD	5
53	10.030.21.22.0005	BCWD	RCWD	5
54	10.030.21.22.0006	BCWD	RCWD	5
55	16.030.21.42.0004	BCWD	RCWD	3
56	16.030.21.43.0003	BCWD	RCWD	3
57	16.030.21.43.0004	BCWD	RCWD	3
58	16.030.21.43.0005	BCWD	RCWD	3
59	16.030.21.43.0006	BCWD	RCWD	3
61	22.030.21.23.0003	BCWD	RCWD	2,3
62	22.030.21.23.0004	BCWD	RCWD	2,3
63	22.030.21.31.0002	BCWD	RCWD	2
64	22.030.21.31.0006	BCWD	RCWD	2
65	22.030.21.31.0011	BCWD	RCWD	2
66	22.030.21.31.0012	BCWD	RCWD	2
67	22.030.21.31.0013	BCWD	RCWD	2
68	22.030.21.32.0002	BCWD	RCWD	2
69	22.030.21.32.0002	BCWD	RCWD	2
70	22.030.21.32.0006	BCWD	RCWD	2
71	22.030.21.32.0010	BCWD	RCWD	2
72	22.030.21.32.0011	BCWD	RCWD	2
73	23.031.21.14.0001	BCWD	RCWD	10,11
74	23.031.21.24.0002	BCWD	RCWD	10
75	23.031.21.24.0003	BCWD	RCWD	10

Map ID	Parcel PIN	Old District	New District	Mapbook Page Number(s)
76	23.031.21.24.0004	BCWD	RCWD	10
77	23.031.21.24.0005	BCWD	RCWD	10
78	23.031.21.31.0001	BCWD	RCWD	9,10
79	23.031.21.32.0001	BCWD	RCWD	9,10
80	23.031.21.33.0001	BCWD	RCWD	9,10
81	23.031.21.33.0002	BCWD	RCWD	9,10
82	23.031.21.33.0003	BCWD	RCWD	9,10
83	23.031.21.33.0004	BCWD	RCWD	9,10
84	23.031.21.34.0001	BCWD	RCWD	9
85	23.031.21.34.0003	BCWD	RCWD	9,10
86	23.031.21.34.0004	BCWD	RCWD	9
87	23.031.21.42.0004	BCWD	RCWD	9,10
88	24.031.21.12.0001	RCWD <sup>1</sup>	RCWD	11
89	24.031.21.21.0001	BCWD	RCWD	11
90	24.031.21.22.0001	BCWD	RCWD	11
91	24.031.21.31.0002	BCWD	RCWD	11
109	36.031.21.33.0003	BCWD	RCWD	6
110	36.031.21.33.0004	BCWD	RCWD	6

<sup>1</sup>Listed in Washington County Parcel dataset as assigned to RCWD but outside of previous legal boundary.

**RESOLUTION NO. 2018 - 34**

**CITY OF HUGO  
WASHINGTON COUNTY, MN**

**APPROVAL OF LETTER OF CONCURRENCE FOR WATERSHED DISTRICT  
BOUNDARY CHANGE/ADJUSTMENT**

**WHEREAS**, Rice Creek Watershed District ("RCWD") has analyzed and identified certain discrepancies in the common boundary between the Brown's Creek Watershed District and the RCWD. The discrepancies arise because of differences between the boundaries as established by State order and the hydrologic boundaries as determined by modern mapping information; and

**WHEREAS**, RCWD has developed a revised boundary for inclusion in a petition to the Board of Water and Soil Resources for boundary change; and

**WHEREAS**, RCWD has presented the revised boundary for consideration by the City of Hugo;

**WHEREAS**, the RCWD Engineer has prepared a revised watershed district boundary map (Exhibit A) and affected parcel listing (Exhibit B) which have been considered by the City of Hugo; and

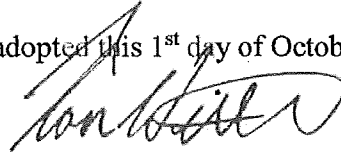
**WHEREAS**, Minnesota Statute 103B.215, requires a petition for boundary change to be accompanied by a written statement of concurrence in the petition from the governing body of each statutory or home rule charter city and town and each watershed management organization having jurisdiction over the territory proposed to be added or transferred; and

**WHEREAS**, RCWD has requested concurrence from the City of Hugo in the proposed boundary change and in the filing of a petition for boundary change with the Board of Water and Soil Resources that reflects the boundary changes described in Exhibit A and B.

