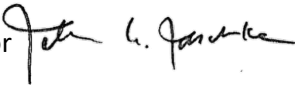




DATE: April 19, 2022

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

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice – April 27, 2022

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, April 27, 2022, beginning at 9:00 a.m. The meeting will be held in the lower level Board Room, at 520 Lafayette Road North, St. Paul and by WebEx. Due to COVID-19, access to the MPCA/BWSR office is limited. Individuals interested in attending the meeting should do so by either 1) logging into WebEx by going to the following website: <https://minnesota.webex.com/minnesota/onstage/g.php?MTID=eaf93c703cba79c2daf96498b4ba2147a>, and entering the password: webex, or 2) join by audio only conference call by calling telephone number: 415-655-0003 and entering the access code: 2491 460 0371.

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Southern Region Committee

1. **Shell Rock River & Winnebago River Comprehensive Watershed Management Plan** – The Shell Rock River & Winnebago River Watershed Partnership was selected by BWSR for a One Watershed, One Plan Planning Grant in August of 2018. A Memorandum of Agreement was established on July 5, 2018, between the planning partners for the purposes of writing a Comprehensive Watershed Management Plan, which was initiated on April 23, 2019. The watershed partnership members have attended regularly scheduled meetings and submitted the Shell Rock River & Winnebago River Comprehensive Watershed Management Plan (Plan) to BWSR on February 17, 2022, for review and approval. The Southern Regional Committee (Committee) met on March 30, 2022, to review the content of the Plan, State agency comments on the Plan, and to make a recommendation for approval. The Committee recommends approval by the full Board.
DECISION ITEM

Grants Program and Policy Committee

1. **Approval of Habitat Enhancement Landscape Pilot Grants** – The Habitat Enhancement Landscape Pilot (HELP) program is funded through the Environment and Natural Resources Trust Fund (ENRTF) and is focused on restoring and enhancing diverse native habitat on conservation lands and natural areas strategically located across Minnesota in efforts to address declining pollinators and other beneficial insects. On December 16, 2021, through Board Order #21-56, the Board authorized staff to complete and open the Habitat Enhancement Landscape Pilot RFP for a total of \$ 674,500. The application period was open until February 23, 2022. 11 applications requesting \$400,760 were received. The grants were reviewed by an interagency review team on March 24, 2022 to finalize grant ranking. The Grants Program and Policy Committee, at their March 28, 2022 meeting, reviewed the proposed grant awards and recommended approval to the Board. **DECISION ITEM**

2. **Cooperative Weed Management Area Grants** – Cooperative Weed Management Areas (CWMA) are partnerships of federal, state and local government agencies along with tribes, individual landowners and various other interested groups that manage noxious weeds or invasive plants in a defined area. On December 16, 2021, through Board Order #21-57, the Board authorized staff to complete and open the Cooperative Weed Management Area Program Request for Proposal for a total of \$200,000 to eligible Soil and Water Conservation District's for newly developing and existing CWMAs/CISMA partnerships in Minnesota.

The application period was open from January 3, 2022 to February 23, 2022. 21 applications requesting \$335,000 were received and applications were ranked by the CWMA Interagency Advisory Team. 13 applications are recommended to the Board for funding. **DECISION ITEM**

3. **Approval of Fiscal Year 2023 Clean Water Fund SWCD Local Capacity Grants** – In the 2021 Legislative Session, the legislature continued support for SWCDs through the Clean Water Fund at \$12M each year of the biennium. Per the appropriation language, each soil and water conservation district shall receive an increase in its base funding of \$100,000 per year. Money remaining after the base increase is available for grants to soil and water conservation districts as determined by the board based on county allocations to soil and water conservation districts and the amount of private land and public waters. The Grants Program and Policy Committee, at their April 11, 2022 meeting, reviewed the proposed grant allocations and recommended approval to the Board. **DECISION ITEM**
4. **Approval of Fiscal Year 2022-2023 Lower Minnesota River Watershed District Dredge Management Grants** – In the 2021 Legislative Session, the legislature appropriated funding in the amount of \$240,000 each fiscal year to the Lower Minnesota River Watershed District for the cost of operating and maintaining sites for dredge spoil to sustain the state, national, and international commercial and recreational navigation on the lower Minnesota River. The Grants Program and Policy Committee, at their April 11, 2022 meeting, reviewed the proposed grant allocations and recommended approval to the Board. **DECISION ITEM**

If you have any questions regarding the agenda, please feel free to call me at 651-539-2587. We look forward to seeing you on April 27.

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
ST. PAUL, MN 55155
WEDNESDAY, APRIL 27, 2022**

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF MARCH 23, 2022 BOARD MEETING

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

INTRODUCTION OF NEW STAFF

- Darren Mayers, Board Conservationist

CONFLICT OF INTEREST DECLARATION

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

REPORTS

- Chair & Administrative Advisory Committee – Gerald Van Amburg
- Executive Director – John Jaschke
- Audit & Oversight Committee – Joe Collins
- Dispute Resolution and Compliance Report – Travis Germundson/Rich Sve
- Grants Program & Policy Committee – Todd Holman
- RIM Reserve Committee – Jayne Hager Dee
- Water Management & Strategic Planning Committee – Joe Collins
- Wetland Conservation Committee – Jill Crafton
- Buffers, Soils & Drainage Committee – Mark Zabel
- Drainage Work Group – Neil Peterson/Tom Gile

AGENCY REPORTS

- Minnesota Department of Agriculture – Thom Petersen
- Minnesota Department of Health – Steve Robertson
- Minnesota Department of Natural Resources – Sarah Strommen
- Minnesota Extension – Joel Larson
- Minnesota Pollution Control Agency – Katrina Kessler

ADVISORY COMMENTS

- Association of Minnesota Counties – Brian Martinson
- Minnesota Association of Conservation District Employees – Nicole Bernd
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Eunice Biel
- Minnesota Association of Watershed Districts – Emily Javens
- Natural Resources Conservation Service – Troy Daniell

COMMITTEE RECOMMENDATIONS

Southern Region Committee

1. Shell Rock River & Winnebago River Comprehensive Watershed Management Plan – Ted Winter and Dave Copeland – ***DECISION ITEM***

Grants Program and Policy Committee

1. Approval of Habitat Enhancement Landscape Pilot Grants – Dan Shaw – ***DECISION ITEM***
2. Cooperative Weed Management Area Grants – Tara Perriello – ***DECISION ITEM***
3. Approval of Fiscal Year 2023 Clean Water Fund SWCD Local Capacity Grants – Marcey Westrick – ***DECISION ITEM***
4. Approval of Fiscal Year 2022-2023 Lower Minnesota River Watershed District Dredge Management Grants – Marcey Westrick – ***DECISION ITEM***

UPCOMING MEETINGS

- BWSR Board meeting is scheduled for Wednesday, May 25, 2022, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.

ADJOURN

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
LOWER LEVEL BOARD ROOM
ST. PAUL, MN 55155
WEDNESDAY, MARCH 23, 2022**

BOARD MEMBERS PRESENT:

Joe Collins, Jill Crafton, Jayne Hager Dee, Kathryn Kelly, Gerald Van Amburg, Ted Winter, LeRoy Ose, Kelly Kirkpatrick, Eunice Biel, Todd Holman, Ronald Staples, Mark Zabel, Katrina Kessler, MPCA; Joel Larson, University of Minnesota Extension; Thom Petersen, MDA; Steve Robertson, MDH; Sarah Strommen, DNR

BOARD MEMBERS ABSENT: Neil Peterson, Rich Sve

STAFF PRESENT:

John Jaschke, Rachel Mueller, Tom Gile, Travis Germundson, Bill Penning, Julie Westerlund, Sumbal Rana, Sharon Doucette, Singer Macrae, Michelle Jordan, Karli Tyma, Jeremy Olson, Annie Felix-Gerth, Barb Peichel, Angie Becker Kudelka, Tara Perriello, Jenny Gieseke, Marcey Westrick, Ryan Hughes, Ed Lenz, John Voz, Dan Shaw, Suzanne Rhees, Ed Lenz, Ann Wessel, Mary Juhl, Dave Weirens

OTHERS PRESENT:

Jeff Berg, MDA; Brian Martinson, AMC; Emily Javens, MAWD; Jan Voit, Amanda Bilek

Chair Gerald VanAmburg called the meeting to order at 9:03 AM.

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

Executive Director Jaschke noted on the updated agenda the Clay Soil and Water Conservation District Nomination Districts Resolution was removed and will be accomplished administratively as previously delegated.

22-09 Adoption of the agenda as presented was passed on a voice vote.

22-10 **MINUTES OF JANUARY 26, 2022 BOARD MEETING**

The January 26, 2022, board meeting minutes were approved as circulated by a voice vote.

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

INTRODUCTION OF NEW STAFF

Jeremy Olson introduced Singer Macrae, Contracts Accountant and Sharon Doucette introduced Sumbal Rana, Office and Administrative Specialist.

CONFLICT OF INTEREST DECLARATION

Chair Van Amburg read the statement:

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

REPORTS

Chair & Administrative Advisory Committee – Chair Gerald Van Amburg reported the committee has not met. Stated they met with Executive Director John Jaschke on the results of his performance review and thanked board members and senior staff for providing feedback. Chair Van Amburg attended the March 16 joint meeting of the Climate Change subcabinet and EQB. Climate Action Framework was presented by Frank Kolasch, Climate Director for MPCA.

