

DATE: March 17, 2020

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

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice – March 25, 2020

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, March 25, 2020, beginning at 9:00 a.m. The meeting will be held in the lower level Board Room, at 520 Lafayette Road North, St. Paul. Parking is available in the lot directly in front of the building (see hooded parking area).

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

1. **2020 Request for Proposals for One Watershed, One Plan Planning Grants** – The purpose of this agenda item is for the Board to approve the 2020 Request for Proposals for One Watershed, One Plan Planning Grants. There were only minor changes to the RFP relative to the 2019 version. **DECISION ITEM**

RIM Reserve Committee

1. **Wellhead Protection Partner Grants (Pilot)** – The Wellhead Partner Protection Grants (Pilot) program was established in 2019 through Board Order #19-34 (Wellhead Partner Protection Grants (Pilot) using 2015 funding. The board order will add funding (\$1,000,000) to the grant program using funds appropriated to BWSR in the Laws of Minnesota 2019, 1st Special Session, Ch. 2, Art. 2, Sec 7(g) - Clean Water funds for permanent conservation easements on wellhead protection areas or grants to local units of government for long-term wellhead protection. **DECISION ITEM**
2. **Clean Water Fund North Central MN RIM Presentation** – The RIM Committee recently discussed the \$4 million Clean Water Fund funding for North Central Minnesota and this presentation by Dan Steward will provide background to the full Board on the protection analysis used in the targeting and prioritizing of conservation implementation, specifically through potential RIM easements, for projects in the Mississippi, Pine and Crow Wing River watersheds. **INFORMATION ITEM**
3. **2019 Clean Water Fund for Riparian Easements and Restoration** – RIM Reserve – Pine, Crow Wing and Mississippi River Watershed Protection (resolution) and Grass Lake Restoration Grant (board order and overview document – 2-page project update handout).

ML 2019, 1st Special Session, Ch. 2, Art. 2, Sect. 7(f) appropriated Reinvest In Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) from the Clean Water Fund to “purchase, restore, or preserve riparian land adjacent to lakes, rivers, streams, and tributaries, by easements or contracts, to keep water on the land to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge.” The board resolution authorizes use of up to \$4,000,000 from this appropriation to provide additional funding to three already established protection programs in north central Minnesota. The board order authorizes a grant to Kandiyohi County in the amount of \$250,000 for the Grass Lake Restoration Project from the same appropriation. **DECISION ITEM**

4. **Kisgen RIM Easement Alteration (75-06-02-01)** – An inadvertent encroachment was discovered by Easements staff on easement #75-06-02-01 in Stevens County. A building and another small structure have been constructed that and lie partially within the easement boundary. Other personal property and debris have been placed on the easement as well. Easements staff have been working with the landowner and Stevens SWCD on an Easement Alteration Request to remove approximately 0.77 acres (the encroached upon area) from the easement and replace it with 1.54 acres of land on the north end of the property to bring the landowner back into compliance. The landowner’s proposal meets all the requirements of BWSR’s Easement Alteration Policy and the RIM Reserve Committee voted in favor of the proposal at their March meeting. **DECISION ITEM**

Northern Region Committee

1. **Thief River Comprehensive Watershed Management Plan** – The Thief River watershed was selected by BWSR as one of the seven planning areas for the One Watershed, One Plan program in 2016. The watershed partnership Policy Committee, Advisory Committee, and Planning Work Group members have attended regularly scheduled meetings and submitted the Thief River Comprehensive Watershed Management Plan to BWSR on February 11, 2020, for review and approval. The Northern Regional Committee met on March 4, 2020, to review the content of the Plan, State agency comments on the Plan, and to make a recommendation for approval. The Committee recommends approval of the submitted Plan by the full Board. **DECISION ITEM**
2. **Bois de Sioux Watershed District Plan Amendment** – The Bois de Sioux Watershed District submitted an Amendment to their Watershed Management Plan which enables the establishment of a water management district to provide a funding mechanism to assist in the implementation of the Lake Traverse Water Quality Improvement Project No. 1. As proposed, the water management district will fund a portion of the project. The Northern Regional Committee conducted a public hearing on the amendment and recommends approval. **DECISION ITEM**
3. **Pelican River Watershed District Revised Plan** – The Pelican River Watershed District submitted a revised Watershed Management Plan for state review and approval. The Northern Regional Committee conducted a public hearing on the Pelican River Watershed District revised Watershed Management Plan and recommends approval. **DECISION ITEM**

Central Region Committee

1. **Rice Creek WD Watershed Management Plan approval of 10-yr Plan Amendment** – The Rice Creek Watershed District (RCWD) encompasses approximately 186 square miles of urban and rural land primarily in Anoka, Ramsey and Washington counties with a small portion in Hennepin county. The RCWD was established by the Minnesota Board of Water and Soil Resources (BWSR) on January 18, 1972 based on a nominating petition initiated by the County Boards of Anoka, Ramsey and Washington Counties. The RCWD’s boundaries include all or portions of 28 cities and townships. Land in the RCWD is relatively flat, particularly in the north-central portion where the Rice Creek Chain of Lakes is the dominant feature. Generally, the land use ranges from heavily developed with a mix of industrial, commercial, retail, multi-family and single-family residential land uses in the southwest part of the RCWD to more rural, with agricultural and undeveloped land use in the north and east. The more urbanized southwest part of the RCWD reflects its proximity to Minneapolis and St. Paul. Retail and industrial complexes are evident along the I-35W corridor to the north. Rice Creek is the principal stream of the watershed; the creek and its tributaries serve multiple purposes including draining agricultural and urban areas, providing a backup water supply for the City of St. Paul, and serving as a recreational resource. On March 5, 2019, the Board’s Central Region Committee and staff met with representatives from the RCWD in St. Paul to review and discuss the final Plan. After presentation and discussion, the Committee decided with a unanimous vote to recommend approval of the RCWD Watershed Management Plan by the Board. **DECISION ITEM**

2. **Kanabec Soil & Water Conservation District Supervisor Redistricting** – As per MS 103C.311 subd. 2, a soil and water conservation outside of the seven-county metropolitan area can elect to change from election at large to election by districts. Districts that propose this change must seek approval by the Board of Soil and Resources before this change can be implemented.

At their January 14, 2020 meeting, the Kanabec SWCD Board passed a motion to realign their supervisor districts with the Kanabec County Commissioner districts. They notified BWSR of this motion in an email sent on February 19, 2020. Upon further review, while the SWCD board took formal action, they did not provide BWSR with the required resolution. On February 27, 2020, Jason Weinerman, Board Conservationist, spoke with the district manager and confirmed that the SWCD board would vote on and submit a formal resolution to the Board of Water and Soil Resources during their March 10th meeting. This resolution would follow the form of their motion from the January 14 meeting.

The filing period for the 2020 election cycle opens May 19th, which creates a bit of urgency for the BWSR Board to act on this resolution at their March meeting so that the required changes can be implemented before the opening of the filing period.

The BWSR Central Region Committee met on March 5, 2020 to consider the redistricting request. The BWSR Central Region committee recommends the full board to approve the Kanabec SWCD redistricting request at the March 25th meeting. **DECISION ITEM**

If you have any questions regarding the agenda, please feel free to call me at 651-297-4290. We look forward to seeing you on March 25th.

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
ST. PAUL, MN 55155
WEDNESDAY, MARCH 25, 2020
CONFERENCE CALL OPTION
TOLL-FREE DIAL-IN NUMBER: 888-742-5095
CONFERENCE CODE: 352 020 9849**

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF JANUARY 22, 2020 BOARD MEETING

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

INTRODUCTION OF NEW STAFF

- Mary Norton, Facilities Project Consultant
- Cecelia Sakry, Central Region OAS

CONFLICT OF INTEREST DECLARATION

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

REPORTS

- Chair & Administrative Advisory Committee – Gerald Van Amburg
- Audit & Oversight Committee – Gerald Van Amburg
- Executive Director – John Jaschke
- Dispute Resolution and Compliance Report – Travis Germundson/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/Tom Gile

AGENCY REPORTS

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

ADVISORY COMMENTS

- Association of Minnesota Counties – Brian Martinson
- Minnesota Association of Conservation District Employees – 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

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

1. 2020 Request for Proposals for One Watershed, One Plan Planning Grants – Julie Westerlund – **DECISION ITEM**

RIM Reserve Committee

1. Wellhead Protection Partner Grants (Pilot) – Sharon Doucette – **DECISION ITEM**
2. Clean Water Fund North Central MN RIM Presentation – Dan Steward and Sharon Doucette – **INFORMATION ITEM**
3. 2019 Clean Water Fund for Riparian Easements and Restoration – Sharon Doucette – **DECISION ITEM**
4. Kisgen RIM Easement Alteration (75-06-02-01) – Karli Tyma and Sharon Doucette – **DECISION ITEM**

Northern Region Committee

1. Thief River Comprehensive Watershed Management Plan – Neil Peterson and Matt Fischer – **DECISION ITEM**
2. Bois de Sioux Watershed District Plan Amendment – Pete Waller – **DECISION ITEM**
3. Pelican River Watershed District Revised Plan – Brett Arne and Ryan Hughes – **DECISION ITEM**

Central Region Committee

1. Rice Creek WD Watershed Management Plan approval of 10-year Plan Amendment – Dan Fabian – **DECISION ITEM**
2. Kanabec Soil & Water Conservation District Supervisor Redistricting – Dave Weirens – **DECISION ITEM**

UPCOMING MEETINGS

- BWSR Board Meeting is scheduled for May 27, 2020, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul.

ADJOURN

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
LOWER LEVEL BOARD ROOM
ST. PAUL, MN 55155
WEDNESDAY, JANUARY 22, 2020**

BOARD MEMBERS PRESENT:

Jill Crafton, Jack Ditmore, Kathryn Kelly, Rich Sve , Sarah Strommen, DNR; Tom Loveall, Nathan Redalen, Tom Schulz, Thom Peterson, MDA; Steve Sunderland, Gerald Van Amburg, Joe Collins, Harvey Kruger, Paige Winebarger, Joel Larson, University of Minnesota Extension; Chris Elvrum, MDH; Neil Peterson, Katrina Kessler, MPCA, Andrea Date, Todd Holman

BOARD MEMBERS ABSENT:

STAFF PRESENT:

John Jaschke, Angie Becker Kudelka, Rachel Mueller, Kevin Bigalke, Tom Gile, Travis Germundson, Dan Shaw, Marcey Westrick, Karli Tyma, Sharon Doucette, Dale Krystosek, Dave Weirens

OTHERS PRESENT:

Jeff Berg, MDA
Emily Javens, MAWD

Chair Gerald VanAmburg called the meeting to order at 8:34 AM

PLEDGE OF ALLEGIANCE

20-01 **ADOPTION OF AGENDA** - Moved by Neil Peterson, seconded by Kathryn Kelly, to adopt the agenda as presented. ***Motion passed on a voice vote.***

20-02 **MINUTES OF DECEMBER 18, 2019 BOARD MEETING** – Moved by Harvey Kruger, seconded by Chris Elvrum, to approve the minutes of December 18, 2019, as amended. ***Motion passed on a voice vote.***

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

INTRODUCTION OF NEW STAFF

- Tara Kline, Conservation Technician

Chair Van Amburg and the board welcomed Tara to BWSR!

CONFLICT OF INTEREST DECLARATION

Chair Van Amburg read the statement:

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

REPORTS

Chair & Administrative Advisory Committee – Chair Gerald Van Amburg reported they have not met.

Attended EQB subcommittee last month. Discussion regarding the environmental review process particularly about ecosystem functions and health. Sarah Strommen who also attended, stated EQB recently formed a subcommittee to look at environmental review implementation. The subcommittee is meeting again this afternoon to follow-up from the public input meeting last month and discuss strategies with potential ways to incorporate climate change.

Chair Van Amburg attended the Red River Basin Commission conference held last week along with others from the board. Also went to Wheaton and listened to the presentation at the public hearing of the Bois de Sioux Watershed District, they are asking to make an amendment to their plan to include a Water Management District.

Audit and Oversight Committee – Chair Gerald Van Amburg reported they met yesterday afternoon to look at PRAP Report that is due to go to the Legislature and will be presented at the meeting today.

Executive Director’s Report - John Jaschke also attended the Red River Basin Commission meeting and stated it’s an important organization that allows us to do work across boundaries.

There have been a number of meetings and conference types of events. Discovery Farms had a first ever conference explaining work they've accomplished and the results of their data collection analysis on small scale fields. There was an interagency meeting held yesterday on drinking water more people paying attention to the challenges. Governor put out his proposed bonding package.

The day-of packet was reviewed with the Board, which included Snapshots along with a Lawns to Legumes article, an updated BWSR staff listing, an updated organizational chart, supporting and updated board documents, also included was a letter sent to the Minnesota Association of Watershed Districts regarding Metropolitan Watershed-Based Implementation Funding.

Dispute Resolution and Compliance Report – Travis Germundson reported that there are currently six appeals pending. All the appeals involve the Wetland Conservation Act. There have been three new appeals filed since the last Board Meeting.

Appeal of a WCA boundary type decision in Waseca County. The appeal regards the approval of wetland boundary type decision. Upon receipt it was immediately withdrawn and dismissed.

Appeal of a WCA restoration order in Olmsted County. The appeal regards the placement of fill in a floodplain wetland associated with the operation of a sand and gravel mine. *No decision has been made on the appeal.*

Appeal of a WCA replacement plan decision in Hennepin County. The appeal regards the denial of a replacement plan application associated with wetland impacts described in a restoration order. The restoration order was appealed and placed in abeyance until there is a final decision on the wetland application. No decision has been made on the appeal.

Appeal of a wetland conservation exemption decision in Kandiyohi county. Appeal has been withdrawn and case dismissed.

Buffer Compliance Status. BWSR has received notifications of noncompliance from various SWCD on 54 parcels from 12 counties. BWSR issued 26 corrective action notices and have not issued an administrative penalty order. Statewide, 20 counties are fully compliant and 44 counties have enforcement cases in progress. Of those counties there has been 642 correct actions notices issued and 28 administrative penalty orders that are active. Of those actions being tracked, 537 have been resolved.

Grants Program & Policy Committee - Steve Sunderland reported grants committee met and will have action items on agenda for today.

RIM Reserve Committee – Tom Loveall reported they met and have a recommendation for the board today.

Water Management & Strategic Planning Committee - Jack Ditmore reported the committee met yesterday afternoon where they received an update from staff, reviewed progress, and where we're going in the next couple years in regard to the 2017 Strategic Plan. The Strategic Plan assessment will be emailed to board members.