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF HUGO**

The City of Hugo in accordance with Minnesota Statute 103B.215, concurs with the proposed boundary changes found in Exhibit A and B, and authorizes its City Administrator to execute the attached concurrence letter for inclusion with the RCWD petition to the Board of Water and Soil Resources for boundary change.

Whereupon said resolution was declared passed and adopted this 1<sup>st</sup> day of October, 2018.



Tom Weidt, Mayor

ATTEST:



Michele Lindau, City Clerk



14669 Fitzgerald Avenue North, Hugo, MN55038 • (651) 762-6300 • [www.ci.hugo.mn.us](http://www.ci.hugo.mn.us)

November 6, 2018

Rice Creek Watershed District  
ATTN: Phil Belfiori  
4325 Pheasant Ridge Dr NE, Suite 611  
Blaine, MN 55449

Re: Petition for Boundary Change, Rice Creek Watershed District: Letter of Concurrence

Dear Mr. Belfiori,

The City of Hugo has reviewed and considered the proposal to change the common boundary between the Rice Creek Watershed District and Brown's Creek Watershed District. Pursuant to Resolution #34, the City of Hugo authorized concurrence with the proposed petition to change the common boundary between the Rice Creek Watershed District and Brown's Creek Watershed District.

I will be your point of contact regarding this concurrence. I can be reached at 651-762-6320.

Sincerely,

Bryan J. Bear  
City Administrator

Encl. 1

*CITY of GRANT*

P.O. BOX 577  
WILLERNIE, MN 55090  
(651) 426-3383

October 2, 2018

Rice Creek Watershed District  
ATTN: Phil Belfiori  
4325 Pheasant Ridge Dr NE, Suite 611  
Blaine, MN 55449

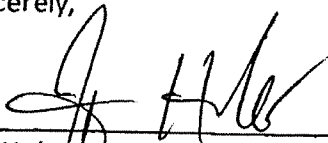
Re: Petition for Boundary Change, Rice Creek Watershed District: Letter of Concurrence

Dear Mr. Belfiori,

The City of Grant has reviewed and considered the proposal to change the common boundary between the Rice Creek Watershed District and Brown's Creek Watershed District. Pursuant to Resolution No. 2018-21, the City of Grant authorized concurrence with the proposed petition to change the common boundary between the Rice Creek Watershed District and Brown's Creek Watershed District.

Your point of contact regarding this concurrence is City Clerk of City of Grant at 651-426-3383, PO Box 577, Willernie, MN 55090.

Sincerely,



\_\_\_\_\_  
Jeff Huber, Mayor

RECEIVED  
OCT 22 2018  
Rice Creek  
Watershed District

**RESOLUTION 2018-21**

**CITY OF GRANT**

**APPROVAL OF LETTER OF CONCURRENCE FOR WATERSHED DISTRICT BOUNDARY CHANGE/ADJUSTMENT**

**WHEREAS**, Rice Creek Watershed District ("RCWD") has analyzed and identified certain discrepancies in the common boundary between the Brown's Creek Watershed District and the RCWD. The discrepancies arise because of differences between the boundaries as established by State order and the hydrologic boundaries as determined by modern mapping information;

**WHEREAS**, RCWD has developed a revised boundary for inclusion in a petition to the Board of Water and Soil Resources for boundary change;

**WHEREAS**, RCWD has presented the revised boundary for consideration by the City of Grant;

**WHEREAS**, the RCWD Engineer has prepared a revised watershed district boundary map and affected parcel listing Exhibits 1-7 which have been considered by the City of Grant;

**WHEREAS**, Minnesota Statute 103B.215, requires a petition for boundary change to be accompanied by a written statement of concurrence in the petition from the governing body of each statutory or home rule charter city and town and each watershed management organization having jurisdiction over the territory proposed to be added or transferred;

**WHEREAS**, RCWD has requested concurrence from the City of Grant in the proposed boundary change and in the filing of a petition for boundary change with the Board of Water and Soil Resources that reflects the boundary changes described in Exhibits 1-7.

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF GRANT THAT:**

The City of Grant, in accordance with Minnesota Statute 103B.215, concurs with the proposed boundary changes found in Exhibits 1-7, and authorizes its Mayor to execute the attached concurrence letter for inclusion with the RCWD petition to the Board of Water and Soil Resources for boundary change.

Adopted October 2, 2018.

