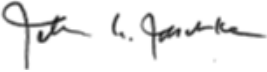




DATE: September 18, 2018

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

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice – September 26, 2018

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, September 26, 2018, beginning at 9:00 a.m. The September 26, 2018 board meeting will be held via telephone conference and in the 2nd Floor BWSR Conference Room at 520 Lafayette Road N, Saint Paul.

The telephone conference line is:

- Toll-free dial-in number: (888) 742-5095
- Conference code: 3520209849

Please note that this meeting will be conducted via phone and members of the board and the public may call in via the information provided above or attend in person.

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Central Region Committee

- 1. Benton Local Water Management Plan Extension Request** – On June 4, 2018, the Benton County Commissioners submitted a resolution requesting BWSR extend the deadline of their county comprehensive water management plan from August 31, 2018 to December 31, 2018 to allow the county and conservation district to operate under a current water plan while addressing specific issues that have arisen during the plan development process. BWSR staff recommended taking no action on this request as the proposed timeline for the water plan completion would have no significant impact to the operation of the local governments or their eligibility for grants. At the August public hearing, public comment relating to the MN-DNR groundwater management plan resulted in an unexpected delay in the submission of the plan to BWSR. BWSR staff recommended the committee review the request for an extension and grant the extension to December 31, 2018 retroactive to the expiration date of August 31, 2018. The Central Regional Committee met on September 6 to review the extension request and provided a recommendation for the full board to grant the extension of the Benton County Comprehensive Local Water Management Plan to December 31, 2018. **DECISION**
- 2. Lower Minnesota River Watershed District Watershed Management Plan Update** – The Lower Minnesota River Watershed District (District) was established in March 1960 and encompasses approximately 80 square miles of the central part of the Twin Cities metropolitan area. This plan update focuses on updates to the goals, implementation program and the District's regulatory standards. The Central Region Committee met on September 6, 2018 to discuss the Plan and recommends approval per the attached draft Order. **DECISION**

3. **Scott Watershed Management Organization Plan Update** – The Scott Watershed Management Organization (SWMO) was established in 1996 and encompasses approximately 287 square miles of the southwestern Twin Cities metropolitan area. This plan update focuses on priorities identified during a comprehensive stakeholder engagement process. The Central Region Committee met earlier this month to discuss the Plan and recommends approval per the attached draft Order. **DECISION**

Southern Region Committee

1. **Nicollet SWCD Office Change in Location of Office Headquarters** – The Nicollet Soil and Water Conservation District Board of Supervisors filed a resolution with the Board to change the location of their principal office headquarters. Pursuant with statute, BWSR must act on the change of office location. The Southern Regional Committee met on August 23, 2018 to review this request and voted to recommend the change of office headquarters location be approved per the attached draft resolution. **DECISION**

If you have any questions regarding the agenda, please feel free to call me at 651-296-0878. We look forward to talking with you on September 26.

**BOARD OF WATER AND SOIL RESOURCES
BWSR CONFERENCE ROOM – SECOND FLOOR
520 LAFAYETTE RD N
SAINT PAUL, MN 55155
WEDNESDAY, SEPTEMBER 26, 2018**

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF AUGUST 23, 2018 BOARD MEETING

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

REPORTS

- Chair & Administrative Advisory Committee - Gerald Van Amburg
- Audit & Oversight Committee - Gerald Van Amburg
- Executive Director - John Jaschke
- Dispute Resolution Committee - Gerald Van Amburg
- Grants Program & Policy Committee - Steve Sunderland
- RIM Reserve Committee – Tom Loveall
- Water Management & Strategic Planning Committee - Jack Ditmore
- Wetland Conservation Committee - Tom Schulz
- Buffers, Soils & Drainage Committee - Kathryn Kelly
- Drainage Work Group - Tom Loveall/AI Kean

COMMITTEE RECOMMENDATIONS

Central Region Committee

1. Benton Local Water Management Plan Extension Request – Kevin Bigalke – ***DECISION ITEM***
2. Lower Minnesota River Watershed District Watershed Management Plan Update – Steve Christopher – ***DECISION ITEM***
3. Scott Watershed Management Organization Plan Update – Steve Christopher – ***DECISION ITEM***

Southern Region Committee

1. Nicollet SWCD Office Change in Location of Office Headquarters – Ed Lenz – ***DECISION ITEM***

AGENCY REPORTS

- Minnesota Department of Agriculture – Susan Stokes
- Minnesota Department of Health – Chris Elvrum
- Minnesota Department of Natural Resources – Tom Landwehr
- Minnesota Extension Service – Joel Larson
- Minnesota Pollution Control Agency – Shannon Lotthammer

ADVISORY COMMENTS

- Association of Minnesota Counties – Jennifer Berquam
- Minnesota Association of Conservation District Employees – Chessa Frahm
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Nathan Redalen
- Minnesota Association of Watershed Districts – Emily Javens
- Natural Resources Conservation Service – Troy Daniell

UPCOMING MEETINGS

- Next BWSR Meeting is scheduled for Wednesday, October 24, 2018, at 9:00AM at the Freeman Office Building, located at 625 Robert St N, St Paul, MN 55155. The meeting will be located in Room B145. Board members will be sent information on parking and shuttle options closer to the date of the meeting.

ADJOURN

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL BOARD ROOM
ST. PAUL, MINNESOTA 55155
THURSDAY, AUGUST 23, 2018**

BOARD MEMBERS PRESENT:

Jill Crafton, Jack Ditmore, Kathryn Kelly, Tom Loveall, Nathan Redalen, Tom Schulz, Steve Sunderland, Harvey Kruger, Gerald Van Amburg, Paige Winebarger, Shannon Lotthammer, MPCA; Chris Elvrum, MDH; Duane Willenbring; Rich Sve, Joe Collins, Neil Peterson, Joel Larson, U of M Extension

BOARD MEMBERS ABSENT:

Susan Stokes, MDA; Tom Landwehr, DNR; Patty Acomb

STAFF PRESENT:

John Jaschke, Angie Becker Kudelka, Hannah Pallmeyer, Al Kean, Doug Thomas, Ed Lenz, Tabor Hoek, Dusty Van Thuyne, Jason Beckler, Douglas Goodrich, Mark Hiles

OTHERS PRESENT:

Jeffrey Berg, MDA
LeAnn Buck, MASWCD
Emily Javens, MAWD
Greg Mikkelson
Jamie Beyer
Paige Beyer

Chair Gerald Van Amburg called the meeting to order at 8:40 AM

PLEDGE OF ALLEGIANCE

**** 18-43** **ADOPTION OF AGENDA** - Moved by Jill Crafton, seconded by Duane Willenbring to adopt the agenda as presented. ***Motion passed on a voice vote.***

**** 18-44** **MINUTES OF THE JUNE 27, 2018 BOARD MEETING** – Moved by Nathan Redalen, seconded by Neil Peterson, to approve the minutes of June 27, 2018, as amended with minor edits. ***Motion passed on a voice vote.***

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

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.”

INTRODUCTION OF NEW BOARD MEMBERS

Chair Van Amburg introduced and welcomed Joel Larson from the University of Minnesota Extension and Harvey Kruger from the Heron Lake Watershed District. Harvey Kruger and Joel Larson introduced themselves to the board.

REPORTS

Chair & Administrative Advisory Committee – Chair Gerald Van Amburg reported that the Administrative Advisory Committee met before the board meeting and discussed two items on the agenda. Chair Van Amburg has attended various Environmental Quality Board (EQB) meetings since the last BWSR board meeting. One meeting addressed Wild Rice issues. A report is due to the Governor by December 2018. There also is an Environment and Energy Report Card that the EQB is putting together. More information can be found on the website of the EQB. Land use is one part of the report. For example, the report highlighted the importance of the protection of Worthington’s wells, which is timely given the tour visiting Worthington’s wellheads yesterday.

Audit and Oversight Committee – Chair Gerald Van Amburg reported that a letter was sent out to the Legislative Audit Commission, the Lessard-Sams Outdoor Heritage Council (LSOHC) and the Legislative-Citizen Commission on Minnesota’s Resources (LCCMR). The letter was provided to board members.

Executive Director’s Report - John Jaschke thanked BWSR and LGU staff who assisted in putting together yesterday’s annual tour. John reviewed the packet of information provided to board members. He reminded board members about how mileage reimbursement claims should be submitted. John Jaschke reviewed the “Snapshots” which can be found on the BWSR website. Kathryn Kelly expressed her appreciation for “Snapshots” and the importance of highlighting local programs and issues. She thanked BWSR Communications staff for their work putting together this publication and Chair Van

Amburg thanked staff for promoting these stories on social media. John Jaschke also passed out a map showing where CREP applications are coming from and an update on One Watershed, One Plan. John Jaschke mentioned that there are new chairs for a few BWSR Committees: Nathan Redalen is the Chair of the Southern Region Committee, Tom Loveall is the RIM Reserve Committee Chair, and Rich Sve is the Northern Region Committee Chair. Chair Van Amburg added that there was a CREP recognition ceremony in West Otter Tail in July. Chair Van Amburg also thanked local staff for their assistance putting together the tour yesterday.

Dispute Resolution Committee – No report was provided as there were no active appeals pending.

Grants Program & Policy Committee - Steve Sunderland reported that the Grants Program and Policy committee met on August 7, 2018 and has a few agenda items for today's meeting. The Grants Committee had an overview of grants status. The total grant amount processed was over \$44 million for 2018. 1185 grants were processed in 2018. There are about 3500 open grants that BWSR is tracking.

RIM Reserve Committee – Tom Loveall reported that the committee has not met since the last board meeting.

Water Management & Strategic Planning Committee - Jack Ditmore reported that the committee has not met since the last board meeting.

Wetland Conservation Committee - Tom Schulz reported that the committee has not met since the last board meeting. John Jaschke mentioned that the Waters of the United States is still being considered by the U.S. Environmental Protection Agency. The U.S. Army Corps of Engineers is reconsidering their approach to assumable waters.

Buffers, Soils & Drainage Committee - Kathryn Kelly reported that the committee has not met since the last board meeting.

Drainage Work Group (DWG) - Tom Loveall reported that the DWG met on July 12 and August 9, 2018. The DWG Prioritized list was accepted at the August meeting. The DWG is working on an internal charter. The DWG is continuing to accelerate drainage system acquisition of buffer strips. There is currently not full consensus for these recommendations. There are also recommendations for the runoff and sediment delivery options for repair cost apportionment, but there is not full consensus for these recommendations. There are discussions about how the DWG can move forward with decision making and recommendations. The DWG also discussed the reestablishment of drainage system records. The DNR presented to the DWG in August about concerns that they have about some drainage records reestablishment projects.

Al Kean talked about the Legislative Water Commission (LWC) meeting in early August about keeping water on the land. Jim Stark is the Executive Director for the LWC. The DWG gave recommendations to the Clean Water Council (CWC) about water storage. The One Watershed, One Plan legislation includes water storage goals. The DWG recommended having some funding for water storage to the CWC and they have shared that with the LWC. The MN Viewers Association and the MN Association of Drainage Inspectors had a joint meeting in August and invited BWSR to present about runoff and sediment delivery. Al Kean has worked to update some of the recommendations for the legislature for the upcoming legislative session. The DWG did not have consensus during the last legislative session. If there is no consensus, it may make sense to have a different process. The charter that Al Kean is

working on would help define the process and help with staffing transitions and new members. One option could be that there would be a majority report and a minority report. What defines a majority or minority may depend on the issue. Al Kean and Duane Willenbring also discussed the reestablishment of drainage system records and the DNR concerns. There was additional discussion about the challenges working within the current DWG process.

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

Fiscal Year 2019 Technical Service Area Grants Authorization – Doug Thomas presented the grants authorization. The purpose of this agenda item is to allocate Technical Service Area (TSA) Grants. The recommended grants are consistent with the previous year except for the equipment funds have been rotated on the pre-established schedule agreed to with the TSAs. The Grants Program & Policy Committee reviewed the recommendations at their August 7, 2018 meeting and recommended approval of the order to the board.

Steve Sunderland commented that the presentation by a local TSA staff at the tour yesterday was very informative and helped to explain the projects that TSAs may assist with. There was a conversation about the grants provided to host/fiscal agent SWCD. Some TSAs have offices in two locations and so may receive \$10,000 instead of \$5,000.

**
18-45 Moved by Steve Sunderland, seconded by Neil Peterson, to approve the FY2019 Technical Service Area Grants Authorization. ***Motion passed on a voice vote.***

One Watershed, One Plan Planning Grants Authorization – Doug Thomas presented the policy. The calendar year 2018 One Watershed, One Plan Planning Grants request for proposal (RFP) period opened on April 2, 2018 and closed on July 2, 2018. Staff screened the nine applications against the RFP selection criteria and received feedback from the Interagency WRAPS Implementation Team. Members of Senior Management Team reviewed staff recommendations on August 6, 2018 and recommended moving forward with funding all nine applications. The Grants Program and Policy Committee reviewed this recommendation on August 7, 2018 and recommends the attached resolution to the board.

Funds for these planning grants are from the 2018-2019 biennium, Laws of Minnesota 2017, Chapter 91, Article 2, Section 7(i) for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach and remaining unspent dollars from the 2016-2017 biennium, Laws of Minnesota 2015, 1st Special Session, Chapter 2, Article 2, Sec. 7(j).

The board discussed how the nine grants were chosen and the amounts for the grants. Doug Thomas discussed the methodology for deciding the grant levels and how a One Watershed, One Plan project may determine what a plan may cost. There was an inquiry from board members about how much of those unspent funds would be spent, and Doug Thomas confirmed that BWSR has the appropriate amount of unspent funds to cover the costs for the grants.

John Jaschke noted that no members of the board have declared an actual, perceived, or potential conflict for any agenda items on today's agenda and so no members will be abstaining from votes due to conflicts of interests.

**
18-46 Moved by Steve Sunderland, seconded by Kathryn Kelly, to approve the One Watershed, One Plan Planning Grants Authorization. ***Motion passed on a voice vote.***

Jack Ditmore requested that staff prepare and share a table showing the differences between the planning expectations for One Watershed, One Plan and what the current situation is.

Chair Van Amburg recessed the meeting at 10:13am and resumed the meeting at 10:33am.

Farm Bill Assistance & CREP Outreach Program Policy Authorization – Tabor Hoek presented the new policy. The purpose of this agenda item is to adopt the Farm Bill Assistance & CREP Outreach Program Policy. This is a new policy, created to bring the Farm Bill Assistance & CREP Outreach Program into uniformity with other BWSR grant programs and to provide clear and consistent direction for grantees and potential grantees. The policy was drafted by grants staff and reviewed by Senior Management Team before being presented to the Grants Program and Policy Committee (GP&P) on August 7, 2018. GP&P recommended approval of the policy to the board.

The board discussed where the funding comes from. CREP funding comes from 3 year funding from the the LCCMR trust fund. Farm Bill Assistance funding comes from a variety of funding sources, including Pheasants Forever, NRCS, DNR, Clean Water Fund, and LSOHC. Board and staff discussed the match required for Clean Water Funds for this and other grants.

**
18-47 Moved by Steve Sunderland, seconded by Jill Crafton, to approve the Farm Bill Assistance and CREP Outreach Program Policy authorization. ***Motion passed on a voice vote.***

Fiscal Year 2019 Farm Bill Assistance Program Authorization – Tabor Hoek presented the grants program. The purpose of this action is to authorize and allocate the Farm Bill Assistance Program and Grants. The recommended grants are consistent with the process from the previous year. Senior Management Team reviewed the recommendations and recommended approval to the Grants Program and Policy Committee (GP&P). The GP&P reviewed the recommendations at their August 7, 2018 meeting and recommended approval of the order to the board.

