




DATE: March 15, 2019

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

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice – March 27, 2019

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, March 27, 2019, beginning at 9:00 a.m. The meeting will be held in the Capitol River Watershed District office, Mississippi River Rooms A&B, located at 595 Aldine Street, St. Paul. Parking is available in the lot directly in front of the building and on the street. Please note that St. Paul has implemented winter parking restrictions and that, as of March 12, you cannot park on the even side of the street. If you park on the even side of the street you can get ticketed or towed.

The following information pertains to agenda items:

NEW BUSINESS

1. **Natural Resources Conservation Service (NRCS) Update and presentation of the NRCS Minnesota 2018 Annual Report** – Troy Daniell, Minnesota's NRCS State Conservationist for Minnesota, will give an update from NRCS and will present the Minnesota 2018 Annual Report to the board. Troy joined the Minnesota office of NRCS last year. **INFORMATION ITEM**

COMMITTEE RECOMMENDATIONS

Northern Region Committee

1. **Leech Lake River Watershed Comprehensive Watershed Management Plan** – The Leech Lake River Watershed was selected by BWSR as one of the seven planning areas for the One Watershed, One Plan program in 2016. The watershed partnership Policy Committee, Advisory Committee, and Planning Work Group members have attended regularly scheduled meetings and submitted the Leech Lake River Watershed Comprehensive Watershed Management Plan to BWSR on February 20, 2019 for review and approval. The Northern Regional Committee (Committee) met on March 6, 2019, to review the content of the Plan, State agency comments on the Plan, and to make a recommendation for approval. The Committee recommends approval by the full Board. **DECISION ITEM**

Grants Program and Policy Committee

1. **2019 Request for Proposals for One Watershed, One Plan Planning Grants** – The purpose of this agenda item is for the Board to approve the 2019 Request for Proposals for One Watershed, One Plan Planning Grants. Relative to the 2018 RFP, the timeline for responses was shortened from 12 to 10 weeks and one item was added in the proposal section. (item #2 on page 3). Otherwise, the proposal elements and selection criteria remain unchanged. **DECISION ITEM**

Central Region Committee

1. **Kanabec County Comprehensive Local Water Management Plan Update** – The Kanabec County Local Water Management Plan was approved by the Board on August 23, 2007 and expired with an

amendment on December 31, 2019. The Kanabec County Priority Concerns Scoping Document was affirmed by the board on March 22, 2017. The County submitted the final plan to the board for review on December 12, 2018 along with all required materials. The responding state agencies indicated support for approving the plan as submitted. The BWSR Central Region Committee is scheduled to meet on March 14 and will decide to provide a recommendation for the full board to approve the plan from March 27, 2019 to March 27, 2028. Draft documents are included in the board notice and updated documents will be provided at the board meeting to reflect the committee recommendation. **DECISION ITEM**

2. **Meeker Soil and Water Conservation District Change in Location of Principal Office Headquarters** – The Meeker Soil and Water Conservation District Board of Supervisors filed a resolution with the Board to change the location of their principal office headquarters. Pursuant with statute, BWSR must act on the change of office location. The BWSR Central Region Committee is scheduled to meet on March 14 and will decide to provide a recommendation for the full board to approve the change of principal office location for the Meeker SWCD offices. Draft documents are included in the board notice and updated documents will be provided as necessary at the board meeting to reflect the committee recommendation. **DECISION ITEM**

Wetland Conservation Committee

1. **Authorizing Development of a Transition Plan for the Minnesota Wetland Delineator Certification Program (WDCP)** – Since 2005, the University of Minnesota (UM) has managed the Wetland Delineator Certification Program (WDCP). Since then, more than 2,600 individuals have participated in courses related to wetland delineation and over 400 individuals have been certified. Recent discussions between BWSR staff the UM has resulted in a proposal to shift program management from the UM to BWSR. The Board's Wetland Conservation Committee has reviewed WDCP program information and recommend directing staff to work with the UM to develop a plan to transition WDCP management from the UM to BWSR for future Board consideration. Staff will summarize background information, reasons for considering change, and elements to be included in such a transition plan. **DECISION ITEM**
2. **Wetland Mitigation Fee Policy Addendum Reduction in Credit Value for Agricultural Wetland Bank Fees** – Since the updated wetland bank fee policy went into effect on June 1, 2017 BWSR Wetland Section staff have received several comments suggesting that the fees for agricultural banking accounts are disproportionately high relative to the overall transaction cost. In response, an analysis of prices was conducted for agricultural bank account and standard account credits for sales completed between 2015 through 2018. This analysis showed that agricultural credits were 54% lower in cost (value) than standard credits in BSAs that reported both agricultural and standard credit cost information. Based on this information and after further evaluation and analysis, staff recommended that the wetland credit value coefficient, a multiplier that reflects the value added to the land as a result of the wetland restoration activities, be reduced from 6.0 to 3.2 for agricultural bank accounts and that the credit value and corresponding fees for agricultural wetland bank accounts be calculated using the revised wetland credit value coefficient. This recommendation was approved by the Wetlands Conservation Committee on March 7, 2019. **DECISION ITEM**
3. **Wetland Credit Acquisition Plan – Local Government Roads Wetland Replacement Program** – BWSR regularly receives appropriations to acquire wetland credits for the Local Roads Wetland Replacement Program (LGRWRP). The receipt of these funds has always been followed by Board authorization to implement processes to develop projects and or acquire wetland credits. Staff have developed guidance that would be used for current and future appropriations to guide the acquisition of credits. This guidance will increase the efficiency and speed up the process of acquiring wetland credits for the

LGRWRP. The Board's Wetlands Conservation Committee has reviewed the Wetland Credit Acquisition Plan and draft Board Order, and recommend approval by the full board. Staff will present some background information, including the current status of the LGRWRP, and summarize the content of the plan. **DECISION ITEM**

If you have any questions regarding the agenda, please feel free to call me at 651-296-0878. The Board meeting will adjourn about 1pm. We look forward to seeing you on March 27.

**BOARD OF WATER AND SOIL RESOURCES
CAPITOL REGION WATERSHED DISTRICT
MISSISSIPPI RIVER ROOMS A & B
525 ALDINE STREET
ST PAUL, MN
WEDNESDAY, MARCH 27, 2019**

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF JANUARY 23, 2019 BOARD MEETING

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

INTRODUCTION OF NEW STAFF

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

AGENCY REPORTS

- Minnesota Department of Agriculture – Thom Petersen/Susan Stokes
- Minnesota Department of Health – Chris Elvrum
- Minnesota Department of Natural Resources – Sarah Strommen
- Minnesota Extension Service – Joel Larson
- Minnesota Pollution Control Agency – Glenn Skuta

ADVISORY COMMENTS

- Association of Minnesota Counties – Brian Martinson
- 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

NEW BUSINESS

1. Natural Resources Conservation Service (NRCS) Update and presentation of the NRCS Minnesota 2018 Annual Report – Troy Daniell, NRCS State Conservationist – **INFORMATION ITEM**

COMMITTEE RECOMMENDATIONS

Northern Region Committee

1. Leech Lake River Watershed Comprehensive Watershed Management Plan – Tom Schulz – **DECISION ITEM**

Grants Program and Policy Committee

1. 2019 Request for Proposals for One Watershed, One Plan Planning Grants – Julie Westerlund – **DECISION ITEM**

Central Region Committee

1. Kanabec County Comprehensive Local Water Management Plan Update – Kevin Bigalke – **DECISION ITEM**
2. Meeker Soil and Water Conservation District Change in Location of Principal Office Headquarters – Doug Thomas - **DECISION ITEM**

Wetlands Committee

1. Authorizing Development of a Transition Plan for the Minnesota Wetland Delineator Certification Program (WDCP)– Les Lemm and Dave Weirens – **DECISION ITEM**
2. Wetland Mitigation Fee Policy Addendum Reduction in Credit Value for Agricultural Wetland Bank Fees – Tim Smith – **DECISION ITEM**
3. Wetland Credit Acquisition Plan – Local Government Roads Wetland Replacement Program – Les Lemm and Tim Smith – **DECISION ITEM**

UPCOMING MEETINGS

- BWSR RIM Reserve Committee Meeting. March 27 immediately following the board meeting. Location: Mississippi River Rooms A & B at the Capitol Region Watershed District: 595 Aldine Street, St. Paul.
- April BWSR board meeting has been canceled. The next BWSR Board meeting is scheduled for May 22, 2019. Location TBD.

ADJOURN

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

BOARD MEMBERS PRESENT:

Jill Crafton, Jack Ditmore, Kathryn Kelly, Sarah Strommen, DNR; Tom Loveall, Nathan Redalen, Tom Schulz, Susan Stokes, MDA; Steve Sunderland, Gerald Van Amburg, Joe Collins, Harvey Kruger, Paige Winebarger, Joel Larson, University of Minnesota Extension; Duane Willenbring, Rich Sve, Chris Elvrum, MDH;

BOARD MEMBERS ABSENT:

Neil Peterson, Shannon Lotthammer, PCA;

STAFF PRESENT:

John Jaschke, Hannah Pallmeyer, Al Kean, Angie Becker Kudelka, Jamie Gudknecht, Tom Gile, Sharon Doucette, Tim Fredbo, Dale Krystosek, Kevin Bigalke, Dave Weirens, Melissa Lewis, Ryan Hughes

OTHERS PRESENT:

Steve Woods, Freshwater Society

Jeff Berg, MDA

Tom Landwehr

Emily Javens, Minnesota Association of Watershed Districts (MAWD)

Brian Martinson, Southern Minnesota Beet Sugar Cooperative

Chair Gerald Van Amburg called the meeting to order at 9:08 AM

PLEDGE OF ALLEGIANCE

**** 19-01** **ADOPTION OF AGENDA** - Moved by Rich Sve, seconded by Duane Willenbring, to adopt the agenda, with an amendment to indicate that Rich Sve would be presenting the Red Lake River Comprehensive Watershed Management Plan Amendment agenda item instead of Neil Peterson, who was unable to attend today's meeting. ***Motion passed on a voice vote.***

**** 19-02** **MINUTES OF DECEMBER 19, 2018 BOARD MEETING** – Moved by Nathan Redalen, seconded by Kathryn Kelly, to approve the minutes of December 19, 2018 meeting, with amendments from Jill Crafton. ***Motion passed on a voice vote.***

PUBLIC ACCESS FORUM

Tom Landwehr expressed how important the BWSR Board's mission is because of its work on private lands. Tom thanked the BWSR board and staff for their hard work. John Jaschke mentioned that as DNR Commissioner, Tom Landwehr attended almost every meeting, and local officials really appreciated his attendance and willingness to engage with them on many topics. Chair Gerald Van Amburg thanked Tom Landwehr for his participation on the board.

INTRODUCTION OF NEW BOARD MEMBER AND NEW BWSR STAFF

Chair Gerald Van Amburg welcomed Sarah Strommen, the new DNR Commissioner. Commissioner Strommen worked as an Assistant Commissioner for the past four years for DNR. Prior to working at DNR, Commissioner Strommen worked at BWSR and is looking forward to being a board member. Commissioner Strommen hopes to attend BWSR board meetings on a regular basis. Commissioner Strommen is also a former mayor of Ramsey.

Chair Gerald Van Amburg welcomed the following new staff to BWSR:

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

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 discussed an article that was distributed from the *Frontiers in Ecology and the Environment* that describes how the world can be structured to feed 9.7 billion people while maintaining natural areas.

Audit and Oversight Committee – Chair Gerald Van Amburg reported that the committee met on January 22. The committee discussed the 2018 PRAP legislative report that was prepared by staff for transmittal to the legislature. This will be discussed later in the agenda.

Executive Director's Report - John Jaschke reported that the Red River Basin Commission held their conference in Grand Forks last week. He attended and presented at the meeting, as did Chair Van Amburg. John mentioned that the legislature has convened and that many bills are being introduced. Staff will keep the board updated as things progress if there are meaningful updates. For buffers, there is 99% compliance for public waters and 84% for public ditches. This fall was difficult to get buffers put in, so hopefully that number will increase in the spring and summer. CREP is on an unplanned hiatus due to the federal government shutdown. FSA is almost completely shut down. NRCS is still operating for the time being, but they are not responsible for the CRP part of the CREP program. The MN Office of Soil Health is now up and running with the start of Dr. Anna Cates' employment. The 10 year anniversary of the Legacy Amendment is this year. There is an event on February 6th to celebrate. The 404 Assumption process is ongoing and conversations continue with the PCA, DNR, and Army Corps of Engineers. BWSR staff are currently renovating the website to modernize it and make it more accessible and organized.

John Jaschke reviewed the packet with the board. He talked about new staff and the new Resource Conservation section. He also reviewed some correspondence regarding One Watershed, One Plan and the February Snapshots.

Gerald Van Amburg reported that John Jaschke gave a report about the status of the buffer program to the Red River Basin Commission annual conference.

Dispute Resolution Committee – John Jaschke provided an update to the board. There is presently one appeal pending in Hennepin County. There have been no new appeals filed since the last Board Meeting.

Grants Program & Policy Committee - Steve Sunderland reported that the committee did not meet since the last Board meeting.

RIM Reserve Committee – Tom Loveall reported that the committee met on December 19. There is one decision item on the agenda today.

Water Management & Strategic Planning Committee - Jack Ditmore reported that the committee did not meet since the last board meeting. The committee will likely meet in mid- to late- spring.

Wetland Conservation Committee - Tom Schulz reported that the committee did not meet since the last board meeting. The committee will likely meet in late February or early March.

Buffers, Soils & Drainage Committee - Kathryn Kelly reported that the committee met on January 15 to discuss buffer implementation grants. Amendments to tracking procedure were discussed. Updates were given regarding compliance levels. The committee will likely meet in early spring.

Drainage Work Group (DWG) - Tom Loveall reported that the DWG met on January 10. The DWG finalized the drainage system repair cost apportionment option (which has large consensus with one person not in agreement) and the drainage system acquisition and compensation of buffer strips (which has large consensus with one person not in agreement). The DWG recommendations report was discussed and can be used to talk to legislators. The DWG updated the prioritized discussion and

information topics list. Tom Gile was introduced as the new DWG coordinator. The next DWG meeting is scheduled for June 13.

Al Kean discussed the consensus process that has been evolving at the DWG and how that impacts the DWG Recommendations Report. He also discussed the legislative process for the recommendations and staffing of the DWG. Al appreciated that Tom Loveall attends the DWG as a representative of the BWSR board.

COMMITTEE RECOMMENDATIONS

Northern Region Committee

Red Lake River Comprehensive Watershed Management Plan Amendment – Rich Sve presented the plan amendment. 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.

The board discussed if any comments were received in opposition to the plan amendment. Ryan Hughes responded that there were no comments received in opposition. To add a Watershed Management District, it would either need to be in an amendment or in the original plan. The amendment specifies what projects the RLWD proposes to fund with a Watershed Management District and the amendment process incorporated a public hearing. The board discussed if the number of benefitted landowners is known at this time, and it is not.

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19-03 Moved by Rich Sve, seconded by Tom Schulz, to approve the Red Lake River Comprehensive Watershed Management Plan Amendment. ***Motion passed on a voice vote.***

Red River Basin Commission Grant – Tom Schulz presented the grant. 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.

The Northern Region committee met on January 2, 2019, and the Executive Director of the Red River Basin Commission, Ted Preister, attended that committee meeting. The committee discussed the work plan and budget. The grant would fund 39% of their expenditures. Henry Van Offelen, BWSR Clean Water Specialist for the Red River Basin, recommended approval of the grant to the committee, and the committee recommended approval to the board.

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19-04 Moved by Tom Schulz, seconded by Jill Crafton, to approve the Red River Basin Commission Grant.
Motion passed on a voice vote.

RIM Reserve Committee

Blue Earth CSAH 1 RIM Easement Alteration (07-12-99-01) – Tim Fredbo presented the alteration request. The Blue Earth County Highway Department 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 February 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.

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 Township in place back in June of 2018 were \$6,966 per acre for cropland, and \$4,644 per 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.

Staff recommended approval to formally amend easement 07-12-99-01 to remove 2.6 acres. The RIM Reserve Committee of the BWSR recommended approval to the full board of this request at their December 19, 2018 meeting.

Tom Loveall spoke in favor of the easement amendment due to the public safety aspect. Tom Schulz appreciated that there was the option for preliminary approval by staff. The board discussed how decisions on easement alterations are made. The board discussed how payment is used by BWSR.

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19-05 Moved by Kathryn Kelly, seconded by Joe Collins, to approve the Blue Earth CSAH 1 RIM Easement Alteration (07-12-99-01) Request. ***Motion passed on a voice vote.***

Buffers, Soils, and Drainage Committee

John Jaschke announced that Kathryn Kelly identified a perceived conflict for the FY2019 Buffer Implementation Grants agenda item and will not participate in this agenda item.

FY 2019 Buffer Implementation Grants – Dave Weirens and Tom Gile presented the FY19 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 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 would be determined upon approval of the FY 20 & 21 budget.

The method of determining how the funds would be distributed was discussed by the board. BWSR staff looked at counties to see how many remaining parcels in each county still need buffers installed. Numerous SWCDs have approached BWSR to see if funds were available for assistance with buffer implementation but BWSR staff have not reached out to every district on the allocation list. The board discussed if this would be a one-time or an ongoing allocation. At this time, it is being considered a one-time allocation.

The board order is worded so that if some SWCDs do not want to receive funds that they are allocated, BWSR could allocate to other SWCDs who are not currently on the allocation table. An amendment was proposed to the board order to clarify this and to add a cap of \$10,000 per SWCD if remaining funds are available. The board also discussed the funds that would be shifted under the board order. The board also discussed the role that BWSR staff play in determining need in the districts. The board discussed fund availability and how a grant agreement may be set up with the timelines in the board order and in appropriation rider language. Local government staff have undertaken the role of helping landowners into compliance, and these funds would help to support this effort.

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19-06 Moved by Steve Sunderland, seconded by Tom Loveall, to approve the presented the FY19 Buffer Implementation Grants, with an amended board order. ***Motion passed on a voice vote.***

Chair Gerald Van Amburg recessed the board meeting at 11:14am. He called the meeting back to order at 11:27am.

Audit and Oversight Committee

2018 Performance Review and Assistance Program (PRAP) report – Dale Krystosek presented the 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 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.

Gerald Van Amburg mentioned that the Audit and Oversight committee met yesterday and discussed how to communicate to citizens about the outcomes that local water management plans are achieving.

Jack Ditmore mentioned that there is a need to demonstrate what is being achieved. The PRAP report may not be the appropriate place to do that. The board determined that there could be a board discussion at a later date about achievements and outcomes. There is a team in the Clean Water Council working on goals and objectives. Perhaps the Clean Water Council could present on this at a future board meeting. The board discussed how knowing outcomes and achievements could help determine prioritization of project funding. The board also talked about this importance of partnerships and buy-in.

The board discussed what the process is for having the party being evaluated participate in the PRAP evaluation. There are feedback mechanisms from people who work with the party being evaluated.

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19-07 Moved by Paige Winebarger, seconded by Jill Crafton, to approve the report, with an amendment to the report regarding resource outcomes, and submit it to the legislature. ***Motion passed on a voice vote.***

NEW BUSINESS

Putting Minnesota on a Clean Water Trajectory: Freshwater Society Report – Steve Woods, Executive Director of the Freshwater Society (FS), presented the report. Former PCA Commissioner Corrigan called 16 groups together 14 years ago to talk about clean water issues, impaired waters, and regulation, which was the genesis of an initial report. FS recently put out a survey to 19 various groups to see what they thought progress was being made on. A lot of people responded that they weren't sure if progress was being made. 27 out of 31 of the recommendations from the first report have been implemented. The system now is better than the previous system because of the recommendations. FS wanted to update the vision and incorporate ideas from state agencies. MAWD, MASWCD, AMC, Farm Bureau, Farmers Union, Chamber of Commerce, Clean Water Council, and various environmental groups participated in the updated report process. One of the things that needs to happen is better communication about goals and achievements. The legislative process, and how the Clean Water Council and the agencies interact with the legislature, was also discussed. Once the Governor's recommendations on Clean Water Fund come out, FS wants to reconvene the group of 19 organizations to look at the recommendations and see how they are similar or different to the Clean Water Council recommendations.

Chris Elvrum left the meeting at 12:22pm.

Susan Stokes announced that the Clean Water Council hired Paul Gardner as a high-level staff person to help communicate with decision-makers about their legislative recommendations. The board discussed the role of drainage in the report. Steve Woods invited board members to a celebration of the 10 year anniversary of the Legacy Amendment on February 6th.

Susan Stokes left the meeting at 12:27pm.

COMMITTEE RECOMMENDATIONS

Central Region Committee

Swift County Comprehensive Local Water Management Plan Amendment – Kevin Bigalke presented the 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 that 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.

The board appreciated the emphasis on outcomes in the plan.

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19-08 Moved by Joe Collins, seconded by Paige Winebarger, to approve the Swift County Comprehensive Local Water Management Plan Amendment, with amendments to the board order. ***Motion passed on a voice vote.***

Rice Creek Watershed District Boundary Change – Kevin Bigalke presented the boundary change petition. 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.

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19-09 Moved by Joe Collins, seconded by Jack Ditmore, to approve Rice Creek Watershed District Boundary Change. ***Motion passed on a voice vote.***

AGENCY REPORTS

Minnesota Department of Agriculture (MDA) – Jeff Berg reported that the Department of Agriculture has a new commissioner, Thom Petersen. He previously worked for the Minnesota Farmers Union. The other assistant/deputy commissioners remain the same.

Minnesota Department of Health – No report was provided.

Minnesota Department of Natural Resources – Commissioner Sarah Strommen reported that there are two vacancies in the commissioner’s office: deputy commissioner and assistant commissioner. Barb Naramore will be the new deputy commissioner. The federal shutdown is causing challenges for the walk-in access program, and there is a funding gap for this program with the new farm bill being passed late. John Jaschke mentioned that Commissioner Strommen and he attended the Pheasants Forever meeting last weekend in Alexandria. The board discussed the numbers on special hunts in southeastern Minnesota and the rate of CWD in the deer population. Additional hunts are planned in the Winona area in late January/early February. Chair Van Amburg mentioned the Fargo-Moorhead diversion plan and permits.

University of Minnesota Extension – Joel Larson reported that Dr. Anna Cates is now full-time with the Office of Soil Health. He thanked the board for the financial support for the position. There are two upcoming events: a nitrogen management practices conference on February 5th in Mankato and a nutrient management conference on February 19 in St. Cloud. Additional information can be found online.

Minnesota Pollution Control Agency – No report was provided.

ADVISORY COMMENTS

Association of Minnesota Counties – no report was provided.

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

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

Minnesota Association of Townships – no report was provided.

Minnesota Association of Watershed Districts – Emily Javens reported that MAWD decided to add Water Management Organizations (WMOs) to MAWD. There are three new members to MAWD as a result of that change. MAWD legislative days are February 20-21.

UPCOMING MEETINGS

- Next BWSR Meeting is scheduled for Wednesday, March 27 at 9:00AM, location TBD.

Chair Van Amburg adjourned the meeting at 12:47 PM.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report

Meeting Date: March 27, 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

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

ACTION REQUESTED

None

LINKS TO ADDITIONAL INFORMATION

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
March 12, 2019
By: Travis Germundson

There is presently **one** appeal pending. There have been no new appeals filed since the last Board Meeting (January 23, 2019).

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	

NEW BUSINESS

1. Natural Resources Conservation Service (NRCS) Update and presentation of the NRCS Minnesota 2018 Annual Report – Troy Daniell, NRCS State Conservationist – ***INFORMATION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Natural Resources Conservation Service (NRCS) Update and presentation of the NRCS Minnesota 2018 Annual Report

Meeting Date: March 27, 2019

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: _____

Contact: John Jaschke

Prepared by: Hannah Pallmeyer

Reviewed by: John Jaschke
Troy Daniell, NRCS State

Presented by: Conservationist

Time requested: 30 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

Information only.

LINKS TO ADDITIONAL INFORMATION

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

Troy Daniell, Minnesota’s NRCS State Conservationist for Minnesota, will give an update from NRCS and will present the Minnesota 2018 Annual Report to the board. Troy joined the Minnesota office of NRCS last year.



United States Department of Agriculture



MINNESOTA 2018 Annual Report



Natural
Resources
Conservation
Service

nrcs.usda.gov/



State Conservationist Troy Daniell

State Conservationist's Message

As I continue my visits with offices around the State and attending various partner meetings, I am often awe struck at the beauty, resources, and great people of Minnesota. I have yet to step foot in each and every county, but I am working on it. I am enjoying the varied landscapes; from tall grass prairie to pine forests, Minnesota has it all. But the most important of resources is our customers. The Minnesota Natural Resources Conservation Service, along with our valued partners, is tasked with the privilege to assist landowners and operators across all of our lands in conserving and sustaining the resources in order to be highly productive for generations to come. Although we need to fill a lot of vacancies, we still have staff covering each corner of the state to provide the best service possible for our customers on their diverse operations and landscapes.

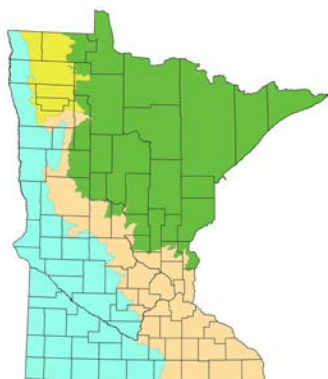
It has been a pivotal year in Minnesota with more than half of the Leadership Team new to their positions, including me. In the year to come, we will continue to face change related to a new Farm Bill, as well as setting up our new Customer Service Teams, and hopefully hiring more staff in Minnesota. However, I can still promise one constant, our agency is the leader in voluntary conservation on privately-owned land in America and will be for years to come because of the work each employee does every day, in every way, to provide quality customer service. I look forward to our year ahead and I am pleased to share with you our 2018 annual report.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Troy Daniell'.

Troy Daniell
NRCS Minnesota State Conservationist

Minnesota's four major land classifications



- Laurentian Mixed Forest Province
- Eastern Broadleaf Forest Province
- Tallgrass Aspen Parklands
- Prairie Parkland Province



Conservation Technical Assistance

Conservation Technical Assistance (CTA) may be in the form of resource assessment, practice design, resource monitoring, or follow-up of installed practices. In 2018, more than 322,000 acres received conservation benefits from CTA, of those, 244,000 acres contributed to better water quality.

