

Board Resolution # 23- 03

BWSR Diversity, Equity and Inclusion Plan

WHEREAS, the Board of Water and Soil Resources recognizes the importance of diversity, equity and inclusion (DEI) and is committed to being intentional and strategic in our efforts to infuse DEI values and practices into the agency's work; and

WHEREAS, the Board of Water and Soil Resources issued a solicitation for the development of an agency-wide Diversity, Equity and Inclusion Plan on Oct 8, 2021; and

WHEREAS, the Board of Water and Soil Resources entered into a contract with Strategy & Effectiveness for these services on December 16, 2021; and

WHEREAS, the Administrative Advisory Committee, BWSR staff members and key partners provided input through surveys and meetings during the period of February 1, 2022 through December 31, 2022; and

WHEREAS, on January 24, 2023 the Administrative Advisory Committee reviewed a final draft of the BWSR Diversity, Equity and Inclusion Plan, and recommended Board adoption.

BE IT RESOLVED THAT, the Board of Water and Soil Resources hereby adopts the attached Diversity, Equity and Inclusion Plan 2023-2025 and directs staff to begin implementing the actions included within.



Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: 1-25-2023

Attachments: BWSR DEI Plan 2023-2025



BWSR Diversity, Equity and Inclusion Plan

2023-2025

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Letter from BWSR Executive Leadership

Staff and partners,

Working together to build an organizational culture that values inclusivity and diversity is key to our work at the Minnesota Board of Water and Soil Resources (BWSR). We believe BWSR should be a place where everyone feels welcome and has access to equitable opportunities, whether they are internal employees or external partners.

This belief served as a catalyst for the development of our agency's first Diversity, Equity and Inclusion (DEI) Plan. Starting in 2021, we accelerated our efforts to improve DEI policies and practices by contracting with Strategy & Effectiveness (S&E) to conduct an agency-wide assessment using the Intercultural Development Inventory (IDI). The goal of this assessment was to understand BWSR's baseline intercultural competence capacities. The findings of the IDI assessment served as a jumping off point to pursue an agency Diversity, Equity, and Inclusion Plan (DEI Plan).

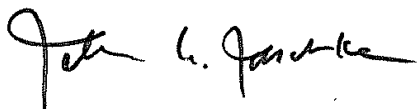
In early 2022, an RFP process selected S&E as the consultant responsible for assisting BWSR in writing its DEI Plan. An internal BWSR workgroup with representatives from our organization's three divisions formed to work collaboratively with S&E to guide the assessment and development of BWSR's DEI strategic planning process. Workgroup members participated in all aspects of the planning process, including collecting feedback from staff and internal partners to inform the plan, gathering baseline information to understand BWSR's DEI needs, analyzing this information to integrate findings into the plan, organizing the plan, and reviewing and editing the plan.

The plan serves several purposes. First, it guides our agency in implementing DEI strategies and values on an organization-wide level. This includes learning, development, ongoing training and other approaches to further integrate DEI into BWSR's work. The plan also outlines steps for launching a DEI Work Group at BWSR to oversee and implement DEI strategies in the long-term.

Our DEI work will require intentional, thoughtful actions by our staff and partners to be successful. This plan acts as a living document that assists BWSR in achieving its DEI goals. I look forward to engaging in this meaningful work with you as we strive to make BWSR a more diverse and inclusive environment for employment and partnerships.

Sincerely,

John Jaschke, BWSR Executive Director

A handwritten signature in black ink, appearing to read "John L. Jaschke". The signature is written in a cursive style with a large initial "J".

Introduction

About BWSR

The Minnesota Board of Water and Soil Resources' (BWSR) mission is to improve and protect Minnesota's water and soil resources by working in partnership with local organizations and private landowners. BWSR was created in 1987, when the Legislature combined the Soil and Water Conservation Board with two other organizations with local government and natural resource ties: the Water Resources Board (established in 1955) and the Southern Minnesota Rivers Basin Council (established in 1971).

A staff of approximately 130 people working in nine locations across Minnesota carry out core agency functions including implementing the state's soil and water conservation policy, overseeing comprehensive local water management, and implementing the Wetland Conservation Act as it relates to the 41.7 million acres of private land in Minnesota.

BWSR policies, programs and initiatives are guided by a 20-member Board. Members can be citizens, state agency staff, or local government representatives that deliver BWSR programs. The Board is the state's administrative agency for 90 soil and water conservation districts, 46 watershed districts, 23 metropolitan watershed management organizations, and 80 county water managers. The Board sets a policy agenda designed to enhance conservation delivery through local government partners. Board members, including the board chair, are appointed by the governor to staggered four-year terms.

Because 78 percent of the state's land is held in private ownership, BWSR's focus on private lands is critical to attaining the state's goals for clean water, clean air, and abundant fish and wildlife. These working lands — Minnesota's farms, forests, and urban areas — contribute greatly to the production of environmental goods and benefits including cleaner air and water, fish and wildlife habitat, and preservation of open spaces.

Agency programs to assist landowners and local governments have resulted in less sediment and nutrients entering our lakes, rivers, and streams; enhanced habitat; and the drastic slowing of wetland losses. These outcomes have been realized despite intensification of agriculture, greater demands for forest products, and rapid urbanization in many parts of the state.

State of Minnesota Diversity, Equity and Inclusion background

The state of Minnesota has been increasingly focused on DEI efforts over the past several decades.

In 1991, Governor Arne Carlson recognized the importance and responsibility of the state enterprise to have a workforce reflective of the diversity of Minnesota and through Executive Order 91-14, created an Affirmative Action Council to develop and implement a program for equal employment opportunity.

In 2003, Governor Tim Pawlenty required state agencies and employees to recognize the unique legal relationship and accord tribal governments the same respect accorded to other governments and required consideration of tribal interests when a state agency assumed administration of federal programs (Executive Order 03-05). Gov. Dayton also affirmed the government-to-government relationship between the State of Minnesota and Minnesota Tribal Nations, and in 2013 required all executive branch state agencies to recognize the unique relationship and all cabinet-level executive

branch agencies to consult with tribes and designate a trained staff person to serve as the principal point of contact for tribal nations (Executive Order 13-10).

Diversity and inclusion were core values of Gov. Dayton's administration. Through Executive Order 14-14, Dayton increased affirmative action employment goals, required training programs and improved strategies to improve the recruitment, hiring, and promotion of people with disabilities. The Dayton administration also established the state's Diversity and Inclusion Council, which continued that affirmative action and equal opportunity employment work (Executive Order 15-02) and in 2016 expanded agency membership to the Council (Executive Order 16-01).

Governor Tim Walz recognized that disparities based on race, geography, and economic status impact Minnesotans' ability to be successful and on his second day in office established the One Minnesota Council (Executive Order 16-01) — an interagency partnership charged with ensuring everyone in Minnesota has opportunity to thrive. Through Executive Order 19-24, Gov. Walz expanded the number of agencies required to develop policies and consult with Minnesota Tribal Nations and directed specific agency staff to complete the states' Tribal State Relations Training. In 2021, government-to-government relationships with Tribal Governments became law (Minnesota Statutes 10.65), which defines specific consultation responsibilities and training requirements for state agencies and agency staff, including BWSR.

Following the approval of Executive Order 16-01, state agencies increased efforts to advance equity. An enterprise Chief Inclusion Officer was appointed, and an enterprise Office of Inclusion established, housed within Minnesota Management & Budget (MMB). Cabinet-level agencies began to develop equity change plans. For fiscal year 2018, the Office of Grants Management revised grant management policies (Policy Numbers 08-02, 08-03, and 08-04) with diversity and inclusion standards in grant-making. An enterprise Office of Accessibility was established within MNIT.