**
18-48 Moved by Kathryn Kelly, seconded by Duane Willenbring to approve the board order authorizing the FY19 Farm Bill Assistance Program Authorization. ***Motion passed on a voice vote.***

Southern Region Committee

Area II Minnesota River Basin Projects Biennial Plan – FY 2018 & 2019 and Grant – Ed Lenz presented the Biennial Plan and Grant information. The funding provided to the Area II Board via specific legislation is targeted at administration of this nine-county joint powers board. For Fiscal Year 2019 this amount is \$140,000. This grant requires a 25% local match.

**
18-49 Moved by Kathryn Kelly, seconded by Chris Elvrum, to approve the Area II Minnesota River Basin Projects Biennial Plan – FY 2018 & FY 2019 and Grant. ***Motion passed on a voice vote.***

Area II Minnesota River Basin Projects Bonding Work Plan and Grant – Jason Beckler presented the Biennial Plan and Grant information. Legislative appropriation (Bonding) to Area II Minnesota River

Basins Project for grants to local governments in Area II of the Minnesota River Basin to acquire, design, and construct floodwater management projects; oversight is provided by BWSR.

Jill Crafton mentioned that upland issues are very important, as the tour yesterday showed.

**
18-50 Moved by Kathryn Kelly, seconded by Nathan Redalen, to approve the Area II Minnesota River Basin Projects Bonding Work Plan and Grant. ***Motion passed on a voice vote.***

NEW BUSINESS

BWSR Board Bylaws proposed amendment and Per Diem/Expense Policy – John Jaschke presented the proposed changes to the bylaws and per diem/expense policy. In response to the recent audit conducted by the Office of the Legislative auditor, staff recommend that BWSR bylaws be amended to update the conflict of interest policy to explicitly indicate that if a board member has an actual conflict of interest that they will not be able to vote on the agenda item for which they have a conflict of interest. Other proposed language changes clarify and streamline various bylaws to ensure transparency and clarity about how board business is conducted. The board also discussed what parts of BWSR's bylaws and expense policy are set in statute and which are determined by BWSR board members.

Vice Chair Election –

**
18-51 Neil Peterson nominated Tom Schulz and seconded by Rich Sve. Jill Crafton nominated Steve Sunderland. Although Steve Sunderland appreciated the nomination, he declined it. Jack Ditmore moved that the nomination period be closed and that Tom Schulz be nominated unanimously. That motion was seconded by Duane Willenbring and passed. Tom Schulz will continue to serve as the vice chair of the BWSR Board.

AGENCY REPORTS

Minnesota Department of Agriculture – Jeff Berg reported that comments closed yesterday on the Groundwater Protection rule and that the next step will be taken by an Administrative Law Judge. There are innovative cropping practices happening and a presentation will be taking place this afternoon in southwestern Minnesota about Kernza. The board discussed a national rule that may impact chlorpyrifos which has been detected in drinking water.

Minnesota Department of Natural Resources – No report was provided.

Minnesota Department of Health – Chris Elvrum talked about the value of the tour yesterday and appreciated the highlight on drinking water. MDH works with BWSR, the Department of Agriculture, Minnesota Rural Water and other partners on wellhead protection.

University of Minnesota Extension Service – Joel Larson mentioned that on October 16-17 the annual Water Resources Conference will be held in St. Paul. There will be a Wetlands track at the conference. There will be an emphasis on soil health in the plenary. There will be a Climate Adaptation conference held in St. Paul on November 14. There are three new staff at the University that will be doing research and outreach, including the new Soil Health Specialist, Anna Cates.

Minnesota Pollution Control Agency – Shannon Lotthammer also thanked the organizers of yesterday's tour. MPCA recently updated their strategic plan, from 2017-2022. This looks at areas that MPCA wants

to make progress on in the upcoming four years. Three goals address water. One of those goals is to accelerate prioritized and targeted reductions in nutrient pollution by integrating strategies with local watersheds. Another goal, relating to the U of M Climate Adaptation conference, is to act on opportunities to increase resilience of communities and the environment to climate change impacts. The full strategic plan is available on the MPCA website.

In 2014, the state developed a nutrient reduction strategy that BWSR signed on to. MPCA is in the process of updating this strategy and will connect with various agencies to do a progress report and any necessary updates. This is a MPCA wants to ensure collective ownership of this strategy. Shannon Lotthammer will be attending a national hypoxia taskforce meeting in September and will plan to report back on that meeting at the next BWSR board meeting.

ADVISORY COMMENTS

Minnesota Association of Soil and Water Conservation Districts – LeAnn Buck discussed Best Management Practices for landowners and local government units. She appreciated the tour that addressed some of those issues. MASWCD is putting on locally led trainings about how to best work with landowners. There are important partnerships with federal partners and citizen engagement. There was recently an 80th Anniversary event for the first SWCD in Minnesota in Winona.

Minnesota Association of Townships – Nathan Redalen reported that a new Executive Director should be hired shortly for the Minnesota Association of Townships. There are 13 directors, and there are some changes to the directors. Nathan Redalen also mentioned that there will be a short Southern Committee meeting directly following the adjournment of the BWSR board meeting.

Minnesota Association of Watershed Districts – Emily Javens appreciated the tour and the opportunity to meet with a few of the local watershed districts. MAWD has formed a governance committee to review governing documents. There are some proposed changes to the bylaws, and one change could allow WMOs to join MAWD as voting members. A vote is planned for the annual meeting in December. MAWD reviewed BWSR's per diem procedures to make some proposed updates to their per diem policies. MAWD has recently evaluated the 2016-2019 strategic plan and have either accomplished all of the goals or are on track to accomplish all of the goals, and are excited to see where the next three years will take them.

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

Association of Minnesota Counties – no report was provided.

Natural Resources Conservation Service – no report was provided.

UPCOMING MEETINGS

- Next BWSR Meeting is on September 26th at 9:00AM. The lower level board room at the MPCA/BWSR St. Paul office is closed for renovations through the end of the year, so the September, October, and December board meetings will be held off-site. This information will be provided to board members and posted on the BWSR website when it is available.

Chair Van Amburg adjourned the meeting at 11:31 AM.

Respectfully submitted,

Gerald Van Amburg
Chair

DRAFT

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report

Meeting Date: September 26, 2018

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Office

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)

Presented by: Travis Germundson/Gerald VanAmburg

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <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

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

The report provides a monthly update on the number of appeals filed with BWSR.

Dispute Resolution Report
September 13, 2018
By: Travis Germundson

There is presently **one** appeal pending. There have been **no** new appeals filed since the last Board Meeting (August 23, 2018).

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

File 18-2 (8-20-18) This is an appeal of a restoration order in Beltrami County. The appeal regards the filling of approximately 8,000 sq. ft. of wetland located within a shoreland overlay district. *No decision has been made on the appeal.*

Summary Table

Type of Decision	Total for Calendar Year 2017	Total for Calendar Year 2018
Order in favor of appellant		
Order not in favor of appellant	3	1
Order Modified		
Order Remanded	1	
Order Place Appeal in Abeyance	2	
Negotiated Settlement		
Withdrawn/Dismissed	5	

COMMITTEE RECOMMENDATIONS

Central Region Committee

1. Benton Local Water Management Plan Extension Request – Kevin Bigalke – ***DECISION ITEM***
2. Lower Minnesota River Watershed District Watershed Management Plan Update – Steve Christopher – ***DECISION ITEM***
3. Scott Watershed Management Organization Plan Update – Steve Christopher – ***DECISION ITEM***

operation of the local governments or their eligibility for grants. At the August public hearing, public comment relating to the MN-DNR groundwater management plan resulted in an unexpected delay in the submission of the plan to BWSR. BWSR staff recommended the committee review the request for an extension and grant the extension to December 31, 2018 retroactive to the expiration date of August 31, 2018. The central regional committee met on September 6 to review the extension request and provided a recommendation for the full board to grant the extension of the Benton County Comprehensive Local Water Management Plan to December 31, 2018.

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

In the matter of Extending the Comprehensive Local Water Management Plan for Benton County pursuant to Minnesota Statutes, Section 103B.3367.

ORDER
EXTENDING COMPREHENSIVE LOCAL
WATER MANAGEMENT PLAN

Whereas, on August 8, 2008, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Benton County (County) Comprehensive Local Water Management Plan (Plan) that is effective until August 31, 2018; and

Whereas, on June 4, 2018, the Benton County Board of Commissioners submitted a resolution to the Board requesting an extension to its current Plan; and

Whereas, the Board has authorization to grant extensions pursuant to Minnesota Statutes Section 103B.3367;

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

FINDINGS OF FACT

1. On June 4, 2018, the Board received a resolution from Benton County requesting an extension of their Plan. The effective expiration date will change from the current date of August 31, 2018 to a new date of December 31, 2018.
2. On August 2, 2018, BWSR advised the county that an extension was not necessary based upon the assessment that the county would submit the plan shortly after the public hearing on August 21, 2018. If the plan had been submitted on this time frame, the Central Region Committee and the Board would likely have approved the plan at October meetings, allowing for county and SWCD adoption of the plan prior to the Board's grant funding allocations at the December Board meeting.
3. At the August 21 public hearing, citizen input and county commissioner discussions led to a tabling of the motion to submit the plan to BWSR until a future board meeting, which delayed a timely submission of the Plan for Board approval.
4. The county water planner will continue working on the plan to make it acceptable to the county board before a formal submission to the Board.
5. The county wants to ensure a seamless transition between the current water plan and the updated water plan.
6. The Benton Soil and Water Conservation District has adopted the plan as their own comprehensive plan and is also interested in ensuring they are able to operate under a Board approved and locally adopted plan until such time as the new plan is approved by BWSR and adopted by the county and conservation district boards.

7. On September 6, 2018, the Board's Central Region Committee and staff met in St. Paul to review and discuss the requested plan extension. Those in attendance from the Board's committee were Jill Crafton, Jack Ditmore, Terry McDill, Duane Willenbring, Joel Larson, and Joe Collins, chair. Board staff in attendance were Central Region Manager Kevin Bigalke and Board Conservationist Jason Weirnerman. Board staff recommended approval of the Plan. After presentation and discussion, the Central Region Committee voted to recommend the approval of the extension of the Benton County Comprehensive Local Water Management Plan through December 31, 2018 to the full board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of extending Comprehensive Local Water Management Plans, pursuant to Minnesota Statutes, Section 103B.3367.
3. The Benton County County Comprehensive Local Water Management Plan extension request is in conformance with the requirements of Minnesota Statutes, Section 103B.3367 and the Board's *Local Water Plan Extension and Amendment Policy* Section 1.0 A iii (All other purposes for requesting an extension will be considered on a case by cases basis) dated June 22, 2016.

ORDER

The Board hereby approves the extension of the Benton County Comprehensive Local Water Management Plan until December 31, 2018.

Dated at Saint Paul, Minnesota, on September 26, 2018.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, BWSR Board Chairperson

September 26, 2018

Benton County Commissioners
c/o Amanda Guertin, Water Plan Coordinator
Benton Soil and Water Conservation District
14 2nd Avenue West
Foley, MN, 56329

RE: Approval of the Benton County Comprehensive Local Water Management Plan Extension

Dear Benton County Commissioners,

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Benton County Comprehensive Local Water Management Plan extension was approved on 9/26/2018. The Plan was extended through December 31, 2018. Attached is the signed Board Order that documents approval of the extension and indicates the Plan meets all relevant requirements of law and rule.

Please contact your Board Conservationist, Jason Weinerman at 320-223-7072 or jason.weinerman@state.mn.us for further assistance on this matter.

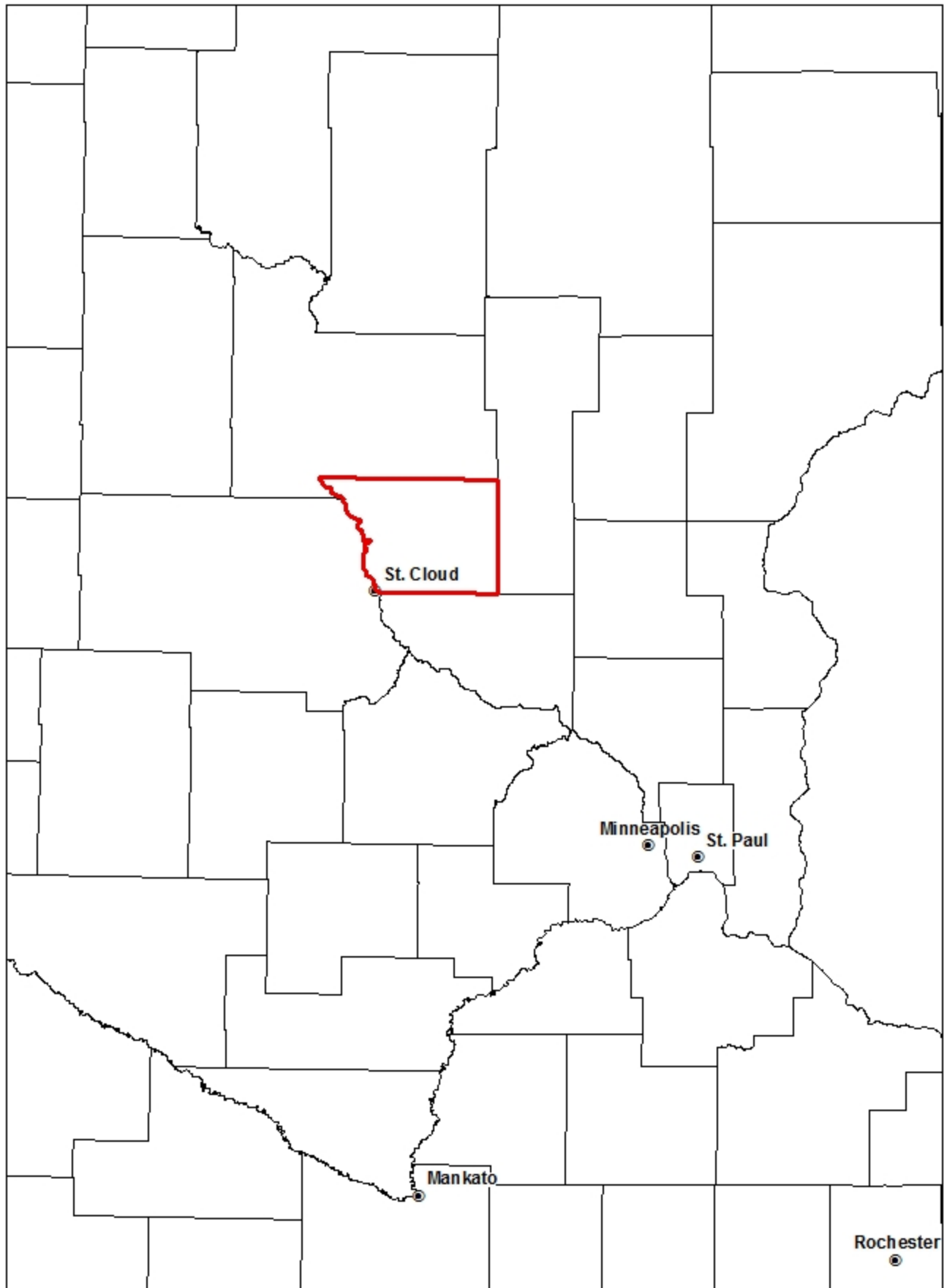
Sincerely,

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

Enclosure: BWSR Board Order

CC: Jeff Berg, MDA (via email)
George Minerich, MDH (via email)
Dan Lais, DNR (via email)
Juline Holleran, MPCA (via email)
Kevin Bigalke, BWSR Regional Manager (via email)
Jason Weinerman, BWSR Board Conservationist (via email)
Annie Felix-Gerth, BWSR Water Programs Coordinator (via email)

Benton County Location



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Lower Minnesota River Watershed District Comprehensive Watershed Management Plan

Meeting Date: September 26, 2018

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Region

Contact: Steve Christopher

Prepared by: Steve Christopher

Reviewed by: Central Region Committee(s)

Presented by: Steve Christopher

Time requested: 5 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of the Lower Minnesota River Watershed District Comprehensive Watershed Management Plan

LINKS TO ADDITIONAL INFORMATION

Full Plan Link as follows: http://www.bwsr.state.mn.us/boardpackets/committee_materials/LMRWD_Final_90_Day_Draft_Amended_Plan_June_2018.pdf

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

Background:

The Lower Minnesota River Watershed District (District) was originally petitioned for establishment in 1957 but was challenged and defeated in the courts. The District was later re-petitioned by the five counties of Carver, Dakota, Hennepin, Ramsey, and Scott and was established on March 23, 1960, by order of the Minnesota Water Resources Board under the authority of the Minnesota Watershed Act. The District’s

original charter specified that it serve as the local sponsor to the U.S. Army Corps of Engineers for assisting in the maintenance of the Minnesota River nine-foot navigation channel. The first water resources management plan for the District was prepared and adopted in 1961. The second plan was then revised in accordance with the Metropolitan Surface Water Management Act of 1982, and approved by the Board of Water and Soil Resources in September 1999. The most recent plan was approved in 2011 and amended in 2015.