ATTEST:

  
\_\_\_\_\_  
Kim Points, City Clerk

  
\_\_\_\_\_  
Jeff Huber, Mayor



# Technical Memorandum

---

**To:** Phil Belfiori  
Rice Creek Watershed District

**Cc:** Catherine Nester, RCWD

**From:** Chris Otterness P.E. & Timothy Erickson P.E.  
Houston Engineering, Inc.

**Subject:** Hydrologic and Legal Boundary Revisions based on comments from BCWD.

**Date:** April 9, 2018

**Project #:** R155555-0250

## INTRODUCTION

The purpose of this technical memorandum is to summarize changes to the Rice Creek Watershed District's (RCWD) proposed hydrologic and legal boundaries based on comments from Brown's Creek Watershed District (BCWD) detailed in a February 25<sup>th</sup>, 2016 memorandum drafted by Emmons and Olivier Resources, Inc (EOR) in response to RCWD's proposed boundary revisions detailed in an October 2<sup>nd</sup>, 2015 memorandum titled *Boundary Review in Washington County* prepared by Houston Engineering, Inc (HEI).

## HYDROLOGIC BOUNDARY REVIEW AND REVISIONS

In BCWD response memorandum, BCWD found discrepancies in the hydrologic boundaries determined by BCWD's consultant and HEI's 2015 hydrologic boundary review. These discrepancies were identified in the response memorandum. HEI reviewed the identified areas to determine if the adjustments suggested by BCWD are warranted and correct. The review consisted of using the RCWD LiDAR data, and the State of Minnesota's LiDAR dataset for Washington County, including the 1-meter digital elevation model (DEM), the 1-meter hillshade dataset, and the derived 2-foot contours dataset.

After close inspection of the hydrologic boundary comparisons, it was determined that all of the discrepancy areas identified by BCWD were determined to be likely to be accurate. The reasons for the discrepancies in the HEI 2015 memorandum include:

1. Generally flat topography at these locations
2. Hydrologic boundaries near or beyond the extent of the RCWD's LiDAR data; and
3. BCWD staff knowledge regarding specific flowpath near the hydrologic boundary.

The RCWD hydrologic boundary was adjusted to coincide with the BCWD hydrologic boundary, remove overlapping areas or gaps between the boundaries, and achieve agreement between the hydrologic boundaries. The attached mapbook identifies the areas impacted by the revised hydrologic boundary.

## LEGAL BOUNDARY REVISIONS

Once the agreement between districts is reached on the hydrologic boundaries, the parcel assignment in the affected areas can be revised. Any parcels along the hydrologic boundaries with >50% area within a district was assigned to the respective district. The attached mapbook identifies the parcels that are changing districts, per the revised hydrologic boundary. Once the parcels have been assigned to the appropriate district, the proposed legal district boundary was revised to aid discussions between districts and in petitioning of BWSR for alteration of the legal boundary.

Lists of the affected parcels along the boundary between the RCWD and BCWD are given in the below tables: **Table 1** provides a list of parcels recommended to be reassigned from the RCWD to the BCWD and **Table 2** provides a list of parcels to be reassigned from the BCWD to the RCWD. Each table includes a map identification number corresponding to the parcel in the Mapbook, the parcel number, and mapbook page(s) containing the parcel. A total of 29 parcels are recommended to be reassigned from RCWD to the BCWD, and 81 parcels from the BCWD to the RCWD.

**Table 1. Parcels changing from the RCWD to the BRWD.**

Map ID	Parcel PIN	Old District	New District	Mapbook Page Number(s)
1	03.030.21.11.0003	RCWD	BCWD	6
2	03.030.21.11.0004	RCWD	BCWD	6
3	03.030.21.11.0005	RCWD	BCWD	6
4	03.030.21.11.0006	RCWD	BCWD	6
5	03.030.21.11.0007	RCWD	BCWD	6
6	03.030.21.11.0008	RCWD	BCWD	6
7	03.030.21.12.0004	RCWD	BCWD	6
8	03.030.21.12.0005	RCWD	BCWD	6
9	03.030.21.12.0006	RCWD	BCWD	6
10	03.030.21.21.0004	RCWD	BCWD	6
12	03.030.21.24.0009	RCWD	BCWD	6
60	21.030.21.11.0002	RCWD	BCWD	3
92	26.031.21.13.0002	RCWD	BCWD	9
93	26.031.21.21.0004	RCWD	BCWD	9
94	26.031.21.21.0005	RCWD	BCWD	9
95	26.031.21.21.0006	RCWD	BCWD	9
96	26.031.21.21.0007	RCWD	BCWD	9
97	26.031.21.21.0008	RCWD	BCWD	9
98	26.031.21.21.0009	RCWD	BCWD	9
99	26.031.21.24.0006	RCWD	BCWD	9