The pace of recent efforts may have been impacted because of the pandemic, however, the murder of George Floyd in Minneapolis in 2020, the resulting civil unrest in Minneapolis, and those that occurred across the country (and in other nations) brought to the forefront the importance of addressing racial bias and inequities, creating a shared vision, and identifying targeted efforts to improve internal capacity for DEI work.

BWSR's Commitment to Diversity, Equity and Inclusion

BWSR is committed to diversity, equity and inclusion (DEI) and is working internally to improve DEI policies and practices across the organization. In 2019, BWSR implemented a comprehensive Affirmative Action Plan that includes policies and procedures against sexual harassment and provides for reasonable accommodations, outlines a job category analysis, and identifies areas for further monitoring, among other items. The agency established various partnerships that strive to increase the diversity of its candidate pools, given the lack of diverse staffing representation across BWSR regions. BWSR has engaged in DEI activities to support staff development through introductory trainings and the administration of the Intercultural Developmental Inventory. DEI training is also offered at BWSR Academy. These efforts are making important contributions to hiring practices, inclusion and the promotion of a baseline understanding of DEI. However, to effectively infuse DEI values and practices into our work, ongoing efforts must be intentional and strategic.

In Spring 2021, BWSR contracted with Strategy & Effectiveness (S&E) to conduct an agency-wide assessment using the Intercultural Development Inventory (IDI). The goal of this assessment was to understand BWSR's baseline intercultural competence capacities. The findings of this assessment — along with themes identified during interactions with staff and senior leadership — informed the planning process' next steps.

DEI Strategic Planning and Development Process

BWSR engaged in a second RFP in 2022 to secure an external consultant to develop the organization's DEI Plan, ultimately engaging S&E to expand IDI work from 2021. The goal of this DEI strategic planning process was to identify strategies to build both staffing and organizational capacity to work effectively across cultures.

BWSR's Internal DEI Workgroup

BWSR established an internal DEI Workgroup early in the process (in January 2022) to work collaboratively with the consultant firm and guide the assessment and development of BWSR's DEI strategic planning process. The workgroup consisted of staff members representing the organization's three divisions. Workgroup members participated in all aspects of the planning process, including:

- Engaging in facilitated discussions to identify DEI context within the organization
- Gathering baseline information to understand current DEI needs
- Collecting feedback from staff and external partners to inform the development of a strategy and the planning process
- Analyzing all information and integrating findings into the DEI plan
- Organizing the plan

The DEI workgroup engaged in an interactive, continuous learning process to inform DEI plan development. Workgroup members participated in four consultant-facilitated conversations, engaged in ongoing workgroup meetings to inform the evolution of the strategy and plan. In addition, the DEI Workgroup assisted in editing and organizing the plan in partnership with S&E.

Situational Analysis

S&E consultants conducted a situational analysis to understand BWSR's context and expand the understanding of the IDI organizational baseline and readiness for DEI implementation. This analysis included the assessment of the current state, identification of internal baseline capacity, along with internal and external focus groups findings. Together, these informed DEI strategy and plan.

Internal Baseline (Current State)

To begin the situational analysis and better understand the current state of DEI work at BWSR, S&E consultants reviewed BWSR's current strategic plan (2017-2022) to identify opportunities for DEI implementation and align DEI strategies with overarching organizational goals. Additionally, BWSR administered an organization-wide survey to gather input from internal stakeholders on current DEI

strategies at BWSR and identified priority DEI approaches to inform strategy and integrate into the organizational DEI plan.

Focus Groups

S&E conducted focus groups with BWSR staff (including employees from all three BWSR Divisions, the Senior Management Team and the Administrative Advisory Committee of the Board) and with external partners (local government units, non-profits and state agencies) to provide BWSR with specific contextual and nuanced feedback. The focus groups expanded on topics identified in the survey. All focus group input (verbal, anonymous and written) was collected and analyzed to inform common themes across the groups.

Plan Development

BWSR's DEI plan development process builds on the agency-wide assessment findings using the Intercultural Development Inventory (IDI) conducted in Spring 2021 and learnings from the situational analysis. BWSR's DEI plan aligns with the State of Minnesota's vision for inclusion and equity for state agencies (One Minnesota). Priority areas and actions reflect the state's four goals: designing for equity, intercultural competence, disaggregating data and leadership development.

IDI assessment findings, the organization's development stage along the intercultural development continuum, and the situational assessment results provide the foundation for the development of BWSR's DEI plan. This in-depth and participatory process at all organization levels aligns strategic priorities and actions with the organizational readiness level. Planned updates to BWSR's overarching Strategic Plan will provide opportunities to further align the business strategy of the organization with the DEI Plan.

DEI Workgroup members played a significant role in developing the DEI planning process. For example, the DEI Workgroup engaged in a series of facilitated dialogues and completed a small workbook with exercises to define diversity, equity and inclusion (DEI), explore their perspectives on BWSR's DEI culture and current state. The aggregate workgroup findings were used to develop the goals and areas of inquiry for the organizational survey. The survey findings led to targeted focus group questions for both internal and external focus groups. For example, in the internal BWSR focus groups, participants were presented with the survey findings and asked to reflect on them, including: BWSR's organizational values for DEI, relevance of the 2017 Strategic Impact Areas on the development of a DEI plan, identifying who is currently served by BWSR and who is not currently served, identifying the value of DEI at BWSR and prioritizing DEI areas for implementation. Data from internal BWSR focus groups were analyzed for patterns and organized into DEI strategic actions and goals.

BWSR DEI Plan

Definitions

The DEI definitions used in this DEI Plan have been adopted from the definitions used by the State of Minnesota's Office of Inclusion.

- **Diversity** is all the ways that people are different and the same at the individual and group levels. Diversity is expressed in many dimensions, including but not limited to race and ethnicity, gender and gender identity, sexual orientation, socioeconomic status, language, culture, national origin, religious beliefs, identity, age, invisible or visible disability status, political perspective, and other dimensions.
- **Equity** is ensuring everyone has what they need to be successful. It requires commitment to strategic priorities, resources, respect, and consideration, as well as ongoing action and assessment of progress toward achieving goals.
- **Accessibility** means everyone along the continuum of human ability and experience has access to the same tools and content.
- **Inclusion** is the intentional, ongoing effort to ensure that diverse individuals fully participate in all aspects of organizational work, including decision making processes.
- **Diverse Populations** include racial and ethnic communities, including American Indians, LGBTQI communities, disability status, veterans, geographic diversity within and across Minnesota, including Greater Minnesota, urban/metro.

S&E consultants also engaged workgroup members in a facilitated dialogue about value drivers in conservation and their impact on BWSR's work. The goal of this discussion was to promote an understanding of the relationship between perceptions and human interactions with the natural environment and begin to explore their impact on the effectiveness of BWSR's conservation efforts in Minnesota. The concept of cultural values in conservation was introduced as a key concept to understanding this relationship, and how distinct cultural groups value nature differently. These underpinning cultural values impact BWSR's DEI strategy and plan implementation, along with the effectiveness of conservation and climate change efforts. The following common understanding of cultural values in conservation was adopted:

Cultural Values in Conservation refers to the ways in which the norms and values of different cultural groups shape their relationship to the natural resources (air, water, soil, minerals, plants and animals) and their approaches to the protection, conservation and management of natural resources. Understanding and integrating cultural values in conservation practices contributes to the promotion of equity (including reinforcing cultural practices) and sustainability. A lack of understanding of this relationship hinders the effectiveness of conservation efforts and can have negative consequences on the norms, values and behaviors of different cultural groups.