The District is approximately 80 square miles in size and located in the five counties of Carver, Dakota, Hennepin, Ramsey, and Scott, which includes the bluffs on either side of the Minnesota River from Ft. Snelling at the confluence of the Minnesota and Mississippi Rivers, 32 miles upstream to the city of Carver. The land use in the watershed consists of a mix of single family residential, commercial, industrial, and agriculture. A large component in the central portion of this linear watershed is within the 100-year floodplain and the Minnesota Valley National Wildlife Refuge. Much of the MSP airport property is also located in the District. Development pressure within the watershed is projected to slightly increase in the municipalities south of the river through the life of this Plan. Water resources in the District include floodplain lakes, quarry lakes, creeks and streams including trout streams, springs, calcareous fens, and other wetlands. However, the headwaters to most of those resources originate outside of the District boundary. The following municipalities lie partially within the District: Bloomington, Burnsville, Carver, Chanhassen, Chaska, Chaska Township, Eagan, Eden Prairie, Lilydale, Jackson Township, Louisville Township, Mendota, Mendota Heights, Savage, and Shakopee. The District is bound by four watersheds to the south: Prior Lake Spring Lake WD, Scott WMO, Black Dog WMO, and Gun Club WMO, and six watersheds to the north: Carver County WMO, Riley Purgatory Bluff Creek WD, Nine Mile Creek WD, Minnehaha Creek WD, Richfield Bloomington WMO, and Capitol Region WD.

Plan Process and Highlights:

The District initiated the planning process for the 2018-2027 Plan in January of 2017. As required by MR 8410, a specific process was followed to identify and assess priority issues. Stakeholders were identified, notices were sent to municipal, regional, and state agencies to solicit input for the upcoming Plan. The District held four workshops in early 2017 covering the areas of major revision for the new Plan. Following the workshops, District staff met with each municipality for additional specific input on the proposed standards and to identify projects that they could co-sponsor.

The Plan was submitted for formal 60-day review on July 10, 2017. The District received comments on the draft Plan and responded to Plan reviewers' comments in writing. A public hearing was held on October 25, 2017. Due to the volume and content of the comments, the District decided to delay moving forward with the 90-day draft and provide additional time to meet with stakeholders. The District held four additional stakeholders meetings jointly with member cities and concluded the public hearing on April 18, 2018. Modifications to the draft Plan were made and the final draft Plan with all required materials were submitted and officially received by the Board on July 2, 2018.

The Plan update focuses on several sections of the 2011 Plan rather than a full re-write. The sections amended are as follows:

- Section 3, Goals, Policies and Management Strategies
- Section 4, Implementation Program, which includes the District's Capital Improvement Program
- Adding a new Appendix K, LMRWD Draft Standards
- Other Sections of the plan have been revised to bring the Plan up to date

The new Draft standards is the most significant revision to the Plan specifically the Steep Slopes Standard and Water Appropriations Standard. Both of these will address the High Value Resource Areas (HRVA). The HRVA has been identified by the District as portions of land or a watershed that contribute runoff to a trout water and/or fen.

The Plan maintains the following nine goals:

1. Organizational Management – To manage the different and changing roles of the District
2. Surface Water Management – To protect, preserve, and restore surface water quality
3. Groundwater Management – To protect and promote groundwater quantity and quality
4. Unique Natural Resources Management – To protect and manage unique resources
5. Wetland Management – To protect and preserve wetlands
6. Floodplain and Flood Management - To manage floodplains and mitigate flooding
7. Erosion and Sediment Control – To manage erosion and control sediment discharge
8. Commercial and Recreational Navigation – To maintain and improve the Lower Minnesota River’s navigation and recreational use
9. Public Education and Outreach - To increase public participation and awareness of the Minnesota River and its unique natural resources

Attachments:

1. Draft order for approval of the Lower Minnesota River Watershed District (LMRWD) Watershed Management Plan.
2. LMRWD Plan Executive Summary.

Minnesota Board of Water and Soil Resources

520 Lafayette Road North
Saint Paul, Minnesota 55155

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

**ORDER
APPROVING
A WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Managers of the Lower Minnesota River Watershed District (LMRWD) submitted a Watershed Management Plan (Plan) dated June 2018 to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 9, and;

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

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

FINDINGS OF FACT

1. **LMRWD Establishment.** The Lower Minnesota River Watershed District (District) was originally petitioned for establishment in 1957 but was challenged and defeated in the courts. The District was later re-petitioned by the five counties of Carver, Dakota, Hennepin, Ramsey, and Scott and was established on March 23, 1960, by order of the Minnesota Water Resources Board under the authority of the Minnesota Watershed Act (Minnesota Statutes, Chapter 112). The District's original charter specified that it serve as the local sponsor to the U.S. Army Corps of Engineers for assisting in the maintenance of the Minnesota River nine-foot navigation channel. The first water resources management plan for the District was prepared and adopted in 1961. The second plan was then revised in accordance with the Metropolitan Surface Water Management Act of 1982 (Minnesota Statutes, Chapter 103B), and approved by the Board of Water and Soil Resources in September 1999. The most recent plan was approved in 2011 and amended in 2015.
2. **Authority of Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.
3. **Nature of the Watershed.** The District is approximately 80 square miles in size and located in the five counties of Carver, Dakota, Hennepin, Ramsey, and Scott, which includes the bluffs on either side of the Minnesota River from Ft. Snelling at the confluence of the Minnesota and Mississippi Rivers, 32 miles upstream to the city of Carver. The land use in the watershed consists of a mix of single family residential, commercial, industrial, and agriculture. A large component in the central portion of this linear watershed is within the 100-year floodplain and the Minnesota Valley National Wildlife Refuge. Much of the MSP airport property is also located in the District. Development pressure within the watershed is projected to slightly increase in the municipalities south of the river through the life of this Plan. Water resources in the District include floodplain lakes, quarry lakes, creeks and streams including trout streams, springs, calcareous fens, and other wetlands. However, the headwaters to most of those resources originate outside of the District boundary. The following municipalities lie partially within the District: Bloomington, Burnsville, Carver, Chanhassen, Chaska, Chaska Township, Eagan, Eden Prairie, Lilydale, Jackson Township, Louisville

Township, Mendota, Mendota Heights, Savage, and Shakopee. The District is bound by four watersheds to the south: Prior Lake Spring Lake WD, Scott WMO, Black Dog WMO, and Gun Club WMO, and six watersheds to the north: Carver County WMO, Riley Purgatory Bluff Creek WD, Nine Mile Creek WD, Minnehaha Creek WD, Richfield Bloomington WMO, and Capitol Region WD.

4. **Plan Development and Review.** The District initiated the planning process for the 2018-2027 Plan in January of 2017. As required by MR 8410, a specific process was followed to identify and assess priority issues. Stakeholders were identified, notices were sent to municipal, regional, and state agencies to solicit input for the upcoming Plan. The District held four workshops in early 2017 covering the areas of major revision for the new Plan. Following the workshops, District staff met with each municipality for additional specific input on the proposed standards and to identify projects that they could co-sponsor.

The Plan was submitted for formal 60-day review on July 10, 2017. The District received comments on the draft Plan and responded to Plan reviewers' comments in writing. A public hearing was held on October 25, 2017. Due to the volume and content of the comments, the District decided to delay moving forward with the 90-day draft and provide additional time to meet with stakeholders. The District held four additional stakeholders meetings jointly with member cities and concluded the public hearing on April 18, 2018. Modifications to the draft Plan were made and the final draft Plan with all required materials were submitted and officially received by the Board on July 2, 2018.

5. **Local Review.** The District distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B132, Subd. 7. Local written comments and edits were received from City of Bloomington, Bloomington Sustainability Commission, City of Burnsville, City of Carver, City of Chaska, City of Eden Prairie, City of Savage, City of Shakopee, Scott County, Upper Mississippi Waterway Association, Lotus Lake Conservation Alliance, Mitchell Lake Association, the United States Fish and Wildlife Service, and several citizens. The District responded to all comments.
6. **Metropolitan Council Review.** During the 60-day review, the Council noted concerns about the proposed standards, specifically on the Bluff and Steep Slope standards and suggested consistency of language with DNR. The District thanked the Council for its comments and made changes to the final draft.
7. **Department of Agriculture (MDA) Review.** MDA stated that they had no comments during the 60-day or 90-day final review periods.
8. **Department of Health (MDH) Review.** No comments were received during the 60-day or 90-day final review period.
9. **Department of Natural Resources (DNR) Review.** The DNR had numerous comments regarding the proposed standards including groundwater regulation and the new Bluff and Steep Slopes standard. The DNR also offered assistance on a number of initiatives included in the Plan. The District adequately responded to the comments and thanked the DNR for its cooperation.
10. **Pollution Control Agency (PCA) Review.** PCA participated in TAC meetings and provided feedback throughout the plan development process. During the 60-day review, PCA stated it had no additional comments.
11. **Department of Transportation (DOT) Review.** The DOT commented regarding the proposed standards. The District adequately addressed the comments.
12. **Board Review.** Board staff commended the District on a Plan and its increased role in water management since the most recent Plan adoption. Board staff also requested clarification/improved reporting for outcomes. District staff adequately responded to all comments.

13. **Plan Summary.** The Plan update focuses on several sections of the 2011 Plan rather than a full re-write. The sections amended are as follows:

- Section 3, Goals, Policies and Management Strategies
- Section 4, Implementation Program, which includes the District's Capital Improvement Program
- Adding a new Appendix K, LMRWD Draft Standards
- Other Sections of the plan have been revised to bring the Plan up to date

The new Draft standards is the most significant revision to the Plan specifically the Steep Slopes Standard and Water Appropriations Standard. Both of these will address the High Value Resource Areas (HRVA). The HRVA has been identified by the District as portions of land or a watershed that contribute runoff to a trout water and/or fen.

The Plan maintains the following nine goals:

1. Organizational Management – To manage the different and changing roles of the District
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7. Erosion and Sediment Control – To manage erosion and control sediment discharge
8. Commercial and Recreational Navigation – To maintain and improve the Lower Minnesota River's navigation and recreational use
9. Public Education and Outreach - To increase public participation and awareness of the Minnesota River and its unique natural resources

14. **Central Region Committee Meeting.** On September 6, 2018, the Board's Central Region Committee and staff met in St. Paul to review and discuss the final Plan. Those in attendance from the Board's committee were Jill Crafton, Jack Ditmore, Terry McDill, Duane Willenbring, Joel Larson and Joe Collins, chair. Board staff in attendance were Central Region Manager Kevin Bigalke and Board Conservationist Steve Christopher. Lower Minnesota River Watershed District Administrator Linda Loomis and District Consultant Della Young provided highlights of the Plan and process. Board staff recommended approval of the Plan. After presentation and discussion, the committee unanimously voted to recommend the approval of the Plan to the full board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving the Watershed Management Plan for the Lower Minnesota River Watershed District (District) pursuant to Minnesota Statutes Section 103B.231, Subd. 9.
3. The District's Watershed Management Plan, attached to this Order, defines the water and water-related problems within the District's boundaries, possible solutions thereto, and an implementation program through 2027.
4. The District's Watershed Management Plan will be effective September 26, 2018 through September 30, 2027.
5. The attached Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Lower Minnesota River Watershed District Watershed Management Plan dated June 2018.

Dated at Saint Paul, Minnesota this 26th day of September 2018.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair

September 26, 2018

Lower Minnesota River Watershed District
C/o Linda Loomis, Administrator
112 E. 5th Street, #102
Chaska, Minnesota 55318

Dear Chair and Managers:

I am pleased to inform you that the Minnesota Board of Water and Soil Resources (Board) has approved the Lower Minnesota River Watershed District (LMRWD) revised Watershed Management Plan (Plan) at its regular meeting held on September 26, 2018. For your records, I have enclosed a copy of the signed Board Order that documents approval of the Plan. Please be advised that the LMRWD must adopt and implement the Plan within 120 days of the date of the Order, in accordance with MN Statutes 103B.231, Subd. 10.

The managers, staff, consultants, advisory committee members, and all others involved in the planning process are to be commended for developing a plan that clearly presents water management goals, actions, and priorities of the watershed. With continued implementation of your Plan, the protection and management of the water resources within the watershed will be greatly enhanced to the benefit of the residents. The Board looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Steve Christopher of our staff at 651-249-7519, or at the central office address for further assistance in this matter.

Sincerely,

Gerald Van Amburg
Chair

Enclosure

cc's on next page

Cc: Jeanne Daniels, DNR (via email)
Kate Drewry, DNR (via email)
Karen Voz, MDH (via email)
Jeff Berg, MDA (via email)
Judy Sventek, Met Council (via email)
Beth Neuendorf, MN DOT (via email)
Kevin Bigalke, BWSR (via email)
Steve Christopher, BWSR (via email)
File Copy

EXECUTIVE SUMMARY

The Lower Minnesota River Watershed District (District) Watershed Management Plan (Plan) describes how the District will address water resources management over the next 10 years as required by M.S. 103B and 103D and Minnesota Rules (MN Rules) 8410. The purpose of this Plan is to protect, preserve, and manage the surface water resources (Minnesota River, lakes, streams, and wetlands) and groundwater within the District.

In 1960, the District was organized by petition from Hennepin, Ramsey, Dakota, Scott, and Carver counties in response to the Minnesota Watershed Act of 1955. The District's first Watershed Management Plan was prepared, approved, and adopted in 1961.

The Metropolitan Surface Water Management Program (M.S. 103B) and Watershed Act requires the District to review and update its Plan every ten years. This Plan will be effective 2018–2027. In addition to complying with the aforementioned laws, this Plan meets the requirements of MN Rules 8410, 8420, and 7050. The Plan includes management standards and procedures for addressing surface water, wetland, and groundwater issues, as well as navigation issues along the Minnesota River.

E1. PLAN ORGANIZATION

This Plan documents the Lower Minnesota River Watershed and its management, and therefore, much of the information is technical. Background information regarding scientific terms and processes is provided where practical. An acronym list is also provided. Readers are encouraged to consult area professionals or professional references for more information.

The Plan contains the following sections as required by MN Rule 8410:

Executive Summary: Provides an overview of the plan.

Introduction: Summarizes State statutes, plan requirements, the organization and its history, and 2010 - present District accomplishments.

Section 1.0: Land and Water Resource Inventory: Presents current and historic background and inventory information regarding the watershed's physical, hydrological, biological, and human environment.

