BOARD OF WATER AND SOIL RESOURCES

Soil and Water Conservation District Comprehensive Plan Process and Content Requirements

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

DRAFT

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Purpose

As an autonomous, local unit of government, a Soil and Water Conservation District (SWCD) may choose to develop a comprehensive plan to guide the collective vision and goals of the district and use as a long-range planning document to inform and guide decision-making. A comprehensive plan can help define long-term resource management needs and align local priorities with state policies. The plan serves as a blueprint to address specific resource challenges within the district, while providing a framework for making informed decisions, coordinating with partners, and managing operations efficiently.

Statutory Background

A comprehensive plan for a Soil and Water Conservation District (SWCD) may be developed per Minn. Stat. § 103C.331 Subd. 11. An SWCD comprehensive plan often serves as an operational plan as well as a natural resources plan. If an SWCD chooses to develop a comprehensive plan, the plan must be consistent with the statewide frameworks provided in Minn. Stat. § 103B, meaning the plan must align with and follow the overarching goals and policies set at the state level to ensure a unified approach to water management across Minnesota. Consistency is demonstrated through plans that are action-oriented, measurable, and adaptable.

The purpose of the SWCD comprehensive plan is to serve a strategic role with a proactive, collaborative, and results-oriented focus that allows for local autonomy while complementing the existing watershed framework.

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I. Guiding Principles for Plan Development

- Data-Driven: Use the best available science, local data and local feedback to inform structure, decisions and track progress.
- Actionable Insights: Identify specific, local drivers of resource concerns and conservation opportunities.
- Interactive & Collaborative: Increase flexibility by allowing for digital engagement tools and planning platforms.
- Increase efficiencies: A SWCD may adopt by reference applicable components of plans developed under Minn. R. 8410, Minn. Stat. § 103B.255 or Minn. Stat. § 103B.801.
- Modular Design: Content of the comprehensive plan shall be organized into discrete, interlinked modules for easy navigation and updating.

II. Plan Development Process

The following plan development steps are sequential unless otherwise noted.

- **Step 1: Initial Stakeholder Notification (45-day)** - Prior to initiating the planning process, the district shall send written notification to: (a) the county board; (b) all affected cities and towns; (c) Minnesota Tribal Nations in the district's boundary and (d) each watershed management organization (WMO), watershed district (WD), or planning partnership within the boundaries of the district, (d) state review agencies, and (e) copy the Board on the notification. The notification shall include an invitation to submit priority issues and plan expectations. The district shall allow 45 days for response to the initial notification. Responses received after 45 days may be considered at the district's discretion.

- **Step 2: Stakeholder Engagement and Feedback Incorporation** - Engagement may be facilitated through in-person meetings, digital portals, surveys, or interactive mapping tools. This step may be in parallel with step 1 and when applicable, the district can leverage other broad scale processes to obtain feedback. The district should document all feedback received and maintain a record for submittal of the plan of how each substantive comment was addressed or why it was not incorporated.

- **Step 3: Draft Plan Distribution for Comment** - The district shall incorporate feedback received from stakeholders during the notification period. The draft plan shall be submitted to the stakeholders listed in step 1 for review. Stakeholders shall have 45 days to provide written comments on the plan. The district shall prepare a written response to all substantive comments received.

- **Step 4: Public Hearing (60-day Advance Notice Required)** - At least 60 days before submitting the plan to BWSR, the district shall hold a public hearing on the plan. The district shall provide notice of the hearing via the district's official website and shall give written notice to the county board and all affected cities and towns. Notice should also be provided to each Tribal Nations and WMO or planning partnership(s) within the district's boundaries. The public hearing record shall be retained and submitted with the plan to BWSR.

- **Step 5: BWSR Review and Approval** - The district shall submit the final plan to the BWSR board for review and approval before formally adopting the plan at a district meeting. BWSR's review shall assess; (a) inclusion of all required content elements per Section III of this document; (b) measurable goals coordinated with applicable natural resources management plans; (c) a completed gap analysis per Section III c.; and (d) documentation of the required public process.