Values

Values underpinning diversity, equity and inclusion were identified early in the process by workgroup members through facilitated conversations. A review of BWSR's current core values was conducted, and

staff, SMT and AAC Board members identified the top five values needed to be central to BWSR's work. These values are:

- Collaboration
- Partnerships
- Respect (people, communities and organizations)
- Accountability
- Innovation

Value Drivers

In addition to the organizational values outlined above, the value drivers necessary to support the development of DEI were identified through the survey. Staff, SMT and the AAC of the Board identified the following value drivers as important to DEI work at BWSR.

- Understanding cultural values in conservation
- Nature is diverse and so are people
- Committed leadership
- New ways of working together that result in greater impact

Strategic Themes

Multiple data sources and levels of analysis informed the identification of strategic themes and priorities. The organizational survey identified implementation priorities for BWSR to begin its DEI work. Further information from the analysis of focus group findings contributed to the identification of strategic themes. The themes included:

- Shared understanding of vision-mission and stakeholders for DEI implementation
- Promoting a culture of engagement and inclusion
- Creating DEI structures to execute the DEI Plan
- Expanding programs and policies
- Working with existing and new partners to reach DEI focused conservation goals
- Providing learning and development opportunities to build internal staffing and leadership capacity
- Enhancing talent practices
- Communicating internally and externally about the DEI Plan
- Using data to inform efforts, foster transparency and accountability

These strategic themes reflect the aggregate internal and external stakeholder recommendations and inform the priority areas, goals and actions.

Strategic Priority Areas for DEI Implementation at BWSR

S&E and workgroup members engaged in a review and refinement of priority areas, goals and actions. Five priority areas were identified:

Priority Area 1: Culture

Outcome: The culture at BWSR supports DEI values, promotes open communication, safety, continuous improvement and transparency.

Priority Area 2: Implementation Support

Outcome: Dedicated positions, committees and workgroups (DEI structures) work together to provide coordination, guidance, leadership and collaboration to execute the DEI strategy and plan.

Priority Area 3: Learning and Development

Outcome: Sustained organizational growth, DEI integration and dedicated learning and development results in an environment committed to the exchange of ideas and continuous learning.

Priority Area 4: Partnerships

Outcome: New partnerships and support to existing partners expand BWSR's work with diverse populations (Ex., LGU's, landowners, local partners, NGO's, Tribal governments, BIPOC communities, renters, non-traditional farmers, other underrepresented groups).

Priority Area 5: Programs, Policies and Practices

Outcome: BWSR's programs, policies, and practices provide equitable resources and opportunities in consideration of state DEI policies.

BWSR DEI Plan: Strategic Priorities, Goals and Actions

Priority Area 1: Culture

Outcome: The culture at BWSR supports DEI values, promotes open communication, safety, continuous improvement and transparency.

1. Culture of Engagement:

Establish a culture at BWSR that supports a sense of belonging, an appreciation of differences and provides opportunities for idea exchange and dialogue about DEI in a safe environment.

- 1.1. Incorporate culture change strategies and processes (change management) to promote a culture where DEI can thrive
- 1.2. Host four facilitated discussions or other sessions annually to provide opportunities for mutual learning, bridge differences and identify areas of discord and consensus regarding BWSR's DEI culture (ex., listening sessions, Café Style discussions, division and regional meetings, annual retreat)
- 1.3. Identify and implement methods and processes that encourage respectful sharing of different perspectives through dialogue and discussion with peers, supervisors and leadership
- 1.4. Embed DEI topics in ongoing meetings at all levels of the organization (Board, SMT, Teams, Staff) and provide organizational clarity on goals
- 1.5. Offer facilitated DEI strength-based conversations within and across divisions to provide opportunities for engagement, and for mutual learning

- 1.6. Provide opportunities for staff feedback on DEI Plan implementation and demonstrate appreciation by identifying collective solutions (surveys, interviews, meetings, anonymous feedback, satisfaction reviews)
- 1.7. Create and build consensus on a position statement regarding the importance of DEI within the context of BWSR's culture and work

2. Monitoring, continuous improvement and transparency:

Develop a culture of DEI accountability, transparency and continuous improvement at BWSR.

- 2.1 Assess organizational progress in implementing the DEI plan against intended outcomes at the mid-point of the plan, and at the end
- 2.2. Share DEI progress reports with staff, partners, and Board members through webpages, newsletters, dashboards, and regular communications
- 2.3. Evaluate the effectiveness of DEI activities and establish a feedback loop with organizational goals and organizational learning (document, discuss and disseminate)
- 2.4 Incorporate monitoring and evaluation findings into future DEI activities
- 2.5 Revise DEI definitions, goals and objectives in strategic plan updates as appropriate

3. Communication: Use a variety of communication tools to increase understanding internally and externally about the added value of DEI in conservation and its importance at BWSR.

- 3.1 Engage external partners in focused conversations on DEI topics of interest (ex. focus groups, listening sessions, facilitated conversations) and identify priority areas for future implementation
- 3.2 Use social media and our website to highlight success stories, cultural approaches to conservation, and innovative programs and services
- 3.3 Address DEI as a standing topic in communications
- 3.4 Share BWSR's DEI Plan with partners via BWSR's website and through direct communication methods such as presentations
- 3.5 Develop a communications strategy for reaching a more diverse audience including increased accessibility and translation to other languages

Priority Area 2: Implementation Support

Outcome: Dedicated positions, committees, and workgroups (DEI structures) work together to provide coordination, guidance, leadership and collaboration to execute the DEI plan.

1. Senior Management Team:

Provide strategic guidance, oversight, and support for DEI implementation.

- 1.1. Communicate the goals and objectives of the DEI plan internally at meetings with staff and the Board, in one-on-one conversations, and other opportunities as appropriate

- 1.2. Identify staff/positions to become certified to lead the application of the Intercultural Development Continuum (IDC) model and Intercultural Development Inventory (IDI) assessments
- 1.3. Establish a DEI Work Group with representation from across sections and areas of the state
- 1.4. Create new positions or add responsibilities to existing positions (including designation of a DEI Coordinator/Tribal Liaison) to lead and support the implementation of the DEI plan
- 1.5. Update the DEI plan as needed to adapt to BWSR's needs, and the needs of our clients, partners and collaborators
- 1.6. Provide strategic guidance, oversight and support for DEI values at all levels of the organization
- 1.7. Promote the awareness and understanding of DEI within the context of BWSR's mission and work through dialogue with staff and Board members

2. **DEI Work Group:**

Provide leadership, monitor and evaluate DEI Plan implementation.

- 2.1. Act as "Champions" of the DEI Plan by communicating about progress, gathering ideas from peers and other sources, and implementing activities
- 2.2. Solicit ideas and coordinate facilitated discussions and events for BWSR staff and leadership
- 2.3. Evaluate the effectiveness of the DEI Plan at mid-point and end of implementation, share results, and use findings to update the plan

3. **BWSR Board:**

Review and adopt DEI policies, to support DEI Plan implementation at BWSR

- 3.1. Integrate DEI considerations to existing Board Committees
- 3.2. Review and approve policy decisions related to DEI
- 3.3. Adopt the DEI plan and review progress on DEI Plan implementation

Priority Area 3: Learning and Development

Outcome: Sustained organizational growth, DEI integration and dedicated learning and development results in an environment committed to the exchange of ideas and continuous learning.