Wetland Conservation Committee - Tom Schulz reported they have not met. Staff are working on the 404 Assumption and will have a report in the future.

Buffers, Soils & Drainage Committee - Kathryn Kelly reported they have not met.

Drainage Work Group (DWG) - Tom Loveall and Tom Gile stated the January meeting was cancelled and will have a potential gathering this spring. Al Kean is working on a document for the Drainage Work Group to take a look at Understanding Minnesota Public Drainage Law.

AGENCY REPORTS

Minnesota Department of Agriculture – Thom Petersen reported they released their updated maps for Groundwater Protection Rule and will take effect this fall. He also attended the Red River Basin Commission.

Minnesota Department of Health – Chris Elvrum reported the Clean Water Fund Performance Report will be published in the next couple weeks and will be available on the PCA website. Also stated the Clean Water Council is working on a Strategic Plan.

Minnesota Department of Natural Resources – Sarah Strommen reported that there are a few regulatory projects in the works. There was a recent Court of Appeals decision on PolyMet, the DNR is still reviewing the decision. The DNR is continuing their work on the Line 3 license and permit applications. Sarah stated they remain concerned about spring flooding and are having some internal conversations on how to be prepared and how to help others be prepared for spring. Friday is the annual DNR Roundtable in Bloomington where they will discuss fisheries, wildlife, ecological and water resource issues with stakeholders and divisions.

Minnesota Extension – No report was provided.

Minnesota Pollution Control Agency – Katrina Kessler reported they are also involved with PolyMet. Stated the Municipal Separate Storm Sewer (MS4) general permit came off public notice. Staff are going through the comments, received requests for contested case hearings. There are new requirements related to stormwater – meeting waste load allocations and total maximum daily loads as well as tracking chloride.

House and Environmental Committee met in Bemidji. PCA gave presentations on impaired waters, PFAS, and some proposed changes to federal regulations that impact regulatory programs.

Dark Waters is showing at the Landmark Theater in Edina. Katrina along with others will be on a panel after the movie to talk about work they've been doing related to PFAS.

PCA is part of the Great Lakes Commission where Katrina is on subcommittee that is working on identifying what we can do together related to resilience.

ADVISORY COMMENTS

Association of Minnesota Counties – No report provided.

Minnesota Association of Conservation District Employees – No report provided.

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

Minnesota Association of Townships – Nathan Redalen introduced their Executive Director David Hann to the board. David has been the Executive Director for the last year and half. Prior he served in the legislature as a state senator for 14 years. David stated he is looking forward to working with the board.

Minnesota Association of Watershed Districts –Emily Javens reported there was a legislative town hall meeting in Osakis. Minnesota Representatives Anderson, Franson, Heintzeman, and Poston thought it was important to hold a meeting to listen to concerns about the Sauk River Watershed District.

Natural Resources Conservation Service – No report provided.

John reported everyone signed the conflict of interest and can vote.

Chair Van Amburg recessed the meeting at 9:45 a.m. and called the meeting back to order at 10:02 a.m.

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

FY20-21 Cooperative Weed Management Area Grant Awards – Dan Shaw presented the FY20-21 Cooperative Weed Management Area Grant Awards.

The purpose of the Cooperative Weed Management Area Program is to establish strong and sustainable CWMAs across Minnesota for the collaborative and efficient control of invasive species and protection of conservation lands and natural area. In August 2019 the Board gave approval to complete and open the FY20-21 Cooperative Weed Management Area Grants RFP to grant a total of \$200,000. The application period was open from September 2, 2019, to October 7, 2019. Twenty (20) applications were received requesting a total of \$330,000. Ranking was done by the CWMA Interagency Advisory Team on November 7, 2019. The attached funding recommendations are the result of that meeting and include the recommended distribution of an additional \$28,000 of unused CWMA Program funding. Approval of the FY20-21 Cooperative Weed Management Area Grant awards is requested of the Board.

**
20-03 Moved by Steve Sunderland, seconded by Jill Crafton, to approve the FY20-21 Cooperative Weed Management Area Grant Awards. ***Motion passed on a voice vote.***

FY20 Lawns to Legumes Demonstration Neighborhoods Grant Awards– Dan Shaw presented FY20 Lawns to Legumes Demonstration Neighborhoods Grant Awards.

This new grant program is funded through the Environment and Natural Resources Trust Fund (ENRTF) and is aimed at increasing the populations of rusty patched bumble bees and other at-risk pollinators through the establishment of residential pollinator habitat within neighborhoods in important pollinator corridors/pathways. In October 2019 the Board authorized staff to complete and open the FY20 Lawns to Legumes Demonstration Neighborhoods RFP to grant a total of \$450,000. The application period was open from December 3, 2019 to January 10, 2020. Ranking was done by an Interagency Team on January 16, 2019. The attached funding recommendations are the result of that meeting. Approval of the FY20 Lawns to Legumes Demonstration Neighborhoods Grant awards is requested of the Board.

Jill Crafton asked if there were any city ordinances that might have barriers from implementing? Dan stated that every city has different ordinances and some are more pollinator friendly than others. There was a sample permit developed that cities can use if they don't want to change their ordinances. Also have a document with sample ordinances they can use too.

Tom Loveall asked how long is the requirement to have the pollinator habitat, is there a standard and do we check up on it? Dan Shaw stated demonstration neighborhood have a 5-year requirement and Individual projects have a 3-year requirement. Coaching will be provided for everyone that receives money for those programs and will link them with people who will guide them to be successful.

John Jaschke thanked Dan Shaw and Tara Kline for their work.

**
20-04 Moved by Kathryn Kelly, seconded by Paige Winebarger, to approve the presented FY20 Lawns to Legumes Demonstration Neighborhoods Grant Awards. **Motion passed on a voice vote.**

FY 2020 Clean Water Fund Competitive Grant Award– Marcey Westrick presented FY 2020 Clean Water Fund Competitive Grant Award.

The purpose of this agenda item is to allocate FY20 Clean Water Competitive Grants. On June 26, 2019, the Board authorized staff to distribute and promote a request for proposals (RFP) for eligible local governments to apply for Clean Water Fund Competitive Grants in three program categories: Projects and Practices, Projects and Practices Drinking Water Subgrant Program and Multipurpose Drainage Management (Board order #19-32).

Applications for the FY2020 Clean Water Fund Competitive Grants were accepted from July 1 through September 9, 2019. Local governments submitted 104 applications requesting \$30,145,939 in Clean Water Funds. BWSR Clean Water staff conducted multiple processes to review and score applications and involved staff of other agencies to develop the proposed recommendations for grant awards. The BWSR Senior Management Team reviewed the recommendations on December 4th and made recommendations to the Grants Program and Policy Committee. The Grants Program and Policy Committee reviewed recommendations on December 18, 2019 and made a recommendation to the full Board. A draft Order is attached based on the recommendation of the Grants Program and Policy Committee.

In the board order, item number three in the Order section, Jack Ditmore proposed to remove the words “included in” and to continue numbering.

Chris Elvrum stated that this is the first-time a drinking water category has been utilized. Enabled by last legislation session where they carved out 20% for drinking water projects. Appreciates that Marcey and staff have been working with MDA staff. Happy to see funds are being used for drinking water projects and they are working together. Thom Peterson added that he thinks it’s really positive.

**
20-05 Moved by Tom Schulz, moved by Steve Sunderland as amended, seconded by Chris Elvrum, to approve the FY 2020 Clean Water Fund Competitive Grant Award as amended. **Motion passed on a voice vote.**

RIM Reserve Committee

City of Luverne RIM Easement Alteration (67-01-95-01) – Karli Tyma and Sharon Doucette presented City of Luverne RIM Easement Alteration (67-01-95-01).

BWSR acquired the 53.1-acre perpetual RIM conservation easement in Rock County on November 17, 1997. The land including the RIM easement was purchased by the City of Luverne on 12/31/2018.

The City of Luverne is currently undergoing a \$14,281,000 Waste Water Treatment Plant expansion project to allow for long term growth over the next 50 years. In 2013, TKDA performed a Wastewater Treatment Plant Capital Improvement Plan which recommended both near-term and long-term improvements to the public infrastructure. The proposed near-term improvements can be constructed on city owned property but will encroach on the west boundary of the easement and requires 2.5 acres of the easement area to be released to provide for odor control and security buffer. To avoid placing new wastewater treatment processes closer to the Rock River, the long-term improvements require additional land within the easement area (1.8 acres). A total of 4.3 acres of land within the easement is

needed to account for both near-term and long-term improvements (see attached map). The City believes that the public interest is best served by allowing the infrastructure to expand in its current location and allow for future growth.

The City is also requesting an additional 1.0 acre be released from the RIM easement to accommodate the final phase of the Luverne Loop Project. Three of the four phases have been constructed and funded between 2015-2020. The last segment of trail to be completed lies within the existing RIM easement area. This final phase of the trail project will provide a critical connection to the Blue Mounds Trail, creating a continuous 13-mile+ experience for trail users and tourists. The Luverne Loop and Blue Mounds Trail combined have received designation as a trail of 'Regional Significance' by the Greater Minnesota Regional Parks and Trails Commission. There are no alternative routes that are feasible in this area because of land constraints, drainage issues, a railroad crossing, the Rock River, and property ownership. The final phase of the loop will require a 30-foot wide trail corridor to be released from the easement along the west side of the property.

In addition to the required \$500 processing fee, the City has agreed to pay \$18,000 per acre for the release of 5.3 acres of the easement required for the proposed infrastructure projects, for a total of \$95,400. This meets the Easement Alteration Policy requirement of payment at 2 times the current RIM rate per acre and includes funds to replace state funds spent to restore vegetative cover on the areas to be released.

BWSR staff recommends approval of this easement alteration request and believes the City has demonstrated how the public interest will be better served. The City has received support of the alteration from the Rock County SWCD Board as well as the DNR Area Wildlife Manager, has provided all requested materials and has agreed to pay all associated fees required by the Easement Alteration Policy for public infrastructure projects.

Tom Loveall stated they had some thorough conversations. City is open to posting a sign to show land was purchased from public money in the RIM program.

**
20-06 Moved by Harvey Kruger, seconded by Paige Winebarger, to approve the City of Luverne RIM Easement Alteration (67-01-95-01). **Motion passed on a voice vote.**

Audit and Oversight Committee

2019 Performance Review and Assistance Program Legislative Report – Dale Krystosek presented 2019 Performance Review and Assistance Program Legislative Report.

BWSR staff have prepared the 2019 Performance Review and Assistance Program (PRAP) Legislative Report which presents a summary of PRAP reviews and activities conducted in 2019. The report also contains a list of planned program objectives including three new items for 2020: Utilize new Performance Standards Checklists for counties, soil and water conservation districts, watershed districts and watershed management organizations, evaluate and develop metrics for tracking LGU implementation of the Buffer Program, work with BWSR Water Planning Team to develop protocol for tracking, assessment, evaluation and reporting for One Watershed, One Plans.

Jill Crafton noted that we are phasing out the biannual budgets requests and that they are still included as requirements. Dale clarified that those are for 2019 and will be pulled out.

Joe Collins commended the staff for their work.

Jill Crafton also thanked staff for their work.

**
20-07 Moved by Neil Peterson, seconded by Jill Crafton, to approve the 2019 Performance Review and Assistance Program Legislative Report. ***Motion passed on a voice vote.***

NEW BUSINESS

Vice Chair Election – John Jaschke presented the Vice Chair Election.

According to bylaws, the Vice-Chair will be elected to a two-year term by the members of the Board. They will be elected by majority vote at the first regularly scheduled meeting of every even calendar year.

**
20-08 Jill Crafton nominated Tom Schulz and seconded by Nathan Redalen. Nathan Redalen moved that the nomination period be closed and that Tom Schulz be nominated unanimously. That motion was seconded by Chris Elvrum and passed. Tom Schulz will continue to serve as the vice chair of the BWSR Board.

UPCOMING MEETINGS

- Next BWSR Meeting is scheduled for 9:00 AM, March 25, 2020 in St. Paul.

Chair VanAmburg adjourned the meeting at 10:55 a.m.

Respectfully submitted,

Gerald Van Amburg
Chair

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Compliance Report

Meeting Date: March 25, 2020

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/Chair Gerald Van Amburg

Time requested: 5 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

None

LINKS TO ADDITIONAL INFORMATION

See attached report.

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

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

Dispute Resolution and Compliance Report

March 10, 2020

By: Travis Germundson

There are presently seven appeals pending. All the appeals involve the Wetland Conservation Act (WCA). There have been two new appeals filed since the last Board Meeting (January 22, 2020).

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 20-03 (2-26-2020) This is an appeal of a WCA restoration order in Kandiyohi County. The appeal regards the alleged impacts to a wetland associated with the installation agricultural drain tile and lift pump. No decision has been made on the appeal.

File 20-02 (1-27-2020) This is an appeal of a WCA restoration order in Chisago County. The appeal regards the alleged excavation of new drainage ditches and placement of fill in a wetland. The appeal has been placed in abeyance and the restoration order stayed for the appellant to submit additional documentation in support of the appeal.