Map ID	Parcel PIN	Old District	New District	Mapbook Page Number(s)
100	26.031.21.24.0011	RCWD	BCWD	9
101	26.031.21.31.0002	RCWD	BCWD	9
102	26.031.21.42.0001	RCWD	BCWD	8,9
103	35.031.21.14.0001	RCWD	BCWD	8
104	35.031.21.41.0001	RCWD	BCWD	6,8
105	35.031.21.41.0002	RCWD	BCWD	8
106	35.031.21.41.0003	RCWD	BCWD	8
107	35.031.21.41.0004	RCWD	BCWD	6,8
108	35.031.21.41.0005	RCWD	BCWD	6,8

Table 2. Parcels changing from the BCWD to the RCWD.

Map ID	Parcel PIN	Old District	New District	Mapbook Page Number(s)
11	03.030.21.24.0003	BCWD	RCWD	5,6
13	03.030.21.31.0001	BCWD	RCWD	5,6,7
14	03.030.21.31.0002	BCWD	RCWD	5,6,7
15	03.030.21.31.0004	BCWD	RCWD	5,6
16	03.030.21.32.0002	BCWD	RCWD	5,6
17	03.030.21.32.0003	BCWD	RCWD	5,6
18	03.030.21.32.0004	BCWD	RCWD	5
19	03.030.21.33.0002	BCWD	RCWD	5
20	03.030.21.33.0007	BCWD	RCWD	5
21	03.030.21.33.0008	BCWD	RCWD	5
22	03.030.21.33.0009	BCWD	RCWD	5
23	03.030.21.34.0001	BCWD	RCWD	5,7
24	03.030.21.34.0002	BCWD	RCWD	5,7
25	03.030.21.34.0003	BCWD	RCWD	5,7
26	03.030.21.34.0004	BCWD	RCWD	5,7
27	03.030.21.42.0001	BCWD	RCWD	6,7
28	03.030.21.43.0001	BCWD	RCWD	7
29	03.030.21.43.0002	BCWD	RCWD	7
30	03.030.21.43.0004	BCWD	RCWD	7
31	04.030.21.43.0002	BCWD	RCWD	5
32	09.030.21.11.0001	BCWD	RCWD	5
33	09.030.21.11.0003	BCWD	RCWD	5
34	09.030.21.11.0004	BCWD	RCWD	5
35	09.030.21.11.0005	BCWD	RCWD	5
36	09.030.21.12.0001	BCWD	RCWD	5

Map ID	Parcel PIN	Old District	New District	Mapbook Page Number(s)
37	09.030.21.13.0001	BCWD	RCWD	4,5
38	09.030.21.13.0002	BCWD	RCWD	4,5
39	09.030.21.13.0003	BCWD	RCWD	4,5
40	09.030.21.13.0004	BCWD	RCWD	4,5
41	09.030.21.14.0001	BCWD	RCWD	4,5
42	09.030.21.14.0003	BCWD	RCWD	4,5
43	09.030.21.42.0001	BCWD	RCWD	4
44	09.030.21.42.0002	BCWD	RCWD	4
45	10.030.21.12.0004	BCWD	RCWD	7
46	10.030.21.12.0005	BCWD	RCWD	7
47	10.030.21.12.0006	BCWD	RCWD	7
48	10.030.21.21.0002	BCWD	RCWD	5,7
49	10.030.21.22.0001	BCWD	RCWD	5
50	10.030.21.22.0002	BCWD	RCWD	5
51	10.030.21.22.0003	BCWD	RCWD	5
52	10.030.21.22.0004	BCWD	RCWD	5
53	10.030.21.22.0005	BCWD	RCWD	5
54	10.030.21.22.0006	BCWD	RCWD	5
55	16.030.21.42.0004	BCWD	RCWD	3
56	16.030.21.43.0003	BCWD	RCWD	3
57	16.030.21.43.0004	BCWD	RCWD	3
58	16.030.21.43.0005	BCWD	RCWD	3
59	16.030.21.43.0006	BCWD	RCWD	3
61	22.030.21.23.0003	BCWD	RCWD	2,3
62	22.030.21.23.0004	BCWD	RCWD	2,3
63	22.030.21.31.0002	BCWD	RCWD	2
64	22.030.21.31.0006	BCWD	RCWD	2
65	22.030.21.31.0011	BCWD	RCWD	2
66	22.030.21.31.0012	BCWD	RCWD	2
67	22.030.21.31.0013	BCWD	RCWD	2
68	22.030.21.32.0002	BCWD	RCWD	2
69	22.030.21.32.0002	BCWD	RCWD	2
70	22.030.21.32.0006	BCWD	RCWD	2
71	22.030.21.32.0010	BCWD	RCWD	2
72	22.030.21.32.0011	BCWD	RCWD	2
73	23.031.21.14.0001	BCWD	RCWD	10,11
74	23.031.21.24.0002	BCWD	RCWD	10
75	23.031.21.24.0003	BCWD	RCWD	10