1. **Intercultural Development:**

Engage in agency-wide adoption of the intercultural development continuum as the framework for understanding differences and similarities and supporting intercultural growth at all levels of the organization.

- 1.1. Establish annual continuing education requirements for intercultural development for staff, managers and leadership.
- 1.2. Support individual intercultural development by providing opportunities for self-paced learning, one-on-one coaching and group facilitated conversations & learning

- 1.3. Offer Intercultural Development Inventory (IDI) assessments of the existing Board members and new members and deliver individual coaching
- 1.4. Offer new staff access to IDI assessment and coaching, and DEI training as part of the onboarding process
- 1.5. Conduct pre and post-coaching session evaluations to identify level of knowledge gained and attainment of session goals

2. **Organizational Learning:**

Encourage the exchange of ideas, promote learning, and use feedback to foster agency growth.

- 2.1. Review and obtain feedback from staff about DEI trainings, facilitated discussions and events, share findings with staff, and integrate lessons learned into future offerings
- 2.2. Enhance the existing DEI learning hub via BERT where information, innovative strategies and lessons learned can be documented and shared
- 2.3. Create and provide expectations and incentives for learning, sharing insights and lessons learned
- 2.4. Conduct ongoing evaluations after training events to measure effectiveness of trainings and compare across learning formats (for example, on demand, in person, remote live, small versus large groups)

3. **Development of Staff, Managers and Executive Leaders:** Increase staff and leadership capacity by offering and promoting learning and development strategies across the organization.

- 3.1. Implement the DEI Training plan (learning and development curriculum)
- 3.2. Establish ongoing continuing education expectations for employees and board members
- 3.3. Semi-annual DEI training events and activities are offered to Staff
- 3.4 SMT and Board members receive training and updates on BWSR's Affirmative Action plan annually
- 3.5 All leaders (Executive Team, Managers and Supervisors), and other staff as needed participate in the Tribal State Relations Training (TSRT)

Priority Area 4: Partnerships

Outcome: New partnerships and support to existing partners expand BWSR's work with diverse populations (Ex., LGU's, landowners, local partners, NGO's, Tribal governments, BIPOC communities, renters, non-traditional farmers, other underrepresented groups).

1. **Local Government Partners:** Support LGU partners in expanding their DEI efforts.

- 1.1. Support the development and implementation of DEI Activities by our local government clients and partners
- 1.2. Support LGUs to engage non-traditional partners/collaborators

- 1.3. Encourage partnerships between local level (LGUs) and tribal governments
 - 1.4. Expand the DEI training component of the BWSR Academy and include DEI values in conservation
- 2. Interagency Collaborations:** Explore partnerships and collaborations with other state agencies and initiatives.
- 2.1. Identify opportunities to partner with other state agencies such as the DNR, MDA, MDH, MPCA (pilot programs, outreach, education)
 - 2.2. Strengthen and continue working on existing partnerships such as the Increasing Diversity in Environmental Careers (IDEC) program
 - 2.3. Work with Minnesota’s Climate Action Framework and maximize opportunities for community engagement
 - 2.4. Explore leadership participation in the interagency One Minnesota Council on Diversity, Equity and Inclusion
 - 2.5. Participate in initiatives developed by the Office of Inclusion
- 3. New partnerships:** Identify opportunities to establish new partnerships with diverse populations
- 3.1. Learn about Minnesota’s diverse populations and their conservation values to identify opportunities for future collaboration on mutual goals
 - 3.2. Establish relationships with Tribal partners with the purpose of collaborating on mutual goals as consistent with BWSR’s mission and required by statute.
 - 3.2.1. Develop & implement a consultation policy
 - 3.2.2. Develop and build relationships with each tribe
 - 3.2.3. Consult with each individual tribe as often as required to address matters that have tribal implications or pertain to mutual goals
- 4. Resources:** Commit to the allocation of resources to support outreach, engagement, education strategies, and innovative programming
- 4.1. Include budget line item for targeted activities (outreach, training about BWSR, mission, programs and innovative opportunities)
 - 4.2. Secure and allocate financial resources to support local level DEI development and innovation

Priority Area 5: Programs, Policies and Practices

Outcome: BWSR’s programs, policies, and practices provide equitable resources and opportunities in consideration of state DEI policies.

1. **Research:** Prioritize research and data collection to understand the strengths and needs of programs, staff, constituents, and the values that drive conservation across groups, and respond with tailored capacity building approaches.
 - 1.1. Assess current BWSR programs to learn about DEI status (strengths and potential biases) impact, and opportunities
 - 1.2. Gather information from current conservation partners to understand their existing DEI approaches
 - 1.3. Obtain a better understanding of demographics across BWSR regions
 - 1.4. Host focus groups or other engagement opportunities with non-traditional groups (NGOs, Tribal nations, BIPOC communities, non-traditional and/or underrepresented groups) to learn more about their approaches to conservation
 - 1.5. Review allocation of funding by partners or collaborators and identify opportunities for DEI implementation

2. **Policies:** Engage in an assessment of programmatic policies and practices and their impact on DEI implementation.
 - 2.1 Evaluate BWSR programs, policies and processes to mitigate bias
 - 2.2 Develop metrics or indicators that can be used to review new and existing programs, policies and processes to eliminate or mitigate bias
 - 2.3 Review processes and procedures to ensure accessibility to all Minnesotans

3. **Practices:** Embed DEI practices in appropriate programs, activities and hiring practices.
 - 3.1. Work with the Office of Grants Management to identify opportunities to include DEI in BWSR's grant practices
 - 3.2. Engage in programmatic opportunities to support DEI work by our local government partners
 - 3.3 Ensure the diversity of Minnesota is reflected in our workforce and contracting partners by maintaining an updated Affirmative Action plan for BWSR that complies with state and federal Affirmative Action laws and practices including training hiring managers
 - 3.3.1 Develop recruitment strategies to reach a more diverse hiring pool
 - 3.3.2 Develop strategies to retain diverse staff
 - 3.3.3 Set and achieve goals for participation of Targeted Group Businesses and Veteran-owned small businesses on BWSR projects
 - 3.3.4 Track and report on implementation of Affirmative Action plan and associated talent practice activities

BOARD ORDER

Performance Review and Assistance Program 2022 Report to the Minnesota Legislature

PURPOSE

Adopt 2022 PRAP Legislative Report

FINDINGS OF FACT / RECITALS

- A. The 2007 Legislature directed the Board of Water and Soil Resources (Board) to develop and implement an ongoing program to evaluate and report on the performance of each local water management entity.
- B. In 2007 the Board developed a set of guiding principles and directed staff to implement a program for reviewing performance, offering assistance, and reporting results, now called the Performance Review and Assistance Program (PRAP), in consultation with stakeholders and consistent with the guiding principles as published on the BWSR website.
- C. According to Minnesota Statutes Chapter 103B.102, Subdivision 3, beginning February 1, 2008, and annually thereafter, the Board shall provide a report of local water management entity performance to the chairs of the House and Senate committees having jurisdiction over environment and natural resources policy.
- D. The 2022 PRAP Report to the Minnesota Legislature contains the summaries of the 17 local water management entity performance reviews conducted by BWSR staff in 2022 and a summary of findings describing the performance of local water management entities regarding compliance with plan status and basic reporting requirements.
- E. The 2022 PRAP Report to the Minnesota Legislature was reviewed by the Board's Audit and Oversight committee on January 12, 2023 and was recommended for Board adoption by the committee.