File 19-8 (12-20-19) This is an appeal of a WCA restoration order in Olmsted County. The appeal regards the alleged placement of fill in a floodplain wetland associated with the operation of a sand and gravel mine. *The appeal has been placed in abeyance and restoration order stayed for the Technical Evaluation Panel to convene and develop a written report on the wetland impacts.*

File 19-7 (12-20-19) This is an appeal of a WCA replacement plan decision in Hennepin County. The appeal regards the denial of a replacement plan application associated with wetland impacts described in a restoration order. The restoration order was appealed and placed in abeyance until there is a final decision on the wetland application (File 18-3). *The appeal has been placed in abeyance until there is no longer mutual agreement on the viability of proposed actions for restoration.*

File 19-5 (11/15/19) This is an appeal of a WCA restoration order in Pine County. The appeal regards the alleged placement of fill within a shore impact zone of Passenger Lake a DNR Public Water. Applications for exemption and no-loss determinations were submitted to the LGU concurrently with the appeal. *The appeal has been placed in abeyance and the restoration order stayed for the DNR to make a jurisdictional determination for Passenger Lake through the establishment of an OHWL and for the LGU to make a final decision on the application for exemption and no-loss.*

File 19-3 (9/20/19) This is an appeal of duplicate WCA restoration orders in Wright County. The appeal regards the alleged draining and filling of approximately 4.79 acres of wetland associated with construction of a drainage ditch. Applications for exemption and no-loss have been submitted to the LGU. *The appeal has been placed in abeyance and the restoration order stayed for the LGU to make a final decision on the applications or finalization of a restoration plan. That decision has been amended to extend the time period on the stay of the restoration order.*

File 19-2 (6/6/19) This is an appeal of a WCA restoration order in Morrison County. The appeal regards the alleged drainage of approximately 11.5 acres of wetland associated with the placement of agricultural drain tile. Applications for exemption and no-loss determinations were submitted to the LGU concurrently with the appeal. *The appeal has been placed in abeyance and the restoration order stayed for the Technical Evaluation Panel to develop written findings of fact and for the LGU to make a final decision on the applications. That decision has been amended to extend the time period on the stay of the restoration order. The appellant obtained approval of an after-the-fact no-loss determination. As a result, the restoration order was rescinded, and the case dismissed*

File 18-3 (10-31-18) This is an appeal of a WCA restoration order in Hennepin County. The appeal regards the alleged filling and draining of over 11 acres of wetland. Applications for exemption and no-loss determinations were submitted to the LGU concurrently with the appeal. *The appeal has been placed in abeyance and the restoration stayed for the LGU to make a final decision on the applications. That decision has been amended several times to extend the time period on the stay of the restoration order. The LGU decision was appealed (File19-7).*

Summary Table

Type of Decision	Total for Calendar Year 2019	Total for Calendar Year 2020
Order in favor of appellant		
Order not in favor of appellant		
Order Modified	1	
Order Remanded		
Order Place Appeal in Abeyance	3	1
Negotiated Settlement		
Withdrawn/Dismissed	1	1

Buffer Compliance Status: BWSR has received Notifications of Noncompliance (NONs) on 69 parcels from the 12 counties BWSR is responsible for enforcement. Staff continue to actively reach out to landowners to resolve any noncompliance on a voluntary basis prior initiating enforcement action through the issuance of Correction Action Notices (CANs). So far 43 CANs have been issued by BWSR and one Administrative Penalty Order (APO).

*Statewide 22 counties are fully compliant, and 43 counties have enforcement cases in progress. Those counties have issued a total of 809 CANs and 10 Administrative Penalty Orders. Of the actions being tracked over 695 of those have been resolved.

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

BWSR Board Member Conflict of Interest in Grant Review – Disclosure Form

Meeting: BWSR Board Meeting

Date: March 25, 2020

I certify that I have read and understand the descriptions of conflict of interest provided, reviewed my participation for conflict of interest, and disclosed any perceived, potential, or actual conflicts. As a BWSR Board member, appointed according to Minnesota Statute Section 103B.101, I am responsible for evaluating my participation or abstention from the review process as indicated below. If I have indicated an actual conflict, I will abstain from the discussion and decision for that agenda item.

Please complete the form below for all agenda items. If you indicate that you do not have a conflict for an agenda item, you do not need to fill out additional information regarding that agenda item.

Agenda Item	No conflict (mark here and stop for this row)	Grant applicant(s) associated with conflict (required if conflict identified)	Conflict Type (required if conflict identified)	Will you participate? (required if conflict identified)	Description of conflict (optional)
2020 Request for Proposals for One Watershed, One Plan Planning Grants			Perceived Potential Actual	Yes / No	
Wellhead Protection Partner Grants (Pilot)			Perceived Potential Actual	Yes / No	
Reinvest in Minnesota (RIM) Reserve – Pine, Crow Wing and Mississippi River Watershed Protection			Perceived Potential Actual	Yes / No	
Grass Lake Restoration Grant			Perceived Potential Actual	Yes / No	
			Perceived Potential Actual	Yes / No	

Printed name: _____

Signature: _____

Date: _____

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

1. 2020 Request for Proposals for One Watershed, One Plan Planning Grants – Julie Westerlund –
DECISION ITEM

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2020 Request for Proposals for One Watershed, One Plan Planning Grants

Meeting Date: March 25, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: One Watershed, One Plan; Request for Proposals; Planning Grants

Section/Region: Central Region – Local Water Management Section

Contact: Julie Westerlund

Prepared by: Julie Westerlund

Reviewed by: Grants Program and Policy Committee(s)

Presented by: Julie Westerlund

Time requested: 10 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input type="checkbox"/> None | <input 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 checked="" type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Approve the 2020 Request for Proposals for One Watershed, One Plan planning grants.

LINKS TO ADDITIONAL INFORMATION

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

The purpose of this agenda item is for the Board to approve the 2020 Request for Proposals for One Watershed, One Plan Planning Grants. There were only minor changes to the RFP relative to the 2019 version.

BOARD ORDER**One Watershed, One Plan Program 2020 Request for Proposals****PURPOSE**

Authorize the 2020 Request for Proposals (RFP).

FINDINGS OF FACT / RECITALS

1. Minnesota Statutes §103B.801 establishes the Comprehensive Watershed Management Planning Program, also known as the One Watershed, One Plan Program.
2. The Board has authority under Minnesota Statutes §103B.3369 to award grants to local units of government with jurisdiction in water and related land resources management.
3. The Laws of Minnesota Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(i) appropriated funds to the Board for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach.
4. The One Watershed, One Plan Grant 2020 RFP was reviewed and approved by the Board's Senior Management Team on February 11, 2020 to forward to the Board's Grants Program and Policy Committee for consideration.
5. The Board's Grants Program and Policy Committee reviewed the 2020 One Watershed, One Plan Grant RFP on March 11, 2020 and recommended approval to the Board.

ORDER

The Board hereby:

1. Authorizes staff to finalize, distribute, and promote a 2020 Request for Proposals.

Dated at St. Paul, Minnesota, this March 25, 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

Attachments:

- 2018 One Watershed, One Plan Grant Policy
- 2020 Request for Proposals

2018 Grants Policy

One Watershed, One Plan Planning Grants

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

Version: 1.00

Effective Date: 03/28/2018

Approval: Board Decision #18-15

Policy Statement

The purpose of this policy is to provide expectations for One Watershed, One Plan Planning Grants conducted via the Board of Water and Soil Resources (BWSR) Clean Water Fund grants to facilitate development and writing of comprehensive watershed management plans consistent with Minnesota Statutes §103B.801.

Reason for this Policy

The Clean Water Fund was established to implement part of Article XI, Section 15, of the Minnesota Constitution, with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams and to protect groundwater and drinking water sources from degradation.

BWSR will use grant agreements for assurance of deliverables and compliance with appropriate statutes, rules and established policies. Willful or negligent disregard of relevant statutes, rules and policies may lead to imposition of financial penalties or future sanctions on the grant recipient.

Requirements

1. Applicant Eligibility Requirements

Eligible applicants include counties, watershed districts, watershed management organizations, and soil and water conservation districts working in partnership within a single One Watershed, One Plan planning boundary, meeting the participation requirements outlined in the *One Watershed, One Plan Operating Procedures*. Application for these funds is considered a joint application between participating local governments and may be submitted by a joint powers organization on behalf of local government members (partners). Formal agreement between the partners, consistent with the *One Watershed, One Plan Operating Procedures*, is required prior to execution of a grant agreement.

2. Match Requirements

No match will be required of the grantees. Grantees will be required to document local involvement in the plan development process.

3. Eligible Activities

Eligible activities must be directly for the purposes of providing services to the plan development effort and may include activities such as: contracts and/or staff reimbursement for plan writing; technical services; preparation of policy committee, advisory committee, or public meeting agendas and notices; taking meeting minutes; facilitating and preparing/planning for facilitation of policy or advisory committee meetings, or public meetings; grant reporting and administration, including fiscal administration; facility rental for public or committee meetings; materials and supplies for facilitating meetings; reasonable food costs (e.g. coffee and cookies) for public meetings; publishing meeting notices; and other activities which directly support or supplement the goals and outcomes expected with development of a comprehensive watershed management plan.

4. Ineligible Expenses

Ineligible expenses include staff time to participate in committee meetings specifically representing an individual's local government unit; staff time for an individual, regularly scheduled, county water plan task force meeting where One Watershed, One Plan will be discussed as part of the meeting; and stipends for attendance at meetings.

5. Grantee Administration of Clean Water Fund Grants

The grantee for these funds includes the partners identified in the formal agreement establishing the partnership, consistent with the One Watershed, One Plan Operating Procedures. Grant reporting, fiscal management, and administration requirements are the responsibility of the grantee. All grantees must follow the Grants Administration Manual policy and guidance.

- a. Formal agreement between partners is required prior to execution of a grant agreement and must identify the single local government unit which will act as the fiscal agent for the grant and which will act as a grantee authorized representative. Grant reporting, fiscal management, and administration requirements are the responsibility of the grantee.
- b. All grantees are required to report on the outcomes, activities, and accomplishments of Clean Water Fund grants.
- c. Grantees have the responsibility to approve the expenditure of funds within their partnership. The local government unit fiscal agent administering the grant must approve or deny expenditure of funds and the action taken must be documented in the governing body's meeting minutes prior to beginning the funded activity. This responsibility may be designated to a policy committee if specifically identified in the formal agreement establishing the partnership.
- d. BWSR recommends all contracts be reviewed by the grantee's legal counsel. All contracts must be consistent with Minnesota statute and rule.
- e. Grantees are required to document local involvement in the plan development process in order to demonstrate that the grant is supplementing/enhancing water resource restoration and protection activities.

6. BWSR Grant Administration Requirements

BWSR staff is authorized to develop grant agreements, including requirements and processes for project outcomes reporting, closeouts, and fiscal reconciliations.

In the event there is a violation of the terms of the grant agreement, BWSR will enforce the grant agreement and evaluate appropriate actions, including repayment of grant funds at a rate up to 150% of the grant agreement.

History

Version	Description	Date
1.00	Reformatted to new template and logo.	2018
0.00	New policy for One Watershed, One Plan Program	March 23, 2016

One Watershed, One Plan Planning Grants

Request for Proposals

March 27, 2020

Request for Proposals (RFP) General Information

The Clean Water Fund was established to implement part of Article XI, Section 15 of the Minnesota Constitution, with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams in addition to protecting ground water and drinking water sources from degradation. The appropriation language governing the use of these funds is in Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7 (i). These funds must supplement traditional sources of funding and may not be used as a substitute to fund activities or programs. Final funding decisions will be dependent on the actual funds available. Approximately \$1,500,000 is currently available.

Proposal Guidelines

Proposals must be in PDF format and will be submitted electronically via: BWSR.Grants@state.mn.us.

1. Proposals are subject to a five-page limit, minimum font size 11 pt.
2. Proposals must include a one-page map of the watershed (maps are not included in the page limit) in PDF format. The map may be letter, legal, or ledger size and should identify the planning boundary, the boundaries of the planning partners, and any requested changes to the boundary. The One Watershed, One Plan Suggested Planning Boundaries, including a geodatabase, can be found at: www.bwsr.state.mn.us/planning/1W1P/index.html.
3. Proposals may be submitted by one or more of the eligible local governments on behalf of others in the watershed area. Respondents should demonstrate that a sufficient commitment exists to implement the project through a supporting motion or resolution from the board of each identified participant. A formal agreement between participants establishing a partnership to develop a plan will be required prior to execution of the grant agreement. If participants are unable to establish a formal agreement and work plan within six months of successful grant notification, the grant may be rescinded and funds redistributed.
4. Respondents who were previously awarded Clean Water Funds and have expended less than 50% of previous award(s) at the time of this proposal may need to demonstrate organizational capacity to finalize current projects and complete new project concurrently.
5. A cost estimate is a requirement for the project proposal. The final grant amount for successful respondents will be determined upon completion of a grant work plan and detailed budget. No cash match will be required of grant recipients.

Grant Execution

Successful respondents will be required to complete a planning agreement and submit a detailed budget and work plan prior to execution of the grant agreement. For template agreements, work plans, and budgets, contact julie.westerlund@state.mn.us.

Policies for participating in the program as well as additional resources for planning, can be found at: www.bwsr.state.mn.us/planning/1W1P/index.html. Successful respondents will be subject to version 2.0 of the *One Watershed, One Plan Operating Procedures* and the version 2.1 of the *One Watershed, One Plan - Plan Content Requirements*.

Project Period

The project period starts when the grant agreement is executed, meaning all required signatures have been obtained. Work that occurs before this date is not eligible for reimbursement with grant funds. All grants must be completed by June 30, 2023.

Payment Schedule

Grant payments will be distributed in three installments to the designated grantee for the planning region. The first payment of 50% of the grant amount will be paid after work plan approval and execution of the grant agreement, provided the grant respondents are in compliance with all BWSR website and eLINK reporting requirements for previously awarded BWSR grants. The second payment of 40% of the grant amount will be paid once the grantee has provided BWSR with notification and BWSR has reconciled expenditures of the initial payment. The last 10% will be paid after all final reporting requirements are met, the grantee has provided BWSR with a final financial report, and BWSR has reconciled these expenditures.

Incomplete Proposals

Proposals that do not comply with all requirements, including incomplete or missing proposal components, will not be considered for funding.

Clean Water Fund Project Reporting Requirements

1. All grantees are required to report on the outcomes, activities, and accomplishments of Clean Water Fund grants. All BWSR funded projects will be required to develop a work plan, including detail relating to the outcome(s) of the proposed project. All activities will be reported via the eLINK reporting system. Grant funds may be used for local grant management and reporting that are directly related to and necessary for implementing this activity. For more information go to www.bwsr.state.mn.us/outreach/eLINK/index.html.
2. BWSR Clean Water Funds will be administered via a standard grant agreement. BWSR will use grant agreements as contracts for assurance of deliverables and compliance with appropriate statutes, rules and established policies. Willful or negligent disregard of relevant statutes, rules and policies may lead to imposition of financial penalties on the grant recipient.
3. When practicable, grantees shall prominently display on their website the legacy logo. Grant recipients must display on their website either a link to their project from the Legislative Coordinating Commission Legacy Site (<http://legacy.leg.mn>) or a clean water project summary that includes a description of the grant activities, including expenditure of grant funds and measurable outcomes (www.bwsr.state.mn.us/cleanwaterfund/stories/)
4. When practicable, grantees must display the legacy logo on printed and other materials funded with money from the Clean Water Fund. The logo and specifications can be found at <http://www.legacy.leg.mn/legacy-logo>

5. Grantees will be required to document local involvement in the plan development process in order to demonstrate that the grant is supplementing/enhancing water resource restoration and protection activities and not supplanting traditional sources of funding.

Grants and Public Information

Under Minnesota Statute 13.599, responses to an RFP are nonpublic until the proposal deadline is reached. At that time, the name and address of the grantee, and the amount requested becomes public. All other data is nonpublic until the negotiation of the grant agreement with the selected grantee is completed. After the evaluation process is completed, all data (except trade secret data) becomes public. Data created during the evaluation process is nonpublic until the negotiation of the grant agreement with the selected grantee(s) is completed.

