

BOARD ORDER

Conservation Reserve Enhancement Program (CREP) – Shift Clean Water Fund (CWF) Wellhead Funds to Allow Expanded Conservation Practice Acquisition

PURPOSE

Authorize shift of funds from wellhead easements to Conservation Reserve Enhancement Program (CREP) easements.

RECITALS/FINDINGS OF FACT

1. The Minnesota State Legislature has appropriated Reinvest in Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) from the Clean Water Fund to acquire and restore RIM conservation easements under Minnesota Statutes, Section 103F.515 to 103F.531.
2. The Laws of Minnesota 2021 First Special Session, Chapter 1, Article 2, Section 6(g) appropriated \$5,000,000 for permanent conservation easements on wellhead protection areas or for grants to local units of government for fee title acquisition to permanently protect groundwater supply sources, of which approximately \$3,300,000 is currently unallocated.
3. Section 6(k) appropriated funds to purchase and restore permanent conservation easements to treat and store water on the land for water quality improvement in cooperation with the United States Department of Agriculture and with a priority to use the funds for CREP.
4. Paragraph 6(t) specified that the board may shift grant, cost-share, or easement funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.
5. Section 2, subdivision 2 of the same law states that if a project receives federal funds, the period of the appropriation is extended to equal the availability of federal funding.
6. CREP is a voluntary, federal-state funded natural resource conservation program with four eligible water quality conservation practices: CP2 – Establishment of Permanent Native Grasses (inside and outside Wellhead Protection Areas), CP21 – Filter Strips, CP23 – Wetland Restoration, Floodplain, and CP23A – Wetland Restoration, Non-Floodplain.
7. CREP provides a significant leverage of federal funds.
8. Shifting of the CWF Wellhead Funds from wellhead protection only easements to all CREP practices, including those that provide drinking water protection for public and private water supply systems as noted in paragraph 5 above, will allow these funds to be used more efficiently to meet landowner interest and ensure the leverage of federal funds.
9. The RIM Committee, at their March 11, 2026, meeting, reviewed the proposed shift and recommended approval to the Board.

ORDER

The Board hereby:

- A. Authorizes staff to shift funds from wellhead protection easements to easements allowed under CREP consistent with the appropriation language cited above.

Dated at St. Paul, Minnesota, this March 25, 2026.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

A handwritten signature in black ink, appearing to read 'Todd Holman', is written over a horizontal line. The signature is fluid and cursive.

Todd Holman, Chair
Board of Water and Soil Resources

Date: March 25, 2026

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 **Bassett Creek Watershed Management Commission**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.

**ORDER
APPROVING
A WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Commissioners of the Bassett Creek Watershed Management Commission (BCWMC) submitted a Watershed Management Plan (Plan) on January 12, 2026, 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

- 1. Watershed Management Organization Establishment.** The Bassett Creek Flood Control Commission was formed in 1968 primarily to study flooding issues in the watershed and adopted a watershed management plan in 1972. In 1984, the Bassett Creek Watershed Management Commission (BCWMC) was created after revising the Flood Control Commission's Joint Powers Agreement. The Commission prepared its first-generation watershed management plan that the Board approved in July 1989.
- 2. 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. The current BCWMC watershed management plan was approved by Board Order on August 27, 2015. Subsequently, the BCWMC completed two minor amendments between 2015 and 2025.
- 3. Nature of the Watershed.** The BCWMC is located in Hennepin County in the northwest portion of the Twin Cities Metropolitan Area. It is bound by the Elm Creek and Shingle Creek Watershed Management Commissions to the north, on the south and west by the Minnehaha Creek Watershed District, and on the east by the Mississippi Watershed Management Organization. The watershed covers approximately 40 square miles and all or part of nine communities: Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale, and St. Louis Park. There are 10 priority lakes and four priority streams in the Bassett Creek watershed. The watershed drains to Bassett Creek and ultimately enters the Mississippi River through the Bassett Creek tunnel that runs under downtown Minneapolis. The watershed is influenced by urban and suburban land uses, and the population is anticipated to continue increasing.
- 4. Plan Development and Review.** On April 14, 2022, the BCWMC sent notification of initiation of the planning process for the 2026-2035 Watershed Management Plan (Plan) to the plan review agencies and other parties as required by MR 8410, and solicited each agency's priority issues, summaries of relevant water management goals, and water resource information. An initial planning meeting was hosted by the Board of Commissioners on February 28, 2023. Regular meetings were held with the Plan Steering Committee between May 2024 and November 2025. The BCWMC also conducted Commission workshops and periodically invited additional