Although the CTA program does not include financial assistance, clients may develop conservation plans, which may serve as a springboard for those interested in participating in USDA financial assistance programs.

We are here to work on resource concerns but our people are our most valuable resource. The following individuals achieved or renewed a Conservation Planner designation in 2018.

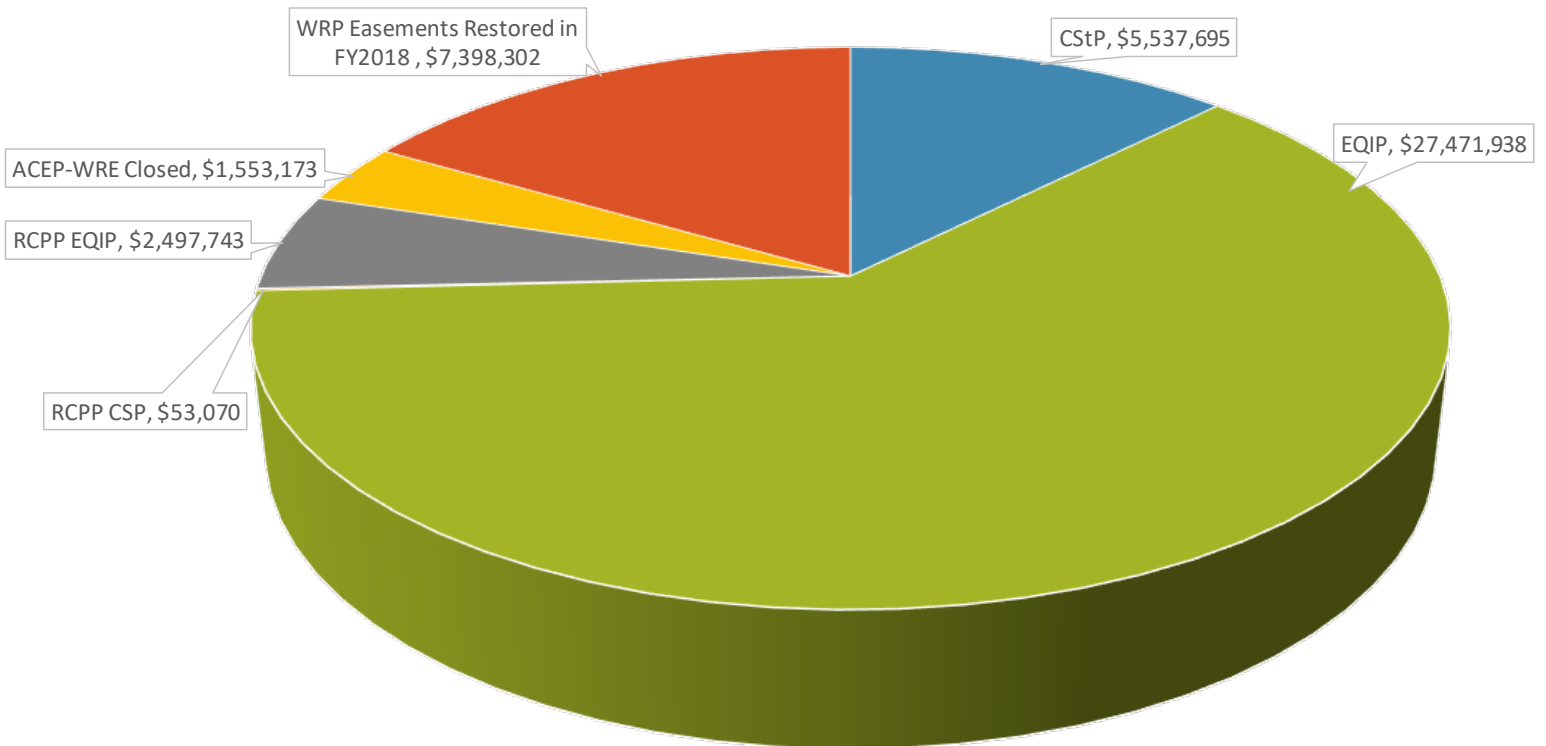
Eric Anderson, Thief River Falls
Shannon Gegner, Redwood Falls Field Office
Melissa Behrens, Glenwood Field Office
David L. Dockter, Lewiston Field Office
Colin Williams, Faribault Field Office
Aaron Janz, Waite Park Field Office
Levi Campion, Ivanhoe Field Office
Lance Klessig, Lewiston Field Office
Michael Timmerman, Montevideo Field Office
Lance Smith, Marshall Area Office
Ben Cottrell, Sleepy Eye Field Office
Richard Berscheid, Faribault Area Office
Dean Thomas, Fillmore SWCD
Jennifer Burrack, McIntosh Field Office
Sharlyn Handcock., Waite Park Field Office
Steve Breaker, Le Center Field Office
Jeffrey King, Dodge Center Field Office
April Sullivan, Gaylord Field Office
Gary Hoffman, Ortonville Field Office
Krecia Leddy, Ortonville Field Office
Daniel Pazdernik, Park Rapids Field Office
Ivan Reinke, Wadena Field Office

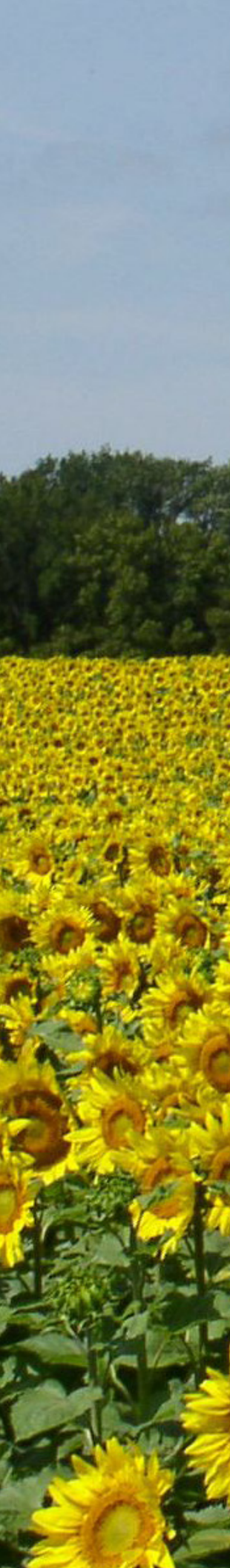


Farm Bill Programs

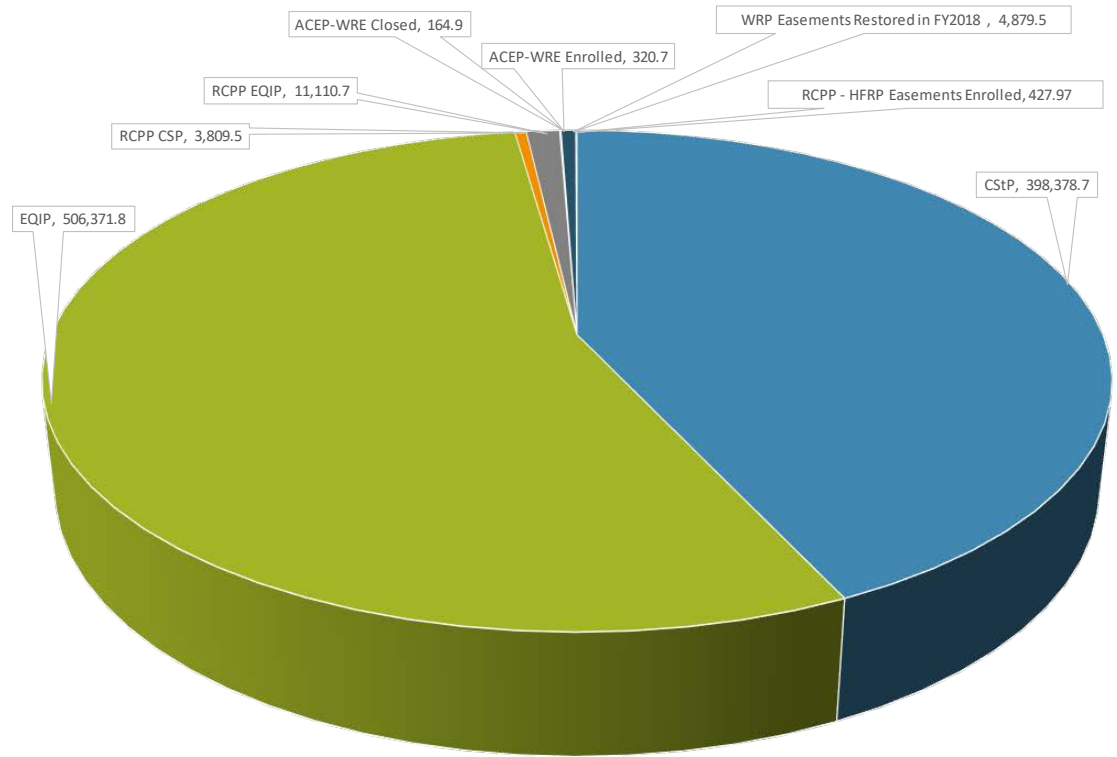
Much of the work completed through the Natural Resources Conservation Service on private lands is done with financial assistance through the Farm Bill. The Environmental Quality Incentives Program (EQIP), Conservation Stewardship Program (CSP), Regional Conservation Partnership Program (RCPP), the various initiatives, plus the easement programs are all funded through the Farm Bill.

**Dollars Obligated
Farm Bill Programs
2018**

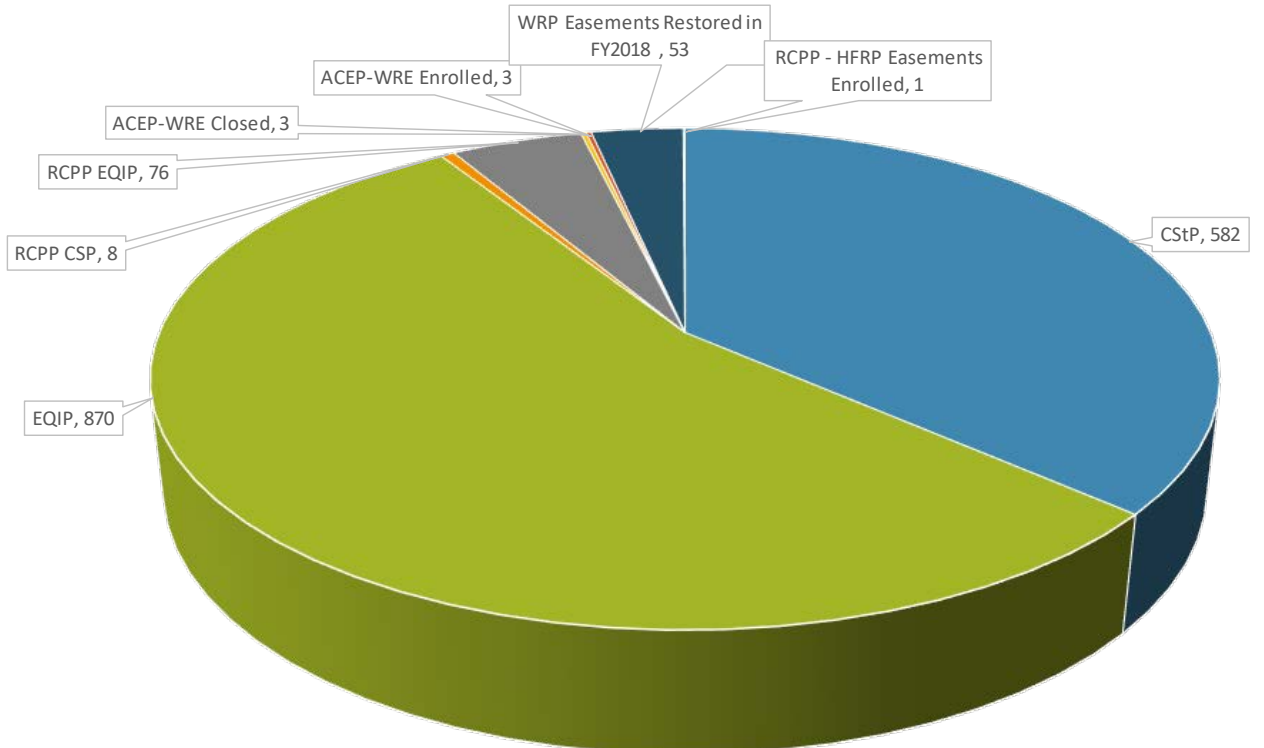




Acres Enrolled Farm Bill Programs 2018



Contracts Signed Farm Bill Programs 2018





Ecological Practices

The Natural Resources Conservation Service offers numerous practices for landowners to solve conservation - related problems.

The top five most popular ecological practices* in Minnesota in 2018 were:

In EQIP

- 1) Cover crops
- 2) Critical area planting
- 3) Mulching
- 4) Fencing for rotational grazing
- 5) Prescribed grazing

In CSP

- 1) Integrated pest management
- 2) Nutrient management
- 3) Precision pesticide for surface water
- 4) Integrated pest management, prevention, avoidance, monitoring and suppression (PAMS)
- 5) Precision ag for surface water

*by number of contracts that contained the practice



Engineering Practices

Natural Resources Conservation Service engineers apply engineering principles to plan, design, and implement conservation practices and systems. Engineers assist conservation planners, working side by side with landowners, to find the best solution to resource concerns.

The top five most popular engineering practices* in Minnesota in 2018 were:

- 1) Water and sediment control basins with associated supporting practices
- 2) Grassed waterways
- 3) Heavy use area protection
- 4) Grade stabilization structures
- 5) Waste storage facilities

*by number of EQIP contracts that contained the practice



Partnerships

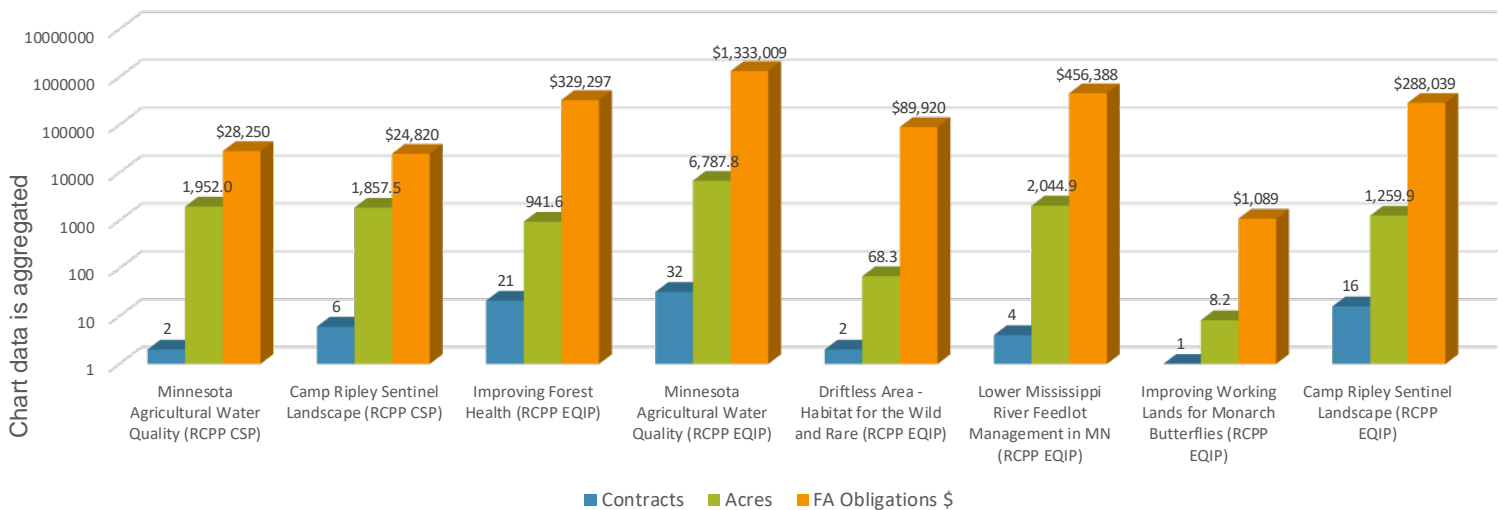
The Regional Conservation Partnership Program (RCPP) promotes coordination between the Natural Resources Conservation Service and partners to deliver conservation assistance. Both the Environmental Quality Incentive Program and the Conservation Stewardship Program can be used.

The chart below shows the number of contracts, number of acres enrolled, and the amount of financial assistance obligated in 2018 for each project. Data in the chart is aggregated. The map on the next page depicts the location of the projects.

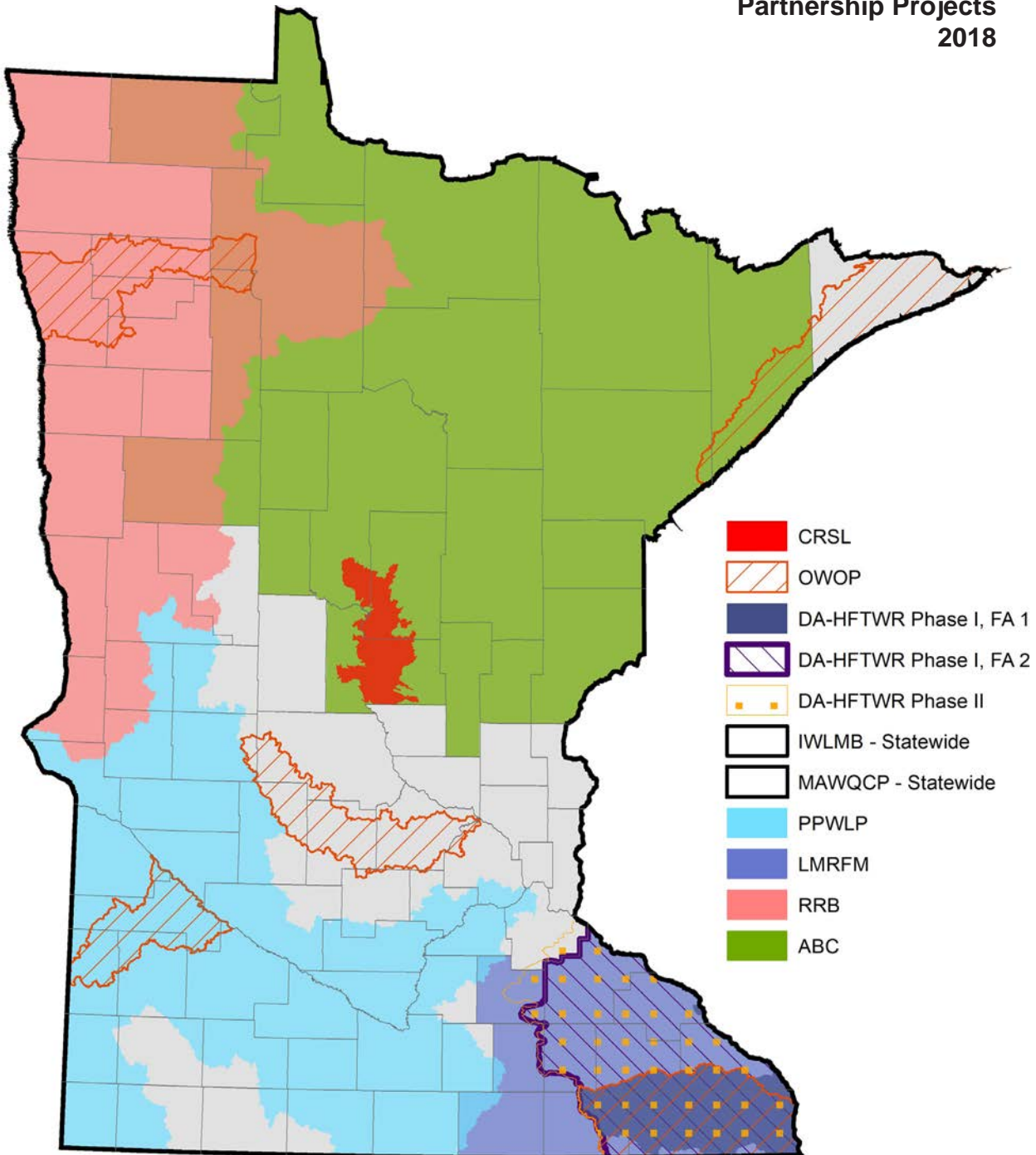
The RCPP in Minnesota includes:

- Camp Ripley Sentinel Landscape (CRSL)
- One Watershed - One Plan (OWOP)
- Driftless Area - Habitat for the Wild and Rare (DA-HFTWR hases I & II)
- Improving Working Lands for Monarch Butterflies (IWLMB)
- Minnesota Agricultural Water Quality Certification Program (MAWQCP)
- Prairie Pothole Working Lands Partnership (PPWLP)
- Lower Mississippi River Feedlot Management (LMRFM)
- Red River Basin of the North Flood Prevention Plan (RRB)
- ABC Improving Forest Health for Wildlife Resource (ABC)

RCPP
Contracts, Acres, Dollars



Minnesota Regional Conservation Partnership Projects 2018





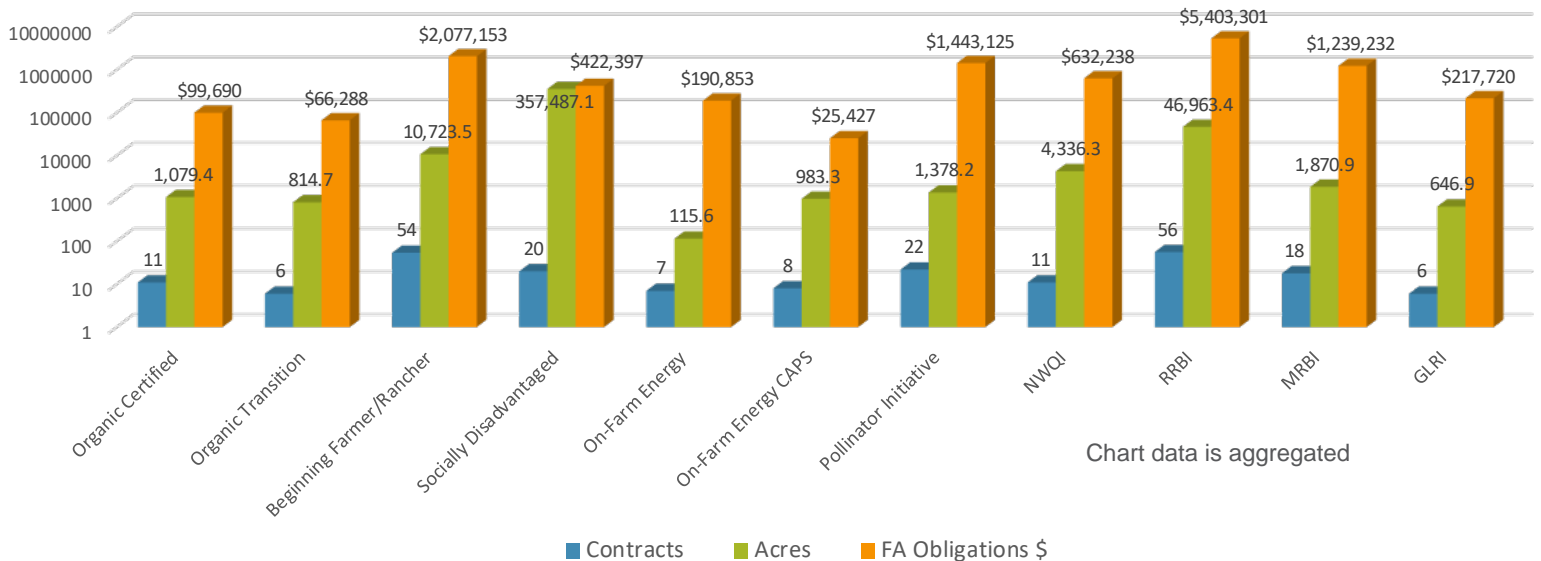
Initiatives

Through the initiatives, the Natural Resources Conservation Service and partners coordinate the delivery of assistance where it can have the most impact.