Chair Van Amburg stated MAWD held their legislative event on March 16 and 17. March 22 was the start of the 23rd annual joint meeting of the Red River Watershed Management Board and Flood Damage Reduction Workgroup.

Angie Becker Kudelka stated she accepted a new position at the University of Minnesota and thanked BWSR board members for their leadership. Board members thanked Angie for her work with BWSR. John Jaschke stated there is an event on April 6 and information will be emailed out.

Executive Director’s Report - John Jaschke reported they are working to fill vacancies. Thanked Chair Van Amburg and Vice Chair Collins for reviewing his performance evaluation and stated a confidential paper copy of the document will be mailed to board members.

John gave a legislative update. Stated the Governor's recommendations are now in bills that have been introduced. There is an effort going on to build climate framework through the Advisory Council and the Climate subcabinet with an outreach effort to get ideas and input on the draft framework. Stated there are two items in bonding, the Conservation Reserve Enhancement Program and the Local Road Replacement.

Day at Capitol events were hosted by AMC, MAWD, MASWCD were completed in person.

John stated some additional information was added to the guidance document related to watershed based implementation funding that notes the existing opportunity to amend metro watershed plans to include provisions identified by partner organizations. Stated the Clean Water Council is holding meetings on suggestions and recommendations for next year's legislative session.

BWSR Board summer meeting and tour in August will be held in the East Grand Forks area in the river valley. Tour will be done jointly with the RRWMB, MAWD, Red River Basin Commission, and the Northwest SWCD group.

John stated there is pipeline mitigation funding being handled through an administrative process. It will work a lot like a grant program but the funding source is not legislative appropriations but an inter-agency transfer from the MPCA to BWSR that has to do with pipeline mitigation. Local governments that are part of that geography and would be eligible to use those funds for certain water quality type projects. Local governments will be implementing it.

BWSR is working on a return to the office/telework policy for staff.

Joe Collins stated he appreciates the work of BWSR and MAWD with the watershed based implementation funding program guidelines.

Audit and Oversight Committee – Joe Collins reported the committee has not met.

Dispute Resolution and Compliance Report – Travis Germundson reported there are presently seven appeals pending. All the appeals involve the Wetland Conservation Act. There has been one new appeal filed since the last Board Meeting.

File-22-2 (2-16-22) This is an appeal of a WCA Restoration Order in Kanabec County. The appeal regards the excavation of a ditch and placement of spoil material in a wetland. The project and alleged wetland impacts affects multiple property owners. No decision has been made on the appeal.

File 21-1 (8-16-2021) This is an appeal of a WCA Notice of Decision involving a no-loss determination in Kittson County. A pre-hearing conference took place on February 23, 2022 and was unable to settle the dispute, thus a schedule of filing a written briefs has been determined. Working on scheduling a DRC hearing.

Buffer compliance status update, the only notable change is to the map. Corrective action notices have been started for Marshall and Wilkin counties.

Thom Peterson from the Department of Agriculture left the meeting and Jeff Berg joined at 9:47 a.m.

Grants Program & Policy Committee – Todd Holman reported the committee met on February 14 and March 7. Their next meeting is scheduled for March 28. Stated there are action items on the agenda.

RIM Reserve Committee – Jayne Hager Dee reported they met in early February with two action items on the agenda.

Water Management & Strategic Planning Committee – Joe Collins reported the committee has not met.

Wetland Conservation Committee – Jill Crafton reported the committee has not met. Their next meeting is scheduled in April.

Buffers, Soils & Drainage Committee – Mark Zabel reported the committee has not met.

Drainage Work Group (DWG) – Tom Gile reported the committee has not met. Stated there was a bill introduced in House File 4274 that establishes a drainage registry and information portal. The bill was introduced in the house and was laid over for possible inclusion in the house Omnibus Environment bill. Stated it was not a bill that came out of the Drainage Work Group and that they will be sending out an email to the Drainage Workgroup providing some backdrop on how the hearing went and where it's at.

Chair Van Amburg thanked Jenny Gieseke for preparing the Executive Director review.

AGENCY REPORTS

Minnesota Department of Agriculture – Jeff Berg reported Minnesota Agricultural Water Quality Certification Program is approaching 1,200 producers and 835,000 acres enrolled in the program.

Jeff stated the drought relief bill for farmers passed the House and is scheduled to be heard on the Senate floor. Also stated agency bills are starting to come out. The Senate Agriculture Committee met Monday and this afternoon is the House Agriculture Committee.

Minnesota Department of Health – Steve Robertson reported MDH accelerated implementation grants. These are grants that accelerate implementation of groundwater projects across the state to address concerns at a local level.

Steve gave an update on the infrastructure funding and coordination with the implementation of the new and revised lead and copper rule.

Jeff stated EPA had a workshop in early March on Nitrogen Reduction for groundwater.

Minnesota Department of Natural Resources – Sarah Strommen reported she facilitated a panel climate conversation last week with EQB, the Climate Subcabinet and the Governor's Climate Advisory Council. Sarah also attended a couple sessions at the North American Fish and Wildlife and Natural Resources Conference.

Sarah stated the Governor's drought relief package also included resources for water and tree impacts.

Stated on Monday DNR released a notice that they have completed their investigation of three aquifer breaches that occurred during construction of the Line 3 replacement project. They provided an outline of the results of the investigation, the status of the restoration, the work at each site, and the location of each site. Information is available on the Line 3 replacement project website.

Stated they found a deer with Chronic Wasting Disease (CWD) in the city limits of Grand Rapids. Will be having more enhanced statewide surveillance. Also stated today is the DNR Commissioners Office Hours and will be highlighting the contributions of DNR volunteers and volunteer opportunities.

Jill Crafton stated there is an Izaak Walton chapter in Grand Rapids and they are concerned with the two deer farms in the area and would like to know where they are located. Sarah stated under the Board of Animal Health the specific location of deer farms is considered private and not public. Stated that DNR's wildlife staff and wildlife health staff have access to that information and will be looking into it.

Mark Zabel asked if they have any initiative to try and communicate with people that might be artificially concentrating deer at feeding stations in the area. Sarah stated that current protocols for the CWD response plan is that if there is a positive CWD, feeding bans are put into place.

Minnesota Extension – Joel Larson reported on a couple of extension programs. Nitrogen Smart focuses on providing information and how nitrogen moves through the environment. A similar program they're working on is called Carbon Smart, and it's modeled on Nitrogen Smart. It's designed to help farmers and ag professional understand how carbon moves through the environment and how to manage carbon as a potential resources.

Stated they are still in process in searching for an Extension Educator to focus on climate resilience among agricultural and natural resource communities.

Jill Crafton asked if pulling nitrogen out of the atmosphere using legumes is going to be part of the curriculum. Joel stated it is part of that curriculum and talks about how to incorporate nitrogen fixing plants or legumes as part of a holistic crop rotation.

Minnesota Pollution Control Agency – Katrina Kessler reported bills related to climate, PFAS and bonding have been introduced. Stated they released an update of the PFAS blueprint and put out a PFAS monitor plan statewide. Stated they are following guidance of the bipartisan infrastructure law, or the infrastructure and jobs act, and believe that there are opportunities for the state of Minnesota. They are looking to hire a grant writer within the MPCA to take advantage of the competitive funds.

MPCA staff are planning to return to buildings starting on April 21.

Jill Crafton asked if there is a legislation need for the EV chargers. Katrina stated a number of the federal allocations requires a state match and they are asking for \$13 million in their budget proposals for bonding that would unlock almost \$70 million of federal dollars. It can go to expand EV charging corridors across the state.

Gerry asked if MPCA is involved with the proposed carbon pipeline. Katrina stated she recently heard about it and has reached out to other agencies to learn more.

ADVISORY COMMENTS

Association of Minnesota Counties – Executive Director John Jaschke provided a report emailed by Brian Martinson.

Brian stated they believe that continuing their work to secure Federal CWA 404 permitting authority is the right course of action, given the recent report findings. Legislation has been introduced in both

bodies appropriating \$740,000 to finish collecting the necessary information and to complete an application for assumption. Senate File 3509 introduced by Senator Eichorn has been heard and laid over for possible inclusion in Senate Environment Finance Bill. In the House, Representative Ecklund has introduced House File 3311. They are still waiting on a hearing in that body. They would encourage others to offer their support to the others and to Chairs, Senator Ingebrigtsen and Representative Hansen to support this request.

Brian stated House File 4274 establishing a drainage registry information portal was heard in the House and laid over for possible inclusion in the House Omnibus Environment bill. Counties, as drainage authorities, have concerns with the proposal, including the cost of extra reporting, the need for new or additional notice on top of current requirements, restrictions on necessary repair and maintenance work for 30 days from posting.

They also have held to the understanding that all drainage stakeholders respected the Drainage work group (DWG) process and that new legislation would be reviewed by the DWG in order to reach mutual understanding and consensus on a path forward. This change to 103E ignores that practice and indicates that perhaps drainage stakeholders should bring issues directly to the legislature, which we feel is not a good idea.