Map ID	Parcel PIN	Old District	New District	Mapbook Page Number(s)
76	23.031.21.24.0004	BCWD	RCWD	10
77	23.031.21.24.0005	BCWD	RCWD	10
78	23.031.21.31.0001	BCWD	RCWD	9,10
79	23.031.21.32.0001	BCWD	RCWD	9,10
80	23.031.21.33.0001	BCWD	RCWD	9,10
81	23.031.21.33.0002	BCWD	RCWD	9,10
82	23.031.21.33.0003	BCWD	RCWD	9,10
83	23.031.21.33.0004	BCWD	RCWD	9,10
84	23.031.21.34.0001	BCWD	RCWD	9
85	23.031.21.34.0003	BCWD	RCWD	9,10
86	23.031.21.34.0004	BCWD	RCWD	9
87	23.031.21.42.0004	BCWD	RCWD	9,10
88	24.031.21.12.0001	RCWD <sup>1</sup>	RCWD	11
89	24.031.21.21.0001	BCWD	RCWD	11
90	24.031.21.22.0001	BCWD	RCWD	11
91	24.031.21.31.0002	BCWD	RCWD	11
109	36.031.21.33.0003	BCWD	RCWD	6
110	36.031.21.33.0004	BCWD	RCWD	6

<sup>1</sup>Listed in Washington County Parcel dataset as assigned to RCWD but outside of previous legal boundary.

**RESOLUTION NO. 2018-34**

**RICE CREEK WATERSHED DISTRICT  
BOARD OF MANAGERS**

**RESOLUTION REQUESTING CHANGE OF BOUNDARY WITH  
BROWN'S CREEK WATERSHED DISTRICT**

Manager Haake offered the following resolution and moved its adoption, seconded by  
Manager Waller:

**WHEREAS** as a result of the recent generation of more precise topographic data, the hydrologic boundary of the Rice Creek watershed can be more precisely ascertained; and

**WHEREAS** these improved data and the ongoing subdivision and development of land allow for more accurate differentiation of properties lying within the hydrologic boundary of the watershed and, therefore, more accurate inclusion of properties within the Rice Creek Watershed District's legal boundary; and

**WHEREAS** the purpose of Minnesota Statutes Chapters 103B and 103D is to facilitate water resource management on a watershed basis, and that legal boundaries of watershed management organizations should conform as closely as is practicable to hydrologic boundaries; and

**WHEREAS** certain land parcels presently within the boundaries of the Brown's Creek Watershed District have been identified as falling within the hydrologic boundary of the Rice Creek watershed; and

**WHEREAS** these parcels are shown on Exhibit A and are proposed on that exhibit to be included within a revised legal boundary of the Rice Creek Watershed District; and

**WHEREAS** certain land parcels presently within the boundaries of the Rice Creek Watershed District have been identified as falling within the hydrologic boundary of the Brown's Creek watershed; and

**WHEREAS** these parcels are shown on Exhibit B and are proposed on that exhibit to be included within a revised legal boundary of the Brown's Creek Watershed District (and excluded from a revised legal boundary of the Rice Creek Watershed District); and

**WHEREAS** the parcels to be exchanged are represented on a map, attached herein as Exhibit C; and

**WHEREAS** the parcels affected by this boundary change are contiguous to the Rice Creek Watershed District, are entirely within the corporate limits of the Cities of Hugo and Grant, Minnesota, and adjustment of the District's legal boundary will advance the purposes of Minnesota Statutes Chapters 103B and 103D; and