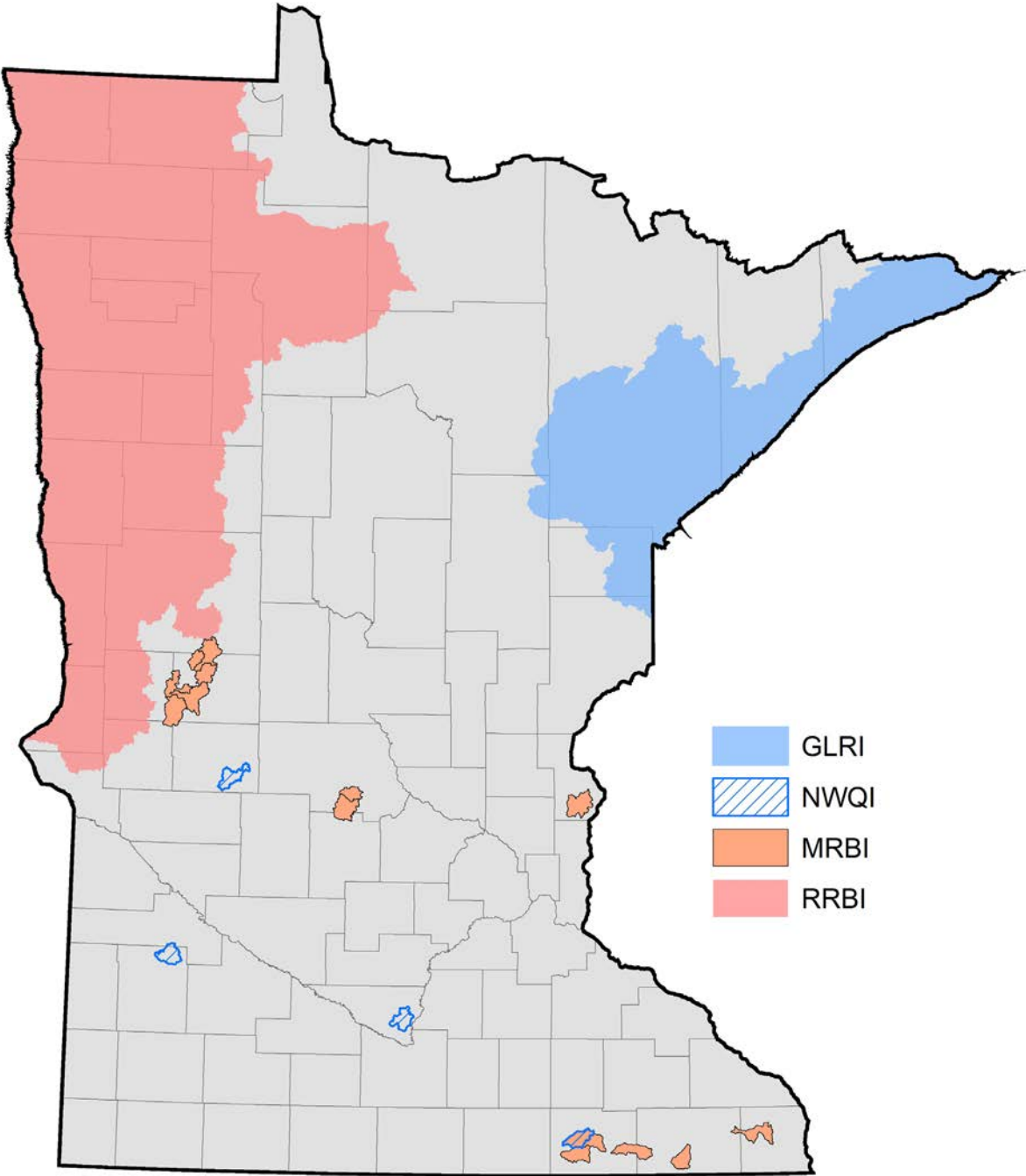
The chart below shows the number of contracts, number of acres enrolled, and the amount of financial assistance obligated in 2018 for each initiative. Data in the chart is aggregated. The map on the next page depicts the location of the initiatives. The initiatives in Minnesota in 2018 include:

- Organic Certified
- Organic Transition
- Beginning Farmer or Rancher
- Socially Disadvantaged
- On-Farm Energy
- On-Farm Energy CAPS
- Pollinator Initiative (PI)
- National Water Quality Initiative (NWQI)
- Red River Basin Initiative (RRBI)
- Mississippi River Basin Healthy Watersheds Initiative (MRBI)
- Great Lakes Restoration Initiative (GLRI)

Initiatives
Contracts, Acres, Dollars



**Minnesota Initiatives
2018**



Initiatives not noted on the map are offered statewide

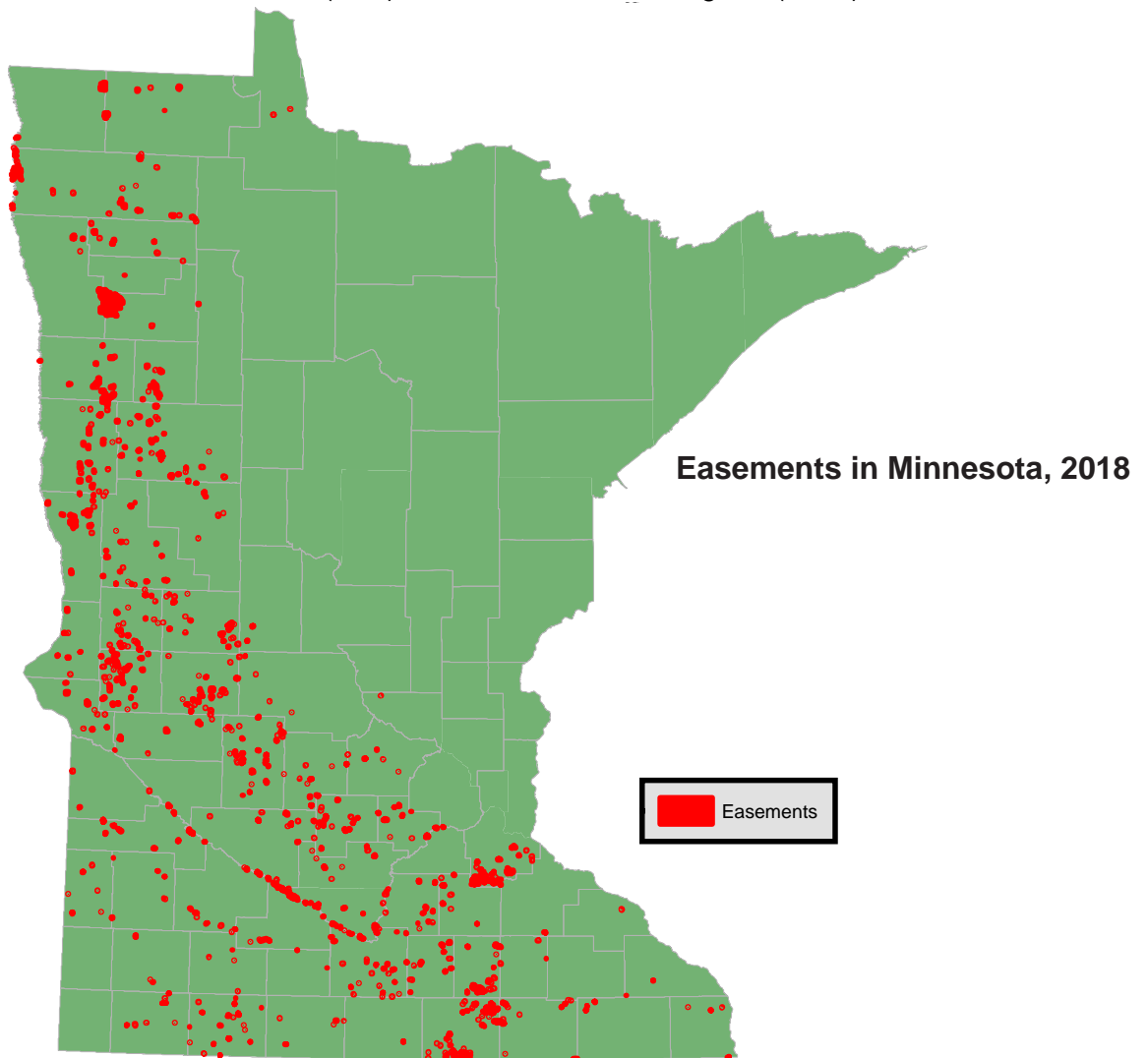




Easements

The Natural Resources Conservation Service easements provide habitat for fish and wildlife, including threatened and endangered species, and improve water quality by filtering sediments and chemicals. They also reduce flooding, recharge groundwater, protect biological diversity and provide opportunities for educational, scientific and recreational activities.

Easements in Minnesota as part of the Agricultural Conservation Easement Program (ACEP) include: Healthy Forests Reserve Program (HFRP), Grasslands Reserve Program (GRP), Farm and Ranch Land Protection Program (FRPP), Agricultural Land Easement (ALE), Wetlands Reserve Program (WRP) and Wetland Reserve Easement (WRE).





Soil Health

Soil health, or soil quality, is the continued capacity of soil to function as a vital living ecosystem that sustains plants, animals, and humans. The Natural Resources Conservation Service helps people manage soils so they are sustainable for future generations. In the past two years, there has been a 60 percent increase in landowners using soil health related practices through Farm Bill Programs. Soil health practices planned or applied on more than 160,800 acres of farm land in 2018. Producers in Minnesota are seeing the benefits of managing for soil health with lower input costs, higher net profit, and best of all, more robust farms all around.

Nearly 500 USDA employees and partner employees attended training in soil health conservation practices and 33 farm sites are participating in ongoing soil health studies. Rainfall simulators made 53 stops statewide plus a simulator was stationed at the Minnesota State Fair to teach people about the direct relationship of soil health with erosion and water quality. Also at the State Fair was Little Farm Hands - Can You Dig It?! interactive soil exhibit that reached between 100,000 to 140,000 parents and children. Not to be overshadowed by the State Fair are the numerous education and outreach events focused on soil health.



Guests enjoying a soil tunnel and information.

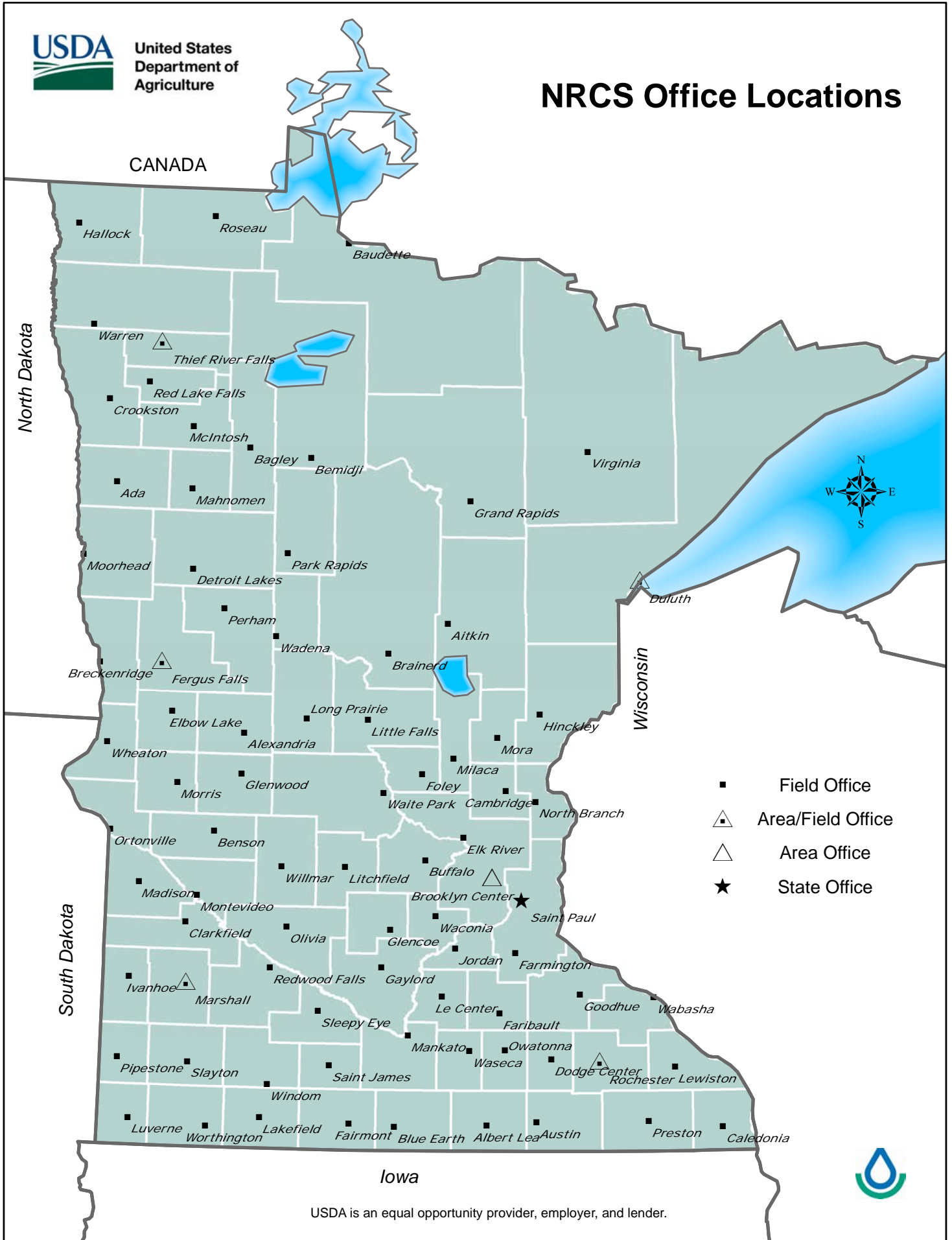


State Fair visitors exclaiming at the runoff differences from a rainfall simulator.



United States Department of Agriculture

NRCS Office Locations

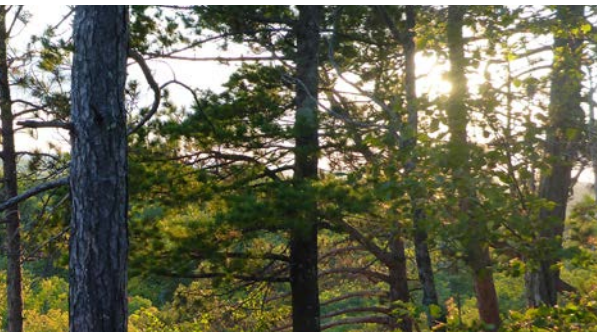


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Minnesota 2018



COMMITTEE RECOMMENDATIONS

Northern Region Committee

1. Leech Lake River Watershed Comprehensive Watershed Management Plan – Tom Schulz –

DECISION ITEM

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Leech Lake River Watershed Comprehensive Watershed Management Plan

Meeting Date: March 27, 2019

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Regional Operations/Northern

Contact: Ryan Hughes

Prepared by: Chris Pence

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 Leech Lake River Watershed Comprehensive Watershed Management Plan as recommended by the Northern Regional Committee.

LINKS TO ADDITIONAL INFORMATION

Plan is on the Cass County website:

<http://www.co.cass.mn.us/llr1w1p/index.php>

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

The Leech Lake River Watershed Comprehensive Watershed Management Plan (Plan) area includes the Leech Lake River 8-Digit Hydrologic Unit. The planning area contains portions of Cass, Hubbard, and Beltrami counties in North Central MN. This Plan was developed as part of the One Watershed, One Plan program.

Julie Kingsley (Hubbard SWCD), Kelly Condiff and John Ringle (Cass Environmental Services Department and SWCD) are the local lead staff responsible for development of the Plan.

On February 20, 2019, BWSR received the Plan, a record of the public hearings, and copies of all written comments pertaining to the Plan for final State review pursuant to Board Resolution #14-46. The Planning Partnership has responded to all comments received and incorporated appropriate revisions to the final Plan. The State agencies recommended that BWSR approve the Plan as submitted.

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

On March 6, 2019, the Northern Regional Committee (Committee) met to review and discuss the Plan. The Committee's decision was to recommend approval of the Leech Lake River Watershed Comprehensive Watershed Management Plan 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 for the Leech Lake River Watershed, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801.

**ORDER
APPROVING
COMPREHENSIVE
WATERSHED
MANAGEMENT PLAN**

Whereas, the Policy Committee of the Leech Lake River Watershed submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on February 20, 2019, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and Board Resolution #16-17, and;

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

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

FINDINGS OF FACT

1. **Partnership Establishment.** The Partnership was established March/April of 2017 through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes: Cass County, Cass Soil and Water Conservation District (SWCD), Hubbard County and Hubbard SWCD.
2. **Authority to Plan.** Minnesota Statutes, Sections 103B.101, Subdivision 14 allows the Board to adopt resolutions, policies or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan. Minnesota Statutes, Sections 103B.801 established the Comprehensive Watershed Management Planning Program; also known as One Watershed, One Plan program. And, Board Resolution #16-17 adopted the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
3. **Nature of the Watershed.** The Leech Lake River Watershed covers over 1,330 square miles which extends from just south of Bemidji in Beltrami County to western Hubbard County and into Cass County, through Leech Lake and on to the confluence of the Leech Lake River and the Mississippi River. Forests cover 60 percent of the watershed area which in turn supports the 259 square miles of lakes and 277 miles of streams. The watershed contains over 750 lakes including 61 lakes of biological significance, 12 cold-water tulibee lakes and wild rice is found in 67 lakes and 5 streams. The Leech Lake River Watershed is known to contain the largest number of breeding pairs of eagles within the continental United States. Under the forest floor and throughout the watershed, sandy and coarse

loamy soils are the dominant soil types. The water quality in this watershed is of high quality with only one impaired lake and a limited number of lakes with a declining water quality trend. Due to this high water quality, the overall goal for this watershed is protection in nature with limited enhancement. Agricultural production is a limited land use in the planning area with the major economic driver being tourism and the forest industry. Cities in the planning area include Walker, Laporte, Hackensack, Longville, Remer, Federal Dam, Boy River and Bena.

4. **Plan Development.** The Plan was developed as a single, concise, and coordinated approach to watershed management. The Plan consolidates policies, programs, and implementation strategies from existing data, studies and plans, and incorporates input from multiple planning partners to provide a single plan for management of the watershed. The Plan focuses on prioritized, targeted, and measurable implementation efforts and lays out specific actions to protect existing forests and both surface and groundwater resources. The Plan also set goals to enhance water quality in lakes with declining water quality trends, protect and enhance natural habitat, recreational uses and drinking water sources in the watershed.

5. **Plan Review.** On February 20, 2019, the Board received the Plan, a record of the public hearings, and copies of all written comments pertaining to the Plan for final State review pursuant to Board Resolution #14-46. State agency representatives attended and provided input at advisory committee meetings during development of the Plan. The following state review comments were received during the comment period.
 - A. Minnesota Department of Agriculture (MDA): MDA provided comments requesting no revisions to the Plan. MDA did not confirm receipt of the Plan at the final formal review and did not submit additional comments.
 - B. Minnesota Department of Health (MDH): MDH provided comments requesting one revision to the Plan. MDH confirmed receipt of the Plan at the final formal review, did not submit additional comments and recommended approval of the plan.
 - C. Minnesota Department of Natural Resources (DNR): DNR provided comments and most comments resulted in a change to the Plan. DNR confirmed receipt of the Plan at the final formal review, did not submit additional comments and recommended approval of the plan.
 - D. Minnesota Pollution Control Agency (MPCA): MPCA provided comments requesting two revisions to the Plan which resulted in changes to the Plan. MPCA confirmed receipt of the Plan at the final formal review, did not submit additional comments and recommended approval of the plan.
 - E. Minnesota Environmental Quality Board (EQB): EQB confirmed receipt of the Plan and did not provide comments.
 - F. Minnesota Board of Water and Soil Resources (BWSR) regional staff: BWSR provided comments requesting numerous revisions to the Plan to ensure consistency throughout the Plan and that plan content requirements were met. All comments were adequately addressed in the final Plan. BWSR staff recommended approval of the plan
 - G. Local Review: Hubbard SWCD: Multiple comments and suggestions requiring edits to Plan. Revisions completed as requested.

6. **Plan Summary and Highlights.** The highlights of the Plan include:

- This is a protection based watershed plan with some enhancement activities. The primary goals of the Plan are to achieve 75% protection of existing forests in the watershed in targeted subwatersheds with lakes that have stable or increasing water quality trends. The other primary goal is to reduce phosphorous inputs by 5% into lakes with declining water quality trends and reduce stormwater runoff in targeted subwatersheds/cities.
- A framework for developing the Plan was created that established four categories of values (natural world, climate and risk, leadership, and quality of life) and four levels of management goals (maintain, improve, enhance, and protect). The Plan focuses on the 12 local Natural World Values that were identified through an extensive process in which state agencies and stakeholders identified their priority concerns and the potential threats to the resource. The natural world values include high quality lakes and streams, lakes and streams that are stressed or declining in water quality, wetlands, and groundwater and upland concerns (e.g., habitat, forests, working lands, and cities and townships). The other values (i.e., climate and risk, leadership, and quality of life) were used as screening criteria to better target implementation actions.
- Management goals were established for each of the 12 natural world values. In most cases, the goal is to improve the resources associated with each natural world value. Targeting implementation efforts was achieved by conducting geographic information system (GIS) data analysis with multiple criteria to determine the subwatersheds that ranked the highest in terms of threat or opportunity to achieve established management goals. To further focus implementation actions, all 33 subwatersheds were evaluated for their ability to maximize results by providing multiple benefits to the implementation activities, which resulted in selecting 11 targeted subwatersheds. The priority subwatersheds may change throughout the 10-year plan as progress is made and new opportunities arise. The implementation schedule for each planning zone is divided into two parts with the first showing structural best management practices planned for each management area and the second listing non-structural activities for the entire planning zone. Non-structural activities include inventories and studies to fill data gaps, regulation, monitoring, and education and outreach.
- The measurable goals for the Plan include those that were established in the Leech Lake River Watershed Restoration and Protection Strategy (WRAPS) report. These goals were reviewed, revised, and expanded to address all 12 natural world values and reflect the information that became available after the WRAPS report was completed.
- The implementation actions identified in the Plan focus on protecting forests, habitat, riparian, and shoreline areas in targeted subwatersheds using conservation tools that include land easements, limited land acquisition, and tax incentive programs. A Landscape Stewardship Plan will be completed in 2019 and will promote a methodology of reviewing riparian parcels adjacent to public land that are of high quality to support targeted implementation of the 75% protection goal. Other actions and programs include acquiring monitoring and study data; conducting an outreach and education program to targeted audiences; and implementing land use management programs that focus on protecting the forests, surface, and groundwater in the Leech Lake River Watershed.

7. **Northern Regional Committee.** On March 6, 2019, the Northern Regional Committee met to review and discuss the Plan. Those in attendance from the Board's Committee were Committee Chair Tom Schulz, Neil Peterson (via phone) and Gerald Van Amburg (via phone). Board staff in attendance were Northern Regional Manager Ryan Hughes, Board Conservationist Chris Pence, Board Conservationist Chad Severts, Clean Water Specialist Jeff Hrubes, Forest Landscape Planning Coordinator Dan Steward and One Watershed One Plan Coordinator Julie Westerlund. The representatives from the Partnership

were Julie Kingsley, Hubbard SWCD and Kelly Condiff, Cass Environmental Services Department and SWCD. Partnership Policy Committee members in attendance were Lynn Goodrich (Hubbard SWCD), Tom Krueger (Hubbard County), Neal Gaalswyk (Cass County) and Tom Kuschel (Hubbard SWCD). Board regional staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee's decision was to present a recommendation of approval of the Plan to the full Board.

8. This Plan will be in effect for a ten-year period until March 26, 2028.

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 for the Leech Lake River Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Resolution #16-17.
3. The Leech Lake River Watershed Plan attached to this Order states water and water-related problems within the planning area; priority resource issues and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Resolution #16-17.
5. The attached Plan when adopted through local resolution by the members of the Partnership will serve as a replacement for the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan and consistent with the One Watershed, One Plan Suggested Boundary Map.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Leech Lake River Watershed, dated February 2019.

Dated at St. Paul, Minnesota, this twenty-seventh day of March, 2019.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair



March 27, 2019

Leech Lake River Watershed Policy Committee
c/o John Ringle, Cass County ESD
303 Minnesota Ave W
PO Box 3000
Walker, MN 56484

RE: Approval of the Leech Lake River Comprehensive Watershed Management Plan

Dear Leech Lake River Watershed Policy Committee:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Leech Lake River Comprehensive Watershed Management Plan (Plan) developed through the One Watershed, One Plan program was approved at its regular meeting held on March 27, 2019. Attached is the signed Board Order that documents approval of the Plan and indicates the Plan meets all relevant requirements of law, rule, and policy.

This Plan is effective for a ten-year period until March 26, 2028. Please be advised, the partners must adopt and begin implementing the plan within 120 days of the date of the Order in accordance with Minnesota Statutes §103B.101, Subd. 14, and the One Watershed, One Plan Operating Procedures.