participants to the plan steering committee meetings, as needed. The BCWMC also created a press kit for stakeholder engagement which included a watershed equity workshop, online survey, and meetings with underrepresented community groups, among other engagement actions.

The draft Plan was submitted to the Board, other state agencies, and local governments for the formal 60-day review on August 1, 2025, pursuant to Minnesota Statutes Section 103B.231 Subd. 7. The BCWMC prepared a written response to the 60-day comments, made revisions, and sent responses to reviewers on November 21, 2025. A public hearing was held on December 18, 2025. The BCWMC sent a final draft Plan to State Review Agencies and the Board on January 12, 2026. Comments received during the 90-day review period indicated that most reviewers did not have additional comments, however the Minnesota Department of Health recommended that one incorrect statement be addressed in the future.

5. **Local Review.** The BCWMC distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B.231 Subd. 7. During the 60-day comment period Hennepin County's remarks highlighted aquatic invasive species prevention, chloride reduction, carbon footprint consideration, goals and actions integrating Dakota knowledge, work with underrepresented communities, and support for education and community engagement. They also commented on development of a watershed-wide wetland inventory and assessment and identifying partnership opportunities for a county groundwater plan. The Minneapolis Park and Recreation Board (MPRB) also provided comments. Many of the comments were in agreement with the Plan contents or shared suggestions for partnership and projects. Comments also noted improvements for Plan accessibility, organization, and document navigation. The MPRB commended the BCWMC for focus on equity, climate resilience, and Dakota place-naming, and supported investigation into the BCWMCs best-fit for governance structure and regular plan reassessments to ensure goals are met. The City of Minneapolis provided several comments, of those a few highlighted general Plan accessibility and organization. They also voiced support for an organizational assessment to evaluate options for the appropriate governance structure and funding options, wanted to ensure goals are measurable, and hoped to see that water quality improvement projects are highest priority. Lastly, the Friends of the Eloise Butler Wildflower Garden also commented on the Plan which included requests for studies and restoration projects.
6. **Metropolitan Council (Council) Review.** During the 60-day review, the Council commended the BCWMC for developing a watershed management plan that includes a comprehensive list of issues, goals, and strategies, ambitious chloride loading goals, and that highlights partnership effort implementation. They welcomed the Plan's focus on water equity and feel the Plan is consistent with the Council's policies. They did office several comments which included adding a discussion on deicer, supporting work with partners, supporting BCWMC collaboration with the Council on studies and research, and encouraging goal measurability. During the 90-day review, the Council again commended the BCWMC for developing an inclusive Plan with comprehensive issues, goals, policies and strategies. They again applauded the ambitious chloride goals and welcomed the focus on water equity. The Council felt their 60-day comments were addressed and that the Plan was consistent with Council policies and the Council's Water Policy Plan.
7. **Department of Agriculture (MDA) Review.** At the 90-day review the MDA thanked the BCWMC for the opportunity to review, and did not provide any comments, but recommended approval.
8. **Department of Health (MDH) Review.** During the 60-day review, MDH commended the BCWMC on its well-organized and visually accessible draft plan, specifically highlighting the effective executive summary and layout of the Plan goals. MDH appreciated the inclusion of groundwater quality and multiple-benefit projects while suggesting improvements to the Plan by clarifying MDH roles, ensuring specific and measurable Plan goals, expanding on chloride loading in groundwater, considering surface water-groundwater interactions near drinking water supply management areas, and considering unused and unsealed wells as a potential contamination source. During the 90-day review, MDH noted that their comments, concerns, and priorities had been addressed. They noted that one comment provided during the 60-day resulted in an inaccurate statement in the final draft Plan. MDH recommends rewording during the next opportunity to edit the Plan.