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

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

Minnesota Association of Townships – Eunice Biel reported March 8 was Minnesota Township Day where there was an audit meeting, an election for township officers, and an annual meeting. Following that election, Minnesota Association of Townships offered trainings to township officers throughout the week.

Eunice stated in 2021 townships received American Rescue Plan Funds with specified uses for funds in townships. A report on how the funds were spent is due by April 30th to the Department of Treasury. Stated they will be putting bids out for rock and services on township roads. Eunice also stated they will be having a special election primary on May 21 in the first congressional district and then August 9 there will be a special election.

Minnesota Association of Watershed Districts – Emily Javens reported she is at the Red River conference today. Emily thanked Angie Becker Kudelka for her time at BWSR. Emily reported last week they had their legislative event that went well. Stated the levy bill passed out of the Environment Committee and is headed to the Tax Committee.

Emily stated some good things have happened between BWSR and their members in the last year and is hoping they continue.

Natural Resources Conservation Service – No report was provided.

Jill Crafton stated she attended the Sustainable Farming Association meeting where Troy was a speaker and did an amazing job.

Chair Van Amburg recessed the meeting at 11:00 a.m. and called the meeting back to order at 11:08 a.m.

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

FY 22/23 Clean Water Fund Soil Health Grants – Tom Gile presented FY 22/23 Clean Water Fund Soil Health Grants.

The Minnesota legislature passed a law in 2021 appropriating funding to BWSR from the Clean Water Fund for farmers who own or rent land to enhance adoption of cover crops and other soil health practices in areas where there are direct benefits to Public Water Supplies. Staff has spent the last 9 months developing and implementing an outreach effort to gain information and feedback from various stakeholders regarding overall Soil Health program development. Over that time an internal staff team also was in development of two Soil Health grant delivery processes (one for these Clean Water Funds and a parallel track for other General Fund dollars appropriated in 2021). What is before the Board now is a culmination of those efforts to deliver the Clean Water Fund portion of these dollars. Staff will provide an overview of the outreach efforts conducted in preparing the recommended program and current Request for Proposal (RFP). Due to the time commitment of the outreach efforts and program development to date both FY 22 and FY 23 funds are proposed for distribution in a single RFP.

Noted that the board is asked to approve the RFP criteria only, not the full RFP document included in the packet.

Jill Crafton stated in the survey there was a percentage of farmers who felt more comfortable working with other farmer mentors and asked if that was going to be part of this. Tom stated that it is an eligible expense under the grant RFP and is something that can be requested for funding.

Tom stated the RFP is scheduled to release on March 28.

**
22-11 Moved by Jill Crafton seconded by Todd Holman, to approve the FY 22/23 Clean Water Fund Soil Health Grants. ***Motion passed on a roll call vote.***

2022 Request for Proposals for One Watershed, One Plan Planning Grants – Julie Westerlund presented 2022 Request for Proposals for One Watershed, One Plan Planning Grants.

The purpose of this agenda item is for the Board to approve the 2022 Request for Proposals for One Watershed, One Plan Planning Grants. This is the sixth year BWSR is offering planning grants. The RFP has evolved over time to encourage more discussion among prospective planning groups during proposal development and to refine BWSR selection criteria. Only small changes have been made relative to the 2021 RFP. This grant program continues to operate under the policy adopted by the Board in 2018.

**
22-12 Moved by Jill Crafton, seconded by Ted Winter, to approve the 2022 Request for Proposals for One Watershed, One Plan Planning Grants. ***Motion passed on a roll call vote.***

Lawns to Legumes Phase 2 Demonstration Neighborhood Grant Program Funding Recommendation – Dan Shaw presented Lawns to Legumes Phase 2 Demonstration Neighborhood Grant Program Funding Recommendation.

The Lawns to Legumes Phase 2 Demonstration Neighborhoods involve the establishment of residential pollinator habitat within neighborhoods in important pollinator corridors/pathways and building overall interest in ecological landscaping. These projects can involve educational and community spaces in

addition to residential landscapes. A total of \$1,066,000 was made available for this RFP from two Environment and Natural Resources Trust Fund (ENRTF) appropriations that have different grant end dates. Through the application process applicants were asked if they can complete their projects by May 1, 2023, or if they would benefit from an extra year and final decisions about grant periods will be made by the program's advisory team.

A total of 21 applications were submitted requesting a total of \$715,345. A program advisory team made of BWSR staff, along with staff from other organizations working on pollinators, met on March 2, 2022 and finalized funding recommendations. The Grants Program and Policy Committee reviewed the recommendations on March 7, 2022 and made a recommendation to the full Board. A draft Order is attached based on that recommendation of the Grants Program and Policy Committee.

Jill Crafton is looking forward to seeing it implemented. Kelly Kirkpatrick stated she is excited to see this go through.

**
22-13 Moved by Todd Holman, seconded by Jayne Hager Dee, to approve the Lawns to Legumes Phase 2 Demonstration Neighborhood Grant Program Funding Recommendation. ***Motion passed on a roll call vote.***

Central Region Committee

Carnelian-Marine-St. Croix Watershed Management Plan – Michelle Jordan presented Carnelian-Marine-St. Croix Watershed Management Plan.

Background

In 1981, the Carnelian-Marine Watershed District was formed to address property damage being caused by fluctuating water levels on area lakes. In 2001, the Marine on St. Croix Water Management Organization proposed a merger with the Carnelian-Marine Watershed District due to the large number and diversity of water-related natural resources, significant high value resources, heavy use of the resources for recreational and aesthetic purposes, recharge of drinking water supplies, increased development pressures, and fiscal capacity. In 2007, the Carnelian-Marine Watershed District was expanded to encompass the Marine on St. Croix Watershed Management Organization and renamed the Carnelian-Marine-St. Croix Watershed District (CMSCWD). The CMSCWD covers 81.4 square miles in northeastern Washington County, in the Twin Cities Metropolitan Area. Included in the CMSCWD are the City of Scandia, the City of Marine on St. Croix, May Township, Stillwater Township, and small parts of the Cities of Hugo, Grant, and Stillwater. The CMSCWD is bound by the St. Croix River to the east, into which the entire watershed drains. To the west are the Comfort Lake-Forest Lake and Rice Creek Watershed Districts, and the Brown's Creek Watershed District to the south. The major land uses in the CMSCWD are hay/pasture and deciduous forest. Among the CMSCWD's water resources are 31 lakes, 21 streams (including 10 with brook trout populations), hundreds of acres of wetlands and over 17 miles of St. Croix River shoreline. The vision of the CMSCWD is to protect and improve these water resources through coordination with local units of government, citizens, and other government agencies.

Plan Process and Highlights

On March 11, 2020 CMSCWD sent notification of initiation of the planning process for the 2022-2031 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. The CMSCWD engaged a variety of stakeholder groups to gather input on watershed issues and reviewed existing plans and programs. A Technical Advisory Committee (TAC) kick-

off meeting was held on July 29, 2020; a district-wide survey and a shoreland landowner survey were conducted; two public listening sessions were held, and the Citizen Advisory Committee provided their priority issues and recommendations (available in Appendix G). This stakeholder input was used to develop draft issue statements which were considered by the CMSCWD Board of Managers at an initial planning meeting (as required by MN 8410.0045) held on November 14, 2020.

Examples of high-priority program activities and outcomes for addressing issues and achieving goals include:

Administration

- Improved communications, streamlined and transparent budgeting, and strengthened partnerships throughout the watershed

Regulatory

- Consistent enforcement of CMSCWD Rules
- Enforcement of shoreline alteration rules and annual Shoreland Compliance and Enforcement Team meetings

Technical Assistance & Cost Share

- 30 rural/agricultural water quality BMPs reducing 300 pounds/year of phosphorus installed
- 27 urban water quality and rate control BMPs installed reducing phosphorus by 40 pounds/year
- 19 shorelines or streambanks (2,000 linear feet) restored; Increased parcels that have 50% or greater natural shoreline on 6 water resources

Inspections & Maintenance

- Annual inspections and maintenance on Carnelian Channel
- Inspection and maintenance recorded for all CMSCWD BMPs

Monitoring

- Evaluation of shoreline vegetative cover on 10 lakes in 2022, 2024, and 2030; measurement of progress toward the majority of lakeshores having 50% natural vegetative cover
- Water quality and water level monitoring in 30 lakes
- Water quality, quantity and macroinvertebrate monitoring in 22 streams

Analysis & Prioritization

- Subwatershed analysis completed for direct drainage to the St. Croix River (including spring streams)
- Floodplain Vulnerability Assessment
- Data collected on 14 degraded wetlands discharging focused waters

Aquatic Invasive Species (AIS)

- Coordinated AIS prevention and management plan and rapid response plan
- 2,000 hours of watercraft inspections on public boat launches

Communications & Outreach

- Implementation of robust communications and outreach plan including continued partnership with East Metro Water Resources Education Program, Citizen Advisory Committee coordination, targeted engagement activities, events, meetings, and publications

Capital Improvement Program

- Design, construction, and maintenance of 18 Capital Improvement Projects

Jill Crafton stated that there were a lot of people brought together to develop this. Joe Collins agreed with Jill and stated the memo was well written and easy to read.