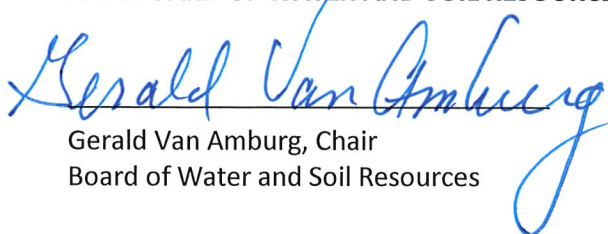
ORDER

The Board hereby:

Adopts the 2022 Performance Review and Assistance Program Report and directs staff to submit it to the Minnesota Legislature and publish it on the Board's website, with allowance for any minor editing modifications necessary for finalization.

Dated at St. Paul, Minnesota, this January 25, 2023.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: 1-25-2023

BOARD ORDER

Fiscal Year 2023 Water Quality and Storage Pilot Grant Program Policy

PURPOSE

Authorize a fiscal year 2023 Water Quality and Storage Pilot Grant Program and adopt the updated Water Quality and Storage Pilot Grant Program Policy.

RECITALS /FINDINGS OF FACT

- A. Laws of Minnesota 2021, 1st Special Session, Chapter 6, Article 1, Sec. 4(l), appropriated \$1 million in Fiscal Year 2023 to a water quality and storage program.
- B. Laws of Minnesota 2021, 1st Special Session, Chapter 6, Article 2, Sec. 80 provides the statutory authority for the Water Quality and Storage Program (Minn. Stat. 103F.05), and includes the purposes of the Program that are “to control water volume and rates to protect infrastructure, improve water quality and related public benefits, and mitigate climate change impacts”, identifies eligible practices, and establishes that the priority areas for the program are the Minnesota River basin and the lower Mississippi River basin.
- C. Based on board order #22-06, staff opened the application period for the initial Water Quality and Storage Pilot Grant Program in early 2022. In the summer of 2022 staff scored and selected projects to receive funding. Grant agreements were developed, and work plans were submitted to BWSR staff in the summer and fall of 2022.
- D. Experience with the FY22 applications and scoring lead the team at BWSR to make a few modifications to the FY23 RFP and scoring matrix.
- E. The program policy, request for proposals, and frequently asked questions documents have been reviewed for application to the fiscal year 2023 Water Quality and Storage Pilot Grant Program and subsequent activities conducted with these funds.
- F. The Grants Program and Policy Committee, at their January 23, 2023 meeting, reviewed the proposed Water Quality and Storage Pilot Grant Program Policy and associated documents and recommended approval to the Board.

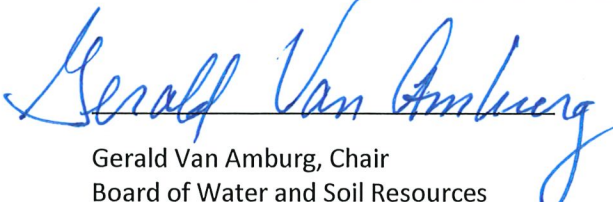
ORDER

The Board hereby:

1. Adopts the attached FY23 *Water Quality and Storage Pilot Program Policy*.
2. Authorizes staff to issue the Request for Proposals and score and rank the responses for future consideration by the board.

Dated at St. Paul, Minnesota, January 25, 2023.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: 1-25-2023

Water Quality and Storage Pilot Program Policy

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

Version: 1.1
Effective Date: January 25, 2023
Approval: Board Order 23-05

Policy Statement

The Water Quality and Storage Program was established to provide financial assistance to local units of government to control water volume and rates to protect infrastructure, improve water quality and related public benefits, and mitigate climate change impacts. This program is authorized by Minnesota Session Laws 2021, Article 3, Section 3, Sub 2.

Reason for the policy

The purpose of this policy is to provide clear expectations for the implementation of grants delivered through this program. More specific requirements or criteria may apply when specified by statute, rule, funding sources, or appropriation language.

Grantees are responsible for the administration and decisions concerning the use of these funds in accordance with applicable Minnesota Statutes, state agency policies, and other applicable laws. BWSR will use grant agreements as contracts for assurance of deliverables and compliance with applicable laws and program policies.

The BWSR Grants Administration Manual provides the primary framework for management of these funds.

Applicant Eligibility

Eligible applicants include municipalities, towns, counties, soil and water conservation districts, watershed districts, or organizations formed for the joint exercise of powers, as defined under section 103B.305, subdivision 5, and includes tribal governments. Applicant must have a State or tribal approved and locally adopted local water management plan, comprehensive watershed management plan, watershed district plan, or soil and water conservation district (SWCD) comprehensive plan.

Applicant must have calculated the reduction in peak runoff flow or volume due to the project at a downstream area of interest (to be determined by the applicant).

Match Requirements

A minimum 25% match is required from non-state funds. The anticipated source(s) for the match shall be identified in the grant proposal. Activities listed as ineligible (see below) may not be counted towards match. Match can be provided by a landowner, land occupier, local government or other non-State source and can be in the form of cash or the cash value of services or materials contributed to the accomplishment of grant objectives.

Eligible Activities

Eligible activities must result in a reduction to peak flow rates and/or volumes to demonstrate a decrease in downstream flooding, improvement of water quality or related public benefits, or to mitigate climate change impacts. Grants may include any number of practices, but the practices cumulatively must reduce the peak runoff flow and/or volume at an area of interest (to be determined by the applicant). The area of interest must be identified at the time of application and an explanation provided of the flooding, water quality, or climate vulnerabilities at that location. A feasibility study must already be completed that shows the effect of the storage practice on the runoff hydrograph.

Examples of eligible practices include, but are not limited to:

- Ponds without permanent pools (Dry detention ponds)
- Ponds with permanent pools (Wet detention ponds)
- WASCOBs
- Wetland Construction or Restorations
- Improvements or retrofits of existing storage areas to increase storage capacity or retention time

Project lifespan must be at least 25-years and the applicant must develop an Operation and Maintenance plan that includes an inspection schedule, expectations for routine maintenance, and a financing system to ensure the design function of the project.

Eligible activities also include construction costs, project development, grant management, and administration. Technical and engineering assistance necessary for design of these practices is essential and may be included in the project cost.

Payments for land protection including easement payment (temporary, perpetual, or flowage), pre-title acquisition payments, property acquisition costs, survey, title, and recording fees are eligible expenses under this grant. If a perpetual easement is acquired, it must be approved by the Board of Water and Soil Resources (BWSR) for entire contiguous storage practice. Total state easement payment rates, shall not exceed regular 2018 Reinvest in Minnesota (RIM) rates if the easement will be used as match.

Ineligible Expenses

- Activities that do not demonstrate a reduction in the hydrograph peak at an area of interest.

- Activities that are multi-phase, multi-year storage systems (i.e. – the project must not rely on components that will be constructed at a later time in order to get the reduction in peak flow rates and/or volumes)
- Maintenance or repair of existing structures/storage projects.
- Activities that would negatively affect drinking water.
- Meeting the minimum requirements of Chapter 103E or MS4 plans.
- Feasibility studies and/or hydrology and hydraulic modeling are not eligible during the pilot phase of this program.
- Activities that are constructed as part of 103E proceedings will not be eligible during the pilot phase of this program until criteria can be developed to evaluate the project separately from the drainage improvement activities.