9. **Department of Natural Resources (DNR) Review.** The DNR did not provide formal comment during the 60-day. During the 90-day review, DNR indicated that the Plan is consistent with DNR goals and priorities. The DNR appreciated the BCWMC’s focus on ecosystem health and identification of climate change impacts on hydrology.
10. **Pollution Control Agency (PCA) Review.** During the 60-day review, the PCA commended the BCWMC on including the Native American stream name into the Plan, demonstrating completed work, and highlighting what is new in the updated Plan. Suggestions provided included listing PCA ID numbers, updating table descriptors for the general reader, correcting mislabeled TMDL dates, and using more current references. These edits were all for specific tables or Plan sections. A more general recommendation was to include numerical targets for goals to help evaluate success where appropriate. During the 90-day review, the PCA had no additional comments and recommended the Plan for approval.
11. **Department of Transportation (DOT) Review.** The DOT did not provide formal comment.
12. **Board Review.** During the 60-day review, Board staff thanked the BCWMC for hosting various Plan development meetings, noted appreciation of the inclusion of priorities related to chloride pollution, climate change, addressing inequities and authentic engagement, and noted that the Plan was well written and utilized plain language. Board staff suggested clarifications to several parts of the Plan for increased reader comprehension. Staff also had comments on goal measurability and other suggestions to help bring the plan into conformance with Minnesota Statutes Sections 103B.201 to 103B.251 and Minnesota Rules 8410. Staff also sent unofficial typographical, grammatical, and formatting comments. Staff felt the Plan was revised as necessary to provide required Plan content.
13. **Plan Summary.** The BCWMC identified issues into four categories: waterbody and watershed quality, flooding and climate resilience, education and engagement, and organizational effectiveness. The Plan sets six high priority issues with associated goals to address them. There are additional medium and low priority issues also with associated goals to help reach Plan objectives. The updated Plan will build on previous success through the continuation of many current programs and activities and introduction of new activities such requiring winter maintenance plans, targeting future work through surveys and assessments, and using indigenous land and water care practices where appropriate. Other programs include building connection with diverse communities, trainings for commissioners and local official, and potential public-private partnerships.
14. **Central Region Committee Meeting.** On March 2, 2026, the Board’s Central Region Committee and staff met in St. Paul and online to review and discuss the final Plan. Those in attendance from the Board’s committee were Joe Collins (in-person), Mike Runk (in-person), Jill Crafton (online), Mark Zabel (online), Lori Cox (online), Steve Robertson (online), and Heather Johnson (online). Board staff in attendance were Marcey Westrick (Central Regional Manager, in-person), Jen Dullum (Board Conservationist, in-person), and Josh Norman (Board Conservationist, online). Others in attendance included Laura Jester (BCWMC Administrator, in-person), Catherine Cesnik (BCWMC Commission Chair, in-person), Shaun Kennedy (BCWMC Alternate Commissioner, in-person), and Stephanie Johnson (BCWMC Engineer – Barr Engineering – in-person) who provided overview of the watershed, highlights of the Plan, and responded to comments. Joan Hauer (BCWMC Commissioner, online) was also present. After a presentation and discussion, the committee recommended approval of the Plan to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving the Watershed Management Plan for the Bassett Creek Watershed Management Commission (BCWMC) pursuant to Minnesota Statutes Section 103B.231, Subd. 9.