Section 2.0: Issues Identification/Assessment of Problems: Provides an overview of the issues identified during the planning process, assesses the adequacy of existing controls, and identifies potential management gaps.

Section 3.0: Goals, Policies, and Management Strategies: Presents the management framework (goals, policies, and strategies) adopted by the District Board of Managers (Managers) to address the priority issues and management gaps. Standards needed, reinforced by the District's Statement of Need and Reasonableness Report, to address these gaps were compiled in Appendix K.

Section 4.0: Implementation Program: Describes the Plan’s implementation elements and impact on local governments and residents. This section provides an implementation program table and preliminary annual budgets.

Section 5.0: Impact on Local Units of Government: Expresses the potential financial impact that the Plan changes will have on local government units (LGU).

Section 6.0: Amendment and Reporting: Describes the procedures for amending the Plan and addressing the annual reporting requirement.

E2. WATERSHED ISSUES

Watershed issues are problems or concerns identified by the Managers, by the Technical Advisory Committee (TAC), and the Citizen Advisory Committee (CAC). These issues need attention and, in some cases, resolution. The TAC and CAC held workshops and partnership work sessions to develop a list of watershed issues. Information generated at those sessions was presented to the Board and is addressed here. The following issues were identified and discussed in detail in Section 2.0 - Issues and Problems Assessments.

1. Unclear role of the District
2. Outside influences
3. Water quality
4. Flooding and floodplain management
5. Erosion and sediment control
6. Groundwater
7. Commercial and recreational navigation
8. Public education and outreach
9. Potential problems

E3. WATERSHED MANAGEMENT FRAMEWORK

Section 3.0 presents the Plan’s management framework regarding goals, policies, strategies, and standards. This framework is based on the issues identified by the TAC, and Manager, given their priority and the adequacy of existing controls. The District’s mission and purpose, presented below, were also taken into consideration when developing the framework.

E3.1. MISSION

The District’s mission is to manage and protect the Minnesota River, lakes, streams, wetlands, and groundwater, and to assist and facilitate in providing river navigation by:

- Promoting open communication, partnering with citizens, community organizations, and local, state, and federal agencies.
- Improving and protecting the quality of the Minnesota River and all water bodies in the watershed.

- Minimizing the negative effects of floods and droughts on the Minnesota River and all water bodies in the watershed.
- Collecting and distributing information regarding surface water and groundwater in the watershed; establishing priorities; and developing local plans to improve water resources in the watershed.
- Monitoring and understanding the effects of municipal groundwater appropriations and drought on groundwater levels.
- Working with LGUs to enforce the Wetland Conservation Act.
- Assisting and facilitating the efforts of state and federal agencies to maintain the navigation channel.
- Educating stakeholders about the impact they have on the water resources in the watershed and motivating them to change behaviors that have a negative impact.

E3.2. WATERSHED PURPOSE

The Metropolitan Surface Water Management Act states that the District’s purposes and other water management programs (quoted from M.S.103B.201) are as follows:

- Protect, preserve, and use natural surface and groundwater storage and retention systems.
- Minimize public capital expenditures needed to correct flooding and water quality problems.
- Identify and plan for means to effectively protect and improve surface and groundwater quality.
- Establish more uniform local policies and official controls for surface and groundwater management.
- Prevent soil erosion into surface water systems.
- Promote groundwater recharge.
- Protect and enhance fish and wildlife habitat and water recreational facilities.
- Secure the other benefits associated with proper surface and groundwater management.

Unlike other water management programs in the state subject to M.S.103B, the District has an additional purpose, as noted in the District’s mission, which is to assist and facilitate the efforts of state and federal agencies to maintain the Minnesota River 9-Foot navigation channel.

E3.3. GOALS

The following goals and associated strategies were established by the District to address issues identified. These goals are not presented in any order and do not reflect rank within the District.

Table E-1: Lower Minnesota River Watershed District Summary of Issues, Goals, and Strategies

Issues	Goals	Strategies
Issue 1: Unclear Role of the District	Goal 1: Organizational Management - To manage the different	Strategy 1.1.1: Work cooperatively with local, state, and federal government; other agencies; and non-government organizations on issues affecting the District’s resources.

Issues	Goals	Strategies
Issue 2: Outside Influences	and changing roles of the District	Strategy 1.2.1: Provide public information services Strategy 1.3.1: Perform periodic assessments and program reviews Strategy 1.3.2: Use short and long-term metrics to measure progress
Issue 3: Water Quality	Goal 2: Surface Water Management - To protect, preserve, and restore surface water quality	Strategy 1.3.1: Provide strategic resource evaluation and management Strategy 2.1.1: Lower Minnesota River Watershed District – High value resources area overlay district Strategy 2.2.1: Watershed management standards Strategy 2.2.2: Promote disconnected stormwater management and low impact development Strategy 2.2.3: Cost share incentive program Strategy 2.2.4: Water quality restoration programs Strategy 2.3.1: Modify and continue the monitoring program Strategy 2.3.2: Complete detailed data assessments Strategy 2.3.4: Coordinate with other agencies and water quality programs Strategy 4.4.3: Steep Slopes Standard Strategy 7.2.1: Develop a Vegetation Management Standard/Plan
	Goal 3: Groundwater Management - To protect and promote groundwater quantity and quality	Strategy 1.3.1: Provide strategic resource evaluation and management Strategy 2.3.1: Modify and continue the monitoring program Strategy 3.1.1: Support wellhead protection efforts Strategy 3.2.1: Infiltration standard Strategy 3.2.2: Promote conservation and wise use of groundwater Strategy 3.3.1: Groundwater monitoring Strategy 3.3.2: Regional modeling
	Goal 4: Unique Natural Resources Management - To protect and manage unique resources	Strategy 1.3.1: Provide strategic resource evaluation and management Strategy 2.3.1: Modify and continue the monitoring program Strategy 4.2.1: Data acquisition and management Strategy 4.2.2: Provide technical assistance Strategy 4.2.3: Provide educational opportunities Strategy 4.3.1: Develop a mechanism for identifying and acquiring high value conservation easements Strategy 4.4.1: Encourage wildlife connectivity projects which achieve multiple goals, such as water quality improvements and fen and steep slopes protection Strategy 7.2.1: Develop a Vegetation Management Standard/Plan
	Goal 5: Wetland Management - To protect and preserve wetlands	Strategy 1.3.1: Provide strategic resource evaluation and management Strategy 4.3.1: Develop a mechanism for identifying and acquiring high value conservation easements

Issues	Goals	Strategies
		Strategy 5.1.1: Delegate Wetland Conservation Act (WCA) to LGU's Strategy 5.1.2: Require LGU's to conduct wetland inventories and complete wetland management plans Strategy 5.1.3: Review WCA notices as received Strategy 5.1.4: Wetland Standard Strategy 7.2.1: Develop a Vegetation Management Standard/Plan
Issue 4: Flooding and Floodplain Management	Goal 2: Surface Water Management - To protect, preserve, and restore surface water quality	Strategy 2.1.1: Watershed Management Standards
	Goal 6: Floodplain and Flood Management - To manage floodplains and mitigate flooding	Strategy 6.1.1: Floodplain and drainage alteration standard Strategy 6.1.2: Infiltration and peak flow standards Strategy 6.1.3: Manage localized flooding
	Goal 6: Floodplain and Flood Management - To manage floodplains and mitigate flooding	Strategy 6.2.1: Adopt infiltration and peak flow standards
Issue 5: Erosion and Sediment Control	Goal 7: Erosion and Sediment Control - To manage erosion and control sediment discharge	Strategy 2.2.1: Watershed management standards Strategy 4.4.3: Steep Slopes Standard Strategy 7.1.1: Support the NPDES general permit Strategy 7.1.2: Erosion and Sediment Control Standard Strategy 7.2.1: Develop a Vegetation Management Standard/Plan Strategy 7.3.1: Provide streambank and mainstem erosion assessment Strategy 7.3.2: Continue gully erosion repair Strategy 7.4.1: Promote and encourage shoreland protection Strategy 7.4.2: Shoreline and streambank standard
Issue 6: Groundwater	Goal 3: Groundwater Management - To protect and promote groundwater quantity and quality	Strategy 1.3.1: Provide strategic resource evaluation and management Strategy 2.3.1: Modify and continue the monitoring program Strategy 3.1.1: Support wellhead protection efforts Strategy 3.2.1: Stormwater infiltration criteria Strategy 3.2.2: Promote conservation and wise use of groundwater Strategy 3.3.1: Groundwater monitoring Strategy 3.3.2: Regional modeling
Issue 7: Commercial and Recreational Navigation	Goal 8: Commercial and Recreational Navigation - To maintain and improve the Lower Minnesota River's navigation and recreational use	Strategy 8.1.1: Promote safety education Strategy 8.2.1: Manage existing Cargill East River (MN – 14.2 RMP) dredge material site Strategy 8.2.2: Beneficial use plan for dredge materials Strategy 8.3.1: Develop a funding structure to ensure proper maintenance and improvement along the river

Issues	Goals	Strategies
Issue 8: Public Education and Outreach	Goal 9: Public Education and Outreach - To increase public participation and awareness of the Minnesota River and its unique natural resources	Strategy 1.2.1: Provide public information services Strategy 4.2.3: Provide educational opportunities Strategy 8.1.1: Promote safety education Strategy 9.1.1: Maintain Citizen Advisory Committee (CAC) Strategy 9.1.2: Develop an outreach program Strategy 9.1.3: Engage volunteers Strategy 9.1.4: Provide opportunity for public input Strategy 9.2.1: Produce scientific studies and work products Strategy 9.2.2: Promote a variety of education programs Strategy 9.2.3: Use multiple outlets to distribute information

E3.4. PLAN IMPLEMENTATION

The three major elements of the implementation program described in Section 4 are highlighted below:

Administrative/Managerial Efforts: This includes staffing, day-to-day operations, and funding for audits, reporting, training, and contingency.

Studies and Programs: The Plan includes the following studies and programs.

- Cost Share Incentive and Water Quality Restoration Program
- Periodic Assessments and Program Reviews
- Detailed Data Assessments
- Monitoring Program
- Vegetation Management Standard/Plan
- Dredge Material Beneficial Use Plan
- 9-Foot Channel Strategic Funding Plan
- Education and Outreach Program
- Sustainable Lake Management Plans
- Geomorphic Assessments
- Paleo-limnology Study
- Fen Stewardship Program
- Water Resources Restoration Fund

Capital Improvements Projects: The Plan includes the following list of capital projects in Table E-2. These projects will be funded in whole or in-part by the District. Additional projects can be added during the annual meeting before the budgeting process starts.

Table E-2: Lower Minnesota River Watershed District – Capital Improvement Projects*

Project Name and Descriptions	Project Partner	Estimated Cost	Estimated Timeline
Assumption Creek Hydrology Restoration Project. Assumption Creek is a trout stream, so it is important to maintain the temperature of groundwater discharge. According to the City of Chaska, portions of the creek dry out periodically. It is unknown exactly what has reduced the hydrology of the creek. It may have been the U.S. Army Corps of Engineers’ historic creek rerouting for the brick factory, road construction, or other development effects. The project described here will evaluate the opportunities available to resupply the groundwater hydrology to the creek.	City of Chaska and DNR	\$30,000	2019
Carver Creek Restoration Project. This will include stabilizing the outer bends with toe protection, grading banks to a more stable slope, and stabilizing the gully.	City of Carver, Carver WMO, Carver County SWCD and USFWS	\$95,000	2019 - 2020

Project Name and Descriptions	Project Partner	Estimated Cost	Estimated Timeline
<p>Minnesota River Corridor Management Project. Using the Minnesota River as a focal point, this project will examine issues facing the river’s complex natural system, a shared resource and a place where varied interests and other systems converge. We seek to (1) create greater understanding of the Lower Minnesota River Corridor and its landscape, (2) demonstrate a desired future for the river and how change in the surrounding landscape can help attain this future, (3) suggest a structure or framework by which the vision can be implemented, and (4) identify shared community and public values that form the basis of the project. (This design is modeled after the Vermillion River Corridor Plan.)</p>	All District LGUs	\$100,000	2020 - 2021
<p>Groundwater Screening Tool Model. The District will develop a district-specific groundwater model that can be used as a preliminary screening tool for the evaluation of groundwater appropriation requests related to four fens within the district (Black Dog, Fort Snelling, Nicols, and Quarry Island). The goal of the model is to define the approximate extent of the recharge zones for the fens and provide a method for evaluating whether the proposed groundwater withdrawals may cause significant decline in head at one or more of the referenced fens.</p>	DNR	\$150,000	2018 - 2020
<p>District Boundary Modification Project. District staff will work with BWSR and the neighboring watershed districts and water management organizations to review and possibly modify the district’s jurisdictional boundary.</p>	BWSR, Carver County WMO, and Riley – Purgatory Bluff Creek WD	\$10,000	2018
<p>Downtown Shakopee Targeted BMP Feasibility Study. A feasibility study will be done in downtown Shakopee to identify opportunities for implementing the targeted best management practices.</p>	City of Shakopee	\$50,000	2022
<p>Dredge Site Restoration Project. This project consists of implementing the site restoration project identified in the February 15, 2017, <i>Estimate of Probable Cost, Cargill East River (MN-14.2 RMP) Dredge Material Site</i> technical memorandum prepared by Burns & McDonnell, Young Environmental Consulting Group, LLC, and Berrini & Associates, LLC, for the Cargill East River (MN – 14.2 RMP) Dredge Material Site located on the Minnesota River in Savage, Minnesota.</p>	BWSR	\$480,000	2018 - 2019
<p>Eagle Creek (East Branch) Project. This project will restore approximately 2,400 feet of stream and repair erosion under the 128th Street Bridge. The goals of the project are to reduce erosion and improve fish habitat. Due to beaver dams, the stream cuts into three valley walls, contributing to significant deposits of sediment.</p>	DNR, MN Trout Unlimited and City of Savage.	\$20,000	2018 - 2019

Project Name and Descriptions	Project Partner	Estimated Cost	Estimated Timeline
<p>East Creek Bank Stabilization Project. Identified in the East Chaska Creek Restoration feasibility study, the scour hole downstream of Crosstown Boulevard Bridge will be repaired, bank armoring installed, toe protection and grade control structures added behind Cuzzy’s Brickhouse Restaurant, and bank armoring and toe protection installed on the right bank of East Oak Street.</p>	<p>City of Chaska, MPCA and BWSR</p>	<p>\$50,000</p>	<p>2019</p>
<p>East Creek Water Quality Treatment Project This feasibility study reports that the ideal site to construct a treatment wetland was south of the creek in two vacant lots along Chaska Boulevard. Most lots there are paved right up to the edge of the creek bank. The flow could be diverted from the creek channel into a stormwater treatment system to provide for sediment removal, flood storage, and bacteria treatment.</p>	<p>City of Chaska and MPCA</p>	<p>\$75,000</p>	<p>2019 - 2020</p>
<p>Minnesota River Assessment of Ecological and Economic Impacts of Sedimentation This project will examine sedimentation in the Lower Minnesota River Watershed including monitoring, modeling, and analyzing sediment sources, sinks, and pathways in the watershed; summarizing how sources, sinks, and pathways may have changed; and estimating the economic and ecological effects of sedimentation. The project team will look at how sedimentation (1) changes the stage-discharge relationships that may cause flooding, (2) generates costs to maintain a commercial navigation channel on the Minnesota River, and (3) affects the watershed with its ecological conditions. Through these analyses, a new baseline can be established, and an understanding created of how changes in land use will alter the watershed baseline and create a new condition.</p>	<p>BWSR and Army Corps of Engineers</p>	<p>\$150,000</p>	<p>2024 - 2027</p>
<p>Minnesota River Assessment of Water Storage Benefits and Opportunities. Using the Agricultural Conservation Planning Framework (ACPF) and the Prioritize, Target, and Measure Application (PTMApp), we will determine if a flow reduction would benefit from the placement of storage measures in key locations throughout the basin. This analysis will help us understand if the threshold for meaningful change can be realized to recommend specific levels of storage in the basin. The analysis is needed to accomplish the desired outcomes: (1) hydro-correct DEMs for the lower watershed where storage impacts are desired, (2) run ACPF on priority sub-basins to determine where storage opportunities exist, (3) develop a detailed hydrologic model if one does not exist, (4) run existing and storage scenarios to determine if the amount of the discharges could be lowered for hypothetical rainfall events ranging from 10-year to 100-year events, and (5) summarize the saturation of storage and the maximum change anticipated in the specific agro-ecoregion.</p>	<p>MPCA and BWSR</p>	<p>\$150,000</p>	<p>2025 - 2027</p>