The members of the partnership and participants in the plan development process are to be commended for writing a plan that clearly presents water management goals, actions, and priorities of the Partnership, and for participating as a pilot in the development of the One Watershed, One Plan program. The BWSR looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Board Conservationist Chris Pence of our staff at 218-203-4477 or chris.pence@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: Margaret Wagner, MDA (via email)
Ryan Lemickson, MDA (via email)
Luke Stuewe, MDA (via email)
Barbara Weisman, DNR (via email)
Nathan Kestner, DNR (via email)
Rita Albrecht, DNR (via email)
Carrie Raber, MDH (via email)
Chris Parthun, MDH (via email)
Jenilynn Marchand, MDH (via email)
Juline Holleran, MPCA (via email)
Phil Votruba, MPCA (via email)
Suzanne Hanson, MPCA (via email)
Seth Goreham, MPCA (via email)
Erik Dahl, EQB (via email)
Ryan Hughes, BWSR (via email)
Chris Pence, BWSR (via email)
Julie Westerlund, BWSR (via email)

Equal Opportunity Employer

LEECH LAKE RIVER COMPREHENSIVE WATERSHED MANAGEMENT PLAN



PREPARED FOR

THE LANDOWNERS, CITIZENS,
AND LOCAL GOVERNMENTS OF
THE LEECH LAKE RIVER WATERSHED

FEBRUARY 2019

FUNDING FOR THIS PROJECT WAS PROVIDED BY THE
CLEAN WATER, LAND & LEGACY AMENDMENT

LEECH LAKE RIVER COMPREHENSIVE WATERSHED MANAGEMENT PLAN

PREPARED BY

Julie Blackburn
RESPEC
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Roseville, Minnesota 55113

Shawn Tracy
HR Green
2550 University Ave W Ste 400n
Saint Paul, MN 55114

PREPARED FOR

Leech Lake River Comprehensive
Watershed Management
Partnership
303 Minnesota Avenue West
Walker, MN 56484

FEBRUARY 2018

Project Number 3175





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ACKNOWLEDGEMENTS

LEECH LAKE RIVER WATERSHED COMPREHENSIVE WATERSHED MANAGEMENT PLAN PARTNERS

Cass County
Cass County Soil and Water Conservation District
Hubbard County
Hubbard County Soil and Water Conservation District

TRIBAL GOVERNMENT

Leech Lake Band of Ojibwe

STATE AGENCIES

Minnesota Board of Water and Soil Resources
Minnesota Department of Agriculture
Minnesota Department of Health
Minnesota Department of Natural Resources
Minnesota Pollution Control Agency

FEDERAL AGENCIES

United States Forest Service
United States Army Corps of Engineers

CITIZEN REPRESENTATIVES

Association of Cass County Lakes
Cass and Hubbard County Townships
City of Laporte
Hubbard Coalition of Lake Associations
Leech Lake Association
Mississippi Headwaters Board
Northern Waters Land Trust
The Nature Conservancy

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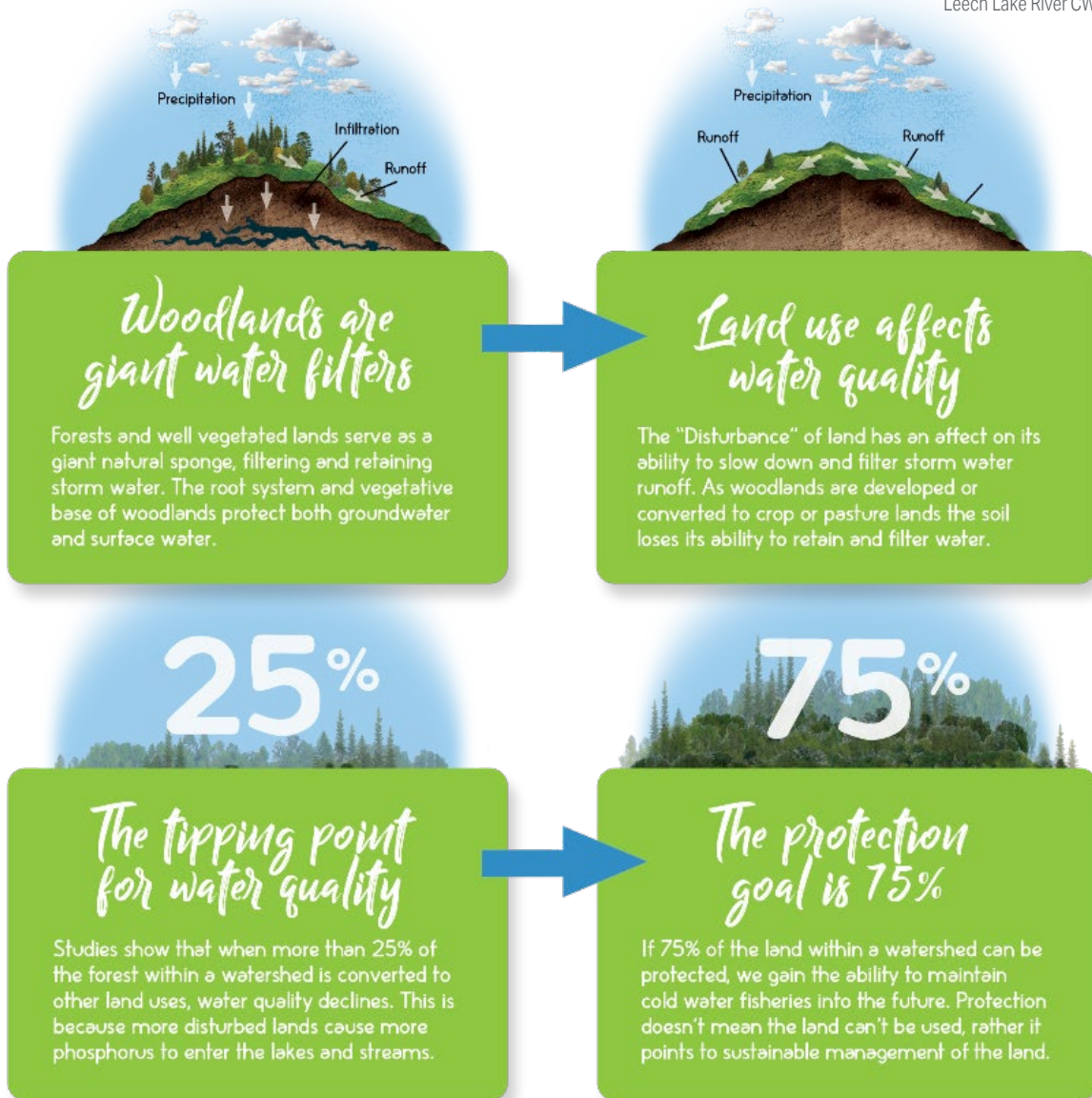


EXECUTIVE SUMMARY

The Leech Lake River (LLR) Comprehensive Watershed Management Plan (CWMP) was developed in accordance with the One Watershed, One Plan (1W1P) program implemented by the Minnesota Board of Water and Soil Resources (BWSR). The four local governments that entered into the Memorandum of Agreement (MOA) to develop the LLR CWMP were Cass County, Cass County Soil and Water Conservation District (SWCD), Hubbard County, and the Hubbard County SWCD. A representative from each MOA governmental unit was appointed to the Policy Committee, which is the decision-making authority for this planning effort. Staff from the Cass and Hubbard County SWCDs led the planning effort. Citizens and representatives from local non-profit organizations, lake associations, cities, townships, state agencies, and the Leech Lake Band of Ojibwe (LLBO) were highly involved. These partners developed and approved the following vision for this CWMP: Woods, water, wildlife, and people: a healthy watershed and a vibrant economy. This vision is the foundation from which the plan was developed and will be a cornerstone when implementing the prescriptions for protecting this pristine watershed throughout the life of this plan.

The LLR Watershed is approximately 854,659 acres and healthy forests cover approximately 60 percent of the watershed's area. These forests are critical in supporting the nearly 166,374 acres (nearly 259 square miles) of lakes and 277 miles of streams in the LLR Watershed. The pristine nature of the LLR Watershed is demonstrated by the following:

- » 37 lakes in the LLR Watershed are classified as high to outstanding biological significance.
- » 12 coldwater tullibee lakes are located in the LLR Watershed.
- » Over 50 percent of the watershed is designated as important bird areas.
- » The LLR Watershed contains the largest number of breeding pairs of eagles in the continental United States.
- » The LLR Watershed supports 89 species of greatest conservation need.
- » Wild rice (*Zizania palustris*) has been found in 67 lakes and 5 streams.



The abundance and quality of forests, lakes, and streams are critical components of the local economy, which is driven by the forestry industry and tourism. The LLR Watershed is home to the LLBO and the Leech Lake Reservation, which is the largest reservation in Minnesota. Therefore, collaborating with the LLBO, considering cultural resources, and managing natural resources in a culturally appropriate manner will be important when implementing the actions identified in the plan.

The LLR Watershed uniquely contains predominantly high-quality resources that are threatened by the potential impacts from population growth, terrestrial and aquatic invasive species, land-use conversion, and climate change. To prevent the decline of high-quality natural resources in the LLR watershed and mitigate land-use pressures, this CWMP focuses on implementing the protection measures necessary to obtain or progress toward achieving 75 percent protection of forested and undeveloped land in targeted subwatersheds. This overall goal is based on the Minnesota Department of Natural Resources (DNR) research that indicates that water quality begins to decline when watersheds have more than 25 percent disturbance.

A framework for developing the LLRCWMP was created that established four categories of values (natural world, climate and risk, leadership, and quality of life) and four levels of management goals (maintain, improve, enhance, and protect). The LLRCWMP focuses on the 12 Natural World Values that were identified because an extensive process in which stakeholders identified their priority concerns and the potential threats to the resource if these goals were not addressed. The natural world values include high quality lakes and streams, lakes and streams that are stressed or declining in water quality, wetlands, and groundwater and upland concerns (e.g., habitat, forests, working lands, and cities and townships). The other values (i.e., climate and risk, leadership, and quality of life) will be used as screening criteria to better target implementation actions.

Management goals were established for each of the 12 natural world values. In most cases, the goal is to improve the resources associated with each natural world value. Targeting implementation efforts was achieved by conducting geographic information system (GIS) data analysis with multiple criteria to determine the subwatersheds that ranked the highest in terms of threat or opportunity to achieve established management goals. To further focus implementation actions, all 33 subwatersheds were evaluated for their ability to maximize results by providing multiple benefits to the implementation activities, which resulted in selecting 11 targeted subwatersheds. The natural world value priority subwatersheds and the multiple benefit targeted subwatersheds may change throughout the 10-year plan as progress is made and new opportunities arise.

The measurable goals for the LLRCWMP include those that were established in the LLR Watershed Restoration and Protection Strategy (WRAPS) report (<https://www.pca.state.mn.us/water/watersheds/leech-lake-river>). These goals were reviewed, revised, and expanded to address all 12 natural world values and reflect the information that became available after the WRAPS report was completed.

The implementation actions identified in the plan focus on protecting forests, habitat, riparian, and shoreline areas in priority subwatersheds using conservation tools that include land acquisition, easements, near shore best management practices, and tax incentive programs. Other actions and programs include acquiring monitoring and study data; conducting an outreach and education program to targeted audiences; and implementing land use management programs that focus on protecting the forests, surface, and groundwater in the LLR Watershed.

All of the plan elements will be executed based on a joint powers agreement (JPA) that emphasizes the shared responsibility for all elements. The pace of progress when implementing plan activities depends on the availability of funds. The staff representatives from each of the JPA members will coordinate the implementation of plan activities and collaborate to obtain the grants and funding necessary to implement the plan. The JPA members will meet regularly to ensure progress is being made toward achieving the goals of the plan. An annual meeting between the Advisory Committee and members of the public will be held, so JPA members and staff can provide updates on plan progress and obtain input and recommendations regarding governance, implementation, or funding concerns.



1 INTRODUCTION

PHOTO CREDIT: MINNESOTA POLLUTION CONTROL AGENCY

1.1 LEECH LAKE RIVER COMPREHENSIVE WATERSHED MANAGEMENT PLAN PRIMER

The One Watershed, One Plan (1W1P) program is a new, evolutionary step, for the Board of Water and Soil Resources' (BWSR's) long-standing local water plan authorities. Through these authorities, BWSR oversees, sets the requirements for, and approves local water plans. The vision of the BWSR 1W1P program is to evolve from managing resources on political boundaries to focusing on the watershed as a unique resource that can be managed comprehensively. As a result, cohesive planning and implementation will provide greater assurances that water quality and natural-resource management levels will be attainable.



The Leech Lake River Comprehensive Watershed Management Plan (LLRCWMP) focuses on protecting this watershed from adverse future impacts and on actions that keep forests forested and clean waters clean. Unlike many watersheds plans that indicate specific best management practices to implement and that estimate pollution reductions from those actions, the LLRCWMP focuses on keeping this watershed intact through many tools, the least of which are best management practices.

1.2 WOODS AND WATER: HALLMARKS OF THE LEECH LAKE RIVER WATERSHED

The Leech Lake River (LLR) watershed in northcentral Minnesota (Figure 1-1) sits in the heart of Minnesota's lake country and is one of the most pristine watersheds in Minnesota, and possibly the nation. Forests, which cover approximately 60 percent of the watershed (Figure 1-2), are the key to supporting the abundant clean lakes and rivers. Together, the healthy forests and clean lakes and rivers in this watershed support a diverse biological community and provide resiliency against climate change and invasive species.

The LLR Watershed is approximately 854,659 acres and includes nearly 277 miles of stream with relatively few altered drainageways and over 750 lakes covering 166,374 acres; 37 lakes are classified as having high to outstanding biological significance. Major resources in the watershed include Leech Lake, Woman Lake, Ten Mile Lake,

BENEFITS OF HEALTHY FORESTS

- » Replenishes groundwater
- » Reduces runoff to surface water
- » Captures and stores carbon dioxide, which reduces this greenhouse gas
- » Produces oxygen and reduces airborne pollution
- » Improves resiliency against pests and weather changes
- » Provides wildlife habitat

Bungashing Creek, and the Necktie and Kabekona Rivers. Twelve tullibee lakes, which are indicators of overall watershed health because these species require cold and clean water to thrive are located here. Extensive wetlands exist in this watershed including white cedar wetlands, which are reducing in abundance throughout northern Minnesota. The LLR Watershed provides an excellent habitat that supports a high level of biodiversity and includes more than half of the Muskie habitat in Minnesota, the largest number of breeding pairs of eagles in the lower 48 states, 89 species of greatest conservation need. Over 50 percent of the LLR Watershed is designated as important bird areas. Wild rice (*Zizania palustris*) is known to be found in 67 lakes and 5 streams; however, an inventory of wild-rice streams has not been completed. Wild rice is an important food source for waterfowl as well as humans. Wild rice stands protect shorelines from erosion and provide habitat for fish, amphibians, and birds, and wild rice provides over \$2 million to the state's economy annually. The Leech Lake Band of Ojibwe (LLBO) harvests over 100,000 pounds of rice each year, which generates over \$200,000 for the local economy.

Under the forest floor and throughout the watershed, sandy and coarse loamy soils are the dominant soil types (Figures 1–3). Areas with more loamy texture are at risk for erosion, especially in areas with high slopes or reduced vegetation, which makes keeping the forest intact even more important. Sandy soils can also lead to greater risk of groundwater contamination because of higher infiltration rates. Currently, one-third of all known private wells are in areas that the Minnesota Department of Health rates as highly vulnerable to contamination [Parthun, 2018]. Precautions should be taken to reduce these contamination risks.

Because of the abundance of high-quality resources, tourism is a major economic driver for local communities. In a US Army Corps of Engineers [2009] study of traveler expenditures in Minnesota from June 2005 to May 2006, Cass County was ranked 7th and Hubbard County was ranked 21st in traveler expenditures. These direct expenditures resulted in substantial total economic impact for the region.

WATERSHED

854,659 Acres

STREAMS

277 Miles

LAKES

Over 750 Covering 166,374 Acres

37 Lakes with High to Outstanding Biological Significance



- » Travel Expenditures \$118,101,572
- » Full-Time Equivalent Jobs 2,904
- » Resident Income \$53,912,681
- » State Revenue \$14,594,482
- » Local Revenue \$4,829,588



- » Travel Expenditures \$314,512,248
- » Full-Time Equivalent Jobs 7,737
- » Resident Income \$143,573,014
- » State Revenue \$38,866,062
- » Local Revenue \$12,861,431

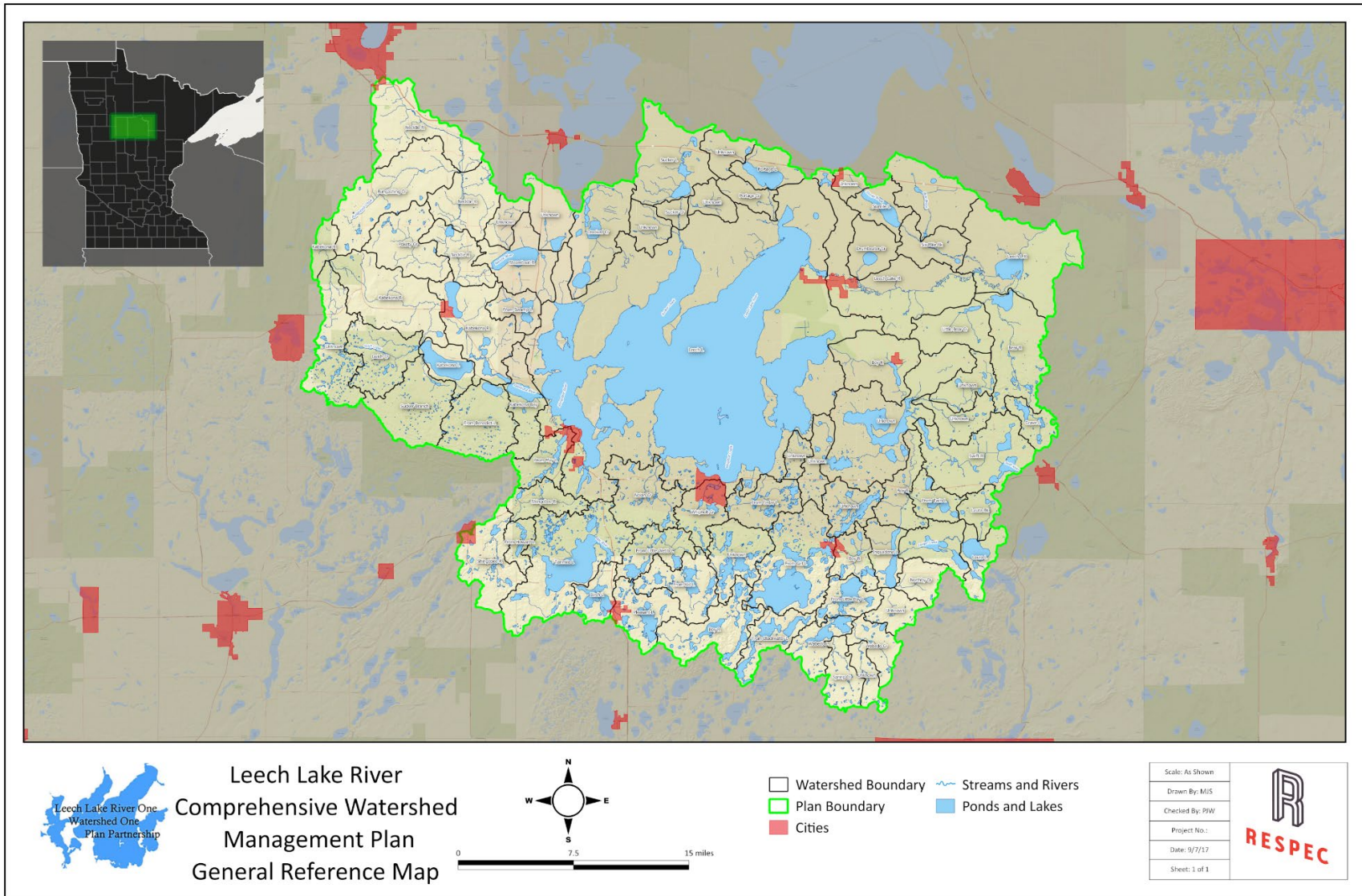


Figure 1-1. General Map of the Leech Lake River Comprehensive Watershed Management Plan Area.

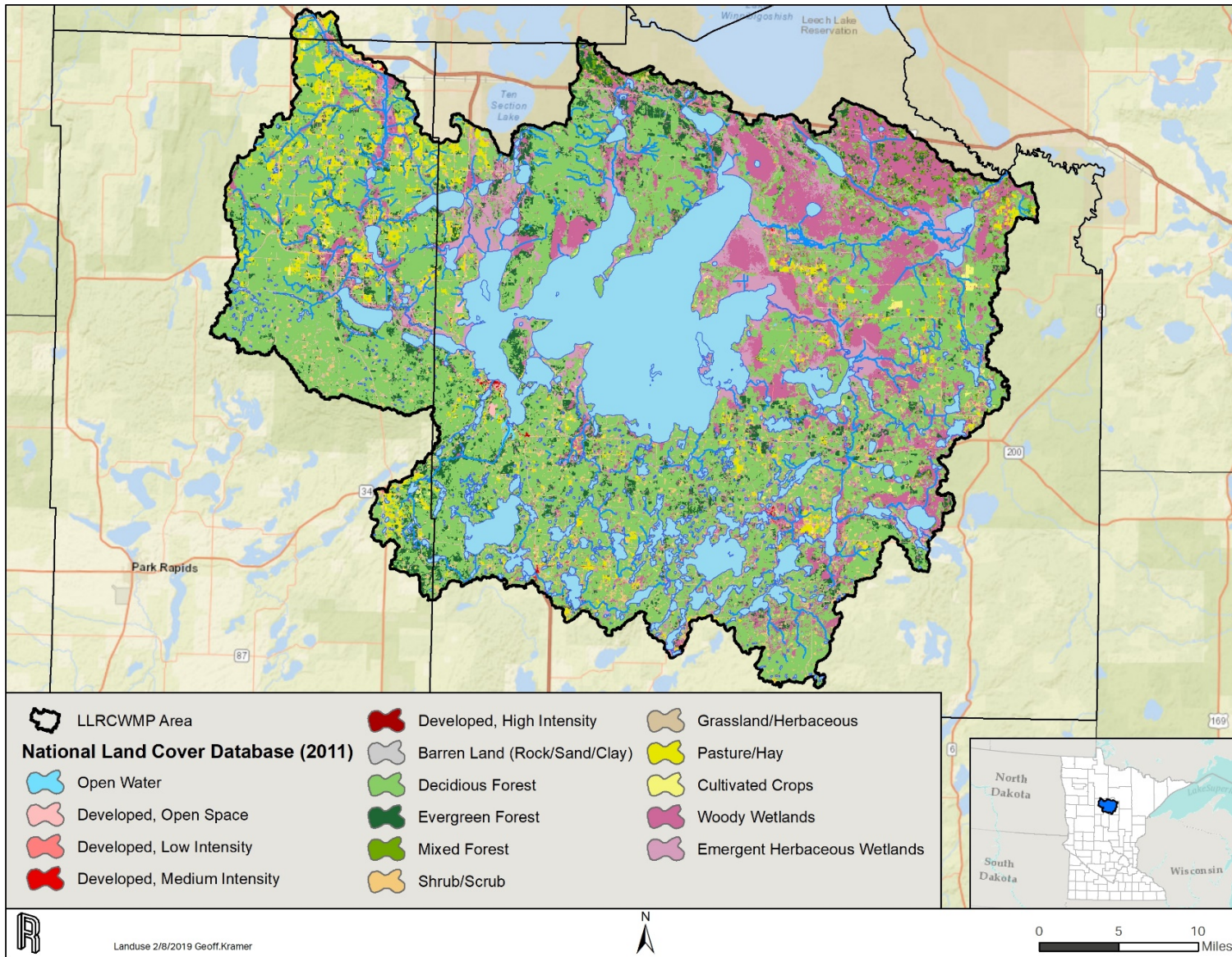


Figure 1-2. Land Cover in the Leech Lake River Comprehensive Watershed Management Plan Boundary.

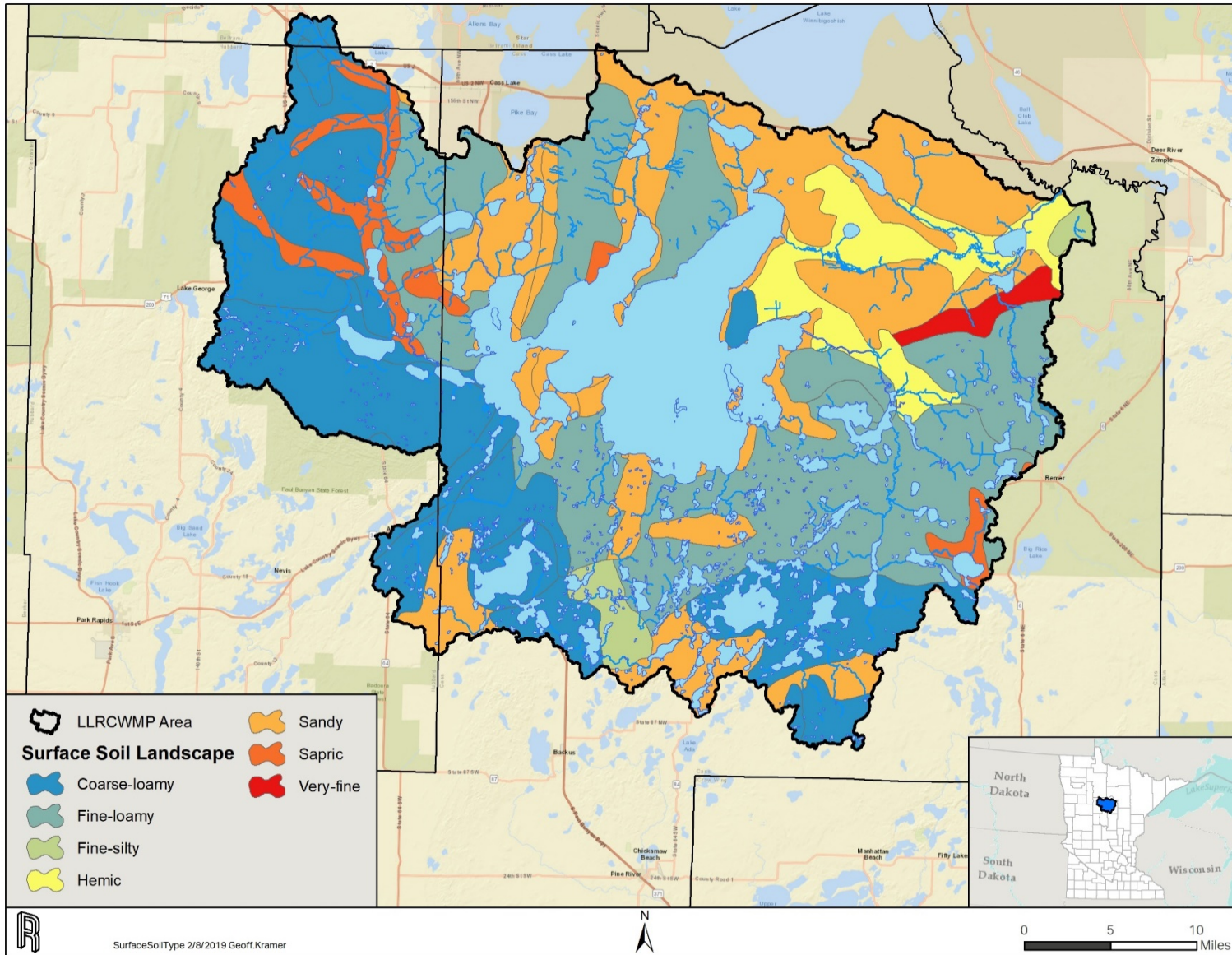


Figure 1-3. Surface Soil Texture Found Within the Leech Lake River Comprehensive Watershed Management Plan Boundary.

The abundant resources in the LLR Watershed also draw a growing population. Currently, approximately 14,500 residents live in the watershed; however, the state demographer's office projects that the area could experience as much as a 60 percent population increase by 2030 [Minnesota Pollution Control Agency (MPCA), 2016]. So far, lake and stream water quality within the watershed has been largely unimpacted by human disturbances. However, the Minnesota Department of Natural Resources (DNR) research indicates that when watersheds have more than 25 percent disturbance, water quality begins to decline. To prevent this decline and mitigate land-use pressures, planning and protection measures must be implemented.

Agriculture has historically made up a small percentage of land use and the local economy. Grazing livestock operations account for approximately 1,200 animal units with approximately 4 percent of the land area for pasture, hay, and grassland use. Although only 0.5 percent of the area is in row crops, recently an increase in crop production has occurred, particularly with irrigated potatoes in the sandy soils in the western portion of the LLR Watershed. Crop production is changing land use from what previously was mostly pine forest. Removing the forests and increasing irrigation on sandy soils increases the risk of groundwater contamination and reduces habitat and resiliency provided by forests.

The health of the LLR Watershed is important not only for the region, but for downstream purposes as well. The LLR Watershed ranked third in Minnesota in a 2009 study [Morgan, et al, 2009] of the ability of private forestlands across the Midwest and northeastern US watersheds to provide a clean water supply to downstream surface water intakes for drinking water. Keeping the LLR Watershed healthy will play a vital role in reducing downstream drinking-water treatment costs. This benefit and other ecosystem benefits (e.g. habitat and capturing and storing carbon dioxide [i.e., sequestrations]) may provide future funding opportunities as organizations seek to ensure watershed health and refuge for vulnerable species and environments that are facing increasing demands on resources.