3. The BCWMC Watershed Management Plan, attached to this Order, defines the water and water-related problems within the BCWMC's boundaries, possible solutions thereto, and an implementation program through 2035.
4. 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 Bassett Creek Watershed Management Commission Watershed Management Plan submitted on January 12, 2026.

Dated at Saint Paul, Minnesota this 25th day of March 2026.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES



Todd Holman, Chair

Board of Water and Soil Resources

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 Blue Earth River Planning Partnership, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801.

**ORDER
APPROVING
COMPREHENSIVE
WATERSHED
MANAGEMENT PLAN**

Whereas, the Policy Committee of the Blue Earth River Planning Partnership submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on December 23, 2025, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Decision #23-50, 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

- Partnership Establishment.** The Blue Earth River Planning Partnership (Partnership) was established on September 26, 2023, through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Blue Earth County, Blue Earth County Soil and Water Conservation District (SWCD), Faribault County, Faribault County SWCD, Freeborn County, Freeborn SWCD, Jackson County, Jackson SWCD, Martin County, Martin SWCD, and the City of Fairmont. Per the BWSR Operating Procedures, if less than 10% of the jurisdictional land area of the local government is within the watershed planning boundary, participation by that local government is optional. Cottonwood County, Cottonwood SWCD, Watonwan County, and Watonwan SWCD opted out of the planning process.
- 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). Board Decision #23-50 adopted the revised versions of the *One Watershed, One Plan Operating Procedures version 3.0* and the *One Watershed, One Plan - Plan Content Requirements version 3.0*.
- Nature of the Watershed.** The Blue Earth River Watershed lies on the Minnesota – Iowa border. The Minnesota portion of the watershed encompasses a total of 777,243 acres in portions of Blue Earth,

Cottonwood, Faribault, Freeborn, Jackson, Martin, and Watonwan counties. The Blue Earth River itself begins in Iowa and flows approximately 146 miles north with both the Watonwan and Le Sueur Rivers flowing into it before it outlets to the Minnesota River in Mankato. The miles of river and stream are joined by 69 lakes and approximately 360 miles of public open ditch and 1,400 miles of public subsurface tile drainage. Historically prairie, the current predominant land use is agriculture (86%), and the watershed is also home to 21 municipalities partially or wholly within its boundaries. The majority of drinking water comes from wells but two municipalities pull drinking water from surface sources (Fairmont and Mankato).

4. **Plan Development.** The Blue Earth River Comprehensive Watershed Management Plan is primarily a restoration-based Plan. The Plan focuses on restoring impaired waters and habitats, protecting high quality lakes, reducing peak flows through water storage, and protecting drinking water quality through resource management. The Plan focuses on prioritized, targeted, and measurable implementation efforts and lays out specific actions to meet Plan goals. It was developed in coordination with local government units, state and Federal agencies, and interested stakeholders.
5. **Plan Review.** On December 23, 2025, 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 #23-50. 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): Expressed appreciation for the opportunity to review responses to their draft comments. “The MDA has no additional comments and recommends BWSR approval.”
 - B. Minnesota Department of Health (MDH): “The Minnesota Department of Health has received the final draft plan to review and does not have any further comments or suggestions. MDH recommends approval of the Blue Earth River Comprehensive Watershed Management Plan.”
 - C. Minnesota Department of Natural Resources (DNR): Thanked the partnership for the opportunity to participate in the process and reviewed the responses to their draft review comments. “The DNR is satisfied with the responses to issues raised during our review, has no additional comments, and recommends that BWSR approve the plan.”
 - D. Minnesota Pollution Control Agency (MPCA): Appreciated the opportunity to participate and provide input throughout the 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.”
 - E. Minnesota Environmental Quality Board (EQB): Policy requires that EQB be notified of the final draft document. EQB confirmed receipt of the Plan but did not provide comments.
 - F. Minnesota Board of Water and Soil Resources (BWSR): BWSR staff conducted a review of the final Plan and commended the Partnership for its diligent undertaking of the planning process. Staff find the Plan meets plan content requirements. BWSR staff recommend BWSR Board approval of the Plan.
6. **Plan Summary and Highlights.**
 - The watershed is organized into five planning regions based on Hydrologic Unit Codes (HUC) 10 boundaries. This allows for a watershed-wide focus while allowing actions to be tailored to the planning region they will have the greatest impact on.