Conflict of Interest

State Grant Policy 08-01, (see <https://mn.gov/admin/government/grants/policies-statutes-forms/>) Conflict of Interest for State Grant-Making also applies to BWSR grantees. Grantees' conflicts of interest are generally considered organizational conflicts of interest. Organizational conflicts of interest occur with any of the following scenarios:

1. A grantee is unable or potentially unable to render impartial assistance or advice due to competing duties or loyalties.
2. A grantee's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties.
3. A grantee or potential grantee has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors.

Submittal

All responses must be electronically delivered to: BWSR.Grants@state.mn.us and must be received no later than 4:30 p.m. June 12, 2020. Late responses will not be considered. The burden of proving timely receipt is on the respondent.

Comprehensive Watershed Management Plan Development Proposals

To propose a watershed area, describe the qualifications of interested respondents.

1. Provide a general watershed map of the proposed planning boundary (map may be separate from the written information). If the proposed planning boundary deviates from the *1W1P Suggested Planning Boundaries*, provide a brief narrative of the reasons for the deviation.
2. Provide the name for your watershed planning boundary. Each planning partnership determines the name for the planning boundary (prior to participation in the program, boundaries are only numbered).
3. In consideration of the local government units (LGUs) within the boundary, provide a table with: a list of all counties, soils and water conservation districts, watershed districts, and watershed management organizations, and the percentage of the jurisdictional land area of each local government within the boundary. For a list of required participants and land percentages for planning boundaries shown on the *1W1P Suggested Planning Boundaries*, contact julie.westerlund@state.mn.us.

- a. Whether each LGU is a required participant (see section II of the *One Watershed, One Plan Operating Procedures*)
 - b. Indication of interest of each LGU (e.g. verbal, letter, resolution, etc.) or why a given LGU is not interested
 - c. Name and contact information for the primary contact(s) for each LGU
4. Briefly describe technical information data sources (TMDLs, diagnostic studies, models, plans, WRAPS, etc.) that will help inform the development of the comprehensive watershed management plan.
 5. Briefly describe the capability (experience with plan development, project and consultant management, facilitation, etc.) and availability (ability to commit time to the effort) of staff and local officials to participate in plan development.
 6. Briefly describe how the planning partnership will leverage each LGU's watershed management capacities and strengths (e.g. current water programs, areas of expertise), and how completing the plan will result in collaborative implementation approaches, shared services, and acquiring non-local funds for implementation.
 7. Briefly describe discussions among the LGUs within the boundary regarding the plan development process (the minimum requirement is that initial discussions have taken place, not that decisions have been made).
 - a. Potential governance structure for the planning effort (e.g., memorandum of agreement/joint powers collaboration or joint powers entity)
 - b. Roles and responsibilities for the planning effort (e.g. administrative lead, fiscal agent, plan writing and facilitation consultants, etc.)
 - c. Cost estimate (a range is acceptable)

Selection Criteria

All complete proposals submitted by the deadline will be reviewed by BWSR staff, with assistance from an inter-agency review committee. The successful respondents will be selected by the Board of Water and Soil Resources based on:

1. Responses to questions in this RFP, considered as follows (failure to include information that addresses each of the elements below will be considered an incomplete proposal):
 - a. Inclusion of general watershed map and description of any boundary changes consistent with question 1.
 - Minimum: map (including proposed boundary changes if applicable) included with proposal
 - b. Inclusion of a table of local government information consistent with question 2.
 - Minimum: indication of support from required participants
 - Preferred: resolution of support signed by required participants
 - c. Pertinence of existing studies, plans, and information consistent with question 3 to the development of the comprehensive watershed management plan.

- Minimum: monitoring and assessment report (and stressor identification report, if applicable) approved
 - Preferred: TMDL calculations and WRAPS document sufficiently developed to inform planning
 - Highly Preferred: WRAPS report on public notice or approved when proposal is submitted
- d. Demonstration of the partnership’s readiness and commitment to planning together, based on early discussions of: capability, availability, and commitment to plan together, a shared understanding of one another’s current work and strengths, and a vision for future watershed management that includes better resource outcomes and improved use of existing and future funding, consistent with questions 4 and 5.
- Minimum: the following have been discussed or shared: staff capability and availability for planning, information about capacity and strengths present in each LGU.
 - Preferred: group has discussed 1W1P with local officials; group has shared information about one another’s local programs; group has discussed a common vision for the future management of the watershed.
- e. Demonstration of understanding of the scope of work required for development of a comprehensive watershed management plan, consistent with questions 6 and 7.
- Minimum: group has discussed administrative roles.
 - Preferred: potential policy members have been identified and have met; MOA is drafted.
 - Highly preferred: MOA is signed by all required participants
 - Highly preferred: work plan and/or detailed budget drafted
2. Geographic distribution
 3. Amount of available funding
 4. Recommendation of the BWSR staff and inter-agency review committee

BWSR Grant Administration

BWSR reserves the right to partially fund any and all proposals based on the number of eligible proposals submitted, anticipated staff time requirements, and the amount of funding available. Proposals that are deemed complete may be considered for future proposal periods.

Timeline

- March 27, 2020– Proposal period begins
- June 12, 2020 – Proposal deadline at 4:30 PM
- June – August – Proposal review
- August 26, 2020 - BWSR Board approval of planning grant recipients
- Plans submitted to BWSR by June 30, 2023

Questions

For more information concerning the request for proposal, contact BWSR’s One Watershed, One Plan Coordinator: Julie Westerlund, julie.westerlund@state.mn.us or 651-600-0694.

COMMITTEE RECOMMENDATIONS

RIM Reserve Committee

1. Wellhead Protection Partner Grants (Pilot) – Sharon Doucette – ***DECISION ITEM***
2. Clean Water Fund North Central MN RIM Presentation – Dan Steward and Sharon Doucette – ***INFORMATION ITEM***
3. 2019 Clean Water Fund for Riparian Easements and Restoration – Sharon Doucette – ***DECISION ITEM***
4. Kisgen RIM Easement Alteration (75-06-02-01) – Karli Tyma and Sharon Doucette – ***DECISION ITEM***

BOARD ORDER

Wellhead Protection Partner Grants (Pilot)

PURPOSE

Authorize additional funding for the Wellhead Protection Partner Grants (Pilot) and delegate approval of payment to the Executive Director.

RECITALS/FINDINGS OF FACT

1. The Clean Water Fund was established to implement part of Article XI, Section 15, of the Minnesota Constitution, with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams and to protect groundwater and drinking water sources from degradation.
2. The Laws of Minnesota 2019, 1st Special Session, Ch. 2, Art. 2, Sec 7(g) appropriated Clean Water funds to the Board of Water and Soil Resources (Board) for permanent conservation easements on wellhead protection areas or grants to local units of government for long-term wellhead protection.
3. The Board receives requests for wellhead protection assistance that do not meet the program requirements for Conservation Reserve Enhancement Program (CREP) or Reinvest in Minnesota (RIM) Reserve easements.
4. The Board has authorities under Minnesota Statutes §103B.3369 and 103B.101 to award grants and contracts to accomplish water and related land resources management.
5. The Wellhead Protection Partner Grants (Pilot) Policy and initial funding for the grant program was approved by the Board on June 26, 2019.
6. The RIM Reserve Committee, at their March 6, 2020 meeting, recommended additional funding for the grant program from the Clean Water Fund appropriation received in FY21.

ORDER

The Board hereby:

1. Approves the allocation of up to \$1,000,000 to eligible local government partners through the Wellhead Protection Partner Grants (Pilot).
2. Delegates the authority to the Executive Director to approve Wellhead Protection Partner Grants (Pilot) and requires that program awards are reported to the Board after each grant award.
3. Authorizes staff to enter into grant agreements for these purposes.

Dated at St. Paul, Minnesota, this 25th day of March 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2019 Clean Water Fund for Riparian Easements and Restoration

Meeting Date: March 25, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Conservation Easements

Contact: Sharon Doucette

Prepared by: Sharon Doucette

Reviewed by: RIM Reserve Committee(s)

Presented by: Sharon Doucette

Time requested: 10 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input type="checkbox"/> None | <input 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 checked="" type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Approval of the use of funds from Minnesota Law 2019, 1st Special Session, Ch. 2, Art. 2, Sect. 7(f) appropriated to the Board of Water and Soil Resources (BWSR) to provide additional support to the existing Pine, Crow Wing and Mississippi River Watershed Protection easement programs and the Grass Lake Restoration project and approval of the:

1. Reinvest in Minnesota (RIM) Reserve – Pine, Crow Wing and Mississippi River Watershed Protection Resolution, and
2. Grass Lake Restoration Grant Board Order

LINKS TO ADDITIONAL INFORMATION

Grass Lake Restoration project update (attached)

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

ML 2019, 1st Sp., Ch. 2, Art. 2, Sect. 7(f) appropriated Reinvest In Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) from the Clean Water Fund to “purchase, restore, or preserve riparian land adjacent to lakes, rivers, streams, and tributaries, by easements or contracts, to keep water on the land to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge.”

Previously, BWSR staff, working with local partners, identified the Pine, Crow Wing River and Mississippi Headwaters as some of the most important and threatened tributaries to the Mississippi River, the source water for numerous Minnesota communities and developed partnerships and easement programs to protect lands in these priority areas. These existing program partners and the Board desire to further implementation of these successful programs through additional funding. Each of the three programs will receive an additional \$1,000,000 from ML 2019, 1st Sp., Ch. 2, Art. 2, Sect. 7(f) to further implementation of the existing easement program with an additional \$1,000,000 available to be used in combination by the programs, as requested and necessary.

In 2011, BWSR received an appropriation to acquire conservation easements, reroute County Ditch 23A, construct water control structures, and plant vegetation to restore Grass Lake, a 1,200-acre prairie wetland adjacent to the City of Willmar in Kandiyohi County. In 2016, the Board approved a grant to Kandiyohi County for the project using the remaining 2011 funds. There has been significant work completed on this project to date. An additional funding need has been identified for completion. Kandiyohi County will receive a grant in the amount of \$250,000 from ML 2019, 1st Sp., Ch. 2, Art. 2, Sect. 7(f) for completion of the project. The County will be required to provide a 10% match for these funds.

Board Resolution # 20- _____

Reinvest in Minnesota (RIM) Reserve – Pine, Crow Wing and Mississippi River Watershed Protection

WHEREAS, the Minnesota State Legislature has appropriated Reinvest In Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) from the Clean Water Fund to acquire and restore permanent RIM conservation easements under Minnesota Statutes, Section 103F.515 to 103F.531; and

WHEREAS, ML 2019, 1st Sp., Ch. 2, Art. 2, Sect. 7(f) designated these funds “to purchase, restore, or preserve riparian land adjacent to lakes, rivers, streams, and tributaries, by easements or contracts, to keep water on the land to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge”; and

WHEREAS, MS 103F.361 authorizes the Mississippi Headwaters Board to enhance and protect the natural, cultural, historic, scientific and recreational values of the headwater’s region; and

WHEREAS, BWSR staff, working with local partners, identified the Pine, Crow Wing River and Mississippi Headwaters as some of the most important and threatened tributaries to the Mississippi River which is the source water for numerous Twin City and rural communities; and

WHEREAS, the RIM Reserve Conservation Easement Program is administered by the BWSR in cooperation with local Soil and Water Conservation Districts (SWCDs); and

WHEREAS, SWCDs will be reimbursed for their services using the most current RIM Reserve services rate; and

WHEREAS, the Board by separate resolution (17-103) has established the process for determining RIM easement payment rates for Standard Easement Payment Rates: Northern Forests Region; and

WHEREAS, Board Resolutions 17-104 and 16-37 authorize the RIM Reserve – Crow Wing River Watershed Protection and Reinvest in Minnesota (RIM) Reserve – Pine River Watershed Protection programs respectively; and

WHEREAS, the Mississippi Headwaters Board has created a successful program that prioritizes land for RIM Easements; and

WHEREAS, funds appropriated under ML 2019, 1st Sp., Ch. 2, Art. 2, Sect. 7(f) are compatible with these existing programs and the Board desires to further implementation of these successful programs; and

WHEREAS, this resolution is supplemental to previously approved BWSR Board resolutions and will remain in effect until material changes in the program warrants an amendment; and

WHEREAS, the Board of Water and Soil Resources RIM Reserve Committee met March 6, 2020 and unanimously recommends the following provisions.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to:

1. Utilize up to \$4,000,000 of appropriated funds to implement the RIM – Crow Wing River Watershed Protection, RIM- Pine River Watershed Protection and RIM - Mississippi River Headwaters programs.

2. Continue to work with partners on outreach efforts focused on priority parcels within the Pine, Crow Wing, and Mississippi river Watersheds.
3. Utilize RIM easement payment rates as established for “Standard Easement Payment Rates: Northern Forests Region.”
4. Conduct landowner sign-ups and select applications using available funding and the following sign-up criteria for the RIM – Crow Wing River Watershed Protection, RIM- Pine River Watershed Protection and RIM - Mississippi River Headwaters programs. The land must be:
 - a. adjacent to lakes, rivers, streams, or tributaries and
 - b. keep water on the land to decrease sediment, pollutant, and nutrient transport; or
 - c. reduce hydrologic impacts to surface waters; or
 - d. increase infiltration for groundwater recharge.

Dated at Saint Paul, Minnesota this 25th day of March 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

BOARD ORDER
GRASS LAKE RESTORATION GRANT

PURPOSE

Approval of a grant to Kandiyohi County for the completion of the Grass Lake Restoration Project.

RECITALS /FINDINGS OF FACT

1. The Board of Water and Soil Resources (Board) has been working with local partners for many years on the successful restoration of the 1,200-acre Grass Lake Prairie Wetland located in Kandiyohi County.
2. The Board continues to partner with the city of Willmar, the Kandiyohi Soil and Water Conservation District, Kandiyohi County, and other project partners to restore this critical water resource.
3. In 2016, the Board authorized staff to enter into a grant agreement with Kandiyohi County in an amount not to exceed \$1,400,000 for use on approved Grass Lake project activities, including, but not limited to, contracts for project construction and consulting services (Board Resolution #16-65).
4. Kandiyohi County has agreed to continue managing project implementation activities.
5. Minnesota Law 2019, 1st Special Session, Ch. 2, Art. 2, Sect. 7(f) appropriated funds to the Board from the Clean Water Fund to “purchase, restore, or preserve riparian land adjacent to lakes, rivers, streams, and tributaries, by easements or contracts, to keep water on the land to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge.”
6. There is a need to provide additional funding for completion of the Grass Lake restoration.
7. Kandiyohi County will provide a 10% match for the grant funds.
8. The RIM Reserve Committee, at their March 6, 2020 meeting, recommended funding for the Grass Lake Restoration Project grant.