LEECH LAKE RIVER WATERSHED AT A GLANCE:

- » Approximately 1,335 square miles
- » Approximately 277 total river miles
- » At least 5 streams that support trout
- » Over 750 lakes with a total acreage of 166,374 acres
 - / 67 wild rice lakes
 - / 12 cisco/tullibee lakes
- » 54 percent of the land is publicly owned or held by tribal landowners
- » 60 percent of the area is forested
- » 24 percent of the area is wetlands
- » Only 1.8 percent of the land is developed
- » State demographers project a population growth of up to 60 percent by 2030
- » Walker is the largest of the eight cities in the watershed

1.3 VISION STATEMENT

The individuals who participated in the LLRCWMP planning process wanted to emphasize the uniqueness of the LLR Watershed. The participants wanted to ensure that the clear and compelling picture of what the future will be 50 years from now will occur. To manage long-term goals in a 10-year plan, the participants developed and adopted the following vision statement.

WOODS, WATER, WILDLIFE, AND PEOPLE:

A healthy watershed and a vibrant economy.

1.4 PURPOSE AND EXTENT OF THE PLAN

The LLRCWMP addresses a wide range of land and water resources with particular attention to the priority resources and subwatersheds identified through a prioritization process. This plan intends to direct the investments made into projects and programs that will protect the high-quality resources in the LLR Watershed from degradation, including the forests, wildlife, surface water and groundwater. The plan also provides information regarding potential funding opportunities to implement these goals and obtain measurable results.

Because this is a comprehensive local water plan that is governed by Minnesota Statute 103B, all statutory requirements for noticing and approval must be met. Official notification was required to adhere to the requirements for comprehensive watershed planning. Public notices were published in each local government's designated legal newspaper. The official 60-day public notice and comment period began on July 10, 2017. The comment period was extended and ended September 8, 2017. In total, eight comment letters were received and are provided in Appendix C.

In addition to the required notice and comment period, one of BWSR's 1W1P guiding principles is that the process "must involve a broad range of stakeholders to ensure an integrated approach to watershed management." [Minnesota Board of Water and Soil Resources, 2013] A public meeting to kick off the planning process was held on September 15, 2017. Approximately 70 people attended and provided feedback regarding issues, goals, and priorities; a summary of the comments received can be found in Appendix D.



1.5 PLANNING PARTNERSHIP, ROLES AND RESPONSIBILITIES

The Cass and Hubbard County partners recognized that BWSR's 1W1P program provided a unique opportunity to develop a management plan specifically to protect this pristine watershed. Several planning efforts had already been completed in the LLR Watershed, including a Watershed Restoration and Protection Strategy (WRAPS) project. Additionally, Cass and Hubbard Counties had Comprehensive Local Water Management Plans that would expire in 2027 and 2026, respectively. The soil and water conservation districts (SWCDs) within the LLR Watershed recognized the need to increase coordination, reduce potential duplication of activities, and provide greater assurances for meeting goals and measurable outcomes.

An LLRCWMP planning team was established and collaborated to develop and submit a response to a BWSR-generated Request for Interest. Upon BWSR nomination and funding approval in June 2016, the collaborative arrangement was formalized through a Memorandum of Agreement (MOA) that was executed in September 2016 (Appendix E) and subsequent bylaws that were approved in November 2016 (Appendix F). The MOA was entered into by Cass County and the Cass County SWCD and Hubbard County and the Hubbard County SWCD. These organizations are currently operating under the Cass County Local Water Management Plan [2016] and the Hubbard County Local Water Management Plan [2016].

Currently, 80 percent of the watershed area is in Cass County, 19.7 percent is in Hubbard County, and 0.3 percent of the watershed is in Beltrami County, which elected not to participate because of the small geographic area the county has in the LLRCWMP boundary. Participating in the 1W1P is not required if less than 5 percent of the jurisdictional land area of the local government is within the planning area.

Three committees were established to develop, advise, and approve the plan. The governance structure outlined in the formal agreement is provided in Figure 1–4. All committee membership is provided in Appendix G.

Policy Committee. The responsibilities of the Policy Committee included making final decisions about the content of the plan and its submittal.

Advisory Committee. The Advisory Committee made recommendations on the plan and plan implementation to the Policy Committee and identified priorities.

Planning Work Group. The Planning Work Group consisted of staff representatives of the local governments who signed the MOA, BWSR representatives, and the consultants. This work group provided logistical and day-to-day decision-making in the planning process. The Planning Work Group was responsible for overall guidance for developing the plan content, including the priorities, implementation plan, implementation programs, and funding. The Planning Work Group provided oversight to all content development and plan review.

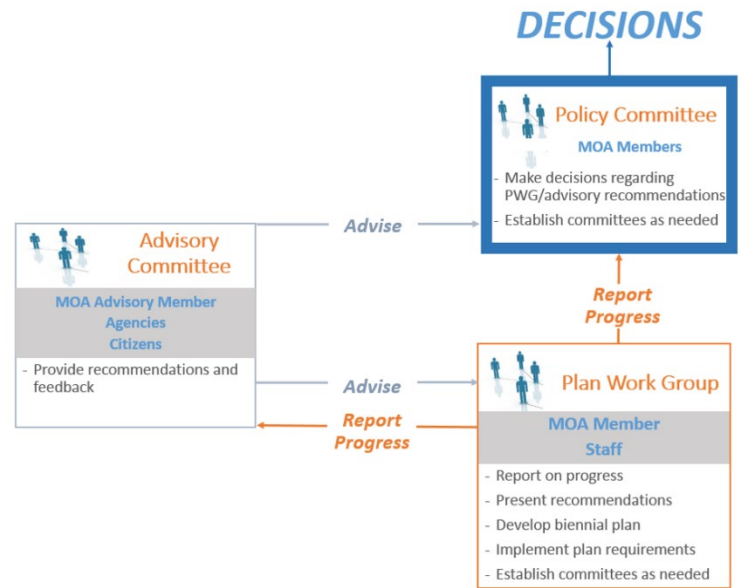


Figure 1-4. Governance Structure of the Leech Lake River Comprehensive Watershed Management Plan Memorandum of Agreement.

For further information about this project, including meeting minutes and updates, contact:

Cass County Soil and Water Conservation District
 303 Minnesota Avenue
 PO Box 3000
 Walker, MN 56484
 Telephone: 218.547.7241

1.6 PLAN APPROVAL AND ADOPTION

After the draft plan was completed, the formal review process was conducted according to Minnesota Statute 103B.315 (1990 as revised in 2003). The Policy Committee approved the draft and initiated the formal notice, comment period, and process. The draft document was submitted to the plan review authorities, who had 60 days to submit comments to the Policy Committee and the BWSR. The Policy Committee held a public hearing according to BWSR requirements after the 60-day review period ended. After the public hearing, the Policy Committee submitted the draft final plan, a summary of all comments received, the response to each comment, and additional public hearing details to the BWSR. The BWSR completed its review and approved the plan. After the BWSR approval was obtained, the plan was adopted by the local governments that signed the MOA.



2 WATERSHED PLAN VALUES AND GOALS

The LLR Watershed uniquely contains predominantly high-quality resources. Many water-planning efforts are focused on addressing known problems. Typically, the solutions are also known and, therefore, the planning effort centers on prioritizing restoration activities. Developing a watershed-based protection plan is much different. Because no problems are clearly identified and many high-value resources exist, choosing actions and where to implement them is difficult.

Because the usual process (i.e., problem-solution-result) was not appropriate for this plan, a modified version of the Envision (Institute for Sustainable Infrastructure, 2018) rating system was used to frame the planning process. Envision is a guidance and rating system for sustainable infrastructure that was developed by the Institute for Sustainable Infrastructure to establish a standardized framework for classifying sustainable practices. Although Envision was created to evaluate

decisions regarding infrastructure, this approach to categorize and evaluate sustainability performance measures provided the best known and available opportunity to tailor the planning process to this unique watershed.

The framework that was created for the LLR Comprehensive Watershed Management Plan includes establishing four categories of values and four levels of management goals. This framework is used throughout this plan and sets the context for implementation activities.

FOUR CATEGORIES OF VALUES:



NATURAL WORLD



CLIMATE AND RISK



LEADERSHIP



QUALITY OF LIFE

FOUR MANAGEMENT GOAL LEVELS:

MAINTAIN

Continues the current level of effort with some minor adjustments made to activities in some cases.

IMPROVE

Includes all the Maintain level of effort and increases implementation efforts on priority resources.

ENHANCE

Includes all the Improve level of effort and expands implementation efforts to the next level of priority resources.

PROTECT

Adequately and permanently protects resources according to the information and science available.

PLANNING FRAMEWORK AND DEFINITIONS

VALUE

What a person or local government is invested in protecting, conserving or restoring in relation to the natural world, quality of life, local leadership and climate and risk.

MANAGEMENT GOAL

The 10-Year, broad-level, plan goal that describes the management level of effort that will be directed to each natural world value.

OBJECTIVE

A general result that a person or local government aims to achieve, relative to a specific issue, within a time frame and with available resources.

STRATEGY

A chosen approach that a person or local government implements to meet the objective.

GOAL (MEASURABLE GOAL)

Either a physically-measurable metric or qualitative index established for gauging implementation success or effect.

RESOURCE GOALS

Specific goals related to an individual resource need.

2.1 PROCESS FOR DETERMINING VALUES AND MANAGEMENT GOALS

Two sources of data were used to compile a list of potential values, existing plans, and input from stakeholders. Several existing reports had been recently completed that provided valuable information and a starting point for determining values and goals. Both Cass and Hubbard County had recently updated their local water plans and MPCA's WRAPS report was completed in 2016. The WRAPS report was completed using a robust stakeholder process that provided substantial data and information regarding stakeholder values and resource-management objectives. The studies completed to develop the WRAPS report provide much of the data that this plan is based on.

Input from stakeholders included eight comment letters that were submitted during the required public noticing period, information obtained from the September 15, 2017, public meeting; and results from a survey that was administered online and in person to obtain input from the public who could not attend the meeting. The online was in the same format with the same questions as those conducted at the public meeting.

The results from the public input were recorded and grouped into resource categories (e.g., lakes, forests, and groundwater) and resource issues (e.g., climate change, land-use conversion, and invasive species) and are provided in Appendix D. After the responses were categorized, themes were determined using a process that evaluated keyword frequency. The results of the keyword frequency analysis are shown in Figure 2-1. The results were also converted to word clouds to provide an alternative way to evaluate if the priority values determined through this process fit their expectations. The word clouds are shown in Section 2.4 where each category of value is discussed.

After the priority values were approved, the Advisory Committee developed the implementation criteria for each management goal level. Sample criteria for each management goal level are presented in Table 2-1. Completed criteria for each management goal is provided in Appendix H. By developing and evaluating the criteria for each management goal, the Advisory Committee could evaluate the management goals that could be reasonably met within the 10-year planning period. After the criteria were developed for each natural world value, the management goals were selected.

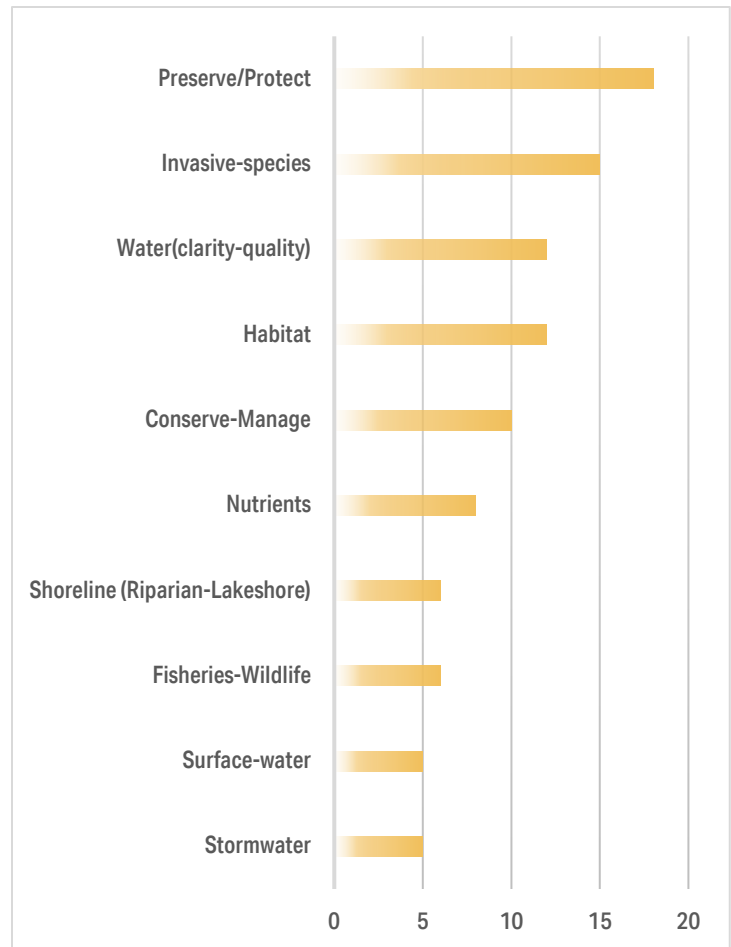


Figure 2-1. Sample of Natural Resource Key Word Frequency Analysis

Table 2-1. Sample Criteria That Were Developed to Define Each Management Goal

Natural World Value	Management Goal Levels and Criteria			
	Maintain	Improve	Enhance	Protect
<p>High-Quality Lakes</p> <ul style="list-style-type: none"> » High Water Quality » WRAPS Priority Lake » Sensitive Lake » Cisco/Tullibee Lakes » Wild rice » Declining/Threshold » Lakes of Biological Significance » Minnesota DNR Sensitive Shorelines 	<ul style="list-style-type: none"> » Incorporate completed Habitat and Access Improvement work on Kabekona Creek [2017]. Ongoing habitat and access improvements on Kabekona River done in cooperation with Minnesota DNR fisheries and Trout Unlimited. » Lake associations are engaged in ensuring septic system compliance surveys and providing education on proper maintenance for riparian and non-riparian Subsurface Sewage Treatment Systems (SSTS), provide low-interest loans and other incentive programs for noncompliant systems. » Maintain vegetated shorelines and vegetated littoral zones and establish and maintain 50-foot average and 30-foot minimum buffers on all riparian lands in compliance with State buffer law (Minnesota Statutes 103B and 103F.48, Subd. 4). 	<ul style="list-style-type: none"> » Work with landowners on conservation pasture management. » Implementation focus on Minnesota DNR- and MPCA-identified, high-quality recreation and ecological value resources identified within the WRAPS. » Focus on trout streams and any high-value unnamed tributaries (e.g., Bungashing Creek, Kabekona River and Necktie River). » Prioritize streams whose condition is projected to adversely affect wild-rice habitat. » Acquire conservation easements along high-priority trout streams. Easements provide angler access, protect riparian areas, and allow access for fisheries management. » Develop a beaver-management plan. » Ensure proper management of gravel pit operations to avoid adversely affecting adjacent streams. » Enhance the connectivity and in-channel sediment transport (connectivity/bedload). » Modify or remove structures (e.g., culverts that inadvertently trap sediment to allow fish passage through project reach). » Remove or modify any repeatedly damaged structures in the project area to reduce the potential for flood damages. 	<ul style="list-style-type: none"> » Expand the implementation focus to include Kawishiwash Creek, Pokety Creek, and Stall Creek. 	<ul style="list-style-type: none"> » Expand the implementation on high-quality recreation and ecological value resources that were identified in the WRAPS and other studies to full protection levels.

The Advisory Committee developed and presented recommendations for each resource-management goal (Table 2-2) to the Policy Committee for their review and approval. The Policy Committee reviewed, refined, and approved the Advisory Committee's recommendations. Although goal statements were developed for the climate and risk, quality of life, and leadership values, measurable goals were not established for these values. The goals statements for these values will be used as a prioritization tool to direct the investment of time and resources during the plan implementation. The process for evaluating these values for program and project implementation is discussed in Chapter 6.0.

Table 2-2. Example of Recommended Management Goals That Were Identified for Each Natural World Value in the Leech Lake River Comprehensive Watershed Management Plan.



2.2 NATURAL WORLD MEASURABLE GOALS

Measurable goals, which are a critical component of the 1W1P, were established based on the results from the analysis and prioritization of values and concerns. The protection goals that have been established reflect no negative changes in a resource condition, and a risk assessment was conducted to develop the measurable goals. For the natural world values that require restoration actions, management strategies were identified. In each case, robust discussions within Advisory Committee and Policy Committee meetings led to a clearly defined and measurable plan.

Throughout the planning process and when defining measurable goals, the following questions were considered:

- » Can we state the values in a way that addresses what people care about?
- » What is the preferred future condition? What needs to change and how do we get there?
- » How many changes can we make during the 10-year plan period? (measurable goal)
- » What actions can we take that effectively work toward our goal (output), and what do we expect to accomplish (outcome)?
- » Can our outcomes be measured directly? What indicator will we use?
- » Who else needs to be involved? What is their role and what can we do to motivate them?
- » What other assumptions are we making about the results of our work? What evidence (e.g., existing data, models, literature values, and anecdotes) leads us to believe our collective actions will lead to the preferred results? How confident are we?
- » Do people care enough about the issue to make the required investments to reach the goal?

The steps to developing measurable goals that meet the 1W1P planning guidance requirements are described in greater detail in the following sections.

PROCESS FOR DEVELOPING NATURAL WORLD VALUE MEASURABLE GOALS

Measurable goals were developed for the 10-year plan's natural world values and targeted subwatersheds. Strategies identified in existing plans were adopted when possible, or otherwise, the Advisory Committee developed and presented recommendations to the Policy Committee for approval. Measurable goals were designed to be specific and clearly defined. Each measurable goal was developed to demonstrate progress during its assessment. The Advisory Committee members also contributed details regarding what should be accomplished, who will be involved, how long the process will take, and the location and purpose of any strategy. This information was used to develop the targeted implementation plan and programs. Outcomes, outputs, and indicators were developed for each measurable goal.

2.3 PRIORITIZING SUBWATERSHEDS

A screening process was developed to prioritize the implementation efforts over the LLRCWMP's 10-year cycle. Hydrologic Unit Codes (HUC) are a sequence of numbers that identify a hydrologic feature or drainage area. HUC Level 12 (HUC12) drainage units (commonly known as subwatersheds), were used to identify the greatest opportunity to address multiple natural world values and resulted in a priority subwatershed ranking. The LLRCWMP expands from WRAPS-identified priority HUC12s because the LLRCWMP considers the natural world values of wetlands, groundwater, forests, and working lands. The following four steps were used to prioritize subwatersheds.

1
STEP

REFINE NATURAL WORLD VALUE CATEGORIES

The original set of prioritized natural world values were reviewed and refined for more effective screening of HUC12s. Impoundments, wetlands, and upland habitat natural world values were omitted from the screening process because of

WATERSHED-WIDE GOALS

- » Reduce phosphorus loading by 5 percent.
- » Maintain an average annual discharge of 747,000 acre-feet at the USGS gage in Ball Club, MN.
- » Implement stormwater management practices to reduce phosphorus loading from a 1.1-inch rain event by 60 percent .

KNOW THE FACTS

- » HUC Level 2 defines large drainage regions, such as the Upper Mississippi River, which is (HUC2-07).
- » HUC Level 8 defines drainage units that are at the level of the familiar Minnesota DNR Major Watersheds. For example, the Leech Lake River is HUC8 07010102.
- » HUC Level 12 defines the smallest federal drainage units, for example, the Woman Lake subwatershed is HUC 070101020305.
- » Minnesota DNR catchments are even smaller than HUC Level 12.
- » Lakesheds refer to the immediate area that drains to a lake.

outdated or insufficient data. For example, wetlands were omitted because the National Wetland Inventory and County Geologic Atlas (Part B) are both scheduled to be completed in 2019. However, impoundments, wetlands, and upland habitats are included in watershed-wide programmatic implementation actions.

2 STEP

GATHER DATA RELATED TO EACH PRIORITY NATURAL WORLD VALUE

Information related to each natural world value was collected from various existing databases and reports and used to develop screening metrics for each natural world value. The Advisory Committee provided input that further refined the screening process metrics.

The screening metrics were used to identify subwatersheds where implementation is most needed or has the greatest opportunity. To determine these locations, opportunity and risk measures associated with each natural world value were combined and evaluated. To evaluate which recreational lake subwatersheds to focus implementation efforts on, the four metrics in Table 2-3 were evaluated.

IMPORTANT DATA SOURCES

- » Leech Lake River WRAPS
- » Hubbard and Cass local water management plans
- » Land-use data
- » State forest disturbance data
- » Forests for the Future and Forest Stewardship plans
- » State water quality and trend data
- » State biological significance data
- » State groundwater sensitivity data
- » Property-value and private-public ownership data
- » US Census and Enhanced 911 address data

Table 2-3. Natural World Value Screening Metrics for Recreational Lakes

Recreational Lake Metric	Function
Lake Use Classification	Screens out and prioritizes the lakes most likely to be used for recreational activities.
Lake Access	Ranks lakes by the number of established lake-access points.
Current Shoreline Development	Ranks lakes by the extent of current developmental pressure along the shoreline.
Future Shoreline Development	Estimates the potential build-out of a given lake to identify the locations where increased pressure may occur and where proactive strategies might be applied.

3

STEP

DEVELOP AND REFINE SCORING CRITERIA FOR EACH NATURAL WORLD VALUE

Scoring criteria were established for each metric to rank resources. In some cases, the existing criteria were used (e.g., Minnesota DNR general development, recreational development and natural environment lake classifications). Similarly, the MPCA lake water quality trend categories were used to rate high-value lakes. Some metrics involved developing indices using readily available GIS datasets. For example, the index value for the current shoreline development metric for recreational lakes was created using property ownership and property value data. Properties with an on-site building value greater than \$10,000 were used to classify a parcel as developed. The total acreage of these parcels was divided by a lake's total acreage to generate a ratio and represent the existing developmental pressure. In all cases, each index was assigned a value between 0.01 to 1.0. Appendices I–P provide detailed information on each natural world value's metrics, why they were chosen, their data sources, and their scoring criteria.

4

STEP

ANALYZE HUC12S

The screening metrics from Step 3 were used to evaluate and rank each of the HUC12s in the watershed. Tabular and mapped results from the three analyses described in Table 2-4 were developed.

Table 2-4. Subwatershed Analysis

HUC12 Analysis	Method and/or Utility
1. Scored individual screening metrics for each natural world value	The key factors used to evaluate opportunity and risk were screened and breakpoints were established for each HUC12 (Appendices I–P).
2. Summed natural world value screening metrics for each HUC12	The individual metrics for each natural world value were summed for each HUC12 to evaluate which HUC12's offer the most opportunity or are at most risk (Appendix Q).
3. Aggregated all the natural world value scores for each HUC12	The HUC12's that received the top scores from the previous analysis were summed. The resulting aggregate value reflects the HUC12's with greatest opportunities to obtain multiple benefits. These are the targeted subwatersheds. (Appendix R).

The Policy Committee was presented with the results of the above analyses for their review, comments, and approval. The resulting priority HUC12s for each Natural World Value and targeted subwatersheds that provide the greatest opportunity to obtain multiple benefits, represent the areas of concentrated effort during the 10-year planning period. Implementation actions will occur throughout the LLR Watershed and specific actions related to programs within prioritized and targeted HUC12s will be identified. The implementation actions can occur in nonprioritized areas of the watershed if opportunities that do not diminish the focus to watershed priorities are presented. Additional results from these analyses are in Appendices I–R.

EXAMPLES OF HOW CRITERIA WERE DEVELOPED AND HOW SCORING WAS REFINED FOR EACH NATURAL WORLD VALUE

- » High Value/Priority Rivers and Streams: Three metrics were used; the first two—PCA-DNR Ranking Status and Wild Rice Streams—capture high value streams by allocating a top score of 1 in both metrics for streams that have the highest PCA-DNR ranking and support known wild rice stands. The third metric (Years Since Forest Disturbance), was chosen to identify current risks to these top-ranking streams. Forest disturbance includes recently harvested stands, fires, disease, blowdowns, and more. Forest integrity affects hydrology and sediment delivery to rivers and streams. The extent of the impacts varies based on the size of the disturbance and how recently the disturbance occurred. The greater the extent and the more recent the disturbance, the greater the current effect on hydrology will be. Minnesota DNR spatial/age disturbance data were used to evaluate the potential risks to streams as determined by forest disturbance. Data were screened by years since the disturbance. The years since forest disturbance was used to generate a multiplier to prorate a given area's acres, assuming recent disturbances reflect the greatest hydrologic alteration and that full hydrologic functions would be restored at year 20. This adjusted disturbance value was multiplied by the acreage resulting in an adjusted disturbance acre (ADA). All disturbances in each HUC12 were summed resulting in an adjusted disturbance acre value (ADAV). This system scores the risk of altered hydrology and sediment transport higher in more recently disturbed areas than in reestablished areas. Summed ADAVs were assigned a decimal score according to the following scale:

> 500 acres =	0.01
250–500 acres =	0.33
100–250 acres =	0.66
< 100 acres =	1.00

For example, a 10-acre disturbance that occurred 5 years ago would result in an ADAV of 7.5 acres (5 years divided by 20 years resulted in a 2.5-acre credit assuming some vegetation reestablishment). Future risks associated with forest harvests are also important. To assess for future risks, local managers will review the Minnesota DNR Forest Disturbance data to identify locations likely to be harvested based on stand species composition and age.