- The Plan has a total of 15 high and medium priority issues. High priority issues include: erosion and sedimentation; stream, ravine, and shoreline erosion; nutrient loading; protection of surface drinking water sources; altered hydrology and flood damage reduction; wetlands; maintenance/repair of drainage systems; and soil health. Medium priority issues include: bacteria loading; aquatic invasive species; stormwater runoff; groundwater contamination; groundwater supplies; aquatic connectivity; and wildlife habitat.
 - The Partnership made a point to integrate climate resiliency, environmental justice, recreation, conservation action, and policy development when developing the issues and goals of the Plan.
 - Key goals include:
 - Reducing both total phosphorus and total nitrogen by 4% to improve stream and lake conditions (53,600 lbs/year and 1,975,300 lbs/year, respectively)
 - Implement 30,000 acres of soil health practices to aid in adding water storage while reducing nutrient sediment loss.
 - Water Storage short term goal of adding 1,200 acre-feet of water storage and a future condition goal of 71,895 acre-feet of water storage.
 - Stabilize or enhance 2,000 feet of priority lake shoreline.
 - Implement BMPs to treat 20 acres of urban runoff.
 - A focus on drinking water with the goals of:
 - a) Reduce total phosphorus and total nitrogen contributions to the Fairmont surface water source, Budd Lake, by 20% (2,600 lbs/year and 12,700 lbs/year, respectively);
 - b) Protect Mankato’s surface water source through the previously mentioned 4% total phosphorus and total nitrogen load reductions;
 - c) Sealing 100 unused wells; and
 - d) Improve groundwater recharge by implementing 3,500 acres of recharge conservation practices (perennial land protection, cover crops, etc.).
 - The estimated cost to meet the 10-year Plan’s goals is approximately \$46.7 Million.
 - An existing Joint Powers Entity, the Greater Blue Earth River Basin (GBERBA) will be utilized for implementation. GBERBA membership consists of both counties and SWCDs.
7. **Southern Regional Committee.** On February 19, 2026, the Southern Regional Committee met to review and discuss the Plan. Those in attendance from the Board’s Committee were Chair Ted Winter (citizen), Eunice Biel (townships), Kevin Wilson (non-metro city), Ellen Friedrich (MDA), Amanda Strommer (for Steve Robertson, MDH), Brian Schultz (DNR) and Heather Johnson (MPCA). Board staff in attendance were Southern Region Manager Ed Lenz, Board Conservationist Jill Sackett Eberhart, Board Conservationist John Shea, Board Conservationist Shane Bugeja and Office and Administrative Specialist Denise Lauerman. The representatives from the Partnership that provided the presentation were Faribault County SWCD Co-Program Administrator Nathan Carr and Martin SWCD District Manager Ashley Brenke. Also in attendance from the Planning Partnership were Blue Earth County Commissioner Kevin Paap, Faribault County Commissioner Gertrude Paschke, Blue Earth County SWCD District Manager Jerad Bach, Fairmont Water Resources Coordinator Hannah Neusch, Freeborn County Environmental Health Coordinator Rachel Wehner, Freeborn SWCD District Manager Lindsey Cornell and HEI Senior Project Manager Rachel Olm. Board regional staff provided their 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 25, 2036.

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 Blue Earth River Planning Partnership pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Decision #23-50.
3. The Blue Earth River Planning Partnership 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 Decision #23-50.
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 Blue Earth River, submitted December 23, 2025.

Dated at Saint Paul, Minnesota, this 25th day of March 2025.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES



Todd Holman, Chair
Board of Water and Soil Resources

Date: March 25, 2026