ORDER

The Board hereby:

1. Authorizes staff to enter into a grant agreement with Kandiyohi County in an amount not to exceed \$250,000 from Minnesota Law 2019, 1st Special Session, Ch. 2, Art. 2, Sect. 7(f) for use on approved Grass Lake project activities, including but not limited to contracts for project construction and consulting services.

Dated at St. Paul, Minnesota, this 25th day of March 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

Grass Lake Restoration Project

Overview

The Grass Lake prairie wetland is located in central Kandiyohi County along the southeast edge of the city of Willmar. It is located at the upper end of the South Fork Crow River watershed and in the heart of Kandiyohi county lakes country. After many years of extensive project coordination and efforts to secure necessary perpetual conservation easements, the final phase of project construction is ready for implementation.

Prior to its drainage, Grass Lake was approximately 1,200 acres in size and up to 4 to 5 feet in depth. It was connected to and part of a chain of lakes that form the headwaters of the South Fork of the Crow River. In 1905, the Kandiyohi Board of County Commissioners approved the construction of a public ditch system, County Ditch 23A (CD23A), through Grass Lake and the surrounding area. As a result, this large shallow prairie lake was drained by a combination

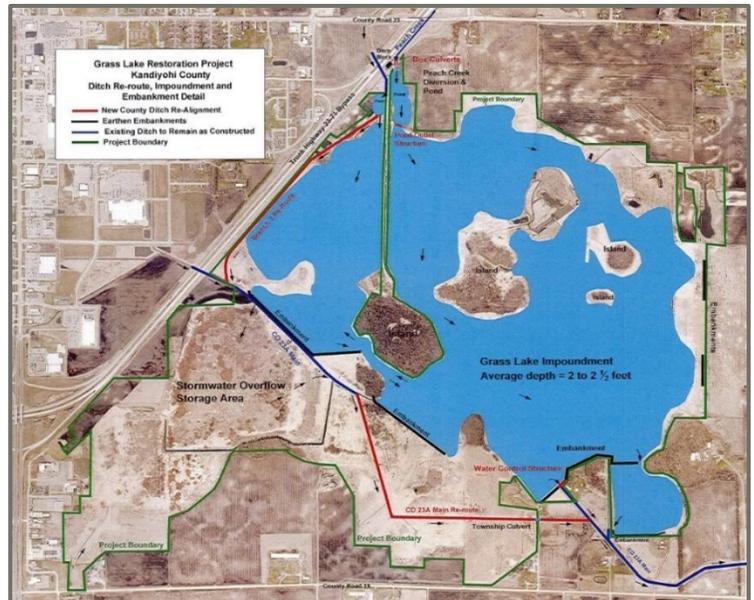
of public and private drainage measures including open ditches, subsurface tile drainage systems, and drainage lift pumps. Once drained, the lakebed was extensively farmed until about the 1990's when landowners within and surrounding the lakebed began taking an interest in retiring lands within the project area from agricultural use.

Throughout a 25 year period, about 1,500 acres of the lakebed along with associated uplands have been successfully conveyed under perpetual conservation easements. These easements exist across lands that were once, and in some cases still part of, fifteen family owned farms. The easements have been primarily secured through the state's Reinvest in Minnesota (RIM) Reserve Program. To a lesser extent, the federal Wetlands Reserve Program (WRP) and Kandiyohi County have played a role in the easement acquisition process.

Restoration Details

The restoration of the 1,500 acre Grass Lake Prairie Wetland complex will provide a substantial block of wildlife habitat that will be attractive to both game and non-game species alike. Included will be the restoration of 1,040 acres of a shallow prairie wetland that will provide habitat for aquatic and terrestrial wildlife that has been missing since in the area since the lakebed was drained. The project also includes the restoration of almost 500 acres of upland habitat surrounding the lake providing seclusion and nesting cover for a variety of upland game and non-game wildlife species. Once restored, the wetland will include a number of islands ranging from just a few to about 30 acres in size. This mosaic of secluded islands includes areas of established prairie and native oak savanna hard woods providing a unique habitat setting that will benefit a variety of wildlife species.

In addition to the significant habitat benefits that will be provided from a restoration of this scope, the restoration is projected to provide both flood reduction and water quality benefits to the impaired chain of lakes that lie just downstream of it. Most notably Lake Wakanda which is a large (1,754 acres) shallow lake located approximately 3 miles southeast of the City of Willmar. Lake Wakanda lies at the head of a chain of lakes including: Little Kandiyohi, and Big Kandiyohi, which form the headwaters of the South Fork of the Crow River. Historically, lake water quality has been degraded by over-enriched lake sediments through decades of pollution from municipal wastewater effluent discharge by the cities of Willmar and Kandiyohi, untreated urban and agricultural runoff, and wetland loss. Efforts to



reduce the effects of urban and agricultural runoff throughout the watershed are critical to restore water quality and improve the aquatic ecosystems. Sampling/data collection efforts to date along with already completed comprehensive watershed modeling show water quality benefits resulting from the restoration of Grass Lake will yield a potential 91% reduction of sediment outputs and a 59% reduction in phosphorus from its approximate 13 square mile contributing drainage area. This is a significant reduction of pollutant delivery to Lake Wakanda and other downstream aquatic resources.

Approximately \$2.5 million has been spent to date on securing the necessary 1,500 acres of perpetual conservation easements to allow this restoration to occur. Vegetation and construction restoration costs to date have exceeded just over \$2 million.

Major Work Already Completed:

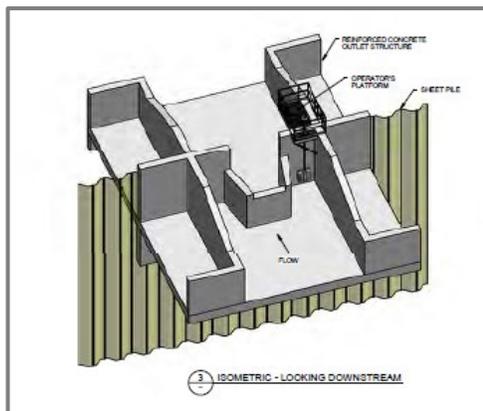
- Acquisition of 24 perpetual conservation easements covering 1,500 contiguous acres
- Establishing prairie grasses and forbs on almost 500 acres of adjoining upland buffer area
- Removing numerous private lift stations and abandoning miles of private tile drainage systems
- Legally abandoning and/or establishing new alignments for internal public drainage system
- Constructing reroutes for portions of both the main ditch and Branch 3 of CD23A to protect critical areas within the city Willmar from project impacts
- Disconnecting Peach Creek and its 7 square mile watershed from the public drainage system and diverting those contributing waters directly into the northwest corner of Grass Lake
- Constructing two water quality treatment ponds where major inflows into Grass Lake are expected
- Constructing numerous embankments to allow restoration while protecting other lands from flooding



Box Culverts Installed as part of Peach Creek Diversion



Constructed Weir and Sediment Pond at Peach Creek Diversion Outlet



Schematic of Planned Outlet Structure

Work that remains to be completed includes; installing the main outlet structure which will be used to control and manage restored water levels, installing a fish barrier on the outlet structure to prevent rough fish migration into the project, installing a secondary armored outlet to help manage runoff from larger flood events, finish construction of remaining earthen embankments, and other miscellaneous activities such as leveling internal ditch spoil piles. The last step in the construction process will be to install an upstream earthen diversion dam that will disconnect Grass Lake from CD23A and allow hydrologic restoration of the lakebed.

With favorable construction conditions and a small amount of additional funding, all remaining construction work can be completed in 2020. The cost of remaining construction work is estimated at \$900,000. Prior committed project funds which include a 2019 Conservation Project Legacy grant from DNR for \$400,000 are available to cover the a majority of that estimated cost. A an estimated budget shortfall of just over \$250,000 remains.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Kisgen RIM Easement Alteration (75-06-02-01)

Meeting Date: March 25, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Conservation Easement Section

Contact: Sharon Doucette, Section Manager

Prepared by: Karli Tyma, Easement Specialist

Reviewed by: RIM Committee(s)

Presented by: Karli Tyma, Sharon Doucette

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

Board approval to legally amend RIM easement 75-06-02-01 in Section 27, T124N, R41W, Stevens County to remove approximately 0.77 acres from the 11 acre easement to accommodate an inadvertent encroachment into the easement boundary and replace this with 1.54 acres of other land on the same parcel as the current RIM easement.

LINKS TO ADDITIONAL INFORMATION

BWSR Easement Alteration Policy <https://bwsr.state.mn.us/easement-alteration-policy>
 Kisgen Support Docs.pdf (attached)

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

Marvin Kisgen originally placed 11 acres of land into a MN CREP easement in 2002. The easement is adjacent to Page Lake, in Stevens County. The easement with Marvin Kisgen was recorded on June 4, 2003 as document 0171870. The easement contained 2 crop fields on 6 acres along with 5 non-crop acres, 2 acres of which were donated. The 6 acres of cropland were also enrolled in the required 15-year CRP contract that expired in 2017.

In early 2018 the Stevens SWCD sent in an ownership change with a copy of the deed from 2007 that transferred ownership from Marvin Kisgen to his children. His son, Jeff Kisgen, is now the spokesperson for the family. Upon review of the area, BWSR Easement staff identified a portion of a new building within the easement boundary. An examination of available aerial photography showed the building present beginning in 2006. The SWCD was notified and this issue was pursued as a violation of the RIM easement with Jeff Kisgen via a Corrective Action Plan in April 2018 to resolve the issue. Adam Erickson, SWCD Technician, prepared the plan to require 2:1 replacement acres consistent with our current Easement Alteration Policy.

Mr. Kisgen responded in writing to the SWCD on April 11, 2018. Mr. Kisgen did not agree with the 2:1 replacement plan. Mr. Kisgen thought the boundary of the easement followed an old fence line along a ravine on the property. The RIM easement boundary was never staked in the field for the Kisgens by the SWCD. Mr. Kisgen has stated they were never physically shown the boundary in the field until January 2018.

Mr. Kisgen requested a change to the easement boundary to rectify the situation because the family donated 2 acres with the original easement.

Mr. Kisgen attended the Stevens SWCD Board meeting on July 10, 2018. The Stevens SWCD Board sent a letter to BWSR supporting Mr. Kisgen's original request. This letter was received via email on August 6, 2018.

Further discussions with Mr. Kisgen to rectify the situation have led to Mr. Kisgen proposing a 1:1 replacement scenario if BWSR agreed to waive the \$500 administrative fee. The plan proposed removing approximately 0.88 acres from the easement in the area around the building and yard area; replacing it with 0.88 acres of existing woodland on the north side of the Kisgen property. Mr. Kisgen has agreed to remove the trailers and other material from the area still inside the easement boundary.

The initial 1:1 replacement proposal was brought to the RIM Reserve Committee on September 4, 2019. The RIM Reserve Committee was not in favor of the initial proposal, as it did not meet the minimum of 2:1 replacement or include the \$500 processing fee as required by the BWSR Easement Alteration Policy. The committee discussed alternative solutions and would only be in favor of a 1:1 scenario if the replacement area resulted in protecting shoreland along Page Lake on the east side of the property and included the \$500 processing fee.

A letter was sent to Mr. Kisgen on behalf of the RIM Reserve Committee Chair on November 5, 2019 offering alternative options to rectify the violation, including 2 replacement scenarios resulting in protected lakeshore or removing the structure from the easement. Mr. Kisgen was given a deadline to reply.

In response, Mr. Kisgen phoned easement staff explaining that replacement along the lakeshore is infeasible due to existing permanent structures (cabin, driveway, shed, docks) already in place along the lakeshore. Easement staff then recommended Mr. Kisgen submit a proposal that meets all terms of the Easement Alteration Policy, including 2:1 replacement, the \$500 processing fee, and all required letters of support.

Mr. Kisgen submitted the current proposal to BWSR, along with a response letter to the RIM Reserve Committee Chair Dated January 9, 2020. The new proposal consists of the required 2:1 replacement, removing 0.77 impacted acres from the easement and replacing with 1.54 acres of woodland on the north end of the property. Mr. Kisgen agreed to remove debris and personal property from the area remaining under easement, reducing the original impact area of 0.88 acres to 0.77. Mr. Kisgen agrees to pay the \$500 processing fee. Letters of support from the Stevens SWCD Board and DNR area wildlife manager were also submitted with the proposal, as required under the policy.

Recommendation

Staff recommends approval of the current easement alteration proposal to amend Easement 75-06-02-01 to release 0.77 acres from the easement and replace them with 1.54 acres. The proposal meets all requirements of the BWSR Easement Alteration Policy and would resolve the inadvertent encroachment that has occurred on the easement, bringing the landowner back into compliance.