**
22-14 Moved by Joe Collins, seconded by Kathryn Kelly, to approve the Carnelian-Marine-St. Croix Watershed Management Plan. ***Motion passed on a roll call vote.***

RIM Reserve Committee

Reinvest in Minnesota (RIM) Easement #08-09-93-02 Alteration for Public Road Project – Karli Tyma presented Reinvest in Minnesota (RIM) Easement #08-09-93-02 Alteration for Public Road Project.

The Brown County Highway Department is seeking approval from BWSR to release 0.6 acres from Reinvest in Minnesota (RIM) Reserve Conservation Easement #08-09-93-03 in order to complete a bridge replacement and public road improvement project on CSAH 8. The project will involve replacement and relocation of Bridge 2110, a structurally deficient, one lane bridge crossing the Minnesota River. The project will require realignment of the roadway and expansion of the existing highway right-of-way. The bridge replacement, realignment of CSAH 8 and expanded road right-of-way will improve public safety by allowing better traffic flow and allowing trucks, equipment, and emergency vehicles to cross the river more safely. The overall impact to the RIM easement area will be minimal and immediately adjacent to the existing road right-of-ways.

Due to the shift in the roadway and right-of-way, 0.6 acres of RIM Easement #08-09-93-03 will be impacted by this project and are recommended for release from the RIM easement. In accordance with BWSR's Easement Alteration Policy, both the Brown County Soil and Water Conservation District and the DNR Area Wildlife Manager have submitted letters in favor of the proposed release. Brown County Highway Department has submitted the required \$500 application fee for BWSR to consider the alteration request. The Highway Department has acquired the necessary highway easement from the current landowner to be able to move forward with the project. The Brown County Highway Department has agreed to pay BWSR the amount equal to two times the current RIM payment rate for the acres released, as well as pay back any state funds spent on conservation practices on the impacted areas, in accordance with the Easement Alteration Policy for public benefitted projects.

The total amount to be paid to BWSR and agreed upon by Brown County for release of the 0.6 acres has been calculated as follows:

Current RIM payment rate for Eden Township: \$7183.80 /acre

2 x current RIM rate = 2 x \$7183.80/acre = \$14, 367.60/acre

0.6 acres x \$14, 367.60/acre = \$8620.56

State funds previously spent on conservation practices: \$100/acre x 0.6 acres = \$60.00

\$8620.56 + \$60.00 = \$8680.56

The Brown County Highway Department has met all requirements of BWSR's Easement Alteration Policy for public benefitted projects and all supporting documents are attached.

Recommendation

The RIM Reserve Committee voted to approve the easement alteration request and to formally amend RIM Easement #08-09-93-02 to release 0.6 acres for the public benefit of the Brown County Highway Department Bridge 2110 replacement project.

Kathryn Kelly stated their local SWCD took a look at this plan since it's in Area 6 and are supportive.

**
22-15 Moved by Kathryn Kelly, seconded by Jill Crafton, to approve the Reinvest in Minnesota (RIM) Easement #08-09-93-02 Alteration for Public Road Project. ***Motion passed on a roll call vote.***

Resolution Authorizing the Reinvest in Minnesota (RIM) Reserve – Working Lands Conservation Code and Cost Share Rates – Bill Penning presented Resolution Authorizing the Reinvest in Minnesota (RIM) Reserve – Working Lands Conservation Code and Cost Share Rates.

The Laws of Minnesota 2019, Chapter 2, Article 1, Section 4(a) allows BWSR to spend up to \$1,000,000 create a working lands easement program. The Working Lands RIM Easement Pilot Program was authorized by Board Resolution 21-04. This program is designed to work with cattle producers to keep cattle on the landscape and protect and improve water quality and wildlife habitat. To do so requires certain infrastructure such as fencing and alternate water sources to allow for rotational grazing and keeping cattle from vulnerable water sources. These activities must be done in accordance with a grazing plan that meets USDA or other widely accepted grazing standards.

The RIM program has not had a program like this in the past. Although NRCS may be able to write grazing plans and provide cost share for implementation, in the long run there is no certainty of this, and a new Practice Code for grazing infrastructure and authorization to pay for grazing plans is needed.

Jill Crafton asked if we are giving some deference to those that are doing good rotational grazing in their normal operation and does it figure into the selection of those participating. Bill stated they developed a scoring and ranking sheet that they take into account.

Kathryn Kelly stated she would have liked to see those who are already enrolled in RIM to have the opportunity to use the grazing practice. Stated she appreciates having the grazing practice for future RIM projects.

Todd Holman thanked Bill Penning and John Voz for their work.

Kelly Kirkpatrick stated this is an excellent program.

Mark Zabel stated he is not familiar with the program and asked for a brief overview of what these RIM agreements might be. Also asked if this resolution is just for codes and practices. Bill gave an overview and stated code and practices are limited to working lands easements that they take on under RIM.

**
22-16 Moved by Ted Winter, seconded by Jill Crafton, to approve the Resolution Authorizing the Reinvest in Minnesota (RIM) Reserve – Working Lands Conservation Code and Cost Share Rates. ***Motion passed on a roll call vote.***

NEW BUSINESS

Value of BWSR Storytelling presentation – Mary Juhl and Ann Wessel presented Value of BWSR Storytelling presentation.

BWSR Communications staff gave a presentation at the Feb. 10 regional operations BWSR staff meeting and again at the March 8 Senior Management Team meeting about the value of BWSR storytelling. The purpose of this presentation is to share results and successes related to BWSR Snapshots and Conservation Stories, and to highlight the key role our staff play in communicating conservation outcomes. The presentation also outlines the ways agency communications staff use social media and work with news outlets to spread the word about BWSR grants, programs and initiatives. At the request of SMT, we'd like to share this presentation with the full BWSR board to make them aware of the positive trends we've seen in recent years related to BWSR's storytelling efforts.

Kathryn Kelly thanked them for their work.

John Jaschke stated this month's Snapshots are in the Day of Packet.

UPCOMING MEETINGS

- Grants Program and Policy Committee is scheduled for Monday, March 28, 2022, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.
- Southern Regional Committee is scheduled for Wednesday, March 30, 2022, at 1:00 p.m. at Murray Soil and Water Conservation District, 2740 22nd Street, Slayton, and by Microsoft Teams.
- Grants Program and Policy Committee is scheduled for Monday, April 11, 2022, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.
- Southern Region Committee is scheduled for Tuesday, April 19, 2022, at 9:30 a.m. in person, location TBD.
- Wetland Conservation Committee is scheduled for Thursday, April 21, 2022, at 9:00 a.m. location TBD and by Microsoft Teams.
- BWSR Board meeting is scheduled for Wednesday, April 27, 2022, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.

Chair VanAmburg adjourned the meeting at 1:09 PM.

Respectfully submitted,

Gerald Van Amburg
Chair

1

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution/Compliance Report

Meeting Date: April 27, 2022

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Office

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)

Presented by: Travis Germundson/Rich Sve DRC Chair

Time requested: 5 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

None

LINKS TO ADDITIONAL INFORMATION

See attached report/map.

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

The report provides a monthly update on the number of appeals filed with BWSR and statewide buffer compliance status.

Dispute Resolution and Compliance Report

April 12, 2022

By: Travis Germundson

There are presently seven appeals pending. All the appeals involve the Wetland Conservation Act (WCA). There have been **no** new appeals filed since the last Board Meeting.

Format note: New appeals that have been filed since last report to the Board.
~~Appeals that have been decided since last report to the Board.~~

File-22-2 (2-16-22) This is an appeal of a WCA Restoration Order in Kanabec County. The appeal regards the excavation of a ditch and placement of spoil material in a wetland. The project and alleged wetland impacts affects multiple property owners. *The appeal was placed in abeyance and the Restoration Order stayed for submittal of additional documentation in support of the appeal and for Kanabec County to make a final decision on the after-the-fact exemption applications that are associated with the project*

File 22-1(1-7-2022) This is an appeal of a WCA Restoration Order in Steele County. The appeal regards the alleged placement of agricultural drain tile through multiple wetlands. *The appeal was placed in abeyance and the Restoration Order stayed for submittal of an after-the-fact wetland application.*

File 21-9 (12-17-2021) This is an appeal of a WCA notice of decision involving a no-loss determination in Pope County. The appeal regards the approval of a 36' inlet structure/tile to reduce inundation and saturated soil on agricultural fields. At issue is the elevation that was approved (to high). The petition request that the appeal be placed in abeyance until technical data can be gathered. Note, this involves the same notice of decision being appealed under File 21-07. *The appeal has been combined with file 21-7 and placed in abeyance to allow the Technical Evaluation Panel to develop written finding of fact following the submission of additional technical analyses.*

File 21-8 (12-17-21) This is an appeal of a WCA Restoration Order in Rock County. The appeal regards the alleged placement of tile lines through wetlands. The petition request that the appeal be placed in abeyance for the submittal of an after-the-fact wetland application. *The appeal was placed in abeyance and the Restoration Order stayed for further investigation and submittal of an after-the-fact wetland application.*