Technical Quality Assurance

Grantees must identify the technical assistance provider(s) for the practice or project and their credentials for providing this assistance. The technical assistance provider(s) must have appropriate credentials for practice investigation, design, and construction. Credentials can include conservation partnership Job Approval Authority (JAA), also known as technical approval authority; applicable professional licensure; reputable vendor with applicable expertise and liability coverage; or other applicable credentials, training, and/or experience.

BWSR reserves the right to review the qualifications of all persons providing technical assistance and review the technical project design if a recognized standard is not available. See also the Technical Quality Assurances section of the Grants Administration Manual.

Grant Work Plan and Reporting Requirements

To ensure the success of the program, development of grant work plans, regular reporting of expenditures, and technical assistance and accomplishments are required.

- a. **Grant Execution.** Grant agreement must be executed before work can begin on this grant and all work must occur within the grant period.
- b. **Grant Work Plan.** Work plans shall be developed in eLINK and must be approved before work can begin on this grant. Work plans shall reflect each eligible activity, a description of the anticipated activity accomplishments, and grant and match funding amounts to accomplish each of the activities.
- c. **Grant Reporting.** Descriptions of actual results and financial expenditures for each work plan activity must be reported in eLINK by February 1 of each year.
- d. **Grant Closeout.** Within thirty (30) calendar days of the expiration of each grant agreement or expenditure of all grant funds, whichever occurs first, grantees are required to:

- a. Provide a summary of all work plan accomplishments with grant funding in eLINK; and
- b. Submit a signed eLINK Financial Report to BWSR.

BWSR Grant Administration Requirements

BWSR staff is authorized to review grant applicant’s financial records to establish capacity to successfully manage state grant funds, develop grant agreements, including requirements and processes for work plans, project outcomes reporting, closeouts, and fiscal reconciliations. All grantees must follow the grant agreement and other applicable sections of the Grants Administration Manual.

In the event there is a violation of the terms of the grant agreement, BWSR will enforce the grant agreement and evaluate appropriate actions, up to and including repayment of grant funds at a rate up to 100% of the grant agreement.

History

Version	Description	Date
1.0	Water Quality and Storage Program Policy - new	1/26/22
1.1	Revised to remove the requirement of reduction of peak flow or volume at the HUC12 scale.	TBD



BOARD ORDER

Amendment to Board Order #22-55: Clean Water Fund Competitive Grants

PURPOSE

Authorize staff to extend pending status of projects C23-1872 and C23-9488

FINDINGS OF FACT / RECITALS

- A. The Board adopted Order #22-55 on December 15, 2022.
- B. Board Order #22-55 authorized staff to place applications C23-1872 and C23-9488 in a pending status until March 1, 2023 contingent on the approval of a related amendment to the North Fork Crow River Comprehensive Watershed Management Plan.
- C. The amendment procedure for Comprehensive Watershed Management Plans will not be established by the Board prior to March 1, 2023.

ORDER

The Board hereby:

- 1. Amends Board Order 22-55 and authorizes staff to place applications C23-1872 and C23-9488 in a pending status until June 30, 2023 contingent on the approval of a related amendment to the North Fork Crow River Comprehensive Watershed Management Plan.

Dated at St. Paul, Minnesota, this January 25, 2023.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: 1-25-2023

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 Snake 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 Snake River Watershed Partnership submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on November 30, 2022 pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Decision #18-14, 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

- A. **Partnership Establishment.** The Snake River Watershed Partnership was established on February 18 of 2020 through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Aitkin County, Aitkin SWCD, Kanabec County, Kanabec SWCD, Mille Lacs County, Mille Lacs SWCD, Pine County, and Pine SWCD. Isanti and Chisago Counties and SWCDs opted not to participate in the planning process because of the small proportion of those county areas that fell within the watershed boundaries.
- B. **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. On March 28, 2018, Board Decision #18-14 adopted Version 2.0 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- C. **Nature of the Watershed.** The Snake River Watershed planning area is in east-central Minnesota and is often referred to as “the Gateway to the North”. The Snake River meanders over 100 miles from its headwaters in Southeast Aitkin County through Kanabec County and east through Pine County to its confluence with the St. Croix River. From north to south the watershed transitions from forested areas with abundant wetlands through interspersed hay lands to more developed and agricultural lands. The Snake River Watershed is home to outstanding quality forest, lake, wetland, and river resources that offer many opportunities for enjoyment and appreciation.

- D. **Plan Development.** The Plan was developed as a single, concise, 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 and stakeholders 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 manage surface water quality and quantity; protect drinking water and groundwater; manage erosion, soil health and soil loss; protect and restore habitat, educate on the effects of extreme weather, and manage natural resources under changing land cover and use in the watershed.
- E. **Plan Review.** On November 30, 2022, the Board received the Plan, a record of the public hearing, and copies of all written comments and responses pertaining to the Plan for final State review pursuant to Board Decision #18-14. 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.
1. Minnesota Department of Agriculture (MDA): After revisiting responses to the comments submitted during the 60-day plan review and looking at the planning group response to them, MDA is happy to sign off on this plan.
 2. Minnesota Department of Health (MDH): The Minnesota Department of Health (MDH) Source Water Protection Unit appreciates the opportunity to review the draft Snake River Watershed One Watershed One Plan. MDH commends the plan partners for including drinking water as a priority concern. MDH was thankful for the opportunity to be part of the Advisory Committee and for incorporating their suggestions and recommendations into the draft plan. MDH has no substantive comments to offer regarding this draft plan and they find it meets their Rule requirements and offers a high level of protection to groundwater drinking water supplies. MDH commends the planning team for their work in developing the draft plan.
 3. Minnesota Department of Natural Resources (DNR): After reviewing responses to the comments submitted during the 60-day plan review, the Department of Natural Resources does not have additional comments. The Department of Natural Resources recommends that the Board of Soil and Water Resources approve the Snake River One Watershed, One Plan. DNR appreciates the opportunity to participate in this planning process and looks forward to working together on plan implementation.
 4. Minnesota Pollution Control Agency (MPCA): The MPCA has appreciated the opportunity to participate and provide input throughout the Plan development process. Overall, the Plan is very well written, concise, and thorough. We have no comments as part of the official 90-day Review and Comment Period and recommend it for approval.
 5. Minnesota Environmental Quality Board (EQB): Policy requires that EQB be notified of the final draft document. EQB confirmed they did not provide comments on the 90-day final draft Plan.
 6. Minnesota Board of Water and Soil Resources regional staff: BWSR staff provided comments throughout the planning process and were pleased that the Partnership used sound science for prioritizing implementation areas and setting goals, included protection activities for healthy areas of the watershed, and that the Partnership openly discussed local capacity issues. In response to our Plan comments, we recognize that the Plan now includes language acknowledging Tribal Land ownership within the watershed. BWSR staff recommend approval of the Plan and look forward to working with the Partnership during implementation.
- F. **Plan Summary and Highlights.** The highlights of the plan include:

- The Policy and Advisory Committees sought extensive community engagement during the early stages of the planning process including public input from two public kick-off meetings, three topic group meeting (agriculture, forestry and lakes) and two community engagement meetings. The comments were used during plan development to inform issues, goals and actions and provided an opportunity for public input on the implementation actions.
- The Advisory Committee identified 19 original resource concerns, which were narrowed down to seven with the direction of the Policy Committee including:
 1. Surface Water Quality
 2. Land Cover and Use
 3. Surface Water Quantity
 4. Drinking Water and Groundwater
 5. Erosion, Soil Health and Soil Loss
 6. Habitat
 7. Extreme Weather
- The Partnership developed a framework for each priority issue that includes a resource description, the issue statement, a desired future condition, measurable goals, priority areas, and actions to address the goal.
- For ease of future action of issues, separate targeted implementation tables and maps were created for each priority issue. The tables detail a unique action ID number, the specific priority area for the action, the measurable outcome, who will lead and support the action, timing and estimated costs.