Board Resolution # 20- _____

RIM Reserve Easement 75-06-02-01 Alteration, Kisgen

WHEREAS, BWSR acquired an 11 acre MN River CREP/RIM easement in Section 27, T124N, R41W, Stevens County, on June 4, 2003 from Marvin Kisgen which contained 2 acres of donated land; and,

WHEREAS, Marvin Kisgen transferred ownership of the property containing the RIM easement to his 4 children in 2007 and Jeff Kisgen is now the principal operator; and

WHEREAS, BWSR easement staff noticed a new building had been built on the property that encroached into the easement boundary and other objects had been placed within the easement; and

WHEREAS, BWSR notified Stevens SWCD to pursue this as a violation with Mr. Kisgen and the Kisgens would need to replace the impacted acreage pursuant to the Easement Alteration Policy; and

WHEREAS, the SWCD presented Mr. Kisgen with a notice of violation that included a Corrective Action Plan to replace the acreage at a 2:1 ratio as required under the policy; and

WHEREAS, Mr. Kisgen responded in writing and attended an SWCD Board meeting to dispute the proposed solution of replacing the impacted acres at a 2:1 ratio and paying the \$500 processing fee; and

WHEREAS, Mr. Kisgen was never clear on where the northern boundary of his easement was as it had never been posted in the field, and he always assumed it followed an old fence line between the two fields his father had enrolled into the CREP program; and

WHEREAS, the easement contained 2 acres of donated non-cropland originally and Mr. Kisgen believed this to be reasonable restitution for the inadvertent encroachment; and

WHEREAS, BWSR Easement Staff contacted Mr. Kisgen and Mr. Kisgen agreed to replace the impacted acres at a 1:1 replacement ratio, if BWSR agreed to waive the \$500 application fee; and

WHEREAS, Easement staff brought the proposal of a 1:1 replacement scenario to the RIM Reserve Committee meeting on September 4, 2019, despite it not meeting the requirements of the Easement Alteration Policy; and

WHEREAS, the RIM Reserve Committee was not in favor of the 1:1 replacement scenario as it did not meet the requirements of the Policy; and

WHEREAS, the RIM Reserve Committee Chair sent a letter to Mr. Kisgen on November 5, 2019 proposing alternative solutions, including a 1:1 scenario with replacement acres being lakeshore adjacent to Page Lake on the east side of the parcel and including the \$500 processing fee; and

WHEREAS Mr. Kisgen called BWSR Easement Staff to explain that replacement along the lake shore is not feasible due to existing permanent structures such as a driveway, cabin, and shed already in place in those areas; and

WHEREAS Easement staff then recommended that Mr. Kisgen submit an Easement Alteration proposal that complies with the BWSR policy and includes a 2:1 replacement scenario to resolve the violation; and

WHEREAS Mr. Kisgen responded with a letter to the RIM Reserve Committee Chair on January 9, 2020 which included a proposal to replace the impacted acres at a 2:1 ratio, remove remaining objects from within the easement boundary, and agreed to pay the \$500 processing fee, meeting the requirements of the Easement Alteration Policy; and

WHEREAS letters of support from the Stevens SWCD Board and DNR Area Wildlife Manager were submitted with the proposal; and

WHEREAS the RIM Reserve Committee voted in favor of the alteration request at their March 3, 2020 committee meeting;

NOW, THEREFORE, BE IT RESOLVED THAT, the BWSR approves the alteration of RIM easement 75-06-02-01 as proposed, removing 0.77 acres around the building site and replacing it with 1.54 acres to the north in an existing woodlot, and authorizes staff to work with the Kisgen family and Stevens SWCD staff to officially amend the necessary RIM easement documents; and

BE IT FURTHER RESOLVED THAT, Mr. Kisgen shall pay the \$500 administrative fee and shall be responsible for removing or correcting any objectionable title defects, liens, or encumbrances, as specified by BWSR, prior to amending the easement; and shall pay any necessary title and recording fees; and

BE IT FURTHER RESOLVED THAT, Mr. Kisgen agrees to remove the remaining objects from within the amended easement boundary prior to the amendment being recorded.

Dated at Saint Paul, Minnesota this 25th day of March 2020

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair

Minnesota Board of Water and Soil Resources

Date: _____

January 9, 2020

Tom Loveall
BWSR RIM Committee Chair
520 Lafayette Road North
St. Paul, MN 55155

In response to the letter dated November 5, 2019 regarding the RIM violation and as a follow up with my phone call to Karli Tyma, here is my response for the replacement options. The areas you proposed as option #2 & #3 along the lakeshore will not work as replacement due to an existing driveway and permanent structures already in place which I explained to Karli Tyma the Easement Acquisition Specialist. I have been working with Adam Erickson and we have come up with a 2:1 replacement on the northwest corner of the grove and have acknowledged the \$500 processing fee. Please see the enclosed map which shows the proposed boundaries. The personal property outside the boundary will be removed when weather permits.



Jeff Kisgen

cc Adam Erickson – Stevens SWCD

Kisgen RIM (# 75-06-02-01) Replacement Proposal

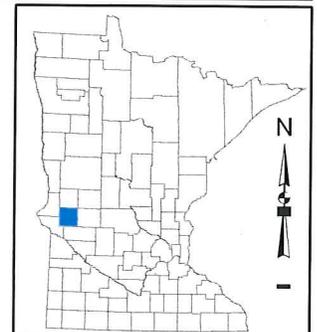
2:1 RIM Easement Exchange
(0.77 ac. RIM : 1.54 ac. Adjacent Land)

Date: 12/18/2019 Imagery: 2019



Legend

-  KisgenOpt2
-  KisgenRIM#75-06-02-01
-  Civil Townships
-  Sections





12 Hwy 28 E Ste 2, Morris MN 56267
320-589-4886 ext 4
www.stevensswcd.org

Putting conservation on the land

February 11, 2020

To the BWSR Board of Directors:

As the Stevens SWCD Board of Directors, we are writing this letter on behalf of the Kisgen family. We are writing in follow-up to the RIM violation response letter and corrective action alternatives you sent to the Kisgens dated November 11, 2019, concerning the present non-compliance status of RIM easement #75-06-02-01.

We, as an SWCD board, still recognize that this RIM easement is in violation and needs to be brought into compliance. Given the situation however, we also understand the difficulty the Kisgens will have in getting their easement back into compliance with the original agreement. Our staff have met with Jeff Kisgen several times to discuss options and an ultimate solution. Based on the response letter provided from Kisgens dated January 9, 2020, the Stevens SWCD staff and board would concur with them that the riparian replacement option would not be feasible due to an existing access road and structures adjacent to the lake. We would support their proposed extension of the previous 1:1 replacement area to the required 2:1 (1.54 ac. to 0.77 ac.) replacement presented by Kisgens in their response letter. This would also be including the consideration of the two acres previously donated in the original easement acquisition. Kisgens have also acknowledged the \$500 processing fee in concurrence with an approved 2:1 replacement plan following the general guidance of the RIM Easement Alteration Policy.

If you have any questions, feel free to contact us. Thank you for your time and consideration.

Sincerely,

Stevens SWCD Board of Supervisors


Dennis Feuchtenberger, Chair


Dave Lonergan, Vice Chair


Greg Fynboh


Troy Goodnough


Debbie Anderson

November 5, 2019

Jeff Kisgen
795 Belle Ave. N.
Hancock, MN 56244

RE: Reinvest In Minnesota (RIM) Conservation Easement 75-06-02-01 Violation

Mr. Kisgen,

You are receiving this letter as a result of a violation on your RIM easement located in Section 7 of Hodges township, Stevens County. You were previously working with Tim Fredbo, Board of Water and Soil Resources (BWSR) Easement Section staff, and Adam Erickson, Stevens SWCD Technician, to address the storage of materials and the building that is partially constructed within the recorded easement.

The BWSR RIM Committee met on September 4, 2019 to consider the 1:1 replacement proposal you had offered to rectify the situation. A copy of the map that was prepared by Adam Erickson to illustrate your proposed replacement is attached for reference (Option 1). The RIM Committee reviewed this proposal and did not feel that the proposal met the requirements of the Easement Alteration Policy. The policy states that the proposed alteration will provide the same or enhanced benefits for which the easement was originally acquired, and the released acres will be replaced at a minimum ratio of 2:1.

The RIM Committee proposed three alternatives to address the easement violation:

1. Remove the portion of the building that is currently within the easement boundary, along with all assorted materials. This action would bring you into compliance with RIM easement terms and avoid the \$500 processing fee required to amend the easement.
2. Amend the easement boundary to remove 0.1 acre where the building is within the easement area and replace with 0.2 acre adjacent to the lake and the existing easement area; meeting the required 2:1 replacement ratio. This is shown with the blue outline as Option #2 on the map prepared by BWSR and attached. The assorted materials on the remainder of the easement would be removed and mowing ceased. The \$500 processing fee would be required for this action.
3. Amend the easement boundary to allow the 1:1 replacement ratio you are seeking with the release of 0.88 acre. The 0.88 replacement acre in the woodlot to the north must be directly adjacent to the lake, protecting a minimum of 200 feet of lakeshore beginning at the 260th Street right-of-way; rather than the current proposal with the replacement acres being adjacent to the driveway. This option would meet the alteration policy goal of providing the same or enhanced benefits of the easement area released. This is shown as Option #3 on the map prepared by BWSR and attached. The \$500 processing fee would be required for this action.

Tim Fredbo has recently retired from BWSR. Please contact Karli Tyma, Easement Specialist, at 651-539-2571 or Karli.tyma@state.mn.us before Friday, December 20, 2019 to discuss your preferred option. If we do not hear from you by that date, the violation will be reported to the Minnesota Attorney General office for enforcement in district court as allowed by MS 103F.518 Subd. 10.

Sincerely,

A handwritten signature in black ink that reads "Tom Loveall". The signature is written in a cursive style with a large initial "T" and "L".

Tom Loveall
BWSR RIM Committee Chair

CC: Sharon Doucette, Easement Section Manager
Stevens SWCD

COMMITTEE RECOMMENDATIONS

Northern Region Committee

1. Thief River Comprehensive Watershed Management Plan – Neil Peterson and Matt Fischer – ***DECISION ITEM***
2. Bois de Sioux Watershed District Plan Amendment – Pete Waller – ***DECISION ITEM***
3. Pelican River Watershed District Revised Plan – Brett Arne and Ryan Hughes – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Thief River Comprehensive Watershed Management Plan

Meeting Date: March 25, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Thief River, Comprehensive Watershed Management Plan

Section/Region: Regional Operations/Northern

Contact: Ryan Hughes

Prepared by: Matt Fischer

Reviewed by: Northern Regional Committee(s)

Presented by: Neil Peterson/Matt Fischer

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 Thief River Comprehensive Watershed Management Plan as recommended by the Northern Regional Committee.

LINKS TO ADDITIONAL INFORMATION

Plan is on the Thief River 1W1P website at <https://www.rlwdwatersheds.org/thiefriver1w1p>

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

The Thief River Comprehensive Watershed Management Plan (Plan) planning area is in northwest Minnesota, encompassing portions of Beltrami, Marshall, and Pennington counties and the Red Lake Watershed District. The Plan was developed as part of the One Watershed, One Plan program. Peter Nelson (Pennington SWCD), Darren Carlson (Marshall SWCD), Josh Johnston (Marshall County), Zach Gutknecht (Beltrami SWCD), and Myron Jesme and Corey Hanson (Red Lake WD) are the local lead staff responsible for development of the Plan.

On February 11, 2020, BWSR received the Plan, a recording of the public hearing, and copies of all written comments pertaining to the Plan for final State review. The planning partnership has responded to all comments received during the 60-day review period and incorporated appropriate revisions to the final Plan.

BWSR staff completed its review and subsequently found the Plan meets the requirements of Minnesota Statutes and BWSR Policy.

On March 4, 2020, the Northern Regional Committee met to review and discuss the Plan. The Committee's decision was to recommend approval of the Thief River Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

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

In the Matter of the review of the Comprehensive Watershed Management Plan for the Thief River Watershed, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801.

**APPROVING
COMPREHENSIVE
WATERSHED
MANAGEMENT PLAN**

Whereas, the Policy Committee of the Thief River Watershed submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on February 11, 2020 pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #16-17, and;

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

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

FINDINGS OF FACT

- Partnership Establishment.** The Thief River Watershed Partnership (Partnership) was established in March of 2017 through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Beltrami County, Beltrami Soil and Water Conservation District (SWCD), Marshall County, Marshall SWCD, Pennington County, Pennington SWCD, and Red Lake Watershed District.
- Authority to Plan.** Minnesota Statutes, Sections 103B.101, Subdivision 14 allows the Board to adopt resolutions, policies or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan. Minnesota Statutes, Sections 103B.801 established the Comprehensive Watershed Management Planning Program; also known as One Watershed, One Plan (1W1P) program. And, on March 23, 2016 Board Resolution #16-17 adopted Version 1.0 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- Nature of the Watershed.** The Thief River Watershed 1W1P program planning area is in northwest Minnesota, encompassing portions of Beltrami, Marshall and Pennington counties and the Red Lake Watershed District. The Thief River Watershed is endowed with productive agricultural land as well as invaluable habitat for aquatic life, deer, waterfowl, shorebirds, and other migrating birds. The Thief River Watershed planning area drains approximately 1,048 square miles. Fourtown, Goodridge, Grygla, Holt, and Thief River Falls are the only municipalities in the watershed.
- Plan Development.** The Plan was developed as a single, concise, and coordinated approach to watershed management. The Plan consolidates policies, programs, and implementation strategies from existing data, studies and plans, and incorporates input from multiple planning partners to provide a single plan for management of the watershed. The Plan focuses on prioritized, targeted, and measurable implementation efforts and lays out specific actions to manage water quantity, protect and restore water quality, natural habitat, recreational uses and drinking water sources in the watershed.

5. **Plan Review.** On February 11, 2020, the Board received the Plan, a recording of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Board Resolution #16-17. During the development of the Plan State agency representatives attended and provided input at advisory committee meetings. The following state review comments were received during the comment period.
- A. Minnesota Department of Agriculture (MDA): MDA confirmed receipt of the Plan and noted there will not be any comments provided for the final review due to limited staff capacity and participation during the process.
 - B. Minnesota Department of Health (MDH): MDH confirmed receipt of the Plan and provided comments requesting additional partners to be listed on implementation actions that were added to address concerns raised during the 60-day review process.
 - C. Minnesota Department of Natural Resources (DNR): DNR confirmed receipt of the Plan and had no further comments. DNR recommended approval of the Plan.
 - D. Minnesota Pollution Control Agency (MPCA): MPCA confirmed receipt of the Plan and provided comments requesting additional partners to be listed on implementation actions that were added to address concerns raised during the 60-day review process.
 - E. Minnesota Environmental Quality Board (EQB): EQB did not reply to requests for confirmation of receipt and did not provide comments for the final review.
 - F. Minnesota Board of Water and Soil Resources regional staff: BWSR staff provided comments during the 60-day review requesting revisions to the Plan to ensure plan content requirements were met and improve consistency. All comments were adequately addressed in the final Plan and BWSR staff recommended approval of the Plan.

6. **Plan Summary and Highlights.** The highlights of the Plan include:

- The Plan development process generated 46 issues impacting the watershed using a combination of existing reports, data, and stakeholder input. The issues were categorized as A, B, or C priorities. 27 issues emerged as either A or B priorities and will be the focus of initial implementation efforts within the Thief River Watershed 1W1P program planning area.
- The Plan identified 8 different planning regions that align with the Hydrologic Unit Code (HUC) 10 watershed boundaries within the Thief River watershed. The planning regions were prioritized into tiers based on the number of priority issues. Higher priority was given to the planning regions with more priority issues with the goal that implementation will achieve multiple benefits.
- The Plan includes 13 measurable goal categories, which collectively address all locally prioritized issues. Some goals are planning region specific while others are watershed wide.
- Measurable goals for surface water quality were based on a restoration and protection categorization that assigned each planning region to one of four classes for each pollutant. The classes were restoration, potential impairment, nearly impaired, and highest quality.
- Separate implementation tables were created for each planning region that included structural practices, management practices, and capital improvement projects. Watershed-wide implementation tables were created for education and outreach, data gaps and research, and regulatory activities.
- The planning group used the Prioritize, Target, and Measure Application (PTMApp) to estimate the locations, annual cost, water quality value (sediment and total phosphorus load reductions), and progress toward measurable goals arising from implementing the best structural and management practices that make up the targeted implementation approach.
- The Plan contains Baseline, Level 1, and Level 2 funding scenarios. The Baseline funding scenario prioritizes actions for implementation assuming current funding levels. Level 1 and Level 2 further prioritize actions that can be completed as more funding is made available.