File 21-7 (12-14-2021) This is an appeal of a WCA notice of decision involving a no-loss determination in Pope County. The appeal regards approval of a 36" inlet structure/tile that allegedly rout water around U.S. Fish and Wildlife Service property and impact wetlands. At issue is the elevation that was approved (to low). *The appeal has been combined with file 21-9 and placed in abeyance to allow the Technical Evaluation Panel to develop written finding of fact following the submission of additional technical analyses.*

File 21-4 (10-26-2021) This is an appeal of a WCA restoration order in Morrison County. The appeal regards alterations to a private ditch and excavation of wildlife ponds. The project allegedly exceeded the project scope and authorization granted by the local unit of government for ditch maintenance under a no-loss determination. *The appeal was placed in abeyance and the restoration order stayed to determine viability of proposed actions for restoration.*

File 21-1 (8-16-2021) This is an appeal of a WCA Notice of Decision involving a no-loss determination in Kittson County. The appeal regards the denial of a no-loss determination for wetland impacts associated with the construction of road, ditch, and additional fill material. *The appeal was placed in abeyance and the restoration order stayed for submittal of an after-the-fact wetland restoration and replacement plan application. The appellant’s legal counsel notified BWSR that there they are no longer interested in pursuing a new application. As a result, a decision was made on November 3, 2021 to grant and hear the appeal. A pre-hearing conference took place on February 23, 2022 and a schedule of filing of written briefs has been determined.*

Summary Table for Appeals

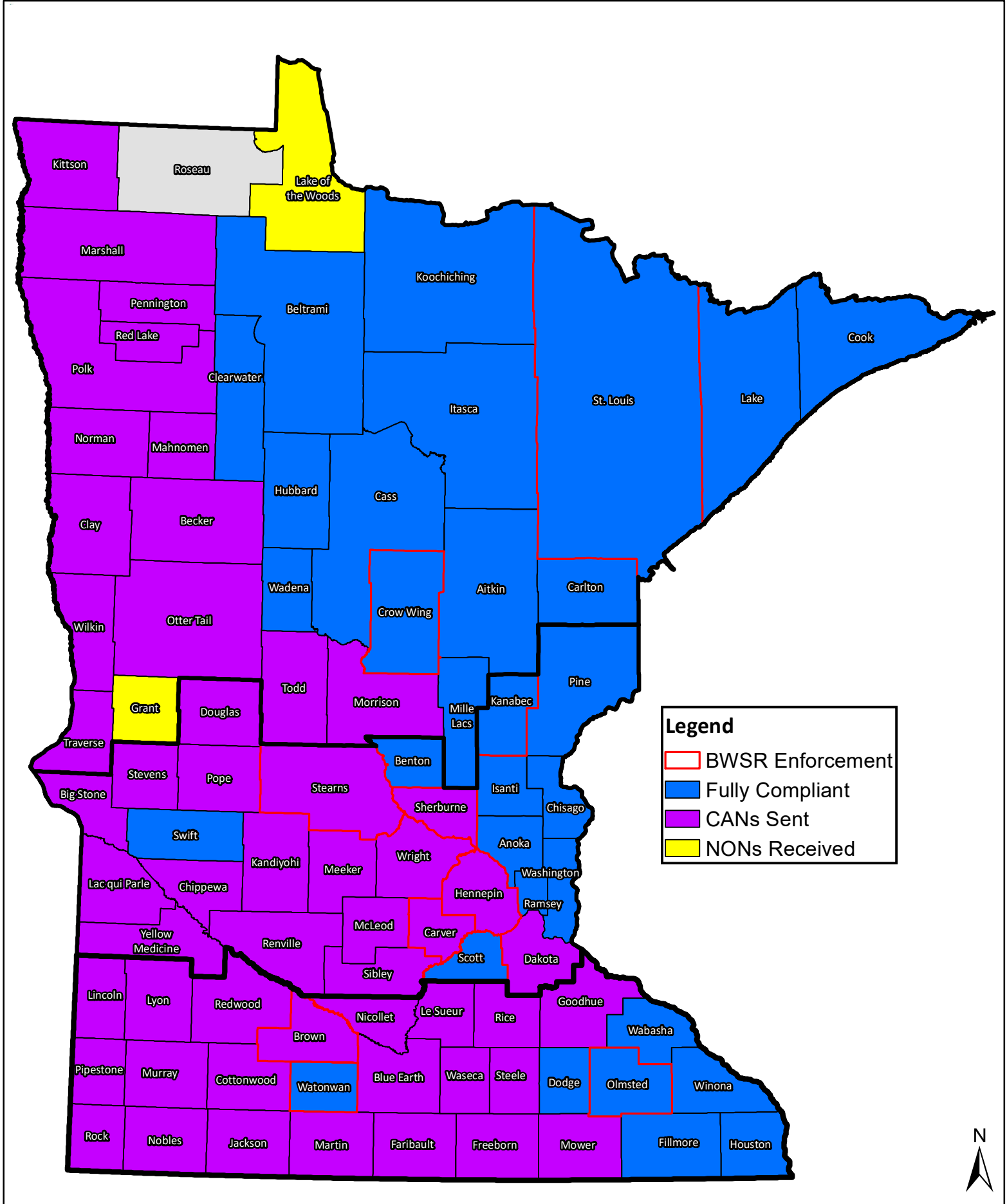
Type of Decision	Total for Calendar Year 2021	Total for Calendar Year 2022
Order in favor of appellant		
Order not in favor of appellant	2	
Order Modified		
Order Remanded		
Order Place Appeal in Abeyance	5	2
Negotiated Settlement		
Withdrawn/Dismissed	2	

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 93 parcels from the 12 counties BWSR is responsible for enforcement. Currently there are no active Corrective Action Notices (CANs) and 6 Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 86 of those have been resolved.

*Statewide 31 counties are fully compliant, and 53 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 609 CANs and 52 APOs actively in place. Of the actions being tracked over 2,201 of those have been resolved.

**Disclaimer: These numbers are generated monthly from BWSR’s Access database. The information is obtained through notifications from LGUs on actions taken to bring about compliance and may not reflect the current status of compliance numbers.*

STATEWIDE BUFFER ENFORCEMENT



COMMITTEE RECOMMENDATIONS

Southern Region Committee

1. Shell Rock River & Winnebago River Comprehensive Watershed Management Plan – Ted Winter and David Copeland – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Shell Rock River & Winnebago River Comprehensive Watershed Management Plan

Meeting Date: April 27, 2022

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Shell Rock River; Winnebago River; Watershed; Freeborn

Section/Region: Southern Region

Contact: Ed Lenz

Prepared by: David Copeland

Reviewed by: Southern Regional Committee

Presented by: Ted Winter, David Copeland

Time requested: 15 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of the Shell Rock River & Winnebago River Comprehensive Watershed Management Plan as recommended by the Southern Regional Committee.

LINKS TO ADDITIONAL INFORMATION

Plan is on the Shell Rock River Watershed District website:

- Plan Weblink: https://www.shellrock.org/vertical/sites/%7B9804AD9D-40CA-46B1-8F91-CC0257E7304A%7D/uploads/2022-02-02_shellRockWinnebagoRiver1W1P_MN_ISG.pdf

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

Shell Rock River & Winnebago River Comprehensive Watershed Management Plan (Plan) – The Shell Rock River & Winnebago River Watershed Partnership (Partnership) was selected by BWSR for a One Watershed, One Plan Planning Grant in August of 2018. The Partnership established a Memorandum of Agreement on July 5, 2018, for the purposes of watershed planning. Planning was initiated on April 23, 2019, via notification to designated Plan review authorities. The Partnership has followed One Watershed, One Plan Operating Procedures; and the Policy

Committee, Technical Advisory Group, and Steering Team members have attended regularly scheduled meetings and kept open communication throughout Plan development. The Partnership submitted the draft Shell Rock River & Winnebago River Comprehensive Watershed Management Plan (Plan) to BWSR on November 1, 2021, for 60-day comment period. A public hearing was held January 20, 2022, and the Policy Committee submitted the Plan for approval February 17, 2022. The Southern Regional Committee (Committee) met on March 30, 2022, to review the planning process, the content of the Plan, State agency comments on the Plan, and to make a recommendation for approval. The Committee recommends approval by the full Board.

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 Shell Rock River & Winnebago River Watershed 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 Shell Rock River & Winnebago River Watershed Partnership submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on February 17, 2022, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #16-17, and

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

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

FINDINGS OF FACT

- Partnership Establishment.** The Partnership was established in 2018 through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes: the County of Freeborn, by and through its Board of Commissioners; the Freeborn County Soil and Water Conservation District, by and through its Board of Supervisors; the Shell Rock River Watershed District, by and through its Board of Managers; and the City of Albert Lea, by and through its City Council.
- 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. And Board Resolution #16-17 adopted the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- Nature of the Watershed.** The Shell Rock River and Winnebago River Watershed Planning Area is a 317 square mile area located almost entirely in Freeborn County, with a very small area of approximately 454 acres in Faribault County. The Shell Rock River watershed covers 246 square miles, while the Winnebago River watershed covers the remaining 71 square miles. The Iowa border defines the southern boundary of the planning area. The Shell Rock River begins at the outlet of Albert Lea Lake in the City of Albert Lea and flows for roughly 12 miles to the Iowa border. While a portion of the Winnebago watershed is in Minnesota, the Winnebago River itself starts in Iowa. The planning area is predominantly comprised of productive ag land with mostly row crops and some pasture. Corn and soybeans are the predominant crop rotation. There is a variety of livestock operations with swine production being the biggest. Topography includes moraine ridges, gently to steeply rolling hills, and level plains. Artificial drainage via both public and private drainage systems is predominant in the planning area. There are 10 lakes in the planning area, with Fountain Lake, Albert Lea Lake, and Pickerel Lake being the three predominant waterbodies. The Shell Rock River Watershed District, which operates under MN Chapter 103E statutes, lies within the planning area.