Project Name and Descriptions	Project Partner	Estimated Cost	Estimated Timeline
Minnesota River Floodplain Model Feasibility Study. We will review the existing Minnesota River floodplain model to determine if updates are required.	DNR, Army Corps of Engineers, and all LGUs within the District	\$30,000	2019
Minnesota River Sediment Reduction Strategy. This project team will collaborate with the MPCA in developing strategies for evaluating and mitigating sediment loads going into the Minnesota River.	MPCA and BWSR	\$40,000	2018 - 2019
Minnesota River Study Area 3 – Bluff Stabilization Project. To address river bank erosion, we will analyze the design and construction of the Minnesota River at Study Area 3 project in Eden Prairie. A study was completed in October 2008 for the City of Eden Prairie in cooperation with the district. Our project will expand the 2008 study by collecting and analyzing additional data that will extend to the final design, permitting, and construction.	City of Eden Prairie	\$350,000	2022 - 2023
Realignment of the Prior Lake Spring Lake Outlet Channel. This project will place additional capacity and control structures in the channel to handle increased runoff that is draining into the channel because of developments.	City of Shakopee	\$100,000	2021 - 2022
Riley Creek Project – Downstream of Flying Cloud Drive. The project will provide an energy dissipation below the County Road 61/ Flying Cloud Drive bridge and redirect flows away from outside the creek meanders.	Hennepin County	\$75,000	2018 - 2019
Schroeder's Acres Park/Savage Fen Stormwater Management Project. This project will evaluate options for incorporating stormwater wetland and irrigation reuse systems on the site and address phosphorous, temperature, metals, E. coli and runoff volume in Eagle Creek.	City of Savage and DNR	\$220,000	2019 - 2020
Seminary Fen Restoration Site A At the intersection of Engler and Audubon in Chaska, Minnesota, 3.61 acres of wetland will be purchased and restored. This site is dominated by reed canary grass and offers the greatest threat to the rare plants of the Seminary Fen Wetland Community. The site is next to a 6-acre wetland that was restored by the City of Chaska in partnership with the DNR.	City of Chaska and DNR	\$75,000	2021
Seminary Fen Restoration Site B A partially drained 17-acre wetland from Falls Curve Road to Old Highway 12, that is predominantly growing reed canary grass, will be restored. The restoration involves disabling the drainage system and restoring vegetation.	City of Chaska and DNR	\$75,000	2024 - 2025
Seminary Fen Ravines Site C-2 and C-3 Studies. Seminary Fen Ravine Sites C-2 and C-3 are actively discharging sediment into the Seminary Fen Wetland Complex. This project will conduct a ravine study to estimate sediment contribution to the Seminary Fen from sites C-2 and C-3 and provide approaches and cost estimates for correcting the erosion problems.	City of Chaska and DNR	\$60,000	2024 - 2025

Project Name and Descriptions	Project Partner	Estimated Cost	Estimated Timeline
<p>Seminary Fen Ravines Site C-2 and C-3 Design and Construction. The final design and construction will be done for the Ravine Sites C-2 and C-3, which are discharging sediment into the Seminary Fen Wetland Complex.</p>	City of Chaska and DNR	\$170,000	2025 - 2027
<p>Spring Creek Project This project consists of retrofitting two catch basins into the structural treatment devices in the Lenzen first and second additions. In addition, the project will treat untreated discharge that comes from upstream into Spring Creek at 6th Street.</p>	City of Carver	\$45,000	2019
<p>West Chaska Creek Project. The project will re-meander approximately 1,100 linear feet of a ditched segment of West Chaska Creek. Lengthening the channel will reduce water velocity, lower shear stress on the banks, reconnect the creek to its floodplain, and reduce the amount of sediment transported downstream to the Minnesota River. Based on upstream reference reaches and changes observed since the creek was straightened, the re-meander project will reduce total suspended solids by an estimated 4,400 pounds per year for 30 years.</p>	Carver County, City of Chaska and Carver County WMO	\$50,000	2019

E3.4.1. LOCAL WATER PLANS

The required content of local water plans, as stipulated by MN 8410, is addressed in Section 5. In general, local water plans shall be adopted by LGUs within 18-months of this Plan’s approval and shall include:

- Surface Water, Groundwater, Wetlands, Floodplain and Flood Management, Unique Natural Resources, and Erosion and Sediment Control Goals and Policies
- Standards as presented in Appendix K
- Water Conservation Act (WCA) Responsibilities

E3.5. MEASURABLE OUTCOMES

The Plan’s success will be measured by successful implementation of policies and strategies to meet the nine identified goals mentioned above. Other success determinations include generated annual review trends and assessment of the program’s short and long-term metrics. The short and long-term metrics are provided below in Table E-3.

Table E-3: Lower Minnesota River Watershed District Short-term and Long-term Metrics

Goal	Short-term Metric	Long-term Metric
Goal 1: Organizational Management	<ul style="list-style-type: none"> ● Completion of scheduled activities ● Annual LGU Audits ● Amount of dollars leveraged for projects from other agencies and property owners 	<ul style="list-style-type: none"> ● Formation of a Minnesota River Basin Commission ● Legislative funding support
Goal 2: Surface Water Management	<ul style="list-style-type: none"> ● Number and types of projects completed as part of the Cost Share Incentive Program and Water Quality Restoration Programs ● Number of targeted studies and projects completed 	<ul style="list-style-type: none"> ● Positive trends in water quality parameters identified for monitoring efforts
Goal 3: Groundwater Management	<ul style="list-style-type: none"> ● Number of targeted studies and projects completed 	<ul style="list-style-type: none"> ● Positive trends in water quality parameters identified for monitoring efforts
Goal 4: Unique Natural Resources Management	<ul style="list-style-type: none"> ● Number of targeted studies and projects completed ● Development and completion of the Fen Stewardship ● Development of groundwater model for fen management 	<ul style="list-style-type: none"> ● Number and acreage of unique natural resources protected, restored, or enhanced ● Acquisition of high valued easements ● Sustained protection of the fens and trout waters
Goal 5: Wetland Management	<ul style="list-style-type: none"> ● Completion of scheduled activities 	<ul style="list-style-type: none"> ● Number and acreage of wetlands protected, restored, or enhanced

Goal 6: Floodplain and Flood Management	<ul style="list-style-type: none"> ● Completion of scheduled activities 	<ul style="list-style-type: none"> ● Number of structures damaged and value of flood damages ● Preservation of floodplain resources
Goal 7: Erosion and Sediment Control	<ul style="list-style-type: none"> ● Completion of scheduled activities ● Reduction in streambank and ravine bank and slope failures 	<ul style="list-style-type: none"> ● Positive trends in water quality ● Protection and preservation of Minnesota River Bluff
Goal 8: Commercial and Recreational Navigation	<ul style="list-style-type: none"> ● Completed of scheduled activities ● Number of targeted studies and projects completed 	<ul style="list-style-type: none"> ● Secure regular congressional and state legislative funding for the 9-Foot channel
Goal 9: Public Education and Outreach	<ul style="list-style-type: none"> ● Number and types of sponsored events ● Number of participants at events ● Number of articles, press releases, and pamphlets developed and printed ● Number of volunteers 	<ul style="list-style-type: none"> ● Same as short-term metrics

Table 4-1: Lower Minnesota River Watershed District - Implementation Program Budget for 2018 -2027

ACTION	Year										
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	
EXPENDITURE											
Administrative/Managerial											
General Administrative Services, Conferences, Coordination with LGUs, Stakeholders and other Project Partners, LGU Program Reviews, 9-Foot Channel, and Advisory Committees (Technical and Citizen)	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000
Administrative/Managerial Budget Total	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000
Studies and Programs											
Cost Share Incentive and Water Quality Restoration Program	\$20,000	\$20,000	\$20,000	\$50,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Education and Outreach Program	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$40,000	\$40,000
Fen Stewardship Program	\$75,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Geomorphic Assessments (Trout Streams)	\$50,000		\$50,000				\$50,000	\$50,000			
Monitoring Program	\$65,000	\$65,000	\$65,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$100,000	\$100,000
Paleo-limnology Study (Floodplain Lakes)	\$50,000						\$50,000				
Sustainable Lake Management Plans (Trout Lakes)	\$50,000		\$50,000		\$50,000		\$50,000	\$50,000			\$50,000
Vegetation Management Plan		\$50,000								\$65,000	
Water Resources Restoration Fund			\$100,000	\$100,000	\$120,000	\$125,000	\$100,000	\$100,000	\$160,000	\$150,000	
Studies and Programs Budget Total	\$340,000	\$190,000	\$340,000	\$280,000	\$320,000	\$275,000	\$400,000	\$350,000	\$410,000	\$385,000	
Capital Improvements											
Assumption Creek Hydrology Restoration Project		\$30,000									
Carver Creek Restoration Project		\$80,000	\$15,000								
Minnesota River Corridor Management Project			\$25,000	\$75,000							
Groundwater Screening Tool Model	\$50,000	\$50,000	\$50,000								
District Boundary Modification Project	\$10,000										
Downtown Shakopee Targeted BMP Feasibility Study					\$50,000						
Dredge Site Restoration Project	\$240,000	\$240,000									
Eagle Creek (East Branch) Project	\$10,000	\$10,000									
East Creek Bank Stabilization Project		\$50,000									
East Creek Water Quality Treatment Project		\$50,000	\$25,000								
Minnesota River Assessment of Ecological and Economic Impacts of Sedimentation							\$25,000	\$30,000	\$45,000	\$50,000	
Minnesota River Assessment of Water Storage Benefits and Opportunities.							\$30,000	\$25,000	\$45,000	\$50,000	
Minnesota River Floodplain Model Feasibility Study		\$30,000									
Minnesota River Sediment Reduction Strategy	\$15,000	\$25,000									
Minnesota River Study Area 3 – Bluff Stabilization Project					\$100,000	\$250,000					
Realignment of the Prior Lake Spring Lake Outlet Channel				\$70,000	\$30,000						
Riley Creek Project – Downstream of Flying Cloud Drive	\$50,000	\$75,000									
Schroeder's Acres Park/Savage Fen Stormwater Management Project		\$39,555	\$181,055								
Seminary Fen Restoration Site A				\$75,000							
Seminary Fen Restoration Site B							\$50,000	\$25,000			
Seminary Fen Ravines Site C-2 and C-3 Studies							\$20,000	\$40,000			
Seminary Fen Ravines Site C-2 and C-3 Design and Construction								\$55,000	\$50,000	\$65,000	
Spring Creek Project		\$45,000									
West Chaska Creek Project		\$50,000									
Capital Improvements Budget	\$375,000	\$774,555	\$296,055	\$220,000	\$180,000	\$250,000	\$125,000	\$175,000	\$140,000	\$165,000	

ACTION	Year									
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
TOTAL EXPENDITURES	\$965,000	\$1,214,555	\$886,055	\$750,000	\$750,000	\$775,000	\$775,000	\$775,000	\$800,000	\$800,000
REVENUE										
General Levy	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000
Planning and Implementation Levy	\$475,000	\$588,500	\$500,000	\$500,000	\$500,000	\$525,000	\$525,000	\$525,000	\$550,000	\$550,000
WBF - Pilot Funding (Scott)		\$73,275	\$73,275							
WBF - Pilot Funding (Carver)		\$12,736	\$12,736							
WBF - Pilot Funding (Dakota)		\$32,725	\$32,725							
WBF - Pilot Funding (Hennepin)		\$17,319	\$17,319							
Special Channel Maintenance Funding										
Grants	\$240,000	\$240,000								
TOTAL REVENUE	\$965,000	\$1,214,555	\$886,055	\$750,000	\$750,000	\$775,000	\$775,000	\$775,000	\$800,000	\$800,000

Table 4-3: Lower Minnesota River Watershed District – Capital Improvement Projects

Project Name	Project Descriptions	Project Partner	Estimated Cost	Estimated Timeline
<i>Capital Improvement Projects</i>				
Assumption Creek Hydrology Restoration Project	Assumption Creek is a trout stream, so it is important to maintain the temperature of groundwater discharge. According to the City of Chaska, portions of the creek dry out periodically. It is unknown exactly what has reduced the hydrology of the creek. It may have been the U.S. Army Corps of Engineers' historic creek rerouting for the brick factory, road construction, or other development effects. The project described here will evaluate the opportunities available to resupply the groundwater hydrology to the creek.	City of Chaska and DNR	\$30,000	2019
Carver Creek Restoration Project	This will include stabilizing the outer bends with toe protection, grading banks to a more stable slope, and stabilizing the gully.	City of Carver, Carver WMO, Carver County SWCD and USFWS	\$95,000	2019 - 2020
Minnesota River Corridor Management Project	Using the Minnesota River as a focal point, this project will examine issues facing the river's complex natural system, a shared resource and a place where varied interests and other systems converge. We seek to (1) create greater understanding of the Lower Minnesota River Corridor and its landscape, (2) demonstrate a desired future for the river and how change in the surrounding landscape can help attain this future, (3) suggest a structure or framework by which the vision can be implemented, and (4) identify shared community and public values that form the basis of the project. (This design is modeled after the Vermillion River Corridor Plan.)	All District LGUs	\$100,000	2020 - 2021
Groundwater Screening Tool Model	The District will develop a district-specific groundwater model that can be used as a preliminary screening tool for the evaluation of groundwater appropriation requests related to four fens within the district (Black Dog, Fort Snelling, Nicols, and Quarry Island). The goal of the model is to define the approximate extent of the recharge zones for the fens and provide a method for evaluating whether the proposed groundwater withdrawals may cause significant decline in head at one or more of the referenced fens.	DNR	\$150,000	2018 - 2020
District Boundary Modification Project	District staff will work with BWSR and the neighboring watershed districts and water management organizations to review and possibly modify the district's jurisdictional boundary.	BWSR, Carver County WMO, and Riley – Purgatory Bluff Creek WD	\$10,000	2018
Downtown Shakopee Targeted BMP Feasibility Study	A feasibility study will be done in downtown Shakopee to identify opportunities for implementing the targeted best management practices.	City of Shakopee	\$50,000	2022