**WHEREAS** Pursuant to Minnesota Statutes § 103B.215, subdivision 2(c), the Rice Creek Watershed District obtained letters of concurrence from both the Brown's Creek Watershed District and the Cities of Hugo and Grant, attached herein as Exhibits D, E and F, and that all three entities support the proposed boundary change; and

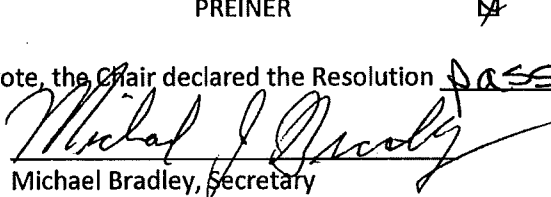
**WHEREAS** Rice Creek Watershed District and BCWD have agreed that Rice Creek Watershed District will continue to administer permits that have been issued by it for work on properties subject to this resolution at the time of its adoption, and will notify BWCD on completion of all work and satisfaction by the permittee of obligations under the permit, at which point regulatory jurisdiction will no longer be administered by the Rice Creek Watershed District over properties transferred to BCWD.

**THEREFORE BE IT RESOLVED** that the Board of Managers, Rice Creek Watershed District, authorizes the Board President, on advice of counsel and with any further non-material changes, to sign a petition for boundary change pursuant to Minnesota Statutes 103B.215, on behalf of the Board, adjusting the District boundary in accordance with Exhibits A, B and C hereto.

The question was on the adoption of the Resolution and there were 5 yeas and 0 nays as follows:

	Yea	Nay	Absent
WALLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HAAKE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BRADLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WAGAMON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PREINER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the Resolution passed.

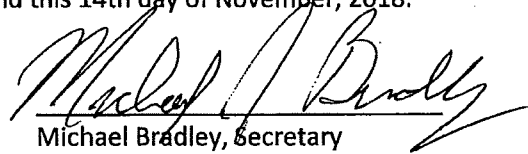
  
 Michael Bradley, Secretary

Dated November 14, 2018

\*\*\*\*\*

I, Michael Bradley, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 14th day of November, 2018.

  
 Michael Bradley, Secretary

**NEW BUSINESS**

1. Putting Minnesota on a Clean Water Trajectory: Freshwater Society Report – Steve Woods –  
***INFORMATION ITEM***



**BOARD MEETING AGENDA ITEM**

**AGENDA ITEM TITLE:** Putting Minnesota on a Clean Water Trajectory: Freshwater Society Report

**Meeting Date:** January 23, 2019

**Agenda Category:**  Committee Recommendation  New Business  Old Business

**Item Type:**  Decision  Discussion  Information

**Section/Region:** \_\_\_\_\_

**Contact:** \_\_\_\_\_

**Prepared by:** Hannah Pallmeyer

**Reviewed by:** John Jaschke

**Presented by:** Steve Woods, Freshwater Society

**Time requested:** 30 mins

**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**

Information item.

**LINKS TO ADDITIONAL INFORMATION**

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

The Freshwater Society will present about a report they authored about clean water in Minnesota.

Fourteen years ago, a group of interest and agency representatives developed a consensus about how to tackle Minnesota’s impaired waters in a way that was effective, met the requirements of the federal Clean Water Act, and removed a significant threat to economic development. The Impaired Waters Stakeholder

Process pulled together 16 organizations for 18 meetings in 2003-2004. The group produced 31 recommendations, of which 27 are either completed or in progress (see list in the appendix).

Though the real world results will continue to play out over the coming decades, a lot has happened already. CWF spending is now around \$120M per year and driving most of the Clean Water Act compliance the group sought. The end of a ten-year monitoring cycle that established a baseline of water quality conditions is in sight, and soon after, the completion of TMDLs for the entire state.

The progress made on the original 31 recommendations from the Impaired Waters Stakeholder Process is precisely why the Freshwater Society reconvened the original participants and added a few new perspectives. The 2003 recommendations heavily focused on the MPCA in order to comply with the regulatory requirements of the Clean Water Act. Freshwater's position is that it is time to shift towards approaches that increase on-the-ground changes, especially since the Legacy funding is only guaranteed through 2034. It will take time to see water quality and quantity improvements from some of these recommendations, but the Freshwater Society has confidence that Minnesota can improve the quality of its waters if the State can recommit to a new, updated vision.