7. **Northern Regional Committee.** On March 4, 2020, the Northern Regional Committee met to review and discuss the Plan. Those in attendance from the Board's Committee were Rich Sve, Todd Holman, Gerald Van Amburg, Neil Peterson, Jeff Berg, and Nicole Blasing. Board staff in attendance were Northern Region Manager Ryan Hughes and Board Conservationist Matt Fischer. The representatives from the Partnership were Peter Nelson from Pennington SWCD, Neil Peterson from Pennington County, Darren Carlson from Marshall SWCD, Rolland Miller from Marshall County, Zach Gutknecht from Beltrami SWCD, and Myron Jesme, Corey Hanson, and LeRoy Ose from Red Lake Watershed District. Board regional staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee's decision was to present a recommendation of approval of the Plan to the full Board.
8. This Plan will be in effect for a ten-year period until March 25, 2030.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Comprehensive Watershed Management Plan for the Thief River Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Resolution #16-17.
3. The Thief River Watershed Comprehensive Watershed Management Plan attached to this Order states water and water-related problems within the planning area; priority resource issues and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Resolution #16-17.
5. The attached plan when adopted through local resolution by the members of the Partnership will serve as a replacement for the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan and consistent with the One Watershed, One Plan Suggested Boundary Map.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Thief River Watershed, dated February 2020.

Dated at St. Paul, Minnesota, this 25th day of March 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair



March 25, 2020

Thief River Policy Committee
c/o Myron Jesme, Red Lake Watershed District
1000 Pennington Avenue South
Thief River Falls, MN 56701

RE: Approval of the Thief River Comprehensive Watershed Management Plan

Dear Thief River Policy Committee:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Thief River Comprehensive Watershed Management Plan (Plan) was approved at its regular meeting held on March 25, 2020. Attached is the signed Board Order that documents approval of the Plan and indicates the Plan meets all relevant requirements of law, rule, and policy.

This Plan is effective for a ten-year period until March 25, 2030. Please be advised, the partners must adopt and begin implementing the plan within 120 days of the date of the Order in accordance with Minnesota Statutes §103B.101, Subd. 14 and 103B.801, and the One Watershed, One Plan Operating Procedures.

As indicated on page 4-2 the listed partner entities within the targeted implementation schedule are not all-inclusive and based on comments received by the Minnesota Pollution Control Agency (MPCA) and the Minnesota Department of Health (MDH) during the final review, the BWSR recommends partnering with the MPCA and the City of Thief River Falls in the implementation of the following actions as outlined in the Education and Outreach implementation table on page 4-7:

- Annually solicit stakeholder input about plan activities from advisory committee(s).
- Work with local, regional, national US Fish and Wildlife Service staff to address water quality leaving Agassiz Pool to address downstream impacts on drinking water supplies and water quality impairments.
- The Policy Committee will participate in any public input processes for the USFWS management strategies for lands within the planning boundary.

The BWSR further recommends partnering with the MDH and the MPCA in the implementation of the following action as outlined in the Data Gaps and Research implementation table on page 4-11:

- Investigate opportunities for sediment reduction in the middle Thief River planning region.

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

Please contact Board Conservationist Matt Fischer of our staff at 218-755-2683 or matt.fischer@state.mn.us for further assistance in this matter.

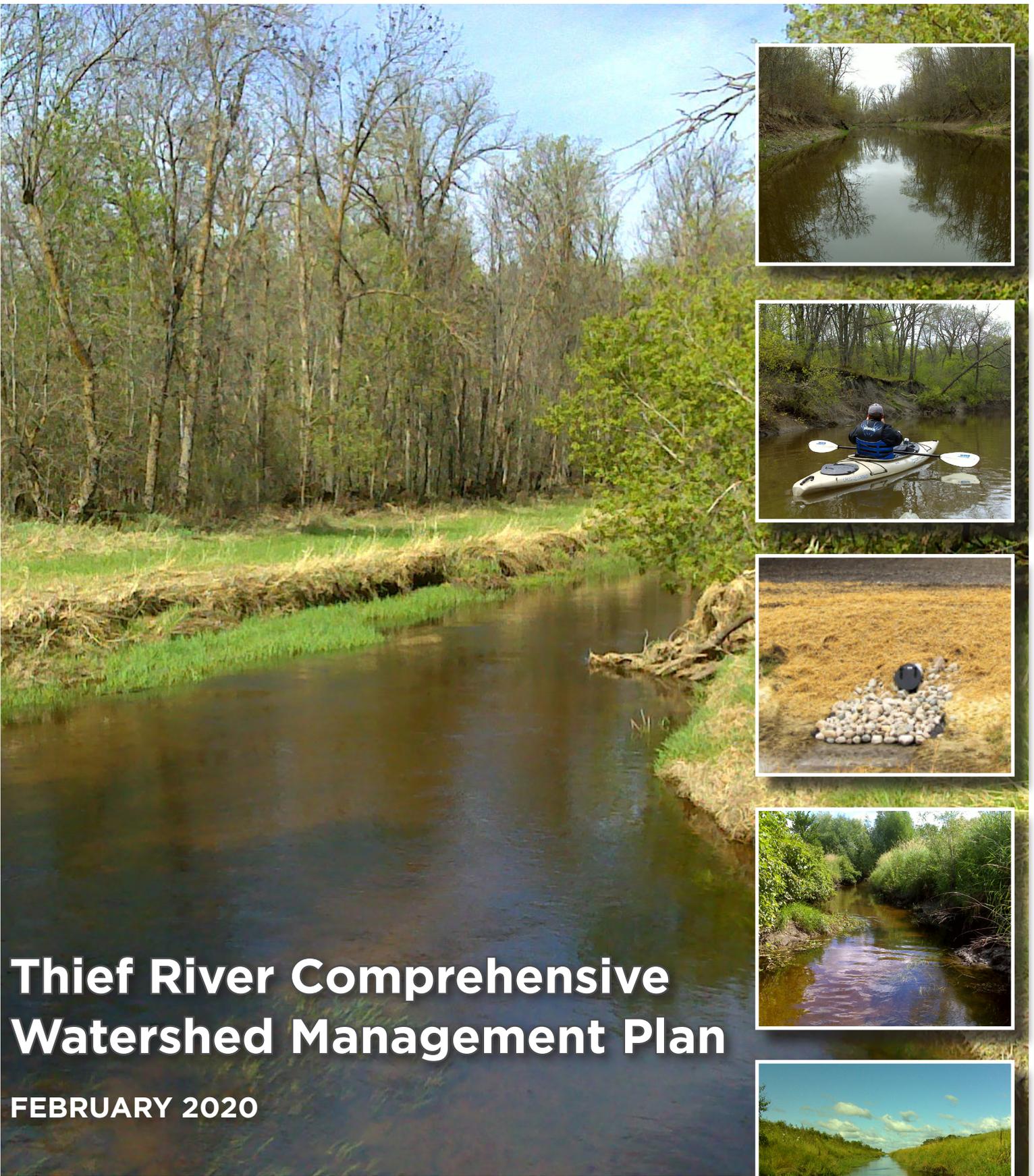
Sincerely,

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

Enclosure: BWSR Board Order

CC: Margaret Wagner, MDA (via email)
Carrie Raber, MDH (via email)
Jenilynn Marchand, MDH (via email)
Dan Disrud, MDH (via email)
Annette Drewes, DNR (via email)
Nathan Kestner, DNR (via email)
Barbara Weisman, DNR (via email)
Denise Oakes, MPCA (via email)
Juline Holleran, MPCA (via email)
Jeff Risberg, MPCA (via email)
Erik Dahl, EQB (via email)
Ryan Hughes, BWSR Northern Region Manager (via email)
Matt Fischer, BWSR Board Conservationist (via email)
Rachel Mueller, BWSR (file copy)

Equal Opportunity Employer



Thief River Comprehensive Watershed Management Plan

FEBRUARY 2020

Prepared for:
Thief River Planning Partnership through the
One Watershed, One Plan Program

Prepared by:
Houston Engineering, Inc.

Thief River Watershed | ONE WATERSHED, ONE PLAN



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Prepared for:
Thief River Planning Partnership through the
One Watershed, One Plan Program

Prepared by:
Houston Engineering, Inc.

GLOSSARY OF ABBREVIATIONS

1W1P	One Watershed, One Plan
AC	Advisory Committee
AIS	Aquatic Invasive Species
AUID	Assessment Unit Identification
BFE	Base Flood Elevation
BWSR	Board of Water and Soil Resources
CD	County Ditch
CFS	Cubic Feet per Second
DO	Dissolved Oxygen
DWSMA	Drinking Water Supply Management Area
ECS	Ecological Classification System
EDA	Environmental Data Access (MPCA Database)
EPA	Environmental Protection Agency
FDR	Flood Damage Reduction
FEMA	Federal Emergency Management Authority
FTPGW	Fail to Protect Groundwater
HEI	Houston Engineering, Inc.
HSPF	Hydrological Simulation Program - FORTRAN
HUC	Hydrologic Unit Code
IBA	Important Bird Area
IBI	Index of Biological Integrity
ISTS	Individual Sewage Treatment System
ITPHS	Imminent Threat to Public Health and Safety
JD	Judicial Ditch
LWRI	Land and Water Resources Inventory
MCBS	Minnesota County Biological Survey
MDA	Minnesota Department of Agriculture
MDH	Minnesota Department of Health
MnDNR	Minnesota Department of Natural Resources
MOA	Memorandum of Agreement
MPCA	Minnesota Pollution Control Agency



MPN	Most Probable Number
MSHA	Minnesota Stream Habitat Assessment
MWRPP	Major Watershed Restoration and Protection Plan
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NWI	National Wetland Inventory
NWR	National Wildlife Refuge
PC	Policy Committee
PTMApp	Prioritize, Target, and Measure Application
PWG	Planning Work Group
RRBC	Red River Basin Commission
RLWD	Red Lake Watershed District
SD	State Ditch
SOM	Soil Organic Matter
SSTS	Subsurface Sewage Treatment Systems
SWAA	Source Water Assessment Area
SWB	Soil-Water Balance
SWCD	Soil and Water Conservation District
TALU	Tiered Aquatic Life Use
TMDL	Total Maximum Daily Load
TP	Total Phosphorus
TSS	Total Suspended Solids
USDA	US Department of Agriculture
USFWS	US Fish and Wildlife Service
USGS	US Geological Survey
WASCOBS	Water and Sediment Control Basins
WEQ	Wind Erosion Equation
WEPS	Wind Erosion Prediction System
WHAF	Watershed Health Assessment Framework
WHPA	Wellhead Protection Area
WRAPS	Watershed Restoration and Protection Strategy



DEFINITIONS

Measurable Goal Category—The organizational framework for measurable goals. Includes the priority resource issues addressed, short- and long-term measurable goals, and metrics for measuring progress towards attainment.

Measurable Goal—A statement of intended accomplishment for each priority issue. Goals are meant to be simply stated and achievable, can be quantitative or qualitative, can be long- or short-term, and are meant to be measurable through the implementation of actions to attain a desired outcome.

Metric—A feature, attribute, characteristic, amount, or quantity that forms the unit by which progress is measured towards attaining a measurable goal in a given time frame. For this plan, two time frames are used: short-term (covering the 10-year plan period) and long-term (following the 10-year plan period).

Priority Issue—Issues categorized, through the prioritization process (Section 2.0), as Priority Level A or B issues. Priority issues will be the focus of this comprehensive plan.

Resource Category—A resource category, or “resource,” is defined as a natural, economic, educational, biotic, aesthetic, land, or similar asset. Resources are generally considered something that can be managed, and are generally broad, such as surface water or groundwater.

Resource Concern—A resource concern, or “concern,” is defined as a physical, biological, chemical, or geological subset or component of a resource. For example, the resource “surface water” can be further refined into several components, including wetlands and drainage systems.

Resource Issue—A resource issue, or “issue,” affecting a concern is defined as a factor, stressor, pollutant or difficulty resulting in an adverse consequence for a concern. A concern can have one or many issues. For instance, nitrate nitrogen causing the contamination of drinking water supply could be an issue (i.e. nitrate nitrogen) affecting a concern (i.e. drinking water supplies).

REFERENCES

“One Watershed, One Plan – Plan Content Requirements”. (2016). Minnesota Board of Water and Soil Resources.

“60-Day Notification Responses”. (2017). Minnesota Pollution Control Agency.

“Rural Land Stewardship Analysis”. (2019). Houston Engineering, Inc.



EXECUTIVE SUMMARY

The Thief River Watershed One Watershed, One Plan (1W1P) represents an evolution from traditional water planning to watershed-based planning for northwestern Minnesota. The 1W1P is a statewide effort, aimed to transform the way local entities plan for resource management. The implementation-focused 1W1P combines local entities that focus on what resource issues are most important locally. In the Thief River Watershed, this brings three counties, three soil and water conservation districts, and one watershed district together into one cohesive and comprehensive water planning document.

The Thief River Watershed 1W1P Planning Group previously entered into a formal agreement through a Memorandum of Agreement to lead the 1W1P planning process for the Thief River Watershed. The parties are drafting a revised Memorandum of Agreement for implementing this plan. Expectations are that the roles of the local Policy Committee, Planning Work Group, and Advisory Committee will shift and change focus during plan implementation. Ultimately, the goal of this plan is to use local and state resources to efficiently manage, restore, and protect water resources in the Thief River Watershed. This plan is a ten-year guide to assist local governments to coordinate implementation efforts through annual work planning, improve efficiencies, and reduce redundancies in local water resource management.

The Thief River One Watershed, One Plan (1W1P) planning area is in northwest Minnesota, encompassing portions of Beltrami, Marshall and Pennington counties and the Red Lake Watershed District (RLWD). The Thief River Watershed is endowed with productive agricultural land as well as invaluable habitat for aquatic life, deer, waterfowl, shorebirds, and other migrating birds. The Thief River Watershed planning area drains approximately 1,048 square miles (sq. mi.) or 671,024 acres. Fourtown, Goodridge, Grygla, Holt, and Thief River Falls are the only municipalities in the watershed.