4. **Plan Development.** The Partnership initiated the Plan development process for the One Watershed, One Plan on April 23, 2019, by notifying the designated State Plan review agencies, local government units, and other identified stakeholders that it was starting the planning process and soliciting each Plan review agency's priority issues, summaries of relevant water management goals, and water resource information. The Shell Rock River and Winnebago River Watershed Planning Partnership held a kick-off event to solicit stakeholder and public input and garner involvement on August 21, 2019, in Albert Lea at the Edgewater Bay Pavilion. Citizens, stakeholders, elected and appointed officials, and staff were given the opportunity to share information, communicate their priority concerns, and provide comments for the planning process. This input was used in the development and prioritization of resource issues, as well as strategies and actions to address these issues and achieve measurability. Numerical measurable goals of the project were based on Watershed Restoration and Protection Strategies (WRAPS) for the Shell Rock River and Winnebago River watersheds as well as TMDLs and local water plans. HSPF-SAM model inputs were based in part on a spreadsheet targeting tool that the firm RESPEC had developed for the watersheds for MPCA as a part of the WRAPS and TMDL development. The reduction estimates from the targeted implementation schedule, along with the measurable goals established for the watershed, provided an estimated pace of progress that can be expected through the ten-year planning period. Implementation categories and initiatives were then detailed to identify where funds will be utilized to accomplish the strategies and actions from the targeted implementation schedule. Goals for the Plan where action strategies included structural and management implementation methods were tailored for each of the four planning regions in the Plan and implementation schedules reflect the differing targeting methods for each region. The draft Plan was approved by the Policy Committee and then distributed to individuals, communities, Plan Review Authorities, and other stakeholders on November 1, 2021, for the required 60-day review and comment period. Written comments were received, considered, and responded to by the Partnership and approved by the Policy Committee. The Policy Committee held a public hearing in Albert Lea on January 20, 2022. No additional comments were brought forth by the public. The final draft Plan and all required materials were submitted and officially received by the BWSR Board Conservationist (Board) on February 17, 2022.
5. **Plan Review.** On February 17, 2022, the Board received the Plan, a record of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Board #16-17. 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): During the 60-day review and comment period the MDA provided comments which included requesting additional information and references to the Minnesota Ag Water Quality Certification Program (MAWQCP) and the State Groundwater Protection Rule. MDA confirmed receipt of the Plan at the final formal review and responded that they did not have additional comments. *MDA recommends approval.*
- B. Minnesota Department of Health (MDH): MDH provided input throughout the planning process and participated consistently in Advisory Committee meetings. During the 60-day review and comment period, MDH submitted three specific comments on the Plan. They were in reference to a cost associated with well sealings, an incorrect GRAPS reference, and a question on practices associated with groundwater protection efforts. These were addressed in the final Plan. MDH confirmed receipt of the Plan and stated via email they were satisfied with responses to their comments. *MDH recommends approval.*
- C. Minnesota Department of Natural Resources (DNR): DNR provided input throughout the planning process and participated in Advisory Committee meetings. Responses to the 60-day review and comment period by DNR included in several places replacing the term "rough fish" with "carp" for accuracy. DNR also commented on the impacts that lake dredging can/will have on lake habitat. DNR encouraged the consideration of natural approaches for streambank and lakeshore stabilization efforts and stressed the importance of including nutrient management BMPs to help address nutrient loading from upland areas. DNR confirmed receipt of the Plan and stated "DNR remains committed to provide the necessary technical support and science-based recommendation to protect and improve the Shell Rock-Winnebago Watersheds". *DNR recommends approval.*

- D. Minnesota Pollution Control Agency (MPCA): MPCA provided input throughout the planning process and participated in Advisory Committee meetings. Responses to the 60-day review and comment period by MPCA included clarifying drainage water management practices as part of the implementation strategy, comments and questions about Table 3-2 which shows load estimates and estimated reductions at outlets to priority lakes in the Planning area, updating several impairments to reflect new data, and asking to be sure that the estimated pollution reductions align with the HSPF-SAM outputs. MPCA also requested the 2017 HSPF-SAM inputs used for some of the pollution reduction estimates be cited in the Plan, but this request was turned down by the Partnership. It was felt that “the relevant studies and work used to develop the outcomes are adequately referenced in the plan as it currently stands.” MPCA is satisfied with the responses. MPCA recommends approval.
- E. Minnesota Environmental Quality Board: No comments were received.
- F. Minnesota Board of Water and Soil Resources regional staff: BWSR staff provided input to the planning process, participated in the Advisory Committee meetings, and aided the Planning Work Group during the Plan development process. During the 60-day review period, BWSR staff provided a total of 92 comments. Staff comments ranged from simple editorial comments and questions about clarification on some of the technical aspects, to requesting changes to the Plan to both ensure consistency throughout the Plan and ensure Plan Content Requirements were met. The most significant of those was: 1) the need to have more detailed information on projects that the Partnership may consider to be capital improvement projects. BWSR Plan Content Requirements state “Capital Improvement Programs (CIP) for Watershed Districts. CIPs are required in the plan when a watershed district is included, consistent with the requirements of Minnesota statutes 103B and 103D.” 2) BWSR Plan Content Requirements call for establishing “procedures for engaging state agencies and describe the ongoing roles and commitments of the state agencies for plan implementation”. BWSR requested the Plan include language that clearly defines the State water quality agencies involvement through membership on the Technical Advisory Committee during implementation. 3) BWSR requested some language change in the Plan to clearly state that the Shell Rock River Watershed District, while serving as a fiscal agent for future grants, would not be solely approving activities on land that lies outside its jurisdictional boundaries. These and other comments were adequately addressed. BWSR staff recommends approval of the Plan.
- G. Local Review: The partnership sought input from local units of government and local associations dealing with soil and water resources and habitat. No comments were officially received from these entities during the 60- or 90-day period.
6. **Plan Summary and Highlights.** The highlights of the Plan include:
- The Plan includes an Executive Summary which includes a summary of resource concerns and issues, introduces the reader to the Planning Management Zones, roles and responsibilities of the three committees involved in Plan development, the method of establishing measurable goals, and an easy-to-read Table (0-3) of implementation actions and resource issues the actions address.
 - The Plan places a high priority on both restoring and protecting the water quality of the priority lakes in the Plan area, which was communicated consistently by stakeholders both during the kick-off meeting and throughout the planning process.
 - The Plan includes a thorough identification of the targeted areas with the use of HSPF-SAM and a targeting spreadsheet tool. An extensive series of maps known as Appendix E break down the planning area into sub-watersheds for targeting specific practices and the best locations for both pollution reduction and cost effectiveness.
 - A total of 10 resource issues were identified. These were placed into categories A-E, with A being the highest priority and E being the lowest. Category A priorities include Surface Water Quantity and Surface Water Quality; Category B are Erosion and Sediment Control and Protecting Soil Health; Category C priorities are Restoring Wetland and Upland Habitat and Groundwater Quantity and Quality; Category D priorities are Improve Degraded Aquatic Habitat and Invasive Species; and Category E is Groundwater Protection.
 - The implementation Table has implementation actions and Measurable Goals for each of the four Planning Management Zones, as well as a Table for watershed-wide actions.

- Approximately \$23.8 million is needed to fully fund the Plan over its ten-year lifespan for the Tier A actions and costs, i.e., those funding sources and implementation actions the partnership feels “fit within the expected staffing capacity and funding”. With anticipated \$25.7 million in funding expected, the partnership believes there will be adequate funding to support the implementation actions. This is in large measure to the past success and anticipated future success the Shell Rock River Watershed District has had in securing Lessard-Sam Outdoor Heritage Council and State bonding funds as well as locally generated revenues from a local sales tax the Watershed District has secured.
7. **South Regional Committee.** On March 30, 2022, the Southern Regional Committee met to review and discuss the Plan. Those in attendance from the Board’s Committee were Committee Chair Ted Winter, Eunice Biel, Jeffrey Berg, Steve Robertson and Scott Roemhildt. Board staff in attendance were Southern Region Manager Ed Lenz, Clean Water Specialist Shaina Keseley, and Board Conservationist David Copeland. The representative from the Partnership was Courtney Phillips with the Shell Rock River Watershed District. Board regional staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee’s decision was to present a recommendation of approval of the Plan to the full Board.
 8. This Plan will be in effect for a ten-year period until April 27, 2032.