Project Name	Project Descriptions	Project Partner	Estimated Cost	Estimated Timeline
Dredge Site Restoration Project	This project consists of implementing the site restoration project identified in the February 15, 2017, <i>Estimate of Probable Cost, Cargill East River (MN-14.2 RMP) Dredge Material Site</i> technical memorandum prepared by Burns & McDonnell, Young Environmental Consulting Group, LLC, and Berrini & Associates, LLC, for the Cargill East River (MN – 14.2 RMP) Dredge Material Site located on the Minnesota River in Savage, Minnesota.	BWSR	\$480,000	2018 - 2019
Eagle Creek (East Branch) Project	This project will restore approximately 2,400 feet of stream and repair erosion under the 128th Street Bridge. The goals of the project are to reduce erosion and improve fish habitat. Due to beaver dams, the stream cuts into three valley walls, contributing to significant deposits of sediment.	DNR, MN Trout Unlimited and City of Savage.	\$20,000	2018 - 2019
East Creek Bank Stabilization Project	Identified in the East Chaska Creek Restoration feasibility study, the scour hole downstream of Crosstown Boulevard Bridge will be repaired, bank armoring installed, toe protection and grade control structures added behind Cuzzy's Brickhouse Restaurant, and bank armoring and toe protection installed on the right bank of East Oak Street.	City of Chaska, MPCA and BWSR	\$50,000	2019
East Creek Water Quality Treatment Project	This feasibility study reports that the ideal site to construct a treatment wetland was south of the creek in two vacant lots along Chaska Boulevard. Most lots there are paved right up to the edge of the creek bank. The flow could be diverted from the creek channel into a stormwater treatment system to provide for sediment removal, flood storage, and bacteria treatment.	City of Chaska and MPCA	\$75,000	2019 - 2020
Minnesota River Assessment of Ecological and Economic Impacts of Sedimentation	This project will examine sedimentation in the Lower Minnesota River Watershed including monitoring, modeling, and analyzing sediment sources, sinks, and pathways in the watershed; summarizing how sources, sinks, and pathways may have changed; and estimating the economic and ecological effects of sedimentation. The project team will look at how sedimentation (1) changes the stage-discharge relationships that may cause flooding, (2) generates costs to maintain a commercial navigation channel on the Minnesota River, and (3) affects the watershed with its ecological conditions. Through these analyses, a new baseline can be established, and an understanding created of how changes in land use will alter the watershed baseline and create a new condition.	BWSR and Army Corps of Engineers	\$150,000	2024 - 2027

Project Name	Project Descriptions	Project Partner	Estimated Cost	Estimated Timeline
Minnesota River Assessment of Water Storage Benefits and Opportunities.	Using the Agricultural Conservation Planning Framework (ACPF) and the Prioritize, Target, and Measure Application (PTMApp), we will determine if a flow reduction would benefit from the placement of storage measures in key locations throughout the basin. This analysis will help us understand if the threshold for meaningful change can be realized to recommend specific levels of storage in the basin. The analysis is needed to accomplish the desired outcomes: (1) hydro-correct DEMs for the lower watershed where storage impacts are desired, (2) run ACPF on priority sub-basins to determine where storage opportunities exist, (3) develop a detailed hydrologic model if one does not exist, (4) run existing and storage scenarios to determine if the amount of the discharges could be lowered for hypothetical rainfall events ranging from 10-year to 100-year events, and (5) summarize the saturation of storage and the maximum change anticipated in the specific agro-ecoregion.	MPCA and BWSR	\$150,000	2025 - 2027
Minnesota River Floodplain Model Feasibility Study	We will review the existing Minnesota River floodplain model to determine if updates are required.	DNR, Army Corps of Engineers, and all LGUs within the District	\$30,000	2019
Minnesota River Sediment Reduction Strategy	This project team will collaborate with the MPCA in developing strategies for evaluating and mitigating sediment loads going into the Minnesota River.	MPCA and BWSR	\$40,000	2018 - 2019
Minnesota River Study Area 3 – Bluff Stabilization Project	To address river bank erosion, we will analyze the design and construction of the Minnesota River at Study Area 3 project in Eden Prairie. A study was completed in October 2008 for the City of Eden Prairie in cooperation with the district. Our project will expand the 2008 study by collecting and analyzing additional data that will extend to the final design, permitting, and construction.	City of Eden Prairie	\$350,000	2022 - 2023
Realignment of the Prior Lake Spring Lake Outlet Channel	This project will place additional capacity and control structures in the channel to handle increased runoff that is draining into the channel because of developments.	City of Shakopee	\$100,000	2021 - 2022
Riley Creek Project – Downstream of Flying Cloud Drive	The project will provide an energy dissipation below the County Road 61/ Flying Cloud Drive bridge and redirect flows away from outside the creek meanders.	Hennepin County	\$75,000	2018 - 2019
Schroeder's Acres Park/Savage Fen Stormwater Management Project	This project will evaluate options for incorporating storm-water wetland and irrigation reuse systems on the site and address phosphorous, temperature, metals, E. coli and runoff volume in Eagle Creek.	City of Savage and DNR	\$220,000	2019 - 2020
Seminary Fen Restoration Site A	At the intersection of Engler and Audubon in Chaska, Minnesota, 3.61 acres of wetland will be purchased and restored. This site is dominated by reed canary grass and offers the greatest threat to the rare plants of the Seminary Fen Wetland Community. The site is next to a 6-acre wetland that was restored by the City of Chaska in partnership with the DNR.	City of Chaska and DNR	\$75,000	2021

Project Name	Project Descriptions	Project Partner	Estimated Cost	Estimated Timeline
Seminary Fen Restoration Site B	A partially drained 17-acre wetland from Falls Curve Road to Old Highway 12, that is predominantly growing reed canary grass, will be restored. The restoration involves disabling the drainage system and restoring vegetation.	City of Chaska and DNR	\$75,000	2024 - 2025
Seminary Fen Ravines Site C-2 and C-3 Studies	Seminary Fen Ravine Sites C-2 and C-3 are actively discharging sediment into the Seminary Fen Wetland Complex. This project will conduct a ravine study to estimate sediment contribution to the Seminary Fen from sites C-2 and C-3 and provide approaches and cost estimates for correcting the erosion problems.	City of Chaska and DNR	\$60,000	2024 - 2025
Seminary Fen Ravines Site C-2 and C-3 Design and Construction	The final design and construction will be done for the Ravine Sites C-2 and C-3, which are discharging sediment into the Seminary Fen Wetland Complex.	City of Chaska and DNR	\$170,000	2025 - 2027
Spring Creek Project	This project consists of retrofitting two catch basins into the structural treatment devices in the Lenzen first and second additions. In addition, the project will treat untreated discharge that comes from upstream into Spring Creek at 6th Street.	City of Carver	\$45,000	2019
West Chaska Creek Project	The project will re-meander approximately 1,100 linear feet of a ditched segment of West Chaska Creek. Lengthening the channel will reduce water velocity, lower sheer stress on the banks, reconnect the creek to its floodplain, and reduce the amount of sediment transported downstream to the Minnesota River. Based on upstream reference reaches and changes observed since the creek was straightened, the re-meander project will reduce total suspended solids by an estimated 4,400 pounds per year for 30 years.	Carver County, City of Chaska and Carver County WMO	\$50,000	2019
Potential Projects - Unfunded				
Trout Stream #4 Restoration	The DNR and MN Trout Unlimited are considering rehabilitating a trout stream near the Cedar Bridge area. These efforts are to keep the stream listed as a trout stream by the DNR. The City of Burnsville may need to make storm sewer and drainage improvements in the existing system to help the stream become a viable trout habitat.	DNR, MN Trout Unlimited, City of Burnsville	\$10,000	2018
Resiliency Assessment of Major Drainage Systems and Improvements	This assessment includes a review of the City of Burnsville's major drainage systems to identify areas where failure of major drainage systems would necessitate expensive repairs in a short time and/or cause significant damage to private buildings. These high-risk areas will be identified to aid staff in planning future improvements.	City of Burnsville	\$390,000	2018 - 19
Keller Lake to Minnesota River Hydrologic and Hydraulic Analysis and Report	This analysis of the chain of water bodies that starts at Keller Lake and ends at the Minnesota River will identify adjustments that could be made to optimize water levels in the system. Changing rainfall frequencies and amounts are the reasons for this reevaluation.	City of Burnsville	\$75,000	2019
Minnesota River Quadrant (MRQ) Stormwater and Floodplain Study and Report	This analysis of the MRQ's overall stormwater management system needs will accommodate future development. The report will guide the review of future developments in the MRQ to optimize the location of future stormwater management facilities.	City of Burnsville	\$50,000	2022

Project Name	Project Descriptions	Project Partner	Estimated Cost	Estimated Timeline
Bluff Area Risk Analysis	This analysis of the bluffs within the city will identify areas where the risk of failure is high or where failure would lead to a public safety risk or create a significant expense in a short time. This study will aid in the planning of related improvements in future capital improvement plans and future maintenance operations to proactively prevent slope failure.	City of Burnsville	\$50,000	2018
Ravine Restoration	This analysis of ravines will target those most in need of maintenance and then fund their repair to prevent loss of soils, retaining property values and reducing off-site deposit of these soils.	City of Burnsville	\$1,000,000	2019-2021
Transportation Capital Improvement Plan	This plan includes storm sewer system repair in Dakota County and the cities within it. Transportation infrastructure should be more environmentally sensitive.	Dakota County, Applicable LGUs	\$2,500,000	2018-2022
Parks and Greenways Capital Improvement Plan	This plan advances natural resource protection and restoration of the park and greenway system. In addition to managing 2,280 acres of land that have been restored or are undergoing restoration, the 2018–2022 CIP will restore an additional 956 acres. No specific projects are named, but \$1.023 million dollars is set aside annually for “Natural Resources Management: Base Program Funding.”	Dakota County	\$1,023,000	2018-2022
Land Conservation Capital Improvement Plan	This program works with willing landowners and partners to permanently protect and manage shoreland along rivers, streams, and undeveloped lakeshore; high-quality natural areas; wetlands; and associated agricultural land throughout Dakota County. Easements are a main component of this plan, mainly on agricultural lands, but on other private lands as well. Monitoring of the easements will also take place to ensure compliance with legal and stewardship plans and NRMP (natural resources management systems plan) requirements.	Dakota County, State of MN, Environmental Legacy Fund	\$11,335,000	2018-2022
Salisbury Hill (CR 51) Ravines	This is a high-priority project for the WMO. It’s willing to lead, finance, or provide incentives for this project. Unstable ravines are contributing large amounts of sediment to the Minnesota River and affecting county road maintenance. This project was included as a CIP in the previous plan but has been delayed because of changing priorities from the 2014 disaster and the need to wait for decisions about the future of roads in the area. The schedule is currently unknown because we are waiting for decisions about roads in the area.	Scott County WMO	\$750,000-\$1,500,000	2019-2026
Blahe Ravine	These ravine stabilization projects have been discussed with the City of Belle Plaine in the past; they have now included it as an official request in the letter of issues submitted to the Scott WMO at the start of the plan update process. The Scott WMO acknowledges that this will have some pollutant-loading reduction to the Minnesota River, but the reduction is small compared to the whole basin; thus, it is listed as a Tier 2 project. The City of Belle Plaine will lead the project.	Scott County, Belle Plaine, Scott WMO	\$234,000	2019-2026
Chestnut Ravine		Scott County, Belle Plaine, Scott WMO	\$102,000	2019-2026
SSTS Direct Discharge Incentives	In 2007, the county board established a cost-share program to accelerate the elimination of direct discharge SSTS. The approved TMDLs for Carver and Bevens Creeks identified that some of the	Carver County, CCWMO	\$150,000	

Project Name	Project Descriptions	Project Partner	Estimated Cost	Estimated Timeline
	fecal coliform entering those water bodies was from direct discharge and (failing) septic systems. The program offers direct incentives and low-interest loans to landowners to fix these systems, which are mainly concentrated in rural and agricultural areas in the county. The program is responsible for the entire county, except the City of Chanhassen, which has its own program.			
Blakeley Bluffs Ravine Stabilization, Phase 1	Phase 1 calls for assessment of ravine erosion on three county parcels within the future Blakeley Bluffs Park Reserve. Active erosion is occurring in several ravines. It appears the current rate of erosion is causing sedimentation and pollution of the dry creek bed leading to the Minnesota River. Further erosion has the potential to cut further into the bluff top areas, potentially encroaching on areas designated for future park use. Further understanding of the issue is needed to determine an appropriate response. Stabilization measures are likely needed to slow down the erosion currently taking place.	Scott County, Clean Water	\$100,000	2019-2020
Wetland Mitigation Bank	Wetland credits are needed for projects that are not eligible for the BWSR Local Road Wetland Replacement Program. The program does not provide mitigation for impacts due to trails or capacity-only construction projects. These types of improvements require the purchase of wetland banking credits on the open market or on-site mitigation. This project will work with several sites and potential property owners where wetland restoration is feasible and cost-effective to develop a wetland restoration project. If easements on suitable sites can be secured, construction could occur in the same year, and some credits could be released for use by the county as soon as as-built plans are prepared and certified.	Scott County, State of MN	\$795,000	2019-2023
CH 51 & CH 53 Culvert Replacement	Culverts will be replaced to address continuing erosion stabilization problems along the right-of-way. These culverts are larger in size and cannot be replaced by county maintenance forces. CH 51: between CH 1 and gravel portion. CH 53: ~ 1/2 mile south of TH 169	Scott County	\$668,000	2018

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Scott Watershed Management Organization Comprehensive Watershed Management Plan

Meeting Date: September 26, 2018

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Region

Contact: Steve Christopher

Prepared by: Steve Christopher

Reviewed by: Central Region Committee(s)

Presented by: Steve Christopher

Time requested: 5 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of the Scott Watershed Management Organization Comprehensive Watershed Management Plan

LINKS TO ADDITIONAL INFORMATION

Full Plan Link as follows: https://www.scottcountymn.gov/DocumentCenter/View/11065/WorkingWaterResourcesPlan_FINA_L_NoStrikeThrough

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

Background:

The Scott Watershed Management Organization (SWMO) became necessary after the failure of four Joint Powers Agreement Water Management Organizations in 1996 which had originally been established under the Metropolitan Surface Water Management Act. Scott County resolved to take over water planning activities in the areas previously addressed by the Sand Creek, Shakopee Basin, Southwest Scott, Credit River, and portions of Prior Lake-Spring Lake

watershed management organizations in July 2000. The second generation Plan was approved in 2009 and most recently amended in 2016.

The SWMO extends over 287 square miles of Scott County. The remaining portions of Scott County are addressed by the Lower Minnesota River Watershed District, Prior Lake-Spring Lake Watershed District, the Vermillion River Watershed Joint Powers Organization, and Black Dog WMO. There are also approximately two square miles tributary to the Cannon River in the southeast corner of the county that is subject to the Metropolitan Surface Water Management Act and is considered part of the SWMO area. Drainage of Scott County is predominantly toward the Minnesota River which forms the northern border of the county. Agricultural land use dominates the landscape; however urbanization is occurring in the northern portions of the county.

Plan Process and Highlights:

The SWMO initiated the planning process for the 2019-2026 Plan on October 14, 2016. Stakeholders were identified, notices were sent to municipal, regional, and state agencies to solicit input for the upcoming Plan. The SWMO used information from the preliminary input along with watershed characteristics and presented it to the Watershed Planning Commission and the Scott Soil and Water Conservation District (SWCD) Supervisors; who along with county and SWCD staff identified priorities. Simultaneously, staff worked with the Technical Advisory Committee to identify what “needs” to be done to address potential goals. Staff then completed a gaps analysis using the identified “needs” along with an assessment of the effectiveness of the current Plan. The end result was the identification of “issues” facing the SWMO. The SWMO held multiple community conversations with the public as well as provided an online survey.

The Plan focuses on priorities identified through a robust process with the SWMO Board and its partners. The priorities of the plan are: 1. The protection of Human Health and Safety particularly with respect to both groundwater protection, and exposure to toxics and bacteria in surface waters; 2. Protection and prevention are a higher priority than restoration; 3. Improving underlying factors like soil health are a priority because they ultimately affect water quality; and 4. Using available information to get started on implementation is preferred to postponing action pending additional study and planning.