- **Step 6: Local Adoption** - Following BWSR approval, within 120 days, the district shall formally adopt the plan at a public district meeting. Adoption shall be by board resolution and captured in meeting minutes. The adopted plan shall be posted on the district's official website, and a copy or weblink shall be sent to BWSR and the county.

A. BWSR Review

BWSR shall complete its review within 90 days of receiving a complete plan submittal. A plan submittal shall be considered complete upon receipt of the draft plan, public hearing record, response matrix, and all required maps and attachments.

If BWSR determines a submittal is incomplete, BWSR shall notify the district in writing within 15 days of receipt, identifying all deficiencies. The 90-day review clock shall not begin until all deficiencies are resolved.

If BWSR does not act on a complete plan submittal within 90 days, the plan shall be deemed approved. The district may proceed with formal adoption at a district meeting. BWSR may extend the review period by up to 30 additional days upon written notice to the district, provided such notice is given before the initial 90-day period expires.

Approval Outcomes

- Full Approval: BWSR approves the plan as submitted. The district may adopt the plan, and the plan qualifies for applicable BWSR grant programs.

- Conditional Approval: BWSR approves the plan subject to specified revisions. The district shall incorporate revisions and notify BWSR within 60 days. No additional BWSR action is required unless the district fails to address the conditions.

- Denial: BWSR may deny approval only if the plan fails to meet one or more of the criteria specified. A denial shall be in writing, shall specify the basis for denial, and shall include recommendations for revision. The district may resubmit a revised plan at any time.

B. Appeals Process

A district may appeal a BWSR denial to the BWSR Board within 30 days of receiving written notice of denial. The appeal shall be in writing and shall specify the basis for the appeal. The BWSR Board shall consider the appeal at its next regularly scheduled meeting and shall issue a decision within 30 days of the hearing. The Board's decision on appeal is final.

III. Plan Content Requirements

The following content elements are required for all SWCD comprehensive plans. Sections marked “SHALL” are required for BWSR approval. Sections marked “SHOULD” represent best practices. Sections marked MAY are optional.

A. Plan Purpose and Authority

The comprehensive plan shall include clear, concise statements aligned with Minn. Stat. § 103C and the statewide planning frameworks of § 103B and shall define the SWCD's unique and specific statutory role that encompasses key essential services:

- Technical expertise: Expert support to private landowners for local land, soil, water, forestry, plant and wildlife resource challenges.
- Public information and education: Outreach and engagement to boost public knowledge of conservation programs and resources.
- Policy and governance: Lead grassroots policy development and provide required oversight and administration for key human resources, accounting, legal and reporting functions.
- Resource projects and program implementation: Plan and implement resource programs and projects to meet local, state and federal conservation goals and outcomes.
- Data and monitoring: Measure progress, monitor and report outcomes for programs and projects.
- Technology and equipment: Serve as a resource for landowners and partners with modern survey equipment and software, vehicles, field equipment, and licensed drone operations.

The plan shall explicitly acknowledge all relevant WMOs and watershed plans developed under § 103B and § 103D within its jurisdiction, including an easy-to-read map showing the SWCD boundary with overlaid watershed boundaries.

B. Land and Water Resource Inventory

At minimum, the plan shall demonstrate that the SWCD has a comprehensive summary of natural resource and watershed features within the district, including:

- Geology, soils, water resources, topography, land use/cover, and key ecological features.
- Unique district-level issues not fully addressed in existing plans.
- Supplemental maps or data where SWCD-specific precision adds value beyond what exists in other plans.

Land and water resource inventory information may be digitally referenced from existing state and federally approved plans.

C. Problem Identification, Priority Areas, and Gap Analysis

The plan shall summarize the problems, priorities, and identified gaps the SWCD will focus on during the plan period.

1. **Problem Identification -** Identify specific, locally driven resource concerns that fall within the SWCD's statutory authority under §103C. Problems, and issues may be referenced from other state-approved watershed management or natural resource plans, with clear citation.
2. **Priority Areas** - Identify specific critical areas for resource prioritization. Critical areas may be based on vulnerability, local significance, environmental justice, or other appropriate metrics. Priority areas may be referenced from other state-approved watershed management or natural resource plans with clear citation.
3. **Gap Analysis -** A gap analysis is an opportunity to identify synergies, enhance collaboration and maximize efficiencies. The gap analysis shall compare existing natural resource and watershed management plan coverage against SWCD statutory responsibilities and identify areas where: (a) no natural resource or watershed management plan exists or addresses the issue; (b) the existing natural resource or watershed management plan addresses the issue at a scale or in a manner insufficient for SWCD implementation purposes; or (c) the SWCD's unique capacity offers distinct value not captured in other plans. The gap analysis is recommended to be in a table format.