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 Shell Rock River and Winnebago River Watershed Partnership pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Resolution #16-17.
3. The Shell Rock River and Winnebago River 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 #16-17.
5. The attached Plan when adopted through local resolution by the members of the Partnership will serve as a replacement for the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan and consistent with the One Watershed, One Plan Suggested Boundary Map.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Shell Rock River and Winnebago River Watershed Partnership, dated February 17, 2022.

Dated at St. Paul, Minnesota, this 27th of April 2022.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair

April 27, 2022

Shell Rock River & Winnebago River Watershed Partnership
c/o Courtney Phillips, Program/Project Manager, Shell Rock River Watershed District
214 West Main Street
Albert Lea, MN 56007

RE: Approval of the Shell Rock River & Winnebago River Comprehensive Watershed Management Plan

Dear Shell Rock River & Winnebago River Watershed Partnership:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Shell Rock River & Winnebago River Comprehensive Watershed Management Plan (Plan) developed through the One Watershed, One Plan Program was approved at its regular meeting held on April 27, 2022. Attached is the signed Board Order that documents approval of the Plan and indicates the Plan meets all relevant requirements of law, rule, and policy.

This Plan is effective for a ten-year period until April 27, 2032. Please be advised, the partners must adopt and begin implementing the Plan within 120 days of the date of the Order in accordance with Minnesota Statutes §103B.101, Subd. 14, and the One Watershed, One Plan Operating Procedures.

The members of the Partnership and participants in the Plan development process are to be commended for writing a plan that clearly presents water management goals, actions, and priorities of the Partnership. The Board of Water and Soil Resources looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Board Conservationist David Copeland of our staff at 507-327-2217 or david.copeland@state.mn.us for further assistance in this matter.

Sincerely,

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

Enclosure: BWSR Board Order

CC: Jeffrey Berg, MDA (via email) Margaret Wagner, MDA (via email)
Jennifer Ronnenberg, MDH (via email) Carrie Raber, MDH (via email)
Dan Girolamo, DNR (via email) Barbara Weisman, DNR (via email)
Emily Zanon, MPCA (via email) Erik Dahl, EQB (via email)
Jeff Risberg, MPCA (via email) David Copeland, BWSR (via email)
Ed Lenz, BWSR (via email) Shaina Keseley, BWSR (via email)
Rachel Mueller, BWSR (file copy) Julie Westerlund, BWSR (via email)

Bemidji	Brainerd	Detroit Lakes	Duluth	Mankato	Marshall	Rochester	St Cloud
403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	1601 Minnesota Drive Brainerd, MN 56401 (218) 203-4470	26624 N. Tower Road Detroit Lakes, MN 56501 (218) 846-8400	394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	11 Civic Center Plaza Suite 300 Mankato, MN 56001 (507) 344-2826	1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	3555 9 th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889	110 Second St. South Suite 307 Waite Park, MN 56387

Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

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COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

1. Approval of Habitat Enhancement Landscape Pilot Grants – Dan Shaw – ***DECISION ITEM***
2. Cooperative Weed Management Area Grants – Tara Perriello – ***DECISION ITEM***
3. Approval of Fiscal Year 2023 Clean Water Fund SWCD Local Capacity Grants – Marcey Westrick – ***DECISION ITEM***
4. Approval of Fiscal Year 2022-2023 Lower Minnesota River Watershed District Dredge Management Grants – Marcey Westrick – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Approval of Habitat Enhancement Landscape Pilot Grants

Meeting Date: April 27, 2022

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Habitat, HELP, Enhancement, Pollinators, Planting

Section/Region: Statewide

Contact: Dan Shaw

Prepared by: Dan Shaw

Reviewed by: _____ Committee(s) GPPC

Presented by: Dan Shaw

Time requested: 20 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Recommend approval of the Habitat Enhancement Landscape Pilot grants, authorize staff to enter into grant agreements and to develop and distribute subsequent request for proposals (RFPs) for remaining funds.

LINKS TO ADDITIONAL INFORMATION

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

The Habitat Enhancement Landscape Pilot (HELP) program is funded through the Environment and Natural Resources Trust Fund (ENRTF) and is focused on restoring and enhancing diverse native habitat on conservation lands and natural areas strategically located across Minnesota in efforts to address declining pollinators and other beneficial insects. On December 16, 2021, through Board Order #21-56, the Board authorized staff to complete and open the Habitat Enhancement Landscape Pilot RFP for a total of \$ 674,500. The application period was open until February 23, 2022. 11 applications requesting \$400,760 were received. The grants were reviewed by an interagency review team on March 24, 2022 to finalize grant ranking. The Grants Program and Policy Committee, at their March 28, 2022 meeting, reviewed the proposed grant awards and recommended approval to the Board.

DRAFT BOARD ORDER

Habitat Enhancement Landscape Pilot Grant Awards

PURPOSE

Authorize the grant awards for the Habitat Enhancement Landscape Pilot.

FINDINGS OF FACT / RECITALS

1. The Laws of Minnesota 2021, 1st Special Session, Chapter 6, Article 5, Section 2, Subd. 8(b) appropriated \$750,000 from the Environment and Natural Resources Trust Fund to the Board for building a new initiative to strategically restore and enhance approximately 1,000 acres of diverse native habitat to benefit multiple insects through grants, cost-share, and outreach.
2. In December 2021 by Board Order #21-56, the Board authorized staff to complete and open the Habitat Enhancement Landscape Pilot (HELP) RFP to provide grants through a competitive process.
3. The HELP RFP opened on January 3, 2022 and applications were accepted through February 23, 2022.
4. A total of 11 applications requesting \$400,760 were received.
5. Board staff reviewed applications for eligibility for this Program. Based on this review, 11 applications were determined to be eligible.
6. An inter-agency review team ranked the eligible applications on March 24, 2022 and recommended applications for funding.
7. The Grants Program and Policy Committee, at their March 28, 2022 meeting, reviewed the proposed grant awards and recommended approval to the Board.

ORDER

The Board hereby:

1. Approves the allocation of funds to each eligible applicant in the amounts listed in the attached table *Habitat Enhancement Landscape Pilot Funding Recommendation*.
2. Authorizes staff to enter into individual grant agreements for these funds.
3. Authorizes staff to develop and distribute subsequent Request for Proposals (RFP) for remaining funds similar to the initial RFP with a maximum request amount not to exceed \$60,000, include counties as eligible applicants, allow landscape conversion to native plant communities to be an eligible activity (in addition to pollinator plots and landscape enhancement), and allow pollinator plots and landscape conversions to be up to ten acres in size.

Dated at St. Paul, Minnesota, this April 27, 2022.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair

Date: _____

Board of Water and Soil Resources

HABITAT ENHANCEMENT LANDSCAPE PILOT FUNDING RECOMMENDATION	
Grantee	Funding Amount
Aitkin Soil and Water Conservation District	\$20,000
Anoka Conservation District	\$40,000
Beltrami Soil and Water Conservation District	\$30,760
Crow Wing Soil and Water Conservation District	\$40,000
Martin Soil and Water Conservation District	\$30,000
Middle-Snake-Tamarac Rivers Watershed District	\$40,000
Ramsey-Washington Metro Watershed District	\$40,000
Root River Soil and Water Conservation District	\$40,000
Sherburne Soil and Water Conservation District	\$40,000
Stearns Soil and Water Conservation District	\$40,000
Washington Conservation District	\$40,000
Total	\$400,760

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Cooperative Weed Management Area Grants

Meeting Date: April 27, 2022

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Weed, Management, Invasive Species

Section/Region: Statewide

Contact: Dan Shaw, Tara Perriello

Prepared by: Marcey Westrick

Reviewed by: _____ Committee(s) GPPC

Presented by: Tara Perriello

Time requested: 15 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Recommend approval of the CWMA Grants and authorize staff to enter into grant agreements.

LINKS TO ADDITIONAL INFORMATION

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

Cooperative Weed Management Areas (CWMA) are partnerships of federal, state and local government agencies along with tribes, individual landowners and various other interested groups that manage noxious weeds or invasive plants in a defined area. On December 16, 2021, through Board Order #21-57, the Board authorized staff to complete and open the Cooperative Weed Management Area Program Request for Proposal for a total of \$200,000 to eligible Soil and Water Conservation District’s for newly developing and existing CWMAs/CISMA partnerships in Minnesota.

The application period was open from January 3, 2022 to February 23, 2022. 21 applications requesting \$335,000 were received and applications were ranked by the CWMA Interagency Advisory Team. 13 applications are recommended to the Board for funding.

DRAFT BOARD ORDER

Fiscal Year 2022 and 2023 Cooperative Weed Management Area Grant Awards

PURPOSE

Authorize the grant awards for fiscal year 2022 and 2023 General Fund Cooperative Weed Management Area (CWMA) grants to selected Soil and Water Conservation Districts (SWCDs).