The SWMO recognizes that some of these priority directions are new to the SWMO and change will not be immediate. This also does not mean that the SWMO will completely drop efforts that currently focus in other areas or pollutants. For example, the previous plan had a Sand Creek sediment reduction strategy. The SWMO intends to see this and other strategies through, but will use this Plan to begin to shift more resources to the above priorities. This plan is intended to be part of an ongoing process of water resource planning and implementation, and is to be integrated with the other planning occurring at city, county, township and state levels.

The SWMO is committed to being accountable and to learning and adapting quickly as a means of continuous improvement. To achieve this commitment, the SWMO has embraced the development of metrics for most of its programs. It has also developed several overall resource based metrics. They are called Key Program Indicators (KPIs) and are generally of two types: 1. Those that measure how much is being accomplished and 2. Those that reflect how effectively cumulative outcomes are being achieved. KPIs will be calculated annually. They will be used by the SWMO to learn how to improve and adapt, for annual budget decisions, as information for writing education and outreach stories, and reported in the Annual Report and Newsletter.

Scott WMO Goals

Resource Outcomes	Operational Outcomes
Goal 1: Wetland Management. To protect and enhance wetland ecosystems and ensure/encourage a measurable net gain of wetland functions and acreage	Goal 5: Collective Action. To engage the public in willing ways that inspires them to be willing partners.
Goal 2: Surface Water Quality. To protect and improve surface water quality	Goal 6: Public Investment. To optimize public expenditures and promote efficiency
Goal 3: Groundwater Management. To protect groundwater quality and supply	Goal 8: Public Drainage. To create and enable a long term vision for County Ditches

Goal 4: Flood Management. To protect human life, property, and surface water systems that could be damaged by flood events	
Goal 7: Resiliency. To build a resilient landscape	

The draft Plan is an excellent example of a resource that provides priorities that are measurable and clearly defines the roles and responsibilities of those implementing the practices included.

Attachments:

1. Draft order for approval of the Scott Watershed Management Organization (SWMO) Watershed Management Plan
2. SWMO Plan Executive Summary
3. SWMO CIP 2018-2027

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

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

**ORDER
APPROVING
A WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Commissioners of the Scott Watershed Management Organization (SWMO) submitted a Watershed Management Plan (Plan) dated June 26, 2018 to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 9, and;

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

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

FINDINGS OF FACT

1. **Scott Watershed Management Organization Establishment.** The SWMO became necessary after the failure of four Joint Powers Agreement Water Management Organizations in 1996 which had originally been established under the Metropolitan Surface Water Management Act. Scott County resolved to take over water planning activities in the areas previously addressed by the Sand Creek, Shakopee Basin, Southwest Scott, Credit River, and portions of Prior Lake-Spring Lake watershed management organizations in July 2000. The second generation Plan was approved in 2009 and most recently amended in 2016.
2. **Authority of Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.
3. **Nature of the Watershed.** The SWMO extends over 287 square miles of Scott County. The remaining portions of Scott County are addressed by the Lower Minnesota River Watershed District, Prior Lake-Spring Lake Watershed District, the Vermillion River Watershed Joint Powers Organization, and Black Dog WMO. There are also approximately two square miles tributary to the Cannon River in the southeast corner of the county that is subject to the Metropolitan Surface Water Management Act and is considered part of the SWMO area. Drainage of Scott County is predominantly toward the Minnesota River which forms the northern border of the county. Agricultural land use dominates the landscape; however urbanization is occurring in the northern portions of the county.
4. **Plan Development and Review.** The SWMO initiated the planning process for the 2019-2026 Plan on October 14, 2016. As required by MR 8410, a specific process was followed to identify and assess priority issues. Stakeholders were identified, notices were sent to municipal, regional, and state agencies to solicit input for the upcoming Plan. The SWMO used information from the preliminary input along with watershed characteristics and presented it to the Watershed Planning Commission and the Scott Soil and Water Conservation District (SWCD) Supervisors; who

along with county and SWCD staff identified priorities. Simultaneously, staff worked with the Technical Advisory Committee to identify what “needs” to be done to address potential goals. Staff then completed a gaps analysis using the identified “needs” along with an assessment of the effectiveness of the current Plan. The end result was the identification of “issues” facing the SWMO. The SWMO held multiple community conversations with the public as well as provided an online survey.

The Plan was submitted for formal 60-day review on March 23, 2018. The SWMO received comments on the draft Plan and responded to Plan reviewers’ comments in writing. After formal review of the Plan, the SWMO held a public hearing on the draft Plan on July 10, 2018. All additional comments received during the 90-day review period have been addressed. The final draft Plan and all required materials were submitted and officially received by the Board on July 16, 2018.

5. **Local Review.** The SWMO distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B132, Subd. 7. Local written comments and edits were received from the City of Shakopee and Scott SWCD. The SWMO responded to all comments.
6. **Metropolitan Council Review.** During the 60-day review, the Council noted the Plan is consistent with Council policies and the Council’s Water Resources Policy Plan. The Council also commended the SWMO for the framework and successful management of the watershed. The SWMO thanked the Council for its comments.
7. **Department of Agriculture (MDA) Review.** The MDA provided clarification and minor language changes to several sections. The SWMO acknowledged the comments and made changes where necessary.
8. **Department of Health (MDH) Review.** No comments were received during the 60-day or 90-day final review period.
9. **Department of Natural Resources (DNR) Review.** The DNR noted the successful work the SWMO has done. DNR commented requesting clarifying language on a number of items. The SWMO provided responses and changes where necessary to the draft Plan.
10. **Pollution Control Agency (PCA) Review.** PCA participated in TAC meetings and provided feedback throughout the plan development process. During the 60-day review, PCA stated it had no additional comments.
11. **Department of Transportation (DOT) Review.** No comments were received from the DOT during the 60-day or 90-day comment periods.
12. **Board Review.** Board staff commended the SWMO on a Plan that demonstrates a thorough and well thought out prioritization process as well as the progress evaluation toward plan goals. Staff also noted a missing required component of the Plan. SWMO staff thanked the Board for their comments and made the necessary inclusion of missing items.
13. **Plan Summary.** The Plan focuses on priorities identified through a robust process with the SWMO Board and its partners. The priorities of the plan are: 1. The protection of Human Health and Safety particularly with respect to both groundwater protection, and exposure to toxics and bacteria in surface waters; 2. Protection and prevention are a higher priority than restoration; 3. Improving underlying factors like soil health are a priority because they ultimately affect water quality; and 4. Using available information to get started on implementation is preferred to postponing action pending additional study and planning.

The SWMO recognizes that some of these priority directions are new to the SWMO and change will not be immediate. This also does not mean that the SWMO will completely drop efforts that currently focus in other areas or pollutants. For example, the previous plan had a Sand Creek sediment reduction strategy. The SWMO

intends to see this and other strategies through, but will use this Plan to begin to shift more resources to the above priorities. This plan is intended to be part of an ongoing process of water resource planning and implementation, and is to be integrated with the other planning occurring at city, county, township and state levels.

The SWMO is committed to being accountable and to learning and adapting quickly as a means of continuous improvement. To achieve this commitment, the SWMO has embraced the development of metrics for most of its programs. It has also developed several overall resource based metrics. They are called Key Program Indicators (KPIs) and are generally of two types: 1. Those that measure how much is being accomplished and 2. Those that reflect how effectively cumulative outcomes are being achieved. KPIs will be calculated annually. They will be used by the SWMO to learn how to improve and adapt, for annual budget decisions, as information for writing education and outreach stories, and reported in the Annual Report and Newsletter.

14. **Central Region Committee Meeting.** On September 6, 2018, the Board's Central Region Committee and staff met in St. Paul to review and discuss the final Plan. Those in attendance from the Board's committee were Jill Crafton, Jack Ditmore, Terry McDill, Duane Willenbring, Joel Larson, and Joe Collins, chair. Board staff in attendance were Central Region Manager Kevin Bigalke and Board Conservationist Steve Christopher. Scott Environmental Services Manager Paul Nelson and Senior Water Resources Planner Melissa Bokman provided highlights of the Plan and process. Board staff recommended approval of the Plan. After presentation and discussion, the committee unanimously voted to recommend the approval of the Plan to the full board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving the Watershed Management Plan for the Scott Watershed Management Organization (SWMO) pursuant to Minnesota Statutes Section 103B.231, Subd. 9.
3. The SWMO Watershed Management Plan, attached to this Order, defines the water and water-related problems within the SWMO's boundaries, possible solutions thereto, and an implementation program through 2026.
4. The RPBCWD Watershed Management Plan will be effective September 26, 2018 through December 31, 2026.
5. The attached Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Scott Watershed Management Organization Watershed Management Plan dated June 26, 2018.

Dated at Saint Paul, Minnesota this 26th day of September 2018.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: _____
Gerald Van Amburg, Chair

September 26, 2018

Scott Watershed Management Organization
C/o Melissa Bokman, Senior Water Resources Planner
200 Fourth Avenue West
Shakopee, Minnesota 55318

Dear Chair and Commissioners:

I am pleased to inform you that the Minnesota Board of Water and Soil Resources (Board) has approved the Scott Watershed Management Organization (SWMO) revised Watershed Management Plan (Plan) at its regular meeting held on September 26, 2018. For your records, I have enclosed a copy of the signed Board Order that documents approval of the Plan. Please be advised that the SWMO must adopt and implement the Plan within 120 days of the date of the Order, in accordance with MN Statutes 103B.231, Subd. 10.

The managers, staff, consultants, advisory committee members, and all others involved in the planning process are to be commended for developing a plan that clearly presents water management goals, actions, and priorities of the watershed. With continued implementation of your Plan, the protection and management of the water resources within the watershed will be greatly enhanced to the benefit of the residents. The Board looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Melissa King of our staff at 651-296-3767, or at the central office address for further assistance in this matter.

Sincerely,

Gerald Van Amburg
Chair

Enclosure

cc's on next page

Cc: Jeanne Daniels, DNR (via email)
Kate Drewry, DNR (via email)
Karen Voz, MDH (via email)
Jeff Berg, MDA (via email)
Judy Sventek, Met Council (via email)
Beth Neuendorf, MN DOT (via email)
Kevin Bigalke, BWSR (via email)
Melissa King, BWSR (via email)
Steve Christopher, BWSR (via email)
File Copy

Executive Summary

PURPOSE OF PLAN

The Scott Watershed Management Organization (SWMO) Water Resource Management Plan, (Water Plan) fulfills the requirements of the Minnesota Metropolitan Surface Water Act of 1982, Minn. Stat. Chapter 103B. The overall purpose of this plan is to protect, preserve, and manage natural surface and groundwater systems within the SWMO and Scott County in response to rapid urban growth and agricultural activity. The plan also presents sustainable and equitable means to effectively reach those goals by providing policy guidance and specific standards for decision-makers, residents, landowners, educators, and implementing staff at the local level. This is the SWMO's third generation Water Plan, the first Plan was adopted in 2004. The 2019 Plan presents issues that affect water resources within the WMO and an implementation plan to manage those resources. This 2019 Plan will address water management over the next 8 years (2019-2026).

This Water Plan focuses on priorities. Several major issues and priorities were chosen to be addressed over the eight-year period of the Plan. These priorities were identified through a planning process of meetings by staff, citizens, the SWMO Technical Advisory Committee (TAC), Watershed Planning Commission (WPC) and the SWMO Board (Board). These priorities are:

- 1) The protection of Human Health and Safety particularly with respect to both
 - a) groundwater protection, and
 - b) exposure to toxics and bacteria in surface waters.
- 2) Protection and prevention are a higher priority than restoration.
- 3) Improving underlying factors like soil health are a priority because they ultimately affect water quality.
- 4) Using available information to get started on implementation is preferred to postponing action pending additional study and planning.

Some of these priority directions are new to the SWMO and change will not be immediate. This also does not mean that the SWMO will completely drop efforts that currently focus in other areas or pollutants. For example, the previous plan had a Sand Creek sediment reduction

EXECUTIVE SUMMARY

strategy. The SWMO intends to see this and other strategies through, but will use this Plan to begin to shift more resources to the above priorities.

This plan is intended to be part of an ongoing process of water resource planning and implementation, and is to be integrated with the other planning occurring at city, county, township and state levels.

PLAN ORGANIZATION

The Scott WMO Water Resource Management Plan is organized into six sections:

Executive Summary: Provides an overview of the Plan.

Section 1 – Land and Water Resource Inventory: Presents the current and historic background and inventory information regarding the physical, hydrological, biological, and human environment of the watershed.

Section 2 – Issue Identification and Assessment: Provides an overview of the plan development process, input process from the public and stakeholders, self-assessment of the previous plan, assesses the adequacy of existing controls and identifies potential management gaps and ends with issues identified during the planning process.

Section 3 – Priorities, Vision, Principles Goals, and Policies: Presents the overall vision, basic guiding principles, goals and policies for water resource management in the SWMO through the year 2026.

Section 4 – Strategies: Presents the strategies for water resource management of the Scott SWMO through 2026.

Section 5 – Implementation: Describes the implementation elements of the Plan and its impact on residents and local governments. This section provides an implementation program table and preliminary annual budgets.

Section 6 – Administration: Presents the administrative functions of the Scott WMO and Local Water Planning authorities with respect to regulation, financing, and administering implementation of the program described in Section 5.

WATERSHED ISSUES AND DESIRED OUTCOMES

Watershed issues are problems or concerns that have been identified by both the Board and citizens, and need attention and implementation of corrective measures. Partnership meetings were held with the SWCD Board, TAC and WPC as well as updates to the Board. Public input was solicited through May 23, 2018. In addition, input from state agency representatives was solicited early on in the planning process to address concerns as early as possible. Eleven issues were identified in Section 2.

Goals are the outcome desired by the SWMO. Policies express the WMO's philosophy about certain watershed management approaches to be used for achieving the goals. Strategies are the specific programmatic approaches the SWMO will use to implement policies and work toward goals. Total, the SWMO has eight goals. Five of these goals have resource based outcomes, and three have operational outcomes they are:

- Goal 1: Wetland Management. To Protect and Enhance Wetland Ecosystems, and to Ensure/Encourage a Measurable Net Gain of Wetland Functions and Acreage.
- Goal 2: Surface Water Quality. To Protect and Improve Surface Water Quality
- Goal 3: To Protect Groundwater Quality and Supplies
- Goal 4: Flood Management. To Protect Human Life, Property, and Surface Water Systems From Damage Caused by Flood Events
- Goal 5: Collective Action, Increase Adoption of Actions and Practices that Protect and Improve Water Resources
- Goal 6: Optimize Public Expenditures
- Goal 7: Build a Resilient Landscape
- Goal 8: Public Drainage. Maximize the Public Value of the Public Drainage Systems

WATERSHED MANAGEMENT VISION

The Scott WMO's vision is:

EXECUTIVE SUMMARY

To compile a system of well buffered water courses, wetlands and lakes surrounded by an upland where engaged citizens, businesses and partners work with the SWMO to reduce runoff volumes, control peak flows and their timing, and minimize pollutant generation and export to meet local water resource priorities.

This vision and the following goals and policies, as well as the strategies presented in Section 4, were developed based on the following Guiding Principles. These principles are in large part driven by the understanding that the SWMO does not have the capacity or resources to achieve desired outcomes on its own.

- 1) Achieving desired water resource outcomes is a shared responsibility between state and local government and the public.
- 2) Available resources will be focused on achieving priorities with realistic expectations.
- 3) Using, building on, and/or enabling existing management programs before initiating new or duplicative programs.
- 4) Building, sustaining and utilizing partnerships are the preferred means of achieving goals and priorities.
- 5) Building capacity of individuals, communities and organizations to implement conservation is needed to achieve results in a long term and sustainable manner.
- 6) Emphasizing prevention by creating a buffered and resilient aquatic environment; utilizing tools and programs aimed at promoting soil health; reducing runoff volumes and peak flows; and keeping homes, businesses and infrastructure out of harm's way (i.e. areas at risk of flooding and landslides).
- 7) Measuring, adapting and learning while implementing.