G. **Central Regional Committee.** On January 5, 2023, the Central Regional Committee met to review and discuss the Plan. Those in attendance from the Board’s Committee were Joe Collins, Jill Crafton, Jayne Hager Dee, Mark Zabel, Heather Johnson, Steve Robertson and Grant Wilson. Board staff in attendance were Central Regional Manager Marcey Westrick, Board Conservationist Darren Mayers, and Clean Water Specialist Barb Peichel. The representatives from the Partnership were Deanna Pomije (Kanabec SWC), Kurt Beckstrom (Mille Lacs SWCD), Terry Lovgren (Pine County), Susan Shaw (Mille Lacs SWCD) and Zach Van Orsdel (Pine 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.

H. This Plan will be in effect for a ten-year period until January 25, 2033.

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 Snake River Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.
3. The Snake River Comprehensive Watershed Management Plan attached to this Order states priority water and natural resource issues within the planning area and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.

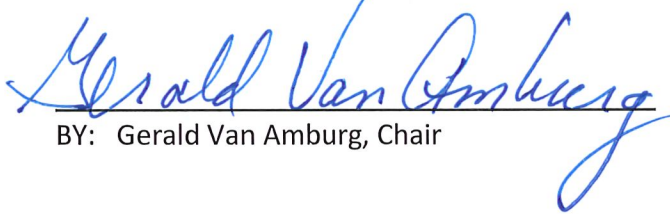
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.
5. The attached plan, when adopted through local resolution by the members of the Partnership, will serve as a replacement for the comprehensive plan, 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.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Snake River Watershed Partnership, dated November 2, 2022.

Dated in Saint Paul, Minnesota, this twenty-fifth of January 2023

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


BY: Gerald Van Amburg, Chair

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

In the Matter of the review of the Watershed Management Plan for the Lower Mississippi River Watershed Management Organization, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.

ORDER
APPROVING
A WATERSHED
MANAGEMENT PLAN

Whereas, the Board of Managers of the Lower Mississippi River Watershed Management Organization (LMRWMO) submitted a Watershed Management Plan (Plan) dated November 2022 to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 9, 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

- A. **Watershed Management Organization Establishment.** The LMRWMO was established in 1985. The vision of the LMRWMO is to manage water resources and related ecosystems to sustain their long-term health and integrity through member city collaboration and partnerships with other water management organizations with member city citizen support and participation. The current plan was approved by the Board in September 2011 and extended in September 2021.
- B. **Authority of Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.
- C. **Nature of the Watershed.** The LMRWMO is located in the southeast part of the Twin Cities Metropolitan Area, in northern Dakota County and southern Ramsey County. It encompasses approximately 58 square miles, abutting the south and west sides of the Mississippi River from the confluence of the Mississippi and the Minnesota Rivers to Rosemount. Adjoining watershed management entities include the Lower Minnesota River Watershed District, the Eagan-Inver Grove Heights WMO, and the Vermillion River Watershed Joint Powers Organization. The LMRWMO is composed of seven cities wholly or partially within the boundary including Inver Grove Heights, Lilydale, Mendota, Mendota Heights, St. Paul, South St. Paul, Sunfish Lake, and West St. Paul.
- D. **Plan Development and Review.** The LMRWMO initiated the planning process for the 2023-2033 Plan in mid-2020. As required by Minnesota Rules (MR) 8410, a specific process was followed to identify and assess priority issues. Stakeholders were identified, notices were sent to municipal, regional, and state agencies to solicit input for the upcoming Plan. The LMRWMO hosted an online survey to gather input on priorities and issues and a Technical Advisory Committee meeting was held on June 3, 2021. A public kickoff meeting was virtually hosted due to the

COVID pandemic on June 9, 2021. The LMRWMO Board participated in a workshop on September 16, 2021 to review the issues raised in the preliminary input letters, survey and kickoff meeting. The Plan was submitted for formal 60-day review on August 5, 2022. The LMRWMO received 30 comments on the 60-day draft Plan. All comments on the draft Plan were addressed in writing. After formal review of the Plan, the LMRWMO held a public hearing on the draft Plan on November 9, 2022. The final draft Plan and all required materials were submitted and officially received by the Board on November 17, 2022.

- E. **Local Review.** The LMRWMO distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B132, Subd. 7. Responses were received from the Dakota Soil and Water Conservation District, Dakota County, City of St. Paul, City of Sunfish Lake, City of West St. Paul, and the City of South St. Paul. Dakota Soil and Water Conservation District reviewed the draft and recommended to be included as a partner. Dakota County supported many of the efforts in the Plan and offered its assistance on groundwater protection activities. The cities provided letters including support of the Plan as well as requested activities to be targeted to surface waters within their municipalities. Additionally, the cities commented on regulatory references. The LMRWMO accepted the comments and made the suggested changes and additions to the Plan.
- F. **Metropolitan Council Review.** During the 60-day review, the Council suggested better definition of the regulatory waterbodies and regulatory watersheds. The LMRWMO revised the Plan to clarify the differences based on priority of the waterbodies as listed within the Plan.
- G. **Department of Agriculture (MDA) Review.** The MDA did not have any comments.
- H. **Department of Health (MDH) Review.** No comments were received by the MDH on the Plan.
- I. **Department of Natural Resources (DNR) Review.** The DNR did not have any comments.
- J. **Pollution Control Agency (PCA) Review.** PCA provided a letter that included reference links for various sections of the Plan. The LMRWMO updated the Plan as appropriate.
- K. **Department of Transportation (DOT) Review.** DOT commented on specific references and roadways within the Plan. They also provided clarification of storm sewer system data availability to the LMRWMO. The LMRWMO updated its references for these items.
- L. **Board Review.** Board staff recommended regular review of the LMRWMO's Joint Powers Agreement to be included. The Board requested interim goals when overall resource goals are not achievable within the Plan duration. Board staff requested clarification on the measurement of ecological health goals. The LMRWMO made revisions to the Plan and provided responses to all items.
- M. **Plan Summary.** The LMRWMO has identified water quality, education & engagement and partner collaboration as its highest priorities. Other priority issues include flooding and water levels, groundwater management and ecological health. The LMRWMO has also included factors such as public access and impairment level to determine its priorities for its major surface water resources resulting in three classifications: Priority 1A, Priority 1B and Priority 2. Targeted surface water improvements will be largely focused on Thompson Lake and Lake Augusta which are both included on the 303d list for excess nutrients.
- N. **Central Region Committee Meeting.** On January 5, 2023, the Board's Central Region Committee and staff met in St. Paul and via teleconference to review and discuss the final Plan. Those in attendance from the Board's committee were Joe Collins (chair), Jill Crafton, Jayne Hager Dee, Mark Zabel, Heather Johnson, Steve Robertson, and Grant Wilson. Board staff in attendance were Marcey Westrick, Cecelia Rost, Barb Peichel, Darren Mayers, and Steve Christopher. LMRWMO Administrator Joe Barten and LMRWMO Plan Consultant Greg Williams were also in attendance. Greg Williams and Joe Barten provided highlights of the Plan and process. Board staff

recommended approval of the Plan. After presentation and discussion, the committee unanimously voted to recommend the approval of the Plan to the full board with Board member Hager Dee abstaining.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving the Watershed Management Plan for the Lower Mississippi River Watershed Management Organization (LMRWMO) pursuant to Minnesota Statutes Section 103B.231, Subd. 9.
3. The LMRWMO Watershed Management Plan, attached to this Order, defines the water and water-related problems within the LMRWMO's boundaries, possible solutions thereto, and an implementation program through 2033.
4. The LMRWMO Watershed Management Plan will be effective January 25, 2023, through January 25, 2033.
5. The attached Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Lower Mississippi River Watershed Management Organization Watershed Management Plan dated August 2022.