- » Several Natural World Value metric criteria use existing monitoring data to help screen for prioritization. For example, water quality trends in lakes derived from several years of monitoring provide insights into whether a lake is showing a declining water quality trend, is close to the threshold of impairment, is increasing its water quality trend, or has no data from which to determine its status. When a given metric lent itself to the use of this screening method, numeric values were developed for each trend category. For example, values of 1.00, 0.66, 0.33, and 0.01 were assigned to Close to Threshold, Declining Trend, No Data, and Rising Trend, respectively.
- » For calculated indices (e.g., Current Shoreline Development), scoring values were assigned at breakpoints in the data. The percentage of developed land area in relation to the lake's area was designated as the following:

0–25 percent	1.00
25–50 percent	0.66
> 50 percent	0.33

In the case of current shoreline development, this scoring identifies minimally impacted lakes. In contrast, the future shoreline development metric is intended to identify the areas likely to see increased shoreline development in the future. This metric is the ratio of developable (i.e., undeveloped private) shoreline acres to lake acres and was assigned the following scoring indices:

> 50 percent	1.00
25–50 percent	0.66
0–25 percent	0.33

2.4 SUMMARY OF LLRCWMP VALUES AND GOALS

The primary focus of this plan is to protect the LLR Watershed’s natural resources, which are referred to as natural world values. Quality of life, leadership, climate and risk, and cultural resources are also important values. The natural world values are the basis of the plan while the other values will become more important to consider during plan implementation. This section provides an overview of all the values.

NATURAL WORLD VALUES

The LLR Watershed has high-quality resources, and the baseline measurable goal is to maintain the current resource quality. Opportunities may arise to improve the existing resource quality and protect resources from potential impacts of increasing population growth, resource pressure, and climate change. These levels of goal attainment apply to the current 10-year planning cycle. An overview of implementation actions for each natural world value is provided in Chapter 4.0.



Figure 2-2. Natural World Value Word Cloud Indicating the Keyword Frequency Use From the Input Process. The Larger the Word, the More Frequently It Was Used During the Input Process. The Colors Are to Differentiate Words.



Figure 2-3. Natural World Priority Values With Corresponding 10-Year Plan Management Goal.



QUALITY OF LIFE

The LLRCWMP stakeholders value their quality of life and want to improve the community's quality of life by implementing this plan. Their goals include stimulating sustainable growth and development, enhancing public health and safety, preserving historic and cultural resources, and maintaining views and local character.



Figure 2-4 Quality of Life Values Word Cloud Indicating the Keyword Frequency Use From the Input Process.



LEADERSHIP

The natural world value goals established in this plan will be more achievable and sustainable with strong, effective, and committed leadership. To obtain the needed level of leadership, the LLRCWMP partners will foster collaboration and teamwork and provide opportunities for authentic stakeholder involvement. The partners will work to improve the integration of infrastructure to obtain multiple benefits for capital improvement projects. Plans will be developed for the long-term monitoring and maintenance of capital improvement projects. The LLRCWMP partners will work toward consistency in the land use and regulatory environment throughout the LLR Watershed by addressing conflicting regulations and policies.



Figure 2-5. Leadership Values Word Cloud Indicating the Keyword Frequency Use From the Input Process.

activities. Although the impacts are to local stands, the cumulative effect of these threats can have significant implications. Current trends in population growth and development pressure within and surrounding the Leech Lake Reservation indicate that anthropogenic impacts to wild-rice habitat will only be compounded in the next several decades.

The productivity of wild-rice stands in the LLR Watershed will largely depend on its protection and management by tribal and state natural-resource agencies. The role of these agencies is complicated by the limitations of authority and challenges posed by multiple jurisdictions, as well as the annual variability of wild-rice crops caused by weather and other factors. The lack of information about the natural ecology of wild rice, historical losses, and trends in abundance and distribution, threaten its future [Minnesota DNR, 2008], and, consequently, affects the futures of the people of the LLBO.

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

1. 2019 Request for Proposals for One Watershed, One Plan Planning Grants – Julie Westerlund –

DECISION ITEM

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2019 Request for Proposals for One Watershed, One Plan Planning Grants

Meeting Date: March 27, 2019

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Region – Local Water Management Section

Contact: Julie Westerlund

Prepared by: Julie Westerlund

Reviewed by: Grants Program and Policy Committee(s)

Presented by: Julie Westerlund

Time requested: 10 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approve 2019 Request for Proposals for One Watershed, One Plan planning grants.

LINKS TO ADDITIONAL INFORMATION

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

The purpose of this agenda item is for the Board to approve the 2019 Request for Proposals for One Watershed, One Plan Planning Grants. Relative to the 2018 RFP, the timeline for responses was shortened from 12 to 10 weeks and one item was added in the proposal section. (item #2 on page 3). Otherwise, the proposal elements and selection criteria remain unchanged.



BOARD ORDER

One Watershed, One Plan Program 2019 Request for Proposals

PURPOSE

Authorize the 2019 Request for Proposals (RFP).

FINDINGS OF FACT / RECITALS

1. Minnesota Statutes §103B.801 establishes the Comprehensive Watershed Management Planning Program, also known as the One Watershed, One Plan Program.
2. The Board has authority under Minnesota Statutes §103B.3369 to award grants to local units of government with jurisdiction in water and related land resources management.
3. The Laws of Minnesota Laws of Minnesota 2017, 1st Special Session, Chapter 91, Article 2, Section 7(i) appropriated funds to the Board for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach.
4. The One Watershed, One Plan Grant 2019 RFP was reviewed and approved by the Board's Senior Management Team on January 7, 2019 to forward to the Board's Grants Program and Policy Committee for consideration.
5. The Board's Grants Program and Policy Committee reviewed the 2018 One Watershed, One Plan Grant RFP on February 26, 2019 and recommended approval to the Board.

ORDER

The Board hereby:

1. Authorizes staff to finalize, distribute, and promote a 2019 Request for Proposals.

Dated at St. Paul, Minnesota, this March 27, 2019.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Attachments:

- 2018 One Watershed, One Plan Grant Policy
- 2019 Request for Proposals

2018 Grants Policy

One Watershed, One Plan Planning Grants

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

Version: 1.00

Effective Date: 03/28/2018

Approval: Board Decision #18-15

Policy Statement

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

Reason for this Policy

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

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

Requirements

1. Applicant Eligibility Requirements

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

2. Match Requirements

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

3. Eligible Activities

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

4. Ineligible Expenses

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

5. Grantee Administration of Clean Water Fund Grants

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

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

6. BWSR Grant Administration Requirements

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

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

History

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

One Watershed, One Plan Planning Grants

Request for Proposals

March 28, 2019

Request for Proposals (RFP) General Information

The Clean Water Fund was established to implement part of Article XI, Section 15 of the Minnesota Constitution, with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams in addition to protecting ground water and drinking water sources from degradation. The appropriation language governing the use of these funds is in Laws of Minnesota 2017, Chapter 91, Section 7. These funds must supplement traditional sources of funding and may not be used as a substitute to fund activities or programs. Final funding decisions will be dependent on the actual funds available. Up to \$1,000,000 is currently available; additional funding may be available pending legislative appropriation.

Proposal Guidelines

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

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

Grant Execution

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

Policies for participating in the program as well as additional resources for planning, can be found at: www.bwsr.state.mn.us/planning/1W1P/index.html. Successful respondents will be subject to version 2.0 of the program policies (*One Watershed, One Plan Operating Procedures* and the *One Watershed, One Plan - Plan Content Requirements*).

Project Period

The project period starts when the grant agreement is executed, meaning all required signatures have been obtained. Work that occurs before this date is not eligible for reimbursement with grant funds. All grants must be completed by June 30, 2022.

Payment Schedule

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

Incomplete Proposals

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

Clean Water Fund Project Reporting Requirements

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

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

Grants and Public Information

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

Conflict of Interest

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

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

Submittal

All responses must be electronically delivered to: BWSR.Grants@state.mn.us and must be received no later than 4:30 p.m. June 6, 2019. Late responses will not be considered. The burden of proving timely receipt is on the respondent.

Comprehensive Watershed Management Plan Development Proposals

To propose a watershed area, describe the qualifications of interested respondents.

1. Provide a general watershed map of the proposed planning boundary (map may be separate from the written information). If the proposed planning boundary deviates from the *1W1P Suggested Planning Boundaries*, provide a brief narrative of the reasons for the deviation.
2. Provide the name for your watershed planning boundary. Each planning partnership determines the name for the planning boundary (prior to participation in the program, boundaries are only numbered).
3. In consideration of the local government units (LGUs) within the boundary, provide a table with: a list of all counties, soils and water conservation districts, watershed districts, and watershed management organizations, and the percentage of the jurisdictional land area of each local government within the boundary. For a list of required participants and land percentages for planning boundaries shown on the *1W1P Suggested Planning Boundaries*, contact julie.westerlund@state.mn.us.

- a. Whether each LGU is a required participant (see section II of the *One Watershed, One Plan Operating Procedures*)
 - b. Indication of interest of each LGU (e.g. verbal, letter, resolution, etc.) or why a given LGU is not interested
 - c. Name and contact information for the primary contact(s) for each LGU
4. Briefly describe technical information data sources (TMDLs, diagnostic studies, models, plans, WRAPS, etc.) that will help inform the development of the comprehensive watershed management plan.
 5. Briefly describe the capability (experience with plan development, project and consultant management, facilitation, etc.) and availability (ability to commit time to the effort) of staff and local officials to participate in plan development.
 6. Briefly describe how the planning partnership will leverage each LGU's watershed management capacities and strengths (e.g. current water programs, areas of expertise), and how completing the plan will result in collaborative implementation approaches, shared services, and acquiring non-local funds for implementation.
 7. Briefly describe discussions among the LGUs within the boundary regarding the plan development process (the minimum requirement is that initial discussions have taken place, not that decisions have been made).
 - a. Potential governance structure for the planning effort (e.g. memorandum of agreement, joint powers agreement, etc.)
 - b. Roles and responsibilities for the planning effort (e.g. administrative lead, fiscal agent, plan writing and facilitation consultants, etc.)
 - c. Cost estimate (range)

Selection Criteria

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

1. Responses to questions in this RFP, considered as follows (failure to include information that addresses each of the elements below will be considered an incomplete proposal):
 - a. Inclusion of general watershed map and description of any boundary changes consistent with question 1.
 - Minimum: map (including proposed boundary changes if applicable) included with proposal
 - b. Inclusion of a table of local government information consistent with question 2.
 - Minimum: indication of support from required participants
 - Preferred: resolution of support signed by required participants
 - c. Pertinence of existing studies, plans, and information consistent with question 3 to the development of the comprehensive watershed management plan.

- Minimum: monitoring and assessment report (and stressor identification report, if applicable) approved
 - Preferred: TMDL calculations and WRAPS document sufficiently developed to inform planning
 - Highly Preferred: TMDL and WRAPS report on public notice or approved when proposal is submitted
- d. Demonstration of the partnership’s readiness and commitment to planning together, based on early discussions of: capability, availability, and commitment to plan together, a shared understanding of one another’s current work and strengths, and a vision for future watershed management that includes better resource outcomes and improved use of existing and future funding, consistent with questions 4 and 5.
- Minimum: the following have been discussed or shared: staff capability and availability for planning, information about capacity and strengths present in each LGU.
 - Preferred: group has discussed 1W1P with local officials; group has shared information about one another’s local programs; group has discussed a common vision for the future management of the watershed.
- e. Demonstration of understanding of the scope of work required for development of a comprehensive watershed management plan, consistent with question 6.
- Minimum: group has discussed administrative roles.
 - Preferred: potential policy members have been identified and have met; MOA is drafted.
 - Highly preferred: MOA is signed by all required participants
 - Highly preferred: work plan and/or detailed budget drafted
2. Geographic distribution
3. Recommendation of the BWSR staff and inter-agency review committee

BWSR Grant Administration

BWSR reserves the right to partially fund any and all proposals based on the number of eligible proposals submitted, anticipated staff time requirements, and the amount of funding available. Proposals that are deemed complete may be considered for future proposal periods.

Timeline

- March 28, 2019– Proposal period begins
- June 6, 2019 – Proposal deadline at 4:30 PM
- June – August – Proposal review
- August 29, 2019 - BWSR Board approval of planning grant recipients
- Plans submitted to BWSR by June 30, 2022

Questions

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

COMMITTEE RECOMMENDATIONS

Central Region Committee

1. Kanabec County Comprehensive Local Water Management Plan Update – Kevin Bigalke –
DECISION ITEM
2. Meeker Soil and Water Conservation District Change in Location of Principal Office Headquarters
– Doug Thomas - ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

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

Meeting Date: March 27, 2019

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central

Contact: Jason Weinerman

Prepared by: Jason Weinerman

Reviewed by: Central Committee(s)

Presented by: _____

Time requested: 15 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 approval of the Kanabec County Local Water Management Plan Update 2019-2028

LINKS TO ADDITIONAL INFORMATION

- <http://www.kanabecswcd.org/wp-content/uploads/2019/02/2019-WP-draft-2-022619.pdf>
- http://www.kanabecswcd.org/wp-content/uploads/2018/06/Priority-Concerns-Scoping-Documents-Appendix-A_2016.pdf

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

The Kanabec County Local Water Management Plan was approved by the Board on August 23, 2007 and expired with an amendment on December 31, 2019. The Kanabec County Priority Concerns Scoping Document was affirmed by the board on March 22, 2017. The County submitted the final plan to the board for review on December 12, 2018 along with all required materials. The responding state agencies indicated support for approving the plan as submitted.

The BWSR Central Region Committee is scheduled to meet on March 14 and will decide to provide a recommendation for the full board to approve the plan from March 27, 2019 to March 27, 2028. Draft documents are included in the board notice and updated documents will be provided at the board meeting to reflect the committee recommendation.

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

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

**ORDER
APPROVING
COMPREHENSIVE
LOCAL WATER
MANAGEMENT PLAN**

Whereas, the Board of Commissioners of Kanabec County (County) submitted a Comprehensive Local Water Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on December 12, 2018 pursuant to Minnesota Statutes, Section 103B.315, Subdivision 5, and;

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

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

FINDINGS OF FACT

1. On December 9, 2016 the Board received a Priority Concerns Scoping Document from Kanabec County, pursuant to Minnesota Statutes, Section 103B.312.
2. On March 22, 2017 the Board approved official comments on Kanabec County's Priority Concerns Scoping Document. The approval was mailed to the county on March 22, 2017.
3. The Plan focuses on the following priority concerns:
 - A. Surface water quality and quantity
 - B. Groundwater quality and quantity
 - C. Land use
4. On December 12, 2018, the Board received the Plan, a record of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Minnesota Statutes, Section 103B.315, Subd. 5. State agency representatives attended and provided input at advisory committee meetings during development of the Plan. The following state review comments were received during the comment period.

Summarize comments received or indicate no comments received, and indicate recommendation of approval or not.

- A. Minnesota Department of Agriculture: Found plan consistent with statute and policy and recommended approving plan as submitted.

- B. Minnesota Department of Health: Appreciated the inclusion of groundwater and drinking water and recommended approving the plan as submitted.
 - C. Minnesota Department of Natural Resources: Found plan consistent with statute and policy and recommended approving plan as submitted.
 - D. Minnesota Pollution Control Agency: Found a factual error on page 50 of the initial plan. The water planner made the recommended change. MPCA recommends approving the plan as amended.
 - E. Minnesota Environmental Quality Board:
 - F. Minnesota Board of Water and Soil Resources regional staff: Found plan consistent with statute and policy and recommended approving plan as submitted.
5. **Central Regional Committee.** On March 14, 2018, the **Central** Regional Committee of the Board reviewed the recommendation of the state review agencies regarding final approval of the Plan. Those in attendance from the Board's Committee were **Bd Comm Member Names**. Board staff in attendance were **Region** Regional Manager **Reg Mgr Name**, and Board Conservationist **BC Name(s)**. The representatives from the County were **County Attendees Names**. Board regional staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee's decision was to present a recommendation of approval of the Plan to the full Board.
6. This Plan will be in effect for a ten-year period until March 27, 2028.

CONCLUSIONS

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

ORDER

The Board hereby approves the attached update of the **Kanabec County** Comprehensive Local Water Management Plan 2019-2028 **with an amendment by March 27, 2023**

Dated at **Town Bd Mtg Held**, Minnesota, this 27 of March, 2019.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair



March 27, 2019

Kanabec County Commissioners
c/o Teresa Wickeham, Water Plan Coordinator
903 Forest Avenue East
Mora, MN 55051

RE: Approval of the Kanabec County Comprehensive Local Water Management Plan Update

Dear Kanabec County Commissioners:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Kanabec revised Comprehensive Local Water Management Plan (Plan) was approved at its regular meeting held on March 27, 2019. Attached is the signed Board Order that documents approval of the Plan and indicates the Plan meets all relevant requirements of law and rule.

This update of the Plan is effective for a ten-year period until March 27, 2028, with Goals, Objectives and Action Items to be amended by March 27, 2023. 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.

The commissioners and staff, local partner agencies, and water plan advisory members are to be commended for writing a plan that clearly presents water management goals, actions, and priorities of the County. With continued implementation of this water plan, the protection and management of Kanabec County's water resources will be greatly enhanced. The BWSR looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Board Conservationist Jason Weinerman of our staff at 320-223-7072 or Jason.weinerman@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: Jeffrey Berg, MDA (via email)
George Minerich, MDH (via email)
Craig Wills, DNR (via email)
Eric Alms, MPCA (via email)
Kevin Bigalke, BWSR Regional Manager (via email)
Jason Weinerman, BWSR Board Conservationist (via email)
Cari Pagel, BWSR (file copy)



Kanabec County

Water Plan

2019 - 2028

KANABEC COUNTY COMPREHENSIVE LOCAL WATER PLAN

COUNTY BOARD OF COMMISSIONERS

Gene Anderson
Kathi Ellis
Dennis McNally
Les Nielsen
Craig Smith

WATER PLAN COMMITTEE

Chad Gramentz	Kanabec County Engineer
Teresa Wickeham	Environmental Services Director/Water Plan Coordinator
Ellen White	Public Health Nurse
Deanna Pomije	Kanabec Soil & Water Conservation District, District Manager
Gene Anderson	Coordinator County Board Commissioner
Allan Ambrose	Citizen Member
Paul Hoppe	Kanabec Soil & Water Conservation District, Supervisor

SOIL AND WATER CONSERVATION DISTRICT

Joyce Sawatzky	Chairperson
Kevin Belkolm	Vice-Chairperson
Jan Anderson	Treasurer
Gene Carda	Member
Paul Hoppe	Member

WATER PLAN TECHNICAL STAFF

Teresa Wickeham	Environmental Services Director
Deanna Pomije	Kanabec Soil & Water Conservation District

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EXECUTIVE SUMMARY

The Kanabec County Comprehensive Local Water Plan update was coordinated with the assistance of a committee of eight members. Information obtained through the scoping document process dictated priority concerns for the county.

AUTHORITY

The authority to prepare comprehensive local water plans was granted to counties in 1986 when the Minnesota Legislature passed the Comprehensive Local Water Management Act. The legislature recognized the need to manage the State's surface and ground waters in a comprehensive manner and determined that water resource planning should occur at the county level as local residents are in the position to recognize problems and identify and carry out needed actions to effectively address local water resource issues.

PURPOSE OF PLAN

The purpose of Kanabec County's Comprehensive Local Water Plan is:

- To identify existing and potential challenges or opportunities for the protection, management, and development of water resources and related land resources in Kanabec County and the Snake River Watershed.
- To develop and implement an action plan to promote sound water management decisions.
- To use the plan in seeking funds for implementation of our planned action items.
- To achieve effective environmental protection of Kanabec County's water and land resources.

Based on the understanding of existing conditions, county officials can then decide:

- What water resources are necessary and desired for future growth and development;
- And determine a course of action to achieve and maintain the quality of life desired in Kanabec County.

Kanabec County recognized that counties must develop their own local plan for managing water resources. If not, they will eventually lose the opportunity to make intelligent, local choices that anticipate or prevent water resource problems in the future.

Kanabec County also recognizes that a well-developed comprehensive water plan can also integrate local initiatives with existing state and federal water related programs and funding sources. This integration also allows more effective management of all programs developed for the protection of water resources and the general environment.

SCOPE OF PLAN

This comprehensive local water plan addresses the physical, surface water, ground water and related land resources. The plan utilizes existing data and local public input.

Discussion within the plan addresses primarily water quality. Although water quantity is also addressed, quality is a more prominent problem within Kanabec County.

PLANNING PROCESS

The Kanabec County Board of Commissioners passed a resolution on June 13, 1990, to engage in this water planning process and enter into an agreement with the Minnesota Board of Water and Soil Resources. On August 24th, 2005, the Kanabec County Board of Commissioners passed a resolution, indicating their intent to update the 2001 plan. The Kanabec County Board of Commissioners delegated the task of coordinating water planning to the Kanabec County Water Plan Administrator. In addition, the Water Planning Committee was charged with the task of updating the comprehensive local water plan for Kanabec County.

FUTURE PLANNING

The Snake River Watershed Restoration and Protection Strategies (WRAPS) report is anticipated to be re-written or updated in 2019. This is after the completion of the cycle two surface water quality monitoring project (2017-18). The water quality monitoring results will be reviewed for any improvements or added impairments to our surface waters of the Snake River Watershed.

Currently under development (through the summer of 2018) is a Snake Watershed Landscape Stewardship Plan. This is a plan that will assist in prioritizing protection strategies and practices that address our local resource concerns. It will entail a lot of forestry strategic options to protect our existing good water quality. Protection practices are generally less expensive than working to clean up impaired waters. This plan is due to be completed in 2018.

Discussion has started with the Snake River Watershed Management Board on the proposed 'One Watershed One Plan' process is anticipated to commence soon, possibly 2020. The planning process may take about two years. This new 'One Watershed One Plan' will eventually replace this Water Plan. The Snake River Watershed Management Board is an appropriate group to start down this planning process as they already meet regularly and represent the Snake River Watershed major four county area.

PAST ACCOMPLISHMENTS 2011 - 2018

Since approval of the current Kanabec County Comprehensive Local Water Plan, the following items have been funded. Several of these are on-going items that will continue to be addressed in this updating of the plan.

Education and Information

The Kanabec SWCD and the NRCS have worked with local schools to establish a water quality education program called “River Watch”. The program is conducted each spring and fall and includes Mora and Ogilvie schools.

In 2016 and 2017, the Kanabec SWCD hosted a booth at the Mora Area Home Show for further outreach on Aquatic Invasive Species and on the completed Mora Stormwater Study. Every year 2012-2015, the Water Plan Committee hosted a booth at the Kanabec County Fair. This reached a more diverse group of people than the Home Show. As part of these outreach events in 2016 and 2017 private well water was tested for nitrate levels. This provided a service to the residences of Kanabec County with a better understanding their drinking water quality. The data collected from nitrate well water testing will continue to be collected and eventually compiled spatially. Our intent is that the spatial data, over time may show trends to where high nitrates are occurring in the county for future targeting of conservation best management practices to prevent continued nitrates from entering our aquifers.

Inventory and Mapping

In 2005, the Water Plan Committee started funding the county ditch inventory. This ongoing mapping of the ditches will help access the county ditches for future water projects. Water Plan funds have been used to assist with the completion of a soil survey for Kanabec County. In 2005, the survey was completed. This is the first detailed soil survey of Kanabec County.

During 2000, septic system compliance inspections were completed for several residences around Lewis Lake. Water Plan funds were used to complete the inspections. By 2001, all participants made the required repairs or replacements.

Land and Water Treatment

Feedlot Improvements – Water Plan funds have been used to provide technical assistance for feedlot improvements. This has been ongoing and will continue throughout the upcoming years.

Manure Management Plans – Water Plan funds have been used to provide technical assistance for manure management plans. This includes calculating application rates to best protect water quality and provide proper crop nutrients. Additional manure management plans are underway and will continue in the upcoming years.

Shoreline Erosion Control – Water Plan funds have been used to provide technical assistance and cost sharing for development and installation of shoreline erosion control plans. The emphasis on natural vegetative buffers will be ongoing through the upcoming years.

Water Monitoring and Data Collection

Well testing for families with new babies is another project, where Water Plan money has been used. This on-going program is a valuable tool in preventing health risks to newborn infants. The SWCD is planning to offer well nitrate testing annually at the Fair or Mora Expo. The results are being spatially represented in order to see if trends develop, where there are vulnerable groundwater areas are in the county.

A summary of recent water monitoring by the SWCD follows:

2012: A Clean Water Partnership, phase I protection grant allowed for 6 streams and 3 lakes to be sampled.

2013: A Clean Water Partnership, phase I protection grant allowed for 6 streams and 3 lakes to be sampled. In preparation for a Mora Stormwater Report on the city of Mora's runoff, 5 stormwater outlets were sampled using a YSI monitoring probe.

2014: A Clean Water Partnership, phase I protection grant allowed for 6 streams and 3 lakes to be sampled. The Mora stormwater 5 sites continued to be sampled.

2015: A Clean Water Partnership, phase I protection grant allowed for 6 streams and 3 lakes to be sampled half way through this summer. The Mora stormwater 5 sites continued to be sampled.

Spring Lake, just northeast of Mora was sampled upstream and downstream for the Mora Stormwater report.

2016: A Clean Water Partnership, phase II protection grant allowed for 6 streams and 3 lakes to be sampled.

2017: A Clean Water Partnership, phase II protection grant allowed for 6 streams and 3 lakes to be sampled. Under a MN PCA Surface Water Assessment Grant the 2nd cycle of sampling was started in the Snake River Watershed in preparation for a rewrite of the Snake WRAPS report. This involved sampling 11 stream sites and 5 lakes. Lake volunteers are being utilized.

2018: The second and final year of the Surface Water Assessment Grant sampling continues.

Water quality monitoring of Knife Lake has been done since the initial water plan in 1992.

Average summer water quality characteristics for lakes in Kanabec County can be classified in two ecoregions: Northern Lakes and Forests, and North Central Hardwood Forests. The boundary between these two regions is north of Ann Lake and through the Knife River watershed heading east. Parameters for the two ecoregions are recommended by the MPCA as follows:

<u>Parameter</u>	<u>Northern Lakes & Forests</u>	<u>North Central Hardwood Forest</u>
Total Phosphorus (mg/l)	.014 - .017	.023 - .050
Secchi Disk (feet)	8 – 15	4.9 – 10.5
Chlorophyll-a (mg/l)	<10	5 – 22
Nitrate + Nitrite (mg/l)	<.01	<.01
Total Suspended Solids (mg/l)	<1 – 2	2 – 6

The monitoring of lakes within Kanabec County has also been established using Water Plan funds. Water samples are collected on area lakes from May through September. Samples are tested for levels of nitrates, phosphorous, chlorophyll and other parameters as needs arise. The SWCD continues to be called upon by concerned citizens in regards to testing for water quality both surface and ground water. The SWCD assists with monitoring were feasible, practical and when funding is available, otherwise they will refer citizens toward the needed resources.