FINDINGS OF FACT / RECITALS

1. The Laws of Minnesota 2021, 1st Special Session, Chapter 6, Article 1, Section 4d(1), appropriated \$100,000 each year for fiscal year 2022 and 2023 for county cooperative weed management cost-share programs.
2. The CWMA program provides financial assistance to SWCDs to develop and sustain Cooperative Weed Management Areas that control emerging weed threats and manage natural areas and conservation lands through an integrated pest management and ecosystem approach.
3. On December 16, 2021, by Board Order #21-57, the Board authorized a CWMA Grant Program for FY2022 and FY2023 to provide funds to existing, and newly establishing CWMA's through a competitive process.
4. Applicants were accepted from new and existing CWMA's and evaluated based on the following criteria:

Table 1: Cooperative Weed Management Area Program Ranking Criteria	
Ranking Criteria	Maximum Points Possible
<u>Newly Establishing Organizations:</u> The funding will be used to assist the development of a newly establishing Cooperative Weed Management Area (CWMA) or Cooperative Invasive Species Management Area (CISMA).	10
<u>Anticipated Outcomes:</u> The outcomes expected upon completion of the project initiatives are identified, consistent with project goals, and it is clear how these outcomes will be obtained.	25
<u>Relationship to CWMA and Conservation Plans:</u> The proposal and species of focus are based on priority actions listed in or derived from CWMA/CISMA plans, and other local, state and federal conservation and invasive species plans.	10
<u>Weed Prioritization:</u> Weed threats are prioritized and are consistent with Minnesota's Noxious Weed Law, as well as local needs.	15
<u>Strength of Partnerships:</u> : Partnerships are clearly defined and will lead to effective management and operation.	15
<u>Management Approach:</u> An approach is defined to plan and manage invasive species through partnership coordination and using integrated pest management, and a focus on restoring native vegetation and/or native plant communities where practicable.	15
<u>Information Management:</u> An approach is defined for the management of information about weed locations (using EDDMapS), as well as management approaches used.	10
Total Points Available	100

5. The inter-agency CWMA Advisory Team reviewed and ranked the applications on March 30, 2022 and recommended 13 of 21 applications be funded.
6. The Grants Program and Policy Committee, at their April 11, 2022 meeting, reviewed the proposed grant awards and recommended approval to the Board.

ORDER

The Board hereby:

1. Approves the allocation of funds to each eligible applicant in the amounts listed in the attached table *FY2022 & FY2023 Cooperative Weed Management Area Program Funding Recommendation*, totaling \$200,000.
2. Authorizes staff to enter into individual grant agreements for these funds.
3. Establishes that the grants awarded pursuant to this order will conform to the BWSR Erosion Control and Water Management Program Policy.

Dated at St. Paul, Minnesota, this April 27, 2022

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Attachments: *FY2022 & FY2023 Cooperative Weed Management Area Program Funding Recommendation*

**FY2022 & FY2023 Cooperative Weed Management Area Program
Funding Recommendation**

Soil and Water Conservation District	Recommended Award
Becker Soil and Water Conservation District	\$15,000
Washington Conservation District	\$15,000
Anoka Conservation District	\$15,000
Brown Soil and Water Conservation District	\$20,000
Stearns Soil and Water Conservation District	\$15,000
Winona Soil and Water Conservation District	\$15,000
Carlton Soil and Water Conservation District	\$15,000
Goodhue Soil and Water Conservation District	\$20,000
Ramsey County Soil and Water Conservation District	\$15,000
Red Lake Soil and Water Conservation District	\$15,000
Wright Soil and Water Conservation District	\$15,000
Koochiching Soil and Water Conservation District	\$15,000
Pennington Soil and Water Conservation District	\$10,000
Total	\$200,000

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Approval of Fiscal Year 2023 Clean Water Fund SWCD Local Capacity Grants

Meeting Date: April 27, 2022

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Clean Water Fund, SWCD, Local Capacity

Section/Region: Regional Operations

Contact: Marcey Westrick

Prepared by: Marcey Westrick

Reviewed by: _____ Committee(s) GPPC

Presented by: Marcey Westrick

Time requested: 15 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Recommend approval of Fiscal Year 2023 Clean Water Fund SWCD Local Capacity Funds and authorize staff to enter into grant agreements.

LINKS TO ADDITIONAL INFORMATION

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

In the 2021 Legislative Session, the legislature continued support for SWCDs through the Clean Water Fund at \$12M each year of the biennium. Per the appropriation language, each soil and water conservation district shall receive an increase in its base funding of \$100,000 per year. Money remaining after the base increase is available for grants to soil and water conservation districts as determined by the board based on county allocations to soil and water conservation districts and the amount of private land and public waters. The Grants Program and Policy Committee, at their April 11, 2022 meeting, reviewed the proposed grant allocations and recommended approval to the Board.

DRAFT BOARD ORDER**Fiscal Year 2023 SWCD Capacity Grants Program****PURPOSE**

Provide Fiscal Year 2023 Clean Water Fund Capacity Grant Funds to Soil and Water Conservation Districts.

FINDINGS OF FACT / RECITALS

1. The Soil and Water Conservation District (SWCD) Capacity Program supports implementation of the various duties and responsibilities of SWCDs as provided for in Minnesota Statutes Chapter 103C.
2. The Laws of Minnesota 2021, 1st Special Session, Chapter 1, Article 2, Sec. 6(q), appropriated \$12 million in Fiscal Year 2023 SWCD Capacity Program funds.
3. This appropriation limits funds for the Board's administration of the program to two percent.
4. The appropriation includes language that requires providing an increase in the base amount of \$100,000 per year, and for remaining funds to be distributed to each SWCD based on county allocations to SWCDs and on the amount of private land and public waters.
5. The allocation includes a) a \$107,500 per SWCD base amount, b) 10% of the funds to the land and water portion using a distribution of 75% based on private land and a distribution of 25% based on the amount of public waters, c) the remaining amount apportioned based on the 2021 county allocation to the SWCD and d) an attenuation cap of $\pm 7.5\%$ as compared to a SWCD's FY22 Capacity grant.
6. The Grants Program and Policy Committee, at their April 11, 2022 meeting, reviewed the proposed allocations and recommended approval to the Board.

ORDER

The Board hereby:

1. Approves the allocations which includes: a) a \$107,500 base amount per eligible SWCD and Hennepin and Ramsey Counties, b) 10% of the funds to the land and water portion using a distribution of 75% based on the amount of private land and 25% based on the amount of public waters per each eligible SWCD and Hennepin and Ramsey Counties, c) the remaining amount apportioned based on the 2021 county allocation to the SWCD, and d) an attenuation cap of $\pm 7.5\%$ as compared to a SWCD's FY22 Capacity grant
2. Establishes that the 2023 Capacity Grants awarded pursuant to this resolution will conform to the most recent SWCD Conservation Delivery and Capacity Grants Policy.
3. Acknowledges the two percent limit prescribed in statute for agency costs.
4. Authorizes staff to enter into grant agreements for these purposes.

5. Authorizes staff to allocate unobligated funds, including those that have been returned from previous years' Clean Water Fund SWCD Local Capacity grant programs, to the FY23 amount per eligible SWCD on an equal basis.

Dated this April 27, 2022.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Approval of Fiscal Year 2022-2023 Lower Minnesota River Watershed District Dredge Management Grants

Meeting Date: April 27, 2022

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Minnesota River, Lower Minnesota River Watershed District, Dredge

Section/Region: Regional Operations

Contact: Marcey Westrick

Prepared by: Marcey Westrick

Reviewed by: _____ Committee(s) GPPC

Presented by: Marcey Westrick

Time requested: 10 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Recommend approval of FY2022 and 2023 Lower Minnesota River Watershed District Dredge Management Grants and authorize staff to enter into grant agreements.

LINKS TO ADDITIONAL INFORMATION

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

In the 2021 Legislative Session, the legislature appropriated funding in the amount of \$240,000 each fiscal year to the Lower Minnesota River Watershed District for the cost of operating and maintaining sites for dredge spoil to sustain the state, national, and international commercial and recreational navigation on the lower Minnesota River. The Grants Program and Policy Committee, at their April 11, 2022 meeting, reviewed the proposed grant allocations and recommended approval to the Board.

DRAFT BOARD ORDER

**Fiscal Year 2022 and 2023 Lower Minnesota River Watershed District Dredge Management Grants
Approval**

PURPOSE

Approval of the fiscal year 2022 and 2023 Dredge Management grants to Lower Minnesota River Watershed District.

FINDINGS OF FACT / RECITALS

1. The Laws of Minnesota 2021, 1st Special Session, Chapter 6, Article 1, Section 4(i), appropriated \$240,000 for each fiscal year 2022 and 2023 for Minnesota River channel management.
2. This grant is available for the cost of operating and maintaining sites for dredge spoil to sustain the state, national, and international commercial and recreational navigation on the lower Minnesota River.
3. The Lower Minnesota Watershed District will develop and submit a work plan to BWSR to cover activities for fiscal year 2022 and 2023.
4. The Grants Program and Policy Committee, at their April 11, 2022 meeting, discussed and reviewed the Lower Minnesota River Watershed District Dredge Management grant allocation and recommended approval to the Board.

ORDER

The Board hereby:

1. Authorizes staff to enter into a grant agreement for the FY 2022 and 2023 Lower Minnesota River Watershed District Dredge Management Grants consistent with the provisions of the appropriation, recognizing that funds for the fiscal year 2023 grants will not be available until the start of that fiscal year and will be processed only after July 1, 2022.
2. Authorizes staff to review and approve the work plans for 2022 and 2023 prior to payment of grant funds.

Dated at St. Paul, Minnesota, this April 27, 2022.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____