Dated at Saint Paul, Minnesota this 25th day of January 2023.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


BY: Gerald Van Amburg, Chair

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 Otter Tail 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 Otter Tail River (OTR) Watershed submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on December 15, 2022, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14; 103B.801 and Board Resolution #21-08, 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

- A. **Partnership Establishment.** The OTR Watershed Partnership (Partnership) was established in 2019, through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Becker Soil and Water Conservation District (SWCD), Becker County, East Otter Tail SWCD, West Otter Tail SWCD, Otter Tail County, Cormorant Lakes Watershed District, and Pelican River Watershed District.
- B. **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 (1W1P) program. On March 24, 2021, Board Resolution #21-08 adopted Version 2.1 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- C. **Nature of the Watershed.** The watershed includes approximately 1,725 square miles and has three ecoregions: forests populate the north, 996 lakes populate the heart of the watershed, and the southwest contains fertile prairie farmlands. The planning area is primarily in Becker and Otter Tail counties, with small portions in Clay, Clearwater and Mahnommen counties. The White Earth Nation and Tamarac National Wildlife Refuge are in the headwaters portion of the watershed. Major towns include Detroit Lakes, Fergus Falls, Perham, Pelican Rapids, Battle Lake and Ottertail. The planning area ends at Orwell Dam on the Otter Tail River southwest of Fergus Falls.

- D. **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 manage water quantity, protect and restore water quality, natural habitat, recreational uses and drinking water sources in the watershed.
- E. **Plan Review.** On December 15, 2022, the Board received the Plan, a recording of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Board Resolution #21-08. During the development of the Plan State agency representatives attended and provided input at advisory committee meetings. The following state review comments were received during the comment period.
1. Minnesota Department of Agriculture (MDA): MDA appreciated the opportunity to work on the development of this Plan, believes it sufficiently addresses the resource concerns present in the watershed. MDA recommends approval of the Plan.
 2. Minnesota Department of Health (MDH): MDH thanked the local governments for including MDH's priorities and inputs during the planning and review process. MDH looks forward to continued implementation partnerships. MDH recommends approval of the Plan.
 3. Minnesota Department of Natural Resources (DNR): DNR appreciated the opportunity to work on the development of this Plan, has no further comments to the Plan, and looks forward to coordinated implementation across the watershed. The DNR recommends approval of the Plan.
 4. Minnesota Pollution Control Agency (MPCA): MPCA appreciated the opportunity to participate and provide input throughout the Plan development process. The Plan is well written, concise and thorough. MPCA has no further comments and recommends approval of the Plan.
 5. Minnesota Environmental Quality Board (EQB): EQB did not reply to requests for confirmation of receipt and did not provide comments for the final review.
 6. Minnesota Board of Water and Soil Resources regional staff: BWSR staff provided comments throughout the planning process and had no suggested or required changes to the Plan submitted for the 60-day review. We commend the partners for their trust level and commitment to the resources of the Plan area. BWSR staff recommends approval of the Plan and looks forward to working with the Partnership during implementation.
- F. **Plan Summary and Highlights.** The highlights of the Plan include:
- A thorough description of the land and water resources features that shape the planning area and inform the broad priorities within the Plan.
 - A collection of twelve priority issues split between two distinct levels as selected by the Partnership to focus efforts and define measurable goals.
 - Focused priorities for the eleven (11) planning regions to ensure issue prioritization is specific to the needs of each geographical area.
 - The Prioritize, Target, and Measure Application was used to identify, prioritize, and target possible locations of agricultural upland structural projects and field management conservation practices in each specific planning region and inputs were informed directly by local staff.

- High quality resource protection was an issue addressed in this Plan, with thorough measurable goals established using an RAQ (Riparian, Adjacency, Quality) index identifying high scores for the most valued protection areas.
- MDA's well testing, the Groundwater Restoration and Protection Strategies report and a nitrogen infiltration risk analysis completed during the Watershed Restoration and Protection Strategies report were used by the Partnership to determine the focus areas of groundwater concern.
- Each planning region has unique short-term and long-term goals and implementation schedules.
- A thorough discussion of watershed district capital improvement projects within the watersheds, including eleven (11) identified for implementation.
- Water Management Districts (WMD) for the two watershed districts are described and creates eight WMDs within the Pelican River Watershed District and one covering the entire Cormorant Lakes Watershed District allowing the collection of fees to be initiated pursuant to 103D.729 when a project is established by either of the watershed districts.
- A thorough discussion of regulatory and enforcement measures to meet the needs of county and watershed district obligations including shoreland management, public drainage, buffers, and land use planning to name a few.

Northern Regional Committee. On January 4, 2023, the Northern Regional Committee met to review and discuss the Plan. Those in attendance from the Board's Committee were LeRoy Ose, Ron Staples, Gerald Van Amburg, Neil Peterson, Theresa Ebbenga, Jeff Breg, Todd Holman, Rich Sve and Kurt Beckstrom. BWSR staff in attendance were Northern Region Manager Ryan Hughes, Board Conservationist Pete Waller and Clean Water Specialist Henry VanOffelen. The representatives from the Partnership were Don Bajumpaa, East Otter Tail SWCD; Michelle Anderson, Becker SWCD; Tera Guetter, Pelican River Watershed District; Dennis Kral, Pelican River Watershed District; Chris LeClair, Otter Tail County; Kyle Westergard, Otter Tail County; Rick Drevlow, West Otter Tail SWCD; John Okeson, Becker County; Darren Newville, East Otter Tail SWCD; Bryan Malone, Becker SWCD; and Moriya Rufer, Houston Engineering Inc. 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.

G. This Plan will be in effect for a ten-year period until January 25, 2033.

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 Otter Tail River Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Resolution #21-08.
3. The Otter Tail River Watershed Comprehensive Watershed Management 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 #21-08.

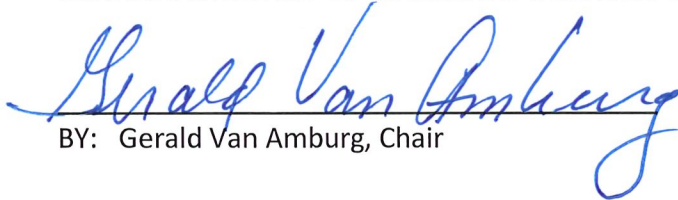
5. The attached Plan when adopted through local resolution by the members of the Partnership will replace the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic 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 Otter Tail River Watershed, submitted December 15, 2022.

Dated at St. Paul, Minnesota, this twenty-fifth of January, 2023.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES



BY: Gerald Van Amburg, Chair