The Water Plan Committee will meet regularly at least twice per year to coordinate and plan activities. A detailed plan of action will be prepared annually to adequately fund and assign responsibility for completing the necessary priority items to achieve the desired goals. This will provide flexibility and allow for better management of funds and personnel to achieve the water plan’s goals.

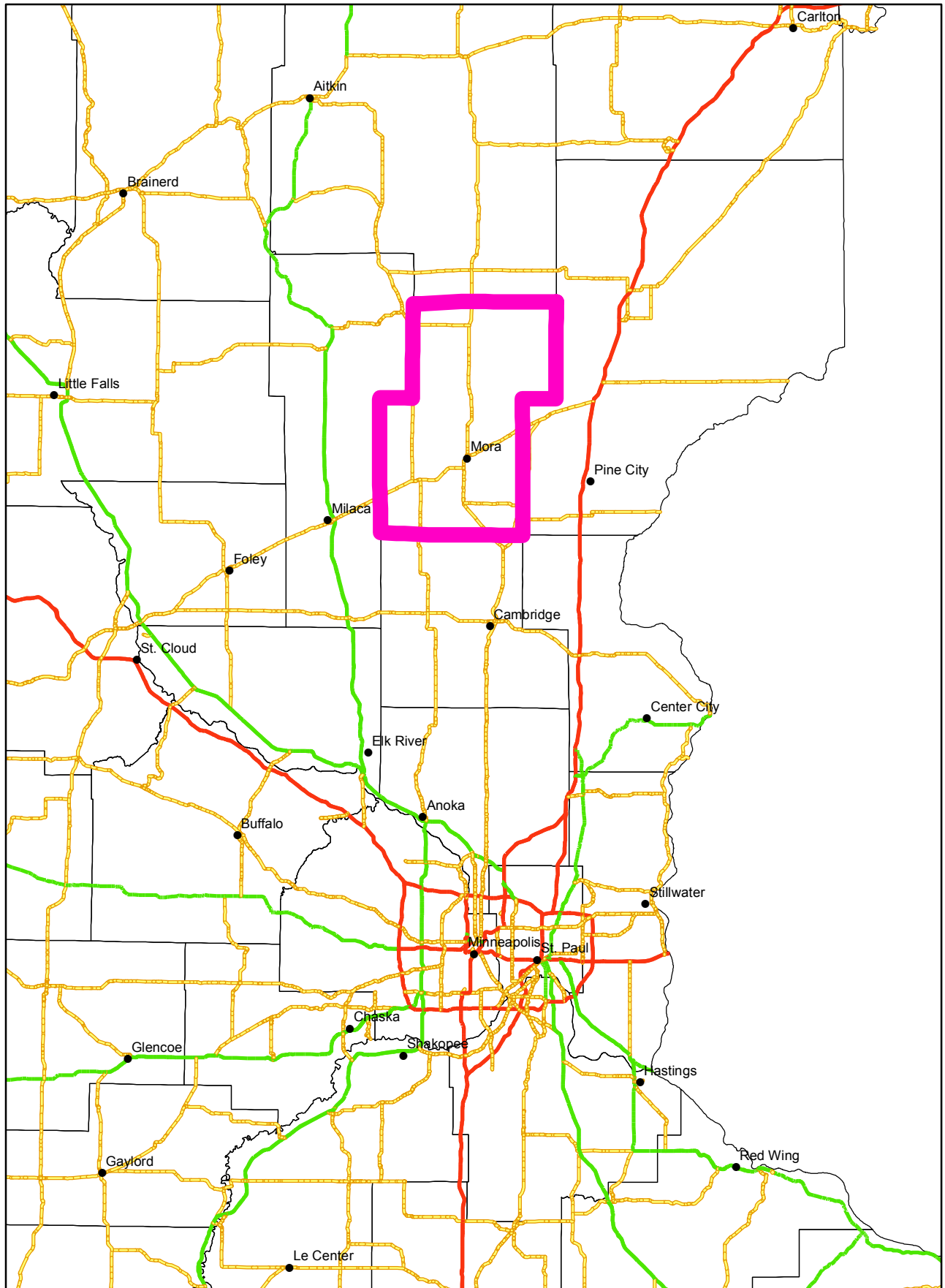
PLANS - LOCAL

Land uses and development activity affect water resources. For this reason, the State rules for the preparation of comprehensive local water plans require the submission of any existing water and related land resources plans and official controls. Existing water and related land resources plans must be fully utilized in preparing the comprehensive water plan.

This correlation between local plans and controls and the local comprehensive water plan continues after the preparation and adoption of the plan. The Water Planning Act states that local unit of government shall amend existing water and related land resource plans and official controls as necessary to conform them to the applicable, approved comprehensive water plan.

It is therefore important to evaluate local plans to determine what types of plans and controls exist, their consistency throughout the hydrologic system, and their effectiveness in addressing existing and potential problems.

Kanabec County, Minnesota



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Meeker Soil and Water Conservation District Change in Location of Principal Office Headquarters

Meeting Date: March 27, 2019

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Region

Contact: Tara Ostendorf

Prepared by: Kevin Bigalke

Reviewed by: Central Regional Committee(s)

Presented by: Doug Thomas

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

Pursuant to [Minn. Stat. § 103C.221](#), a change of location of principal office of a district must be approved by BWSR. BWSR must file a certified copy of the resolution with the secretary of state.

LINKS TO ADDITIONAL INFORMATION

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

On February 5, 2019, the Meeker SWCD Board of Supervisors passed a resolution approving the district’s change of principal office location to 522 Johnson Drive, Litchfield, MN from 916 East St. Paul Street, Litchfield, MN.

The BWSR Central Region Committee is scheduled to meet on March 14 and will decide to provide a recommendation for the full board to approve the change of principal office location for the Meeker SWCD offices. Draft documents are included in the board notice and updated documents will be provided as necessary at the board meeting to reflect the committee recommendation.

Board Resolution # 19- _____

**Resolution Accepting Change in Office Location
for Meeker Soil and Water Conservation District**

WHEREAS, the Meeker Soil and Water Conservation District Board of Supervisors adopted a resolution dated February 5, 2019, to change the office headquarters from 916 East St. Paul Street, Litchfield, MN 55355 to 522 Johnson Drive, Litchfield, MN 55355; and

WHEREAS, the Board of Water and Soil Resources must act on the change of office location pursuant to Minn. Stat. § 103C.221.

THEREFORE BE IT RESOLVED, the Board of Water and Soil Resources hereby approves the change in office location of the Meeker Soil and Water Conservation District from 916 East St. Paul Street, Litchfield, MN 55355 to 522 Johnson Drive, Litchfield, MN 55355.

THEREFORE BE IT FURTHER RESOLVED, this one-page Resolution of the Minnesota Board of Water and Soil Resources, Number 19-____ dated March 27, 2019, approving the change in office location of the Meeker Soil and Water Conservation District is hereby certified as true and correct.

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

State of Minnesota
County of Ramsey

Subscribed and sworn to before me this ____ day of March, 2019.

Notary Public

March 27, 2019

The Honorable Steve Simon
Secretary of State
180 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Via Hand Delivery

Dear Mr. Secretary:

Pursuant to Minn. Stat. § 103C.221, hereby enclosed for filing is a certified copy of the Minnesota Board of Water and Soil Resources Resolution Number 19-___ dated March 27, 2019, one page, which approves the change in the location of the office of the Meeker Soil and Water Conservation District from 916 East St. Paul Street, Litchfield, MN 55355 to 522 Johnson Drive, Litchfield, MN 55355.

Please contact me if you have questions.

Sincerely,

John Jaschke, Executive Director
Minnesota Board of Water and Soil Resources

Enclosure

c: Meeker County Administrator
Meeker Soil and Water Conservation District
Minnesota Association of Soil and Water Conservation Districts
Kevin Bigalke, BWSR

CERTIFICATE OF RESOLUTION

I HEREBY CERTIFY that at a meeting, duly called, of the Board of Supervisors of the Meeker Soil & Water Conservation District (Meeker SWCD), at which meeting a quorum was present and acting, the following preamble and resolution was adopted and ever since has been and now is in full force and effect:

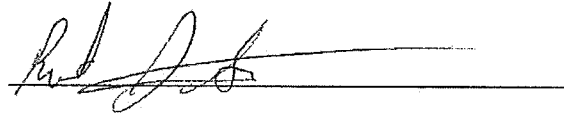
WHEREAS, the USDA offices of the Farm Service Agency and Natural Resource Conservation Service will be moving from 916 East St. Paul Street, Litchfield, MN 55355 to 522 Johnson Drive, Litchfield, MN 55355, and

WHEREAS, the Board of Supervisors and staff of the Meeker Soil & Water Conservation District (SWCD) deem it in the best interest of Meeker County landowners and the SWCD to remain co-located,

NOW THEREFORE, BE IT RESOLVED, that the official location of the offices of the Meeker SWCD be established at 522 Johnson Drive, Litchfield, MN 55355.

Dated this 5th day of February, 2019.

By:



Robert Schiefelbein, Chairman

COMMITTEE RECOMMENDATIONS

Wetlands Committee

1. Authorizing Development of a Transition Plan for the Minnesota Wetland Delineator Certification Program (WDCP)– Les Lemm and Dave Weirens – ***DECISION ITEM***
2. Wetland Mitigation Fee Policy Addendum Reduction in Credit Value for Agricultural Wetland Bank Fees – Tim Smith – ***DECISION ITEM***
3. Wetland Credit Acquisition Plan – Local Government Roads Wetland Replacement Program – Les Lemm and Tim Smith – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Authorizing Development of a Transition Plan for the Minnesota Wetland Delineator Certification Program (WDCP)

Meeting Date: March 27, 2019

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Wetland Section

Contact: Les Lemm, Wetlands Section Manager
Ken Powell, WCA Operations

Prepared by: Coordinator

Reviewed by: Wetlands Conservation Committee(s)

Presented by: Les Lemm and Dave Weirens

Time requested: 15 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

Authorize staff to develop a plan in cooperation with the University of Minnesota to transfer administration of the WDCP to BWSR and present that plan to the board for consideration in the Fall of 2019.

LINKS TO ADDITIONAL INFORMATION

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

Since 2005, the University of Minnesota (UM) has managed the Wetland Delineator Certification Program (WDCP). Since then, more than 2,600 individuals have participated in courses related to wetland delineation and over 400 individuals have been certified. Recent discussions between BWSR staff the UM has resulted in a proposal to shift program management from the UM to BWSR. The Board's Wetland Conservation Committee has reviewed WDCP program information and recommend directing staff to work with the UM to develop a plan to transition WDCP management from the UM to BWSR for future Board consideration. Staff will summarize background information, reasons for considering change, and elements to be included in such a transition plan.



BOARD ORDER

Authorizing Development of a Transition Plan for the Minnesota Wetland Delineator Certification Program (WDCP)

PURPOSE

To authorize staff to develop a plan to transfer the administration of the WDCP to BWSR from the University of Minnesota Water Resource Center.

FINDINGS OF FACT / RECITALS

1. In 2002 the Board of Water and Soil Resources (Board) via resolution 02-104 endorsed development of an implementation plan to certify wetland delineators in Minnesota and to enter into agreements with the University of Minnesota to implement the plan pursuant to Minnesota Statutes 103G.2242, Subdivision 2(c).
2. Pursuant to resolution 02-104, a certification plan for wetland delineators was developed and has been administered by the University of Minnesota and BWSR since 2002. The program is referred to as the Minnesota Wetland Delineator Certification Program (WDCP).
3. The WDCP has successfully educated over 2,600 individuals and certified over 400 wetland delineators since inception. It remains an important component of the Wetland Conservation Act (WCA) program.
4. The science and methodology of wetland delineation as well as the academic preparedness of wetland professionals has changed considerably since 2002. This has created the need to adapt and evolve the WDCP to continue to make it relevant and useful for the implementation of WCA and other wetland regulatory programs in the state.
5. The University of Minnesota Water Resources Center has determined that it is not positioned to best meet future program needs, and it desires to transfer full administration of the WDCP to BWSR.
6. The transfer of the program to BWSR is likely to result in increased certification and program participation of local government unit staff, and it would allow for program expansion and diversification to meet future needs.
7. The Wetland Committee at their March 7, 2019 Meeting, reviewed this proposal and recommended the Board approve this order.

ORDER

The Board hereby:

1. Authorizes staff to develop a plan in cooperation with the University of Minnesota to transfer administration of the WDCP to BWSR and present that plan to the board for consideration.

Dated at St. Paul, Minnesota, this March 27, 2019.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Attachments:

- Minnesota Wetland Delineator Certification Program (WDCP) Board Order Addendum, March 27, 2019
- BWSR Board Resolution 02-104, December 4, 2002
- University of Minnesota Memorandum, December 13, 2018



Minnesota Wetland Delineator Certification Program (WDCP) BWSR Board Order Addendum

March 27, 2019

I. Background.

What is it?

The WDCP is a certification and training program for professionals that complete and/or review wetland delineations in Minnesota. It is administered by the University of Minnesota Water Resources Center (University) in partnership with BWSR. The program has three components:

1. Certification testing.
2. Annual training classes.
3. Continuing education and certification renewal.

Program Purpose

The purpose of the program is to increase and maintain the level of knowledge and expertise for those conducting and reviewing wetland delineations in Minnesota. It provides the public with a level of protection by assuring them that certified delineators have had the appropriate background and training related to wetland delineation in Minnesota. Wetland delineations and determinations can have a significant bearing on land use decisions and values.

For BWSR as the agency overseeing implementation of the Wetland Conservation Act (WCA), the program provides the following:

1. More stability for implementing WCA through standardized training, experience and educational requirements for delineators.
2. Increased efficiency of the regulatory process by standardizing delineation expectations and products.
3. Protects landowners and other consumers by providing trained and qualified delineators for identifying regulated wetland on private and public lands.
4. Better serves the environment by increasing the accuracy and precision of delineated wetland boundaries.
5. Provides an incentive for practitioners to maintain and enhance their delineation skills.

What it is *not*?

It is not a licensure program. State licensure programs typically define (by statute) the tasks, functions and scope of practice of a profession and further stipulate that these tasks be legally performed only by those who are licensed. In contrast, the WDCP is a voluntary program that lacks specific statutory authority to operate like a licensure program.

The program does not assure that certified delineators are necessarily competent in conducting or reviewing wetland delineations. It only assures that they have the necessary background, training and knowledge to become competent in conducting or reviewing wetland delineations in Minnesota. The program only tests participants on their knowledge of the principles and methods associated with delineating wetlands, it does not test or evaluate their ability to delineate wetlands. Such testing and evaluation would require significantly more resources, raise program costs and expand the program well beyond its current scope.

Establishment, History and Current Operations

The basis for the program is Minnesota Statutes 103G.2242, Subdivision 2(c) as follows:

Persons conducting wetland or public waters boundary delineations or type determinations are exempt from the requirements of chapter 326. The board may develop a professional wetland delineator certification program.

The board in consultation with other agencies and stakeholders developed a plan with specific recommendations in December 2000 that included funding from the legislature. The legislature failed to fund the program in 2001. BWSR passed a board resolution on December 4, 2002 (attached) authorizing staff to enter into agreements with the University to develop and implement a delineator certification program. Initial start-up costs were funded via a loan from the University. A new program plan was developed in April 2005 with the first certification exam in August 2005. Training courses, including the 5-day basic wetland delineation class were initiated and have continued to this day. The program charges fees for exams, training and re-certification as a means to self-fund operations. The start-up loan was repaid to the University via BWSR in-kind services by 2010.

Since inception, the program has trained over 2,600 individuals in various courses related to wetland delineation. Almost 200 students were enrolled in one or more training courses in 2018. Over 400 people have been recognized by the program as certified or in-training.

The program is a partnership. The University registers students, collects fees, administers exams, issues certifications, processes certification renewals, coordinates class refreshments, secures classrooms and hosts the program's website. BWSR manages classes, selects field sites, manages and creates course content, creates exams and secures course instructors. BWSR and the University work together to formulate annual training class schedules, assemble class materials and instruct classes. Occasionally, a few instructors for some of the classes work for the St. Paul District Army Corps of Engineers (Corps) and the Natural Resource Conservation Service. The Corps is an informal partner in the program. The Minnesota Wetland Professionals Association (WPA) is consulted when significant program changes are considered, the last being in 2010 when re-certification continuing education requirements were revised.

The program remains voluntary. BWSR has no specific statutory authority to make it mandatory at this time. There is a requirement in WCA rule for members LGU staff serving on Technical Evaluation Panels to be "knowledgeable and trained" in wetland delineation and evaluation wetland functions, but this does not extend to the private sector and does not provide the basis for a mandatory certification program.

II. Impetus for Change.

Since program inception in 2002, both the scientific understanding of and the methods and procedures related to wetland delineation have improved. Additionally, new professionals are graduating with a stronger understanding and background in wetland delineation. Wetland delineation training is still needed, but other related aspects such as regulatory compliance with WCA and Section 404 of the Clean Water Act are just as important. Future expansion of the program to incorporate various technical and policy aspects of regulatory assessment and compliance are a logical extension of the program. BWSR and our other wetland/water regulatory partners (Corps, DNR), not the University, have the expertise in this area.

BWSR and WDCP program staff from the University have had past and ongoing discussions about how to improve and expand the program as well as making it more accessible to local government unit (LGU) staff. In context of these discussions, a 12/13/18 letter from the university (attached) articulated that they do not see potential for program growth and changes as it is currently administered. They went on to suggest possible future options, both of which involve transferring program administration to BWSR.

The program needs to adapt to changing circumstances related to wetland delineation and wetland regulation in general. Specific future needs of the program include the following:

1. Increased certification and program participation of LGU staff.
2. Expansion and diversification of the program beyond wetland delineation.

To achieve the first goal, training and certification costs would need to be reduced, training courses would need to be held in more remote outstate areas, and training agendas and topics would need to be adapted to local circumstances. While program participation by LGU staff is strong in and around the twin city metro area, it is significantly less prevalent in many outstate areas. Additionally, some of the standard delineation methods emphasized in the classes are rarely used in some areas where specific types of landscape alterations (agricultural row crops) require alternate methods and procedures. BWSR is in a better position than the University to remove the barriers to increased LGU participation by incorporating program components into our existing training efforts and resources.

III. Proposed Action.

BWSR staff is proposing to work with the University of Minnesota to develop a plan to transition the WDCP to BWSR. We are requesting the board to authorize staff to develop such a plan. The plan would include a timeline for transition, development of a budget and personnel plans for program administration, development of stakeholder advisory group, identification of program goals and articulation of program changes to meet those goals. The University supports this proposal and is looking forward to working with BWSR to ensure that the needs of Minnesota's wetlands professionals continue to be met.

IV. Proposed Schedule.

BWSR staff anticipates presenting a plan to the board for consideration in the fall of 2019.

Resolution # 02-104

Resolution Endorsing the Development of a Plan to Certify Delineators in Minnesota

WHEREAS, Chapter 382 (Minnesota Laws of 2000) required the BWSR, in consultation with the Minnesota Association of Professional Soil Scientists, the University of Minnesota and the Wetland Delineators Association to submit a plan for a professional delineator certification program to the legislature by January 15, 2001; and

WHEREAS, A plan for the certification of professional delineators was completed in December 2000 and submitted to the legislature for consideration during their 2001 session. The plan noted that without funding, a delineator certification program could not be initiated. And although legislative funding was sought for implementation of the plan, none was provided. Implementation of the plan has since been idle; and

WHEREAS, As stated in the plan "A wetland delineator certification program would provide stability to the implementation of the Wetland Conservation Act and other wetland regulations by formally recognizing individuals uniquely qualified to perform wetland delineations." In addition, consumers will be protected knowing that delineations would be conducted by qualified persons operating under a code of ethics; and

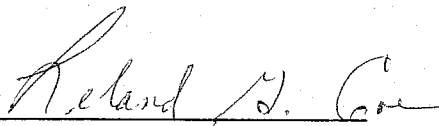
WHEREAS, Continued pressure to develop environmentally sensitive lands, including wetlands, and pressure on staff of local government to expedite paperwork has heightened the need for project applications that are technically correct; and

WHEREAS, With respect to projects impacting wetlands, a technically correct wetland delineation is essential for efficient implementation of the Wetland Conservation Act and other wetland regulations; and

WHEREAS, The UM College of Food, Agriculture and Environmental Science and the Department of Soil, Water and Climate has agreed to consider a proposal from the BWSR to fund the implementation of a wetland delineator certification program.

THEREFORE BE IT RESOLVED, That the BWSR endorse development of an implementation plan to certify wetland delineators in Minnesota and authorize staff to enter into agreements and memoranda necessary to implement the plan. The implementation plan will be reviewed for approval at a future BWSR meeting.

BE IT FURTHER RESOLVED, That in determining an implementation schedule and budget, BWSR staff consider the difficult fiscal situation currently facing agencies and local government.


Leland Coe, Chairman, BWSR

Dec 4, 2002
Date

To: Dave Weirens, Assistant Director for Programs and Policy, BWSR
Ken Powell, Wetland Conservation Act Operations Coordinator, BWSR
Ben Meyer, Wetland Specialist, BWSR

From: Joel Larson, Associate Director, Water Resources Center
Dan Wheeler, Program Lead - Wetland Delineator Certification
Elizabeth Wells, Program Coordinator - Wetland Delineator Certification

Subject: Future of the University of Minnesota Wetland Delineator Certification Program

Date: December 13, 2018

Since its inception in 2001, the University of Minnesota's (UM) Wetland Delineator Certification Program (WDCP) has delivered a quality and coordinated education program and certification process for wetland professionals across Minnesota. The key to the program's educational successes has been in the strong commitments of UM, BWSR and other external partners. We have educated well over 1,300 individuals in our 5-day Basic Wetland Delineation courses. Since 2008 we have taught an additional 1,300 attendees in various other wetland delineation-related course offerings. However, we have not been able to retain these professionals as Certified Wetland Delineators and Wetland Delineators In-training within our program.

In discussions with wetland professionals, we recognize that the wetland profession has changed considerably since 2001. We now have established scientific understanding—including Regional Supplements—on which to base much of our wetland delineation work. In addition, our Basic Wetland Delineation 5-day course has satisfied many LGUs and professionals in providing sufficient knowledge without the need for certification. Taken together, the need for a wetland delineator certification program alone is more difficult to justify.

Emerging needs for wetland education do exist around the regulatory and administrative aspects of the MN WCA and Section 404 of the Clean Water Act. Broadening the scope of the current Wetland Delineator Certification Program to include other types of training not directly related to wetland delineation has value to the broader wetland profession and creates additional and wider audiences from various related professionals.

Moving forward the UM WDCP would like to see wetland certification remain or grow statewide. However, we do not see this potential from within our existing certification program. The University of Minnesota Water Resources Center (WRC) and the WDCP do not house the expertise for this scope of training and certification. In addition, the administrative management

of the WDCP is limited; expanding the scope of the program within the WRC is not feasible at this time.

Regardless of the future direction of the WDCP, the WRC is committed to educating wetland scientists and remains committed to coordination and education around our 5-day Basic Wetland Delineation courses as well as collaborating on the MN Wetlands Conference with the Minnesota Wetland Professionals Association.

We see the following as viable future options:

1. UM WDCP transfers records, exams and any necessary training materials to the MN Board of Water and Soil Resources for administration, accreditation and education related to the WDCP.
 - a. MN BWSR keeps the WDCP focused and broadens the opportunities for continuing education to include various regulatory (or other) aspects of wetland professionals; or
 - b. MN BWSR broadens the scope of the wetland certification to include regulatory, restoration, etc. topics. This would involve new or updated exams, additional accreditation, new or updated educational offerings, etc. to be managed by BWSR or another partner.
2. The UM WDCP phases out our certification program over the next two years. UM Water Resources Center continues to educate wetland scientists with coordination and training of 5-day Basic Wetland Delineation courses. We also will maintain our role with the MN Wetlands Conference.

We wanted to share our position before any discussion so that you had time to consider this change and discuss options within BWSR and to see if you have other alternatives you would like to discuss. Please do not hesitate to contact us with any further thoughts or questions.

BOARD MEETING AGENDA ITEM

**Wetland Mitigation Fee Policy Addendum
Reduction in Credit Value for Agricultural Wetland Bank Fees**

AGENDA ITEM TITLE: _____

Meeting Date: March 27, 2019

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Wetlands Section

Contact: Tim Smith

Prepared by: Tim Smith

Reviewed by: Wetlands Conservation Committee Committee(s)

Presented by: Tim Smith

Time requested: 15 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 type="checkbox"/> Clean Water Fund Budget |

49% reduction in wetland bank fees associated with agricultural wetland account transactions based on 2018 data.

ACTION REQUESTED

Approval of Board Order to Amend the Wetland Mitigation Fee Policy

LINKS TO ADDITIONAL INFORMATION

The supporting information (fee policy addendum) can be found at the following location:

U:\Main\Board\Committees\Wetlands Conservation Committee\March 2019 Fee Policy Addendum

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

Since the updated wetland bank fee policy went into effect on June 1, 2017 BWSR Wetland Section staff have received several comments suggesting that the fees for agricultural banking accounts are disproportionately high relative to the overall transaction cost. In response, an analysis of prices was conducted for agricultural bank account and standard account credits for sales completed between 2015 through 2018. This analysis showed that agricultural credits were 54% lower in cost (value) than standard credits in BSAs that reported both agricultural and standard credit cost information. Based on this information and after further evaluation and analysis, staff recommended that the wetland credit value coefficient, a multiplier that reflects the value added to the land as a result of the wetland restoration activities, be reduced from 6.0 to 3.2 for agricultural bank accounts and that the credit value and corresponding fees for agricultural wetland bank accounts be calculated using the revised wetland credit value coefficient. This recommendation was approved by the Wetlands Conservation Committee on March 7, 2019.

BOARD ORDER

Wetland Mitigation Fee Policy Addendum Reduction in Credit Value for Agricultural Wetland Bank Fees

PURPOSE

To reduce fees for agricultural wetland banks by reducing the credit value coefficient from 6.0 to 3.2.

FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) has the responsibility to collect fees based on the value of wetland credits for administering the state wetland bank program pursuant to Minn. Stat. § 103B.103, Subd. 3 and § 103G.2242, Subd. 14 and 15.
2. The Board previously established the Wetland Banking Fee Policy (03-93) and updated this policy through Board actions 07-88, 08-113, 11-09, and 11-98.
3. The Board adopted a new Wetland Mitigation Fee Policy effective June 1, 2017 (16-87) to replace the previous policy established in Board Action 11-98.
4. On March 28, 2018 the Board amended the Wetland Fee Policy (18-24) to include policies for single-user accounts and stewardship of large mitigation sites effective May 1, 2018.
5. The Wetland Mitigation Fee Policy established a single credit value for each bank service area that is the product of the average land value and the wetland credit coefficient. The wetland credit coefficient reflects the value added to the land encompassed by the mitigation bank easement as a result of the activities completed to generate wetland credits.
6. Staff have further analyzed the administrative fees established under current Board policy and have determined that the calculated credit value used to establish fee amounts is disproportionately high for credits from agricultural wetland banks. In particular, the wetland credit coefficient is too high for agricultural wetland bank credits.
7. The Wetlands Conservation Committee reviewed the proposed “Wetland Mitigation Fee Policy Addendum – Reduction in Credit Value for Agricultural Wetland Bank Fees” on March 7, 2019 and recommends approval of the addendum and publishing the corresponding revised fees for agricultural bank accounts using a credit coefficient of 3.2.”

ORDER

The Board hereby:

1. Amends the Wetland Mitigation Fee Policy as adopted by Board Resolution 16-87, and subsequently amended, to include the "Credit Value Determination for Agricultural Wetland Banks" Addendum dated March 27, 2019 which sets the credit value coefficient used to determine fees for agricultural wetland banks at 3.2.

Dated at St. Paul, Minnesota, this March 27, 2019.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Attachment:

- Wetland Mitigation Fee Policy Addendum



Wetland Mitigation Fee Policy Addendum

Reduction in Credit Value for Agricultural Wetland Bank Fees

March 27, 2019

I. Background.

This document is a second addendum to the Minnesota Board of Water and Soil Resources (BWSR) “2017 Wetland Mitigation Fee Policy,” effective June 1, 2017 (2017 Policy). The first addendum added policies for single-user accounts and stewardship of large mitigation sites and was approved by the Board on March 28, 2018. The purpose of this addendum is to reduce the credit value coefficient for agricultural wetland banks from 6.0 to 3.2.

The 2017 Policy changed the way credit values were determined for wetland bank fees. Account holders and credit buyers were no longer given the option to base fee payments on the actual value of the credits. Instead, fees are now based on credit values determined by BWSR in accordance with procedures in the 2017 Policy. While this has simplified and streamlined the determination of applicable credits for most transactions there has been an unintended adverse consequence for agricultural wetland banks (Ag Banks). Several account holders have commented that the fees associated with Ag Bank transactions are disproportionately high because the value of credits in most Ag Bank transactions is significantly lower than that for standard wetland banks. BWSR staff completed an analysis of Ag Bank transaction data for the past four years (2015 through 2018) and found that, on average, Ag Bank credits sold for 54% less than standard credits in bank service areas based on reported credit cost information.

II. Definitions.

An Ag Bank means a wetland bank where the credits must be generated from a wetland restoration. The credits can only be used by agricultural producers for projects that impact wetlands on cultivated land.

III. Credit Value Determination for Agricultural Wetland Banks

As outlined in the 2017 Policy (section III, part H), the calculated credit value is a product of the land value and the wetland credit value coefficient. The wetland credit value coefficient is determined based on the average ratio of credit sale price to land value, using credit sale price information voluntarily reported to BWSR via withdrawal transaction forms.

Average Ag Bank credit sale prices were calculated for each bank service area (BSA) that had Ag Bank transactions using transaction data from 2015, 2016, and 2017 (land value information for 2018 is currently not available so this year could not be included in the determination). The average credit cost was compared to a weighted land value average that took into account the average land value for each BSA and the number of transactions that occurred in that BSA each year. The wetland credit value coefficient was determined by dividing the weighted land value average by the average credit cost. A single credit value coefficient of 3.2 was obtained by averaging the value calculated for each year.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Wetland Credit Acquisition Plan – Local Government Roads Wetland Replacement Program

Meeting Date: March 27, 2019

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Wetlands Section

Contact: Les Lemm

Prepared by: Les Lemm

Reviewed by: Wetlands Conservation Committee(s)

Presented by: Les Lemm and Tim Smith

Time requested: 20 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of the Local Government Roads Wetland Replacement Program Wetland Credit Acquisition Plan via Board Order.

LINKS TO ADDITIONAL INFORMATION

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

BWSR regularly receives appropriations to acquire wetland credits for the Local Roads Wetland Replacement Program (LGRWRP). The receipt of these funds has always been followed by Board authorization to implement processes to develop projects and or acquire wetland credits. Staff have developed guidance that would be used for current and future appropriations to guide the acquisition of credits. This guidance will

increase the efficiency and speed up the process of acquiring wetland credits for the LGRWRP. The Board's Wetlands Conservation Committee has reviewed the Wetland Credit Acquisition Plan and draft Board Order, and recommend approval by the full board. Staff will present some background information, including the current status of the LGRWRP, and summarize the content of the plan.

BOARD ORDER

Wetland Credit Acquisition Plan Local Government Roads Wetland Replacement Program

PURPOSE

To establish a plan for the acquisition of wetland credits for the Local Government Roads Wetland Placement Program.

FINDINGS OF FACT / RECITALS

1. BWSR is directed pursuant to Minn. Stat. 103G.222, Subd. 1(m) (referred to as the Local Government Road Wetland Replacement Program) to provide wetland replacement for certain local government road projects.
2. BWSR operates the Local Government Road Wetland Replacement Program (LGRWRP) to also satisfy the compensatory mitigation requirements of Section 404 of the U.S. Clean Water Act administered by the U.S. Army Corps of Engineers.
3. BWSR and the Minnesota Department of Transportation have entered into an interagency agreement to coordinate the development and provision of wetland credits for state transportation and local government road authority projects.
4. State Bonding and General Funds have been appropriated to the Board periodically since program inception in 1996 to support this statutory responsibility.
5. The Board has regularly adopted resolutions authorizing the acquisition of wetland credits for the LGRWRP, most recently via Board Resolution 17-22 (March 22, 2017) for a 2017 General Fund appropriation and Board Resolution 17-71 (August 24, 2017) for a 2017 Bonding appropriation.
6. Staff have developed the draft document "Wetland Credit Acquisition Plan - Local Government Roads Wetland Replacement Program" as an overall framework for acquiring wetland credits as funds are appropriated for the program.
7. This draft Plan outlines four credit acquisition methods: Easement Sign-up, Contract for Credit, Partnership Project and Bank Credit Purchase.
8. The Plan also provides details on wetland restoration project identification and selection processes that include project targeting, determining the credit acquisition method, project solicitation and identification, project review criteria, the project selection process, and reporting to the Wetland Conservation Committee.
9. The Wetlands Conservation Committee reviewed the proposed "Wetland Credit Acquisition Plan - Local Government Roads Wetland Replacement Program" on March 7, 2019 and recommends approval of the Plan.

ORDER

The Board hereby authorizes BWSR staff to undertake projects and expend funds appropriated for the LGRWRP according to the Wetland Credit Acquisition Plan attached to this Order.

Dated at St. Paul, Minnesota, this March 27, 2019.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Attachments:

1. Wetland Credit Acquisition Plan - Local Government Roads Wetland Replacement Program

Wetland Credit Acquisition Plan

Local Government Roads Wetland Replacement Program

March 27, 2019

I. Background

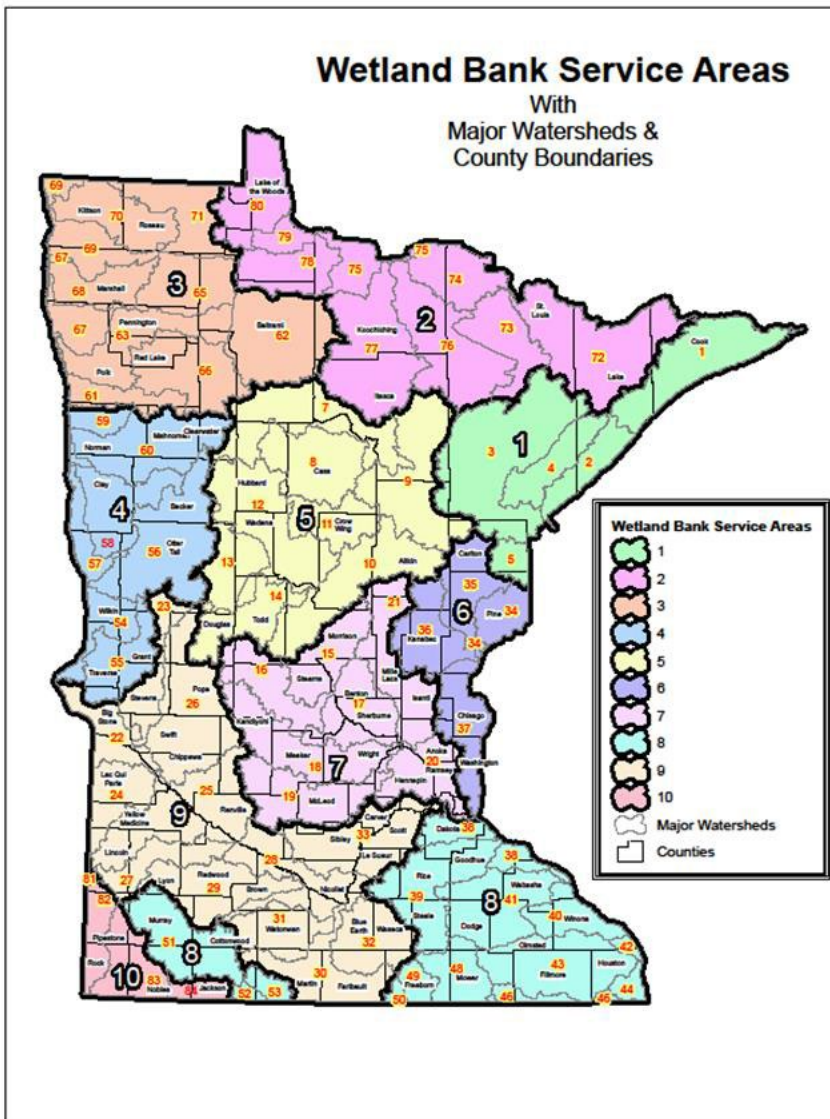
The Minnesota Board of Water and Soil Resources (BWSR) has been charged by the legislature to generate wetland replacement credits for use by local public transportation authorities to satisfy wetland replacement requirements of the Wetland Conservation Act (WCA) and Section 404 of the Federal Clean Water Act. The Local Government Roads Wetland Replacement Program (LGRWRP) provides wetland credits for local public transportation authorities that follow specified notification procedures and have qualifying projects according to criteria established in Minnesota Statutes § 103G.222, Subd. 1(m) and Minnesota Rules Chapter 8420.0544.

To fund the program, the state has typically provided BWSR with periodic bonding appropriations to acquire the necessary property rights, restore wetlands, and generate wetland replacement credits. These wetland restorations are primarily conducted on private lands with cooperating landowners. All such wetland restorations and associated credits are processed and entered into the State wetland banking system as “road replacement banks,” and are required to be protected by a permanent wetland conservation easement specific to wetland banks.

The state has also provided BWSR with general fund appropriations that, in addition to conducting wetland restoration projects as described above, can be used to purchase wetland bank credits from existing wetland bank account holders. These general fund appropriations typically have fewer restrictions than bonding appropriations, which allow for greater flexibility in funding LGRWRP credit generation activities. The ability to purchase wetland bank credits with these funds allows BWSR to address LGRWRP credit deficiencies immediately in areas where the private market can sustain it, rather than the several years it can take for the release of credits associated with BWSR-initiated wetland restoration projects.

Finally, it is common for the Department of Transportation (MnDOT) to collaborate with BWSR on wetland restoration projects that generate credits to be used by both the LGRWRP and MnDOT, and/or to provide funding to BWSR for the purchase of existing wetland bank credits on behalf of MnDOT. Addressing MnDOT’s credit needs in coordination with the LGRWRP creates efficiencies for MnDOT and is beneficial to both agencies. Therefore, any funds provided by MnDOT for wetland credit generating activities will be combined with LGRWRP funds whenever possible and used to generate or obtain wetland credits consistent with this Plan. In the event that LGRWRP funds are not available, BWSR will pursue credit generating activities consistent with this Plan and in accordance with the interagency agreement between BWSR and MnDOT in effect at the time the funds are provided.

Given the uncertainty and variability of wetland replacement needs associated with qualifying transportation projects, BWSR strives to keep an adequate supply of wetland credits in each bank service area (see map below). Having readily available wetland credits in all bank service areas allows public road projects to move forward on schedule and avoids credit penalties (and increased costs to the State) that apply when replacement occurs in a different bank service area than the wetland impact.



II. Credit Acquisition Methods

There are four primary methods that BWSR can use to acquire replacement wetland credits for the LGRWRP, each of which can play an important role depending on program needs and circumstances. They are described below, including some of the relevant advantages and drawbacks of each.

- 1) Easement Sign-up. This method involves the purchase of a perpetual conservation easement from a landowner that allows BWSR staff to design and implement a wetland restoration project. BWSR

typically contracts with the local Soil and Water Conservation District (SWCD) to assist, and contractors are hired by the landowner, BWSR, or the SWCD to implement the BWSR-developed plan. Contractor payments from the landowner are reimbursed by BWSR. The landowner is compensated for the easement, based on 125% of the Reinvest In Minnesota (RIM) per-acre payment rates in place at the time the contract is signed with the landowner. This rate is consistent with the Board approved LGRWRP easement sign-up process conducted in 2012 (Board Resolution 12-117) and subsequent sign-ups. In some areas of the state, this method tends to be the most efficient means (in terms of cost per credit) of producing wetland credits and BWSR has been very successful using it. However, this method involves a significant BWSR staff commitment and may not be an attractive option in areas of the state where RIM rates are relatively low or for landowners wishing to seek greater compensation for the value of the wetland credits generated on their land.

- 2) Contract for Credit. This method involves issuing a request for proposal (RFP) for landowners, and/or other entities in partnership with landowners, to submit proposed wetland restoration projects that would establish credits for use in the LGRWRP. The proposals include a cost per credit that the landowner would sell deposited credits and the associated conservation easement to BWSR. This method requires BWSR to enter into a contract with the landowner to purchase wetland credits at a specified price once they are generated by the landowner through project implementation. This method often results in a higher cost per credit compared to the easement sign-up method. However, it requires significantly less BWSR staff time and could potentially attract landowners willing to front the cost of project implementation in exchange for the higher payment for wetland credits (as compared to the lower payment for wetland easement acres alone). BWSR's experience with this option is that the design and agency review process prior to construction typically takes longer than with BWSR-managed projects, which adds considerable uncertainty to the schedule for obtaining credits for the LGRWRP. In addition, there can be greater risk that projects do not get completed at all due to failure on the part of the landowner to follow through on the agreement. If that occurs, BWSR is left to reallocate funds to other projects resulting in delays, or lose the funding altogether. To help alleviate these risks, staff may target or incentivize projects that have an approved bank plan, or are otherwise already engaged in the review process, but have not yet completed the easement acquisition process.

- 3) Partnership Project. Under this method, BWSR will collaborate with a local government, state agency, landowner, or other entity to apportion the responsibilities for project development and agree on the distribution of the resulting credits and associated payment rates. In effect, this method is a hybrid of methods 1 and 2 above. These partnership projects take advantage of the capabilities and technical resources of each partner where there is a need for wetland credits. These projects maximize economies of scale for wetland bank projects by facilitating the pursuit of larger projects, while BWSR's funds can be used to pursue an increased number of projects statewide because the partnerships reduce the state's total investment in each project. These partnership projects are also a particularly attractive option for landowners in non-agricultural areas of the state where RIM payment rates are low, and for landowners interested in the private banking market, as the ability to retain some of the resulting credits can provide an additional incentive. However, partnership projects can be complicated with respect to dividing the responsibilities and financial commitments to the project, and there may be federal constraints that can restrict the use of partnership projects in certain situations. Another partnership option consists of partnering with a conservation project, where credits are generated for the LGRWRP in a proportion commensurate with the program's overall financial contributions to the project.

- 4) Bank Credit Purchase. This method involves issuing an RFP for wetland bank account holders to submit proposals for the sale of banking credits to BWSR at a specified price. Such credit purchases are typically only pursued when necessary to address immediate credit shortages that cannot be addressed through the completion of wetland restoration projects due to the longer timeframes to generate credits that are associated with those projects. Since the purchase of credits does not involve the acquisition of property rights (the conservation easement has already been recorded), bonding appropriations generally cannot be used to fund this method.

III. Appropriation Conditions

Each funding appropriation will typically carry with it legislative directives and conditions that apply to its use. In addition, state law and policy can also contain additional requirements or limitations on use that can vary by funding source. For example, bonding appropriations can only be spent on projects that include the acquisition of property rights, must be spent in accordance with a spend plan approved by Minnesota Management and Budget, and carry limitations on the funding of staffing activities, overhead, equipment, and supplies.

BWSR staff will strictly abide by all conditions associated with each specific appropriation used to acquire replacement wetland credits for the LGRWRP. Future and past funding sources will be combined on credit acquisition activities where appropriation conditions allow and when it is beneficial for program implementation.

IV. Wetland Restoration Project Identification and Selection Process

This part applies to the implementation of wetland restoration and protection projects to generate credits for use by the LGRWRP, as described in paragraphs 1 through 3 of the Credit Acquisition Methods section. Projects will be solicited through an easement sign-up, RFP, similar public announcement, and/or through direct contact with local governments and landowners. The process to identify and evaluate potential projects is described in the following paragraphs.

A. Project Targeting

Projects will be solicited on a BSA basis. BSAs will be selected based on the projected credit needs of each, the availability and needs of the In-Lieu Fee wetland replacement program, and the amount of available funding. Projected credit needs will be estimated based on the current credit balance, expected deposits, and average annual demand over a three to ten year period. If sufficient projects are not obtained in selected BSAs, or if credit needs change as a result of the actual outcomes of other credit acquisition activities, other BSAs may be targeted based on credit need priority.

B. Determining Credit Acquisition Method

BWSR staff will generally prioritize the use of the Easement Sign-up and Partnership Project options for generating wetland credits for the LGRWRP. These methods provide greater certainty with respect to the project schedule because they utilize in-house agency expertise to design the project and obtain the required agency approvals. A predictable schedule is critical for BWSR to provide credits for local road projects in a timely manner. The Contract for Credit method will primarily be used when an adequate supply of credits cannot be acquired using other methods, or when BWSR's staffing capacity to implement other methods has been exceeded. The project solicitation notification will identify which method(s) will be available for each selected BSA.

C. Project Solicitation and Identification

Prior to soliciting projects, BWSR staff will prepare program and application information, instructions, and forms that will be posted on the BWSR website. Local governments, and other potentially interested entities as appropriate, will be informed of the posted materials and the project solicitation process. SWCDs will be encouraged to provide information and assistance to interested landowners. SWCDs working with landowners on projects selected by BWSR will have the opportunity to receive payment for services they provide for project development and implementation. Payment rates to SWCDs for services associated with selected projects will vary based on project size and the scope of services provided. The process for project solicitation will vary somewhat based on the credit acquisition method used:

- Easement Sign-up. Project solicitation under the Easement sign-up method will consist of a landowner sign-up of potential wetland banking sites. This sign-up will be facilitated through BWSR's local government partners, specifically SWCDs, counties, and non-profit conservation organizations involved in wetland conservation projects. SWCDs will utilize their local knowledge and expertise to help identify potential wetland banking projects and willing landowner participants. Landowners may seek assistance from SWCDs to gather site information and help complete application materials. The easement sign-up period will typically be open for a minimum of 30 days and may be left open continuously, with projects reviewed, ranked, and chosen as funding becomes available.
- Contract for Credit. Project solicitation under the Contract for Credit method will consist of an RFP for wetland restoration projects that will establish credits for the LGRWRP, including a proposed schedule, estimated number of credits, and per-credit price. The contract for a credit project solicitation period will typically be open for a minimum of 30 days, and generally not in excess of 6 months. Staff may issue a new RFP, or extend an open RFP, when additional funding becomes available or when sufficient responses have not been received. Staff may also consider targeting projects that are currently in the bank review process to reduce the time for obtaining credits.
- Partnership Project. Project solicitation for the Partnership Project method will be integrated with the Easement Sign-up and Contract for Credit project solicitation processes. Partnerships may be proposed by the landowner at the time their proposal is submitted, and/or negotiated during the review process based on the specific conditions of the site and the needs of the parties. Payment options may range from payment for the easement plus the value of the additional responsibilities of the landowner, to a per-credit price that takes into consideration the value of services provided by BWSR.

D. Project Review Criteria

To be eligible for consideration, all project applications must meet Minnesota Wetland Conservation Act replacement and construction standards. Applications will be reviewed using the following criteria:

1. Geographic Location. BWSR will give priority to projects located in BSAs with highest credit need as dictated by credit balances or fulfilling requirements imposed through operation of the in-lieu fee program.
2. Credit yield. Priority will generally be given to projects with higher credit yield due to efficiencies of scale. Higher credit yield can be associated with the size of the site, the action eligible for credit, or both.

3. Credit cost. Priority will generally be given to projects with lower per-credit costs. For the Easement Sign-up method, the cost of credits will be based on the estimated cost of the conservation easement, project design and management, and construction/monitoring relative to anticipated number of credits. For the Contract for Credit method, the cost of credits will be determined by the landowner per-credit payment rate plus any BWSR staffing and administrative costs relating to the project. For the Partnership Project method, the cost of credits will be determined by the sum of payments to the landowner plus any BWSR staffing and project implementation costs relating to the project.
4. Technical feasibility. Staff will assess the actions required to restore wetland hydrology and vegetation, the level of complexity of the project, and the reliability of proposed measures. Projects must be technically feasible to be considered for funding.
5. Functional benefit for the watershed. Projects that directly address watershed stressors or impairments, and/or the value of the restored functions and services to the watershed are higher relative to other proposals from the same BSA, will be given priority. For BSAs with high priority areas identified in Compensation Planning Frameworks (CPFs) or other BWSR recognized watershed based mitigation plans, projects will further be prioritized consistent with these documents.
6. Rare or difficult to replace wetland functions or characteristics. Extra consideration will be given for projects that would restore wetlands that are particularly rare or rarely restored.
7. Qualifications of the project sponsor. Staff may consider the qualifications of the project sponsor and the sponsor's agents, contractors, and consultants to fulfill all project-related responsibilities in a high quality and timely manner. In determining the qualifications of the project sponsor, staff may consider past experience with that sponsor.

E. Project Selection Process

The review process will be managed by the BWSR Wetland Mitigation Coordinator or their designee. In addition to Wetlands Section staff, BWSR engineering and technical staff will participate in the review of project applications as appropriate. Input will also be sought from staff of BWSR's resource partners at the Department of Natural Resources, Minnesota Pollution Control Agency, U.S. Environmental Protection Agency, and U.S. Army Corps of Engineers.

In general, the project review criteria will be qualitatively evaluated and placed into broad categories (high, medium, and low) based on the experience and knowledge of staff. An exact quantitative determination of review criteria is not possible or desirable when estimating proposed conditions. Final project selection will weigh the rankings for each of the review criteria and then consider those in terms of the geographic location priority list. For applications of the same credit acquisition method with similar rankings, efforts will be made to distribute selected projects evenly amongst priority areas.

Based on the results of the review, a list of recommended projects and alternates will be compiled by the Wetland Mitigation Coordinator, approved by the Wetlands Section Manager, and presented to the Executive Director or their designee for final approval. Individual projects identified through a continuous sign-up or through direct coordination with local governments will follow this same approval process.

V. Bank Credit Purchase Process

This part applies to the purchase of wetland bank credits using general fund appropriations or other funding sources that allow for such purchases without the associated acquisition of property rights, as described in paragraph 4 of the Credit Acquisition Methods section above.

This method will typically only be used to address areas with low or zero credit balances. However, this method could be more widely used depending on the amount of funding available, the supply of non-LGRWRP bank credits in a given BSA, and the cost of credits. These credit purchases will be completed using a competitive request for proposal process and in compliance with all applicable state contracting provisions. In purchasing credits under this method, BWSR staff will abide by the following principles:

1. BSAs will be prioritized based on current credit balances and projected balances over the following three years. BSAs with a greater immediate need for credits will receive a higher priority.
2. BWSR will not purchase credits from BSAs that do not currently have, or are not projected to have, an adequate supply of credits to support the private market. Staff will base this determination on the availability of deposited credits, expectations for additional credit deposits from in-process wetland bank projects, and typical private credit needs for that particular BSA. The RFP will identify the BSAs for which credit purchases are being considered.
3. In prioritizing BSAs and individual credit purchases, BWSR staff can consider the prices and availability of credits in other BSAs using a watershed approach.
4. Staff may place higher priority on credits that best meet or address state or federal regulatory requirements, such as those that are associated with a certain wetland type or that are located in a priority area. Such priorities will be identified in the RFP.
5. Assuming selection criteria are met equally, and when compared to other prices in the same BSA, credits with a lower price will be chosen for purchase over those with a higher price.
6. Staff will not accept any credit purchase proposal that includes a credit price that is, in the opinion of staff, unreasonably high based on other known credit sales, the availability of other credit options for that BSA, and the cost of BWSR to produce the credits through other methods.

VI. Applicability

This plan applies to all credit acquisition activities of the LGRWRP. These activities must also comply with the requirements of the Minnesota In-Lieu Fee Program for any credits being developed to repay advanced credits under that program. In addition, this Plan becomes effective upon Board approval and remains in effect until revised, superseded, or rescinded. Revisions and updates to this plan will be proposed as necessary for clarity and completeness, or to address new circumstances or requirements. BWSR staff will update the Board's Wetland Conservation Committee typically annually on the status of the LGRWRP and associated credit acquisition activities.