D. Measurable Goals, Objectives, and Adaptive Management

The plan shall set measurable implementation goals and objectives, and define quantitative indicators aligned with those goals and objectives. Where other plans exist, the SWCD plan should coordinate goals and performance metrics to support aggregated progress tracking and prevent creation of separate or conflicting metrics.

- Timeframes shall be specified: short-term (1-3 years), medium-term (3-7 years), and long-term (7-10+ years).
- Adaptive Management: The plan shall establish protocols for regular review and adjustment based on monitoring data, new technologies, emerging resource concerns, or changed circumstances.
- This section shall be developed in consultation with affected local units of government and watershed partnerships during the stakeholder engagement process.

E. Implementation and Budget

- Actions: The plan shall include phased targeted activities unique to the district, timelines, and budget needs. Plans should be aspirational yet reasonable. Each action shall be linked to a responsible entity, a funding source, and an implementation schedule. Actions may also include cost-benefit analysis.

- Partnerships: The plan shall discuss coordination with agencies, counties, WMOs, municipalities, and other partners to define roles, and emphasize synergies by maximizing unique organizational skill sets.
- Outreach: The plan shall identify outreach opportunities relevant to the district's priority issues and target audiences.
- The plan shall identify points of collaboration with other entities within the district's boundaries and describe how coordination will occur to build synergy and increase efficiencies, including but not limited to joint projects, shared data or technical assistance agreements.

F. Plan Maintenance and Revision

- The lifespan of the plan shall be defined within this section and be for no more than 10 years.
- The plan shall specify amendment procedures and triggers, which may include adoption of a new applicable watershed plan, a major TMDL update affecting district priorities, or a significant change in available funding.
- Plan amendments require public notice, hearing, and BWSR approval, consistent with the process in Section 2, except when proposed amendments are determined to be minor administrative amendments.
- **Minor Amendments:**
  An amendment can proceed as a minor amendment if the BWSR board conservationist and the regi onal manager agree that the following criteria are met: (a)
  The amendment does not create a new program that would have significant implications for local fu nding or taxing; and (b) The amendment does not change overall plan priorities or goals.

  a. **30-day comment period.** Plan review authorities have 30 days to provide comments on the proposed amendment. Comments must be submitted to both the SWCD and BWSR (board conservationist).

     (i) If any objections are raised, the BWSR board conservationist, in consultation with the SWCD and the regional manager, determines whether the amendment can move forward as a minor amendment (if the determination is that the amendment cannot proceed, the partnership must submit the amendment consistent with the process in Section 2

     (ii) If the BWSR board conservationist fails to act within five working days of the end of the comment period (unless an extension is mutually agreed to with the partnership), the amendment is considered approved.

  b. **Public hearing**. The SWCD will schedule and hold a public hearing(s) on the amendment before the amendment can be approved.

  c. Finalize and distribute. The SWCD will distribute the final amendment to all plan review authorities who received the initial notification according to the method consistent with the recipient's requirements (electronic, hard copy, or web link).

- **Changes to a plan not requiring an amendment.** Amendments to plans are not required for changes such as:

A. formatting or reorganization of the plan;

B. revision of a procedure meant to streamline administration of the plan;

C. clarification of existing plan goals or policies;

D. inclusion of additional data not requiring interpretation;

E. expansion of public process; or

F. adjustments to how an organization will carry out program activities within its discretion.

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G. Format and Accessibility

- The final approved plan must be posted to the district website. Online content shall meet Minnesota accessibility standards (Web Content Accessibility Guidelines [WCAG] 2.1 Level AA or as subsequently updated).
- The plan actions and implementation could be hosted as a dynamic, living document on a secure, cloud-based platform—not only as a static PDF or Word file.