IMPLEMENTATION

The SWMO has nine Programs that it uses to implement this Plan. Table 5-2 shows how each of the 17 Strategies included in the Plan fit into these Programs. The SWMO budget is set annually by the County Board acting as the SWMO. Many of the decisions and the amount of effort and investment are discretionary decisions by the County Board. This Plan lays out considerations and priorities for decision-making, and the Board is advised by a Watershed Planning Commission and staff. The amount of effort and annual budgets are also dependent upon resources from others, particularly (federal and state) grants. Finally, the Scott Soil and Water Conservation District is an important implementation partner and staffs several of the SWMO Programs.

EVALUATING OUR PROGRESS

The SWMO is committed to being accountable and to learning and adapting quickly as a means of continuous improvement. To achieve this commitment, the SWMO has embraced the development of metrics for most of its programs. It has also developed several overall resource based metrics. They are called Key Program Indicators (KPIs) and are generally of two types: 1) those that measure how much is being accomplished and 2) those that reflect how effectively cumulative outcomes are being achieved. KPIs will be calculated annually (with the exception of stream water quality trends, and landowner survey responses). They will be used by the SWMO to learn how to improve and adapt, for annual budget decisions, as information for writing education and outreach stories, and reported in the Annual Report and Newsletter.

In addition to annual assessment of KPIs as discussed above, the SWMO will complete more detailed program assessments every two to three years. These assessments will compare progress made on the various strategies and programs, with what is listed and scheduled in the Plan.

SECTION 5 – IMPLEMENTATION

Table 5.4. SWMO Capital Improvement Program

Project	Description	Cost Estimate	Schedule
Tier 1			
Helena Twp Section 2 Wetland Bank	Potential wetland bank by BWSR, Scott County Transportation and Scott SWCD with potential to incorporate flood storage using additional SWMO funds.	\$100,000 to \$120,000 Supplemental funding to incorporate modest amount of flood storage	Feasibility and Design 2018 Construction 2019
Cedar Lake Wetland Restoration/Wet Detention Basin	Identified in subwatershed analysis of Cedar Lake watershed; carried over from previous Plan	\$66,000 to \$100,000	Landowner contact made, may be interested in the future. Schedule unknown
Cedar and McMahon Lakes Alum Treatments	Identified as part of approved TMDL. Carried over as a CIP from previous Plan.	Cedar Lake: \$1,100,000 for two treatments* McMahon Lake: \$175,200 for two treatments	Timing for the treatments of Cedar Lake is based on adaptive management linked to success of other efforts. McMahon Lake treatment has been suspended unless the lake again becomes impaired.
Sawmill Lane Near Channel Sediment Control	One of a number of near channel capital projects identified in current Plan. Expect to complete in 2018, but included in case of delay.	\$425,000**	Feasibility and Design 2017/2018 Construction 2018
Helena-Broadway Near Channel Sediment Control	One of a number of near channel capital projects identified in current Plan. Currently getting a second opinion on cost and feasibility. If cost and feasibility change significantly, it might be removed from the list.	\$600,000 Some grant funding available from USEPA Section 319 grant, and potentially from the Sand Creek targeting grant	Feasibility 2018 Design 2018/2019 Construction 2019, 2020 or 2021
Camber Ave Near Channel Sediment Control	One of a number of near channel capital projects identified in previous Plan. Project is located on Raven Stream. May complete in 2018, but including it in case of a delay.	\$35,000**	Feasibility and Design 2018 Construction 2018 or 2019

SECTION 5 – IMPLEMENTATION

Table 5.4. SWMO Capital Improvement Program

Project	Description	Cost Estimate	Schedule
NW McMahon Lake Stabilization and Wetland	Project to stabilize a head cutting gully and restore a prairie in a cropped area NW of McMahon Lake. The combination of practices make it a larger effort than typically handled by the TACS program. It is a priority project for the SMWO because of its benefit to McMahon Lake.	\$80,000	Landowner contacted in 2017. Waiting for a decision. Schedule unknown
Salisbury Hill (CR51) Ravines*	Unstable Ravines are contributing large amounts of sediment to the Minnesota River and impacting county road maintenance. This project was included as a CIP in the previous Plan, but has been delayed because of changing priorities from the 2014 disaster, and waiting for decisions about the future of roads in the area.	\$750,000 to \$1,500,000 depending on option selected for implementation	Schedule unknown. Waiting for decisions about roads in the area.
Blakeley Park Stabilization	Scott County Parks has land in Blakeley Park that has some erosion and small amount of mass wasting. Project will install upland practices and address the mass wasting (see Scott County Parks Improvement Program (PIP) 2018-2022).	\$130,000 Anticipate pursuing Clean Water Funds and Cost share with Scott County Parks	Feasibility and Design 2019 Construction 2020
<u>Lower Picha Creek Ravine Project</u>	<u>Next priority stabilization project identified as part of the Sand Creek Near Channel Sediment Reduction Feasibility</u>	<u>\$450,000</u>	<u>Feasibility study and Preliminary Design & Clean Water Fund Grant application 2019; Construction 2020 (or later depending on grant availability)</u>

SECTION 5 – IMPLEMENTATION

Tier 2			
Blaha Ravine	This ravine stabilization project has been discussed with the City of Belle Plaine in the past; they have now included it as an official request in the letter of issues submitted to the SWMO at the start of the Plan update process. The SWMO acknowledges this will have some pollutant loading reduction to the Minnesota River, but the reduction is small compared to the whole basin and thus it is listed as a Tier 2 project.	\$234,000 (2016 estimate) Unknown whether SWMO support will be financial, technical, grant writing or a combination	City of Belle Plaine to lead.
Chestnut Ravine	This ravine stabilization project has been discussed with the City of Belle Plaine in the past; they have now included it as an official request in the letter of issues submitted to the SWMO at the start of the Plan update process. The SWMO acknowledges this will have some pollutant loading reduction to the Minnesota River, but the reduction is small compared to the whole basin and thus it is listed as a Tier 2 project.	\$102,000 (2016 estimate) Unknown whether SWMO support will be financial, technical, grant writing or a combination	City of Belle Plaine to lead.
City Center/Phillips Square Stormwater Improvements	This is a project in New Prague converting a gravel parking area near East Raven Stream to parkland, paved parking and stormwater facilities. It will reduce phosphorus loading to Raven Stream, but because of the cost effectiveness and lack of receiving water analysis, it is listed as a Tier 2 project. If TMDLs and the WRAPS currently being completed by the MPCA add the necessary detail to document significant benefits to Raven Stream, the SWMO could consider moving to a Tier 1 project.	<u>Construction Cost</u> <u>\$434,000*** (2018 estimate)</u> Unknown whether SWMO support will be financial, technical, grant writing or a combination	City of New Prague to lead

* Will only be completed with significant grant support.

** Not included in planning level budget Table 5.6 since these are included in the 2018 budget. If delayed to 2019 will roll over unused funds.

*** Estimate provided by Chris Cavett, P.E., SEH Inc., via email dated June 26th, 2018.

SECTION 5 – IMPLEMENTATION

Table 5.6. Implementation Plan Table

Program	2019	2020	2021	2022	2023	2024	2025	2026	Totals
Expenses									
Administration	\$127,100.00	\$130,277.50	\$133,534.44	\$136,872.80	\$140,294.62	\$143,801.98	\$147,397.03	\$151,081.96	\$1,110,360.33
Land & Water Treatment									
AIS	\$85,000.00	\$87,125.00	\$89,303.13	\$72,535.70	\$74,349.10	\$76,207.82	\$78,113.02	\$80,065.84	\$642,699.61
TACS	\$578,700.00	\$553,075.00	\$573,401.88	\$606,986.92	\$607,836.59	\$625,957.51	\$630,356.45	\$654,040.36	\$4,830,354.71
CIPS	\$567,725.00	\$464,725.00	\$312,543.13	\$360,456.70	\$364,468.12	\$368,579.82	\$372,794.32	\$427,114.18	\$3,238,406.27
Monitoring	\$15,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$85,000.00	\$32,000.00	\$20,000.00	\$-	\$212,000.00
Education & Outreach	\$100,000.00	\$102,500.00	\$105,062.50	\$107,689.06	\$110,381.29	\$113,140.82	\$115,969.34	\$118,868.58	\$873,611.59
Regulation	\$3,500.00	\$3,587.50	\$3,677.19	\$3,769.12	\$3,863.35	\$3,959.93	\$4,058.93	\$4,160.40	\$30,576.41
Inventory	\$80,000.00	\$25,000.00	\$25,000.00	\$15,000.00	\$35,000.00	\$60,000.00	\$80,000.00	\$25,000.00	\$345,000.00
Planning	\$7,500.00	\$7,687.50	\$7,879.69	\$8,076.68	\$8,278.60	\$8,485.56	\$8,697.70	\$60,165.14	\$166,770.87
Coordination	\$45,000.00	\$46,125.00	\$47,278.13	\$48,460.08	\$49,671.58	\$50,913.37	\$52,186.20	\$53,490.86	\$393,125.22
Maintenance	\$30,000.00	\$30,750.00	\$31,518.75	\$32,306.72	\$33,114.39	\$33,942.25	\$34,790.80	\$35,660.57	\$262,083.48
Debt Service	\$90,000.00	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$90,000.00
TOTAL EXPENSES	\$1,729,525.00	\$1,470,852.50	\$1,349,198.81	\$1,412,153.78	\$1,512,257.63	\$1,516,989.07	\$1,594,363.79	\$1,609,647.89	\$12,194,988.48
Revenue									
Levy	\$1,205,100.00	\$1,241,253.00	\$1,278,490.59	\$1,316,845.31	\$1,356,350.67	\$1,397,041.19	\$1,438,952.42	\$1,482,121.00	\$10,716,154.17
Grants	\$358,000.00	\$183,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$589,000.00
Partners	\$34,500.00	\$43,500.00	\$43,500.00	\$33,500.00	\$33,500.00	\$33,500.00	\$33,500.00	\$33,500.00	\$289,000.00
Other	\$5,000.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$22,500.00
TOTAL REVENUE	\$1,602,600.00	\$1,470,253.00	\$1,332,490.59	\$1,360,845.31	\$1,400,350.67	\$1,441,041.19	\$1,482,952.42	\$1,526,121.00	\$11,616,654.17
Difference between Expenses and Revenue ***									
Difference (Rev-Exp)***	(\$126,925.00)	(\$599.50)	(\$16,708.22)	(\$51,308.48)	(\$111,906.96)	(\$75,947.88)	(\$111,411.37)	(\$83,526.89)	(\$578,334.31)

* Assumptions: Inflation of expenses at 2.5%. Levy increase (new growth plus inflation) at 3%. Low end of cost ranges in Table 5-5 were used for CIP expense estimates.

** Expenses include staffing as well as construction and/or treatment costs

*** Scott WMO is not planning deficit spending. If the SWMO is not successful with grants, some of the CIPs will be delayed or deleted in order to balance the annual budget.

**** Does not include Watershed Based Funding; SWMO is likely to receive \$230,000 from 2018-2021 for a pilot program. Future beyond that, however, is uncertain.

COMMITTEE RECOMMENDATIONS

Southern Region Committee

1. Nicollet SWCD Office Change in Location of Office Headquarters – Ed Lenz – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

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

Meeting Date: September 26, 2018

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Southern Region

Contact: Ed Lenz

Prepared by: Jennifer Mocol-Johnson

Reviewed by: Southern Regional Committee(s)

Presented by: Ed Lenz

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

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

LINKS TO ADDITIONAL INFORMATION

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

On March 23, 2018, the Nicollet SWCD Board of Supervisors passed a resolution approving the district’s change of principal office location to 501 7th Street, Nicollet, MN from the 424 South Minnesota Avenue, St. Peter, MN location. BWSR’s Southern Regional Committee met on August 23, 2018 to review this request and voted to recommend approval of the change of principal office location to the full BWSR Board.

Board Resolution # 18- _____

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

WHEREAS, the Nicollet Soil and Water Conservation District Board of Supervisors adopted a resolution dated March 23, 2018, to change the office headquarters from 424 South Minnesota Avenue, St. Peter, MN 56082 to 507 7th Street, Nicollet, MN 56074; and

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

THEREFORE BE IT RESOLVED, the Board of Water and Soil Resources hereby approves the change in office location of the Nicollet Soil and Water Conservation District from 424 South Minnesota Avenue, St. Peter, MN 56082 to 507 7th Street, Nicollet, MN 56074.

THREFORE BE IT FURTHER RESOLVED, this one-page Resolution of the Minnesota Board of Water and Soil Resources, Number 18-____ dated September 26, 2018, approving the change in office location of the Nicollet Soil and Water Conservation District is hereby certified as true and correct.

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources

State of Minnesota
County of Ramsey

I attest that the above resolution is true and correct and that a copy of the resolution will be submitted to the Secretary of State's office.

John Jaschke, Executive Director
Board of Water and Soil Resources

State of Minnesota
County of Ramsey

Subscribed and sworn to before me this 26th day of September, 2018.

Notary Public

September 26, 2018

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

Via Hand Delivery

Dear Mr. Secretary:

Pursuant to Minn. Stat. § 103C.221, hereby enclosed for filing is a certified copy of the Minnesota Board of Water and Soil Resources Resolution Number 18-___ dated September 26, 2018, one page, which approves the change in the location of the office of the Nicollet Soil and Water Conservation District from 424 South Minnesota Avenue, St. Peter, MN 56082 to 507 7th Street, Nicollet, MN 56074.

Please contact me if you have questions.

Sincerely,

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

Enclosure

c: Nicollet County Administrator
Nicollet Soil and Water Conservation District
Minnesota Association of Soil and Water Conservation Districts
Ed Lenz, BWSR



NICOLLET SOIL AND WATER CONSERVATION DISTRICT

424 South Minnesota Ave.
ST. PETER, MN 56082
TELEPHONE (507) 931-2550

MINNESOTA
SOIL AND WATER CONSERVATION DISTRICTS

RESOLUTION

2018 Nicollet Soil & Water Conservation District Change of Location of Principal Office

WHEREAS, the current location of the Nicollet SWCD is located at 424 South Minnesota Ave., St. Peter, MN.

WHEREAS, on March 23rd, 2018, the Nicollet SWCD entered into a Purchase Agreement with Minnesota Valley Funeral Home, for the purchase of property 501 7th Street, Nicollet, MN which will be the location of their principal office on or before June 29, 2018.

WHEREAS, THE majority of the District Board has agreed on the new location.

NOW, THEREFORE, BE IT RESOLVED, by the Nicollet Soil & Water Conservation District Supervisors to move the location of the principal office to 501 7th Street, Nicollet, MN.

BE IT FURTHER RESOLVED, the official address of the principal office of the Nicollet SWCD will be changed with the Board of Water and Soil Resources and the Secretary of State.

Date: March 23, 2018



John Kral, Chair

ATTEST:



Tim Braun, Vice Chair

CERTIFICATION

State of Minnesota
County of Nicollet

I, **Bruce Hulke**, secretary of the Nicollet Soil and Water Conservation District, do hereby certify that the above resolution relating to the change of the location of the principal office of the supervisors of the Nicollet Soil and Water Conservation District was adopted by the said district supervisors at a regular meeting thereof held on March 23rd, 2018, that I have compared it with the original resolution as set forth in the minutes of the said meeting, and that said copy is a true and correct copy of and transcript from said original and the whole thereof. I further certify that said meeting of the Board was duly called and held, that a quorum of the members of said Board was present thereat, and that said resolution was duly adopted thereat by a majority vote of the members present.

Signed: 

Bruce Hulke Secretary, Nicollet Soil and Water Conservation District