A watershed is an area of land where all the water drains to a common point. In the case of the Thief River Watershed, this common point is at the confluence of the Thief River and the Red Lake River. The Thief River Watershed is part of the larger Red River Basin. It contributes flow downstream through the Red Lake River, to the Red River of the North, and eventually to Lake Winnipeg and Hudson Bay in Manitoba, Canada. It is a headwaters watershed, meaning that no water flows into the Thief River Watershed from anywhere else. As a headwaters watershed, the Thief River Watershed is located within an area of the Red River Basin that the Red River Basin Flood Damage Reduction Work Group identified as a strategic area to retain water. The watershed also has large expanses of prime wetland habitat, primarily in the Agassiz National Wildlife Refuge and the Thief Lake Wildlife Management Area.

The Thief River runs along the western side of the watershed, beginning at Thief Lake down through Agassiz National Wildlife Refuge to the Red Lake River in Thief River Falls. Within the planning regions and tributaries, portions of the Thief River are also legal drainage ditches—State Ditch 83 and Judicial Ditch 21. The Thief River receives water from the east from the Moose River (Judicial Ditch 21), the Mud River (Judicial Ditch 11), Branch 200 of Judicial Ditch 11 (Lost River), Marshall County Ditch 20, and Judicial Ditch 30. Just as the Thief River Watershed is part of the larger Red River Basin, these rivers and drainage ditch systems are also considered smaller watersheds, or subwatersheds, within the Thief River Watershed. These watersheds, along with three subwatersheds along the path of the Thief River (Upper Thief River/ SD 83, Middle Thief River/ SD 83, and Lower Thief River/ SD 83) are referred to as “planning regions” throughout this document and are shown in **Figure ES-1**.

As a result of its position in the Red River Basin and the abundance of state and federally protected wildlife habitat, there are more than 30 impoundments and reservoirs in the watershed. These impoundments are managed for the flood damage reduction benefits they provide to the watershed and the Red River Basin as well as for wildlife. *This plan acknowledges the multiple benefits for flood protection and wildlife that are provided by impoundments but recommends additional actions that local landowners can implement on a voluntary basis through partnerships with local, state, and federal entities to reduce runoff locally and downstream, improve water quality, and manage water resources in a balanced and cooperative manner.*



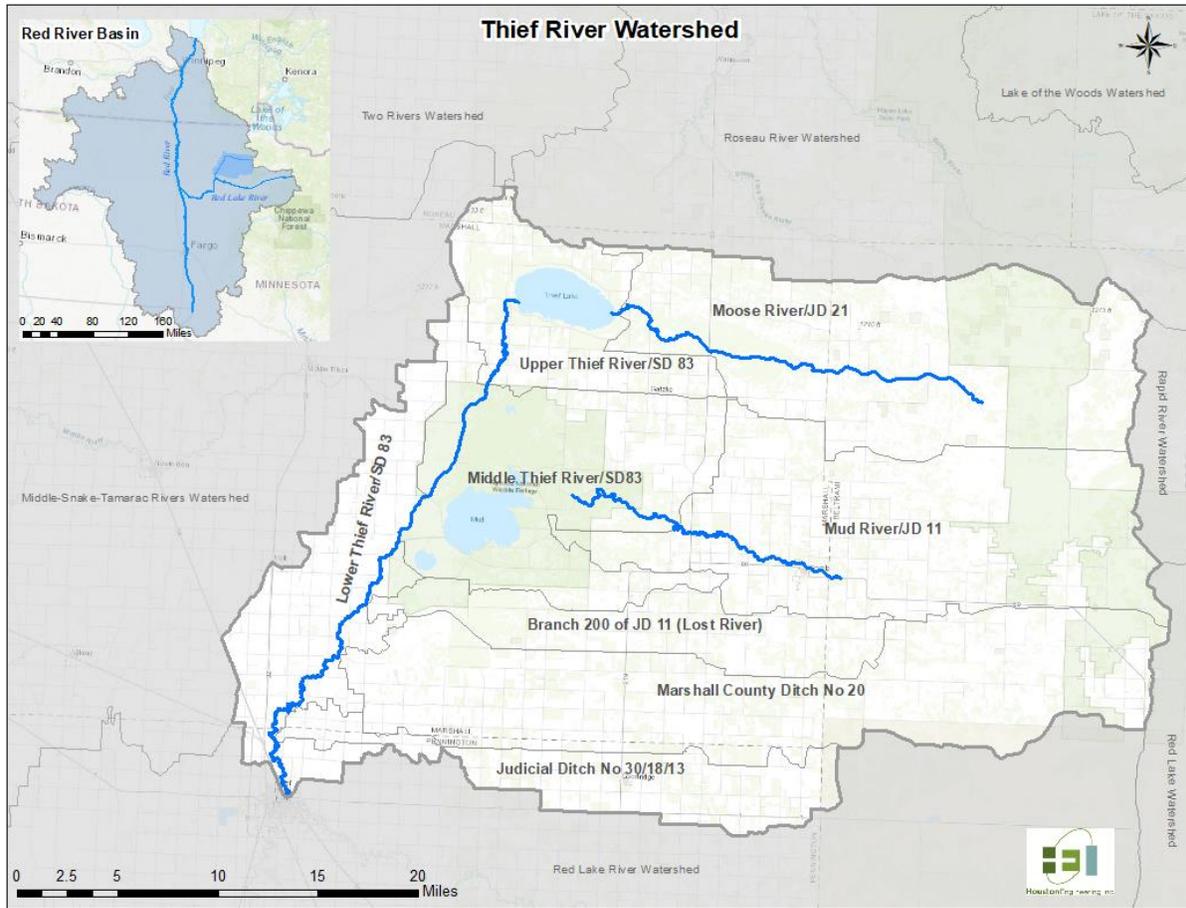


Figure ES-1: Thief River Watershed 1W1P Plan Area and Planning Regions

In 2017, members of the three counties, three soil and water conservation districts (SWCDs) and one watershed district within the Thief River Watershed joined together to create the Thief River 1W1P Planning Group. The purpose of the Thief River 1W1P Planning Group was to unite local entities that would otherwise have separate local water management plans under one comprehensive watershed management plan, creating a cohesive vision for implementing actions to improve locally prioritized issues. To address these issues, this plan establishes measurable goals and actions to be implemented on a voluntary basis through partnerships between local, state, and federal entities and private landowners. This plan hopes to unlock noncompetitive watershed-based state funding for implementation as recommended by the State of Minnesota Clean Water Council. It does not supersede nor replace existing statutes, rules, and local ordinances that regulate water resource management. Rather, it is a guide for local governments to work together in coordination with landowners to efficiently address water resource issues in the watershed. This plan is the result of that vision and a significant step toward accelerating prioritized, targeted, and measurable implementation efforts in the Thief River Watershed.

ADMINISTRATION AND COORDINATION

The Planning Work Group, Advisory Committee, and Policy Committee structures from the plan development process will be maintained throughout the lifespan of the plan. The Planning Work Group and Policy Committee will meet on a quarterly basis, and the Advisory Committee will meet annually. A Plan Coordinator at the direction of the Policy Committee will become responsible for completing annual work planning and submitting annual reports. The RLWD will serve as the central fiscal agent.



IDENTIFYING AND PRIORITIZING ISSUES

The Thief River Watershed is home to a diverse range of resources, including:

- a network of streams, rivers, and agricultural drainage systems;
- approximately 330,223 acres of wetlands;
- more than 30 impoundments;
- unique habitat areas for aquatic and terrestrial species; and
- urban and rural land uses.

With all these resources, there are many issues to manage. In recognition of staff, time, and resource limitations, the Thief River 1W1P Planning Group needed to prioritize issues as the focus of implementation efforts during the 10-year lifespan of this plan.

The Thief River 1W1P Planning Group developed a comprehensive inventory of 14 resources and 46 issues (Table 2-1) impacting the watershed using a combination of existing reports, data, and stakeholder input. This comprehensive inventory was used to prioritize issues to be addressed through implementation efforts. Issues were prioritized and designated as an A, B, C, or unranked priority tier based on input from the public and professional judgment.

From this initial inventory, 27 issues emerged as priority issues. These priority issues ended up being ranked as either Priority Tier A (**Table ES-1**) or B (**Table ES-2**). They will be the focus of initial implementation efforts within the Thief River 1W1P planning area.

Table ES-1: Priority Tier A Issues

Resource Category	Resource Concern	Issue
Priority Tier A		
2. Surface Waters: Water resulting from excess precipitation leaving the landscape and collecting in ditches, streams, rivers, creeks, wetlands, lakes and ponds.		
2. Surface Waters	2.1 Aquatic Life and Recreation	2.1.1: Water Quality: Elevated concentrations of suspended solids, sediment, and total phosphorus approaching (protection) or exceeding (restoration) water quality standards for aquatic life, which can lead to aquatic life impairments.
		2.1.2: Water Quality: Elevated concentrations of bacteria approaching (protection) or exceeding (restoration) water quality standards for aquatic recreation, which can impact beneficial uses.
		2.1.7 Water Quality: Decreased stream channel stability driven by hydrologic changes that increase erosion and sediment transport, which can decrease beneficial uses of streams, rivers, and lakes.
	2.2 Surface Runoff and Flooding	2.2.1: Water Quantity: Changes in natural water storage and vegetative cover on the landscape, including natural depressional areas, wetlands, loss of vegetative cover and soil organic matter, which can cause an increase in the volume of runoff, peak discharges, and water levels, causing flooding and flood damages to agricultural land, wildlife habitat, transportation systems, buildings, and structures.
		2.2.2: Water Quantity: High peak flows causing flood damages to agricultural land and public infrastructure, homes and other structures, rerouted flows, and accelerated bank erosion to artificial and natural waterways; low flows which can impact aquatic life and aquatic recreation.



Resource Category	Resource Concern	Issue
	2.3 Drainage Management Systems	2.3.1: Increased erosion and sedimentation resulting from bank failure and slumping, and gully formation prevents the proper function of drainage systems and increases maintenance costs.
	2.5 Drinking Water	2.5.1: Water Quality: Elevated concentrations of sediment, and organic matter have a detrimental impact on drinking water quality.
	2.6 Wetlands	2.6.1: Sediment deposition in wetlands degrades hydrologic function, contributes to nonnative plant species succession, and contributes to sediment and highly organic/low dissolved oxygen water to downstream waterways.
3. Fish and Wildlife Habitat and Unique Natural Features: Visible natural features and characteristics of the landscape, which are often prominent or unique.		
3. Fish and Wildlife Habitat	3.1 Aquatic Habitat for Fish, Macroinvertebrates, Wildlife, and Aquatic Life	3.1.3: Degradation of aquatic habitat, aquatic vegetation, and riparian habitat associated with increased drainage, channelization, ditch maintenance, and development, and the physical damage to the banks and beds of creeks, streams and rivers from higher and faster flows pose public lands and waters management challenges.
	3.2 Shoreland and Riparian Zones	3.2.1: Quantity and quality of vegetation along waterways, including riparian forests and buffers along ditches in shorelines, that filter pollutants, retain soil, improve water quality, and restore wildlife habitat.
5. Local Development and Land Stewardship: The management of urban and rural land use through sustainable development.		
5. Local Development and Land Stewardship	5.2 Healthy Rural Landscapes	5.2.1: Reduced soil health, soil protection, excess loss of fertilizers or pesticides, and its impact on agricultural productivity, surface water quality and quantity, sedimentation in water features, and water holding capacity.
		5.2.3: Improperly installed or poorly functioning subsurface sewage treatment systems (SSTS) and individual sewage treatment system (ISTS) increase the potential for ground and surface water contamination, adversely impacting human health and water quality.

Table ES-2: Priority Tier B Issues

Resource Category	Resource Concern	Issue
Priority Tier B		
1. Groundwater: Water which is held underground within the pores of rocks and soils.		
1. Groundwater	1.1 Drinking Water	1.1.1: Water Quality: Protection of generally good quality groundwater supplies from elevated levels of nitrates, arsenic, or other contaminants which, if excessive, can result in implications to human health and treatment costs for public and private wells. Protection is particularly important in vulnerable DWSMAs.
		1.1.2: Water Quality: A limited amount of data available for nitrate, arsenic, and other types of groundwater contamination, which can lead to poorly informed management decisions.



2. Surface Waters: Water resulting from excess precipitation leaving the landscape and collecting in ditches, streams, rivers, creeks, wetlands, lakes and ponds.		
2. Surface Waters	2.1 Aquatic Life and Recreation	2.1.3: Water Quality: Reduced concentrations of dissolved oxygen approaching (protection) or exceeding (restoration) tolerable levels that can affect the diversity of quality of aquatic life.
	2.2 Surface Runoff and Flooding	2.2.3: Regional and basin wide flood issues that might not be addressed by local actions, which can impact local infrastructure, natural resources, agricultural lands and communities.
	2.4 Impoundments and Reservoirs	2.4.1: Increased erosion and sedimentation resulting in reduced storage capacity, invasive species takeover, and ultimately, wildlife habitat degradation.
	2.6 Wetlands	2.6.2: Wetlands have been altered or drained for agricultural production, resulting in a loss of wildlife habitat and temporary water storage on the landscape.
3. Fish and Wildlife Habitat and Unique Natural Features: Visible natural features and characteristics of the landscape, often which are prominent or unique.		
3. Fish and Wildlife Habitat	3.1 Aquatic Habitat for Fish, Macroinvertebrates, Wildlife and Aquatic Life	3.1.1: Modification of waterways, culverts, and dams at impoundment outlets reduce hydrologic connectivity and altered the flow regime resulting in the reduced potential of waterways to support quality fish populations.
	3.3 Terrestrial Habitat for Wildlife	3.3.1: Increased habitat fragmentation and loss of habitat providing food, shelter, terrestrial ecological corridors, and breeding territory for both protected (e.g. endangered, threatened, special concern, and Species of Greatest Conservation Need) and unprotected species.
4. Local Knowledge Base and Technical Capacity: The collective understanding of water related matters within the community and the ability to respond to and resolve water related issues.		
4. Local Knowledge Base and Technical Capacity	4.1 Public Knowledge of and Behavior Relative to Water Issues	4.1.1: Increase public awareness and knowledge of water management issues including general citizens down through school aged children.
		4.1.3: Increase regular input from stakeholders to guide future efforts related to this plan.



	4.2 Data Collection	4.2.1: Information needed to understand baseline conditions for resources to better inform management decisions.
5. Local Development and Land Stewardship: The management of urban and rural land use through sustainable development.		
5. Local Development and Land Stewardship	5.1 Healthy Urban Landscapes	5.1.1: Downstream water quality consequences from stormwater runoff due to increased impervious surface area around water bodies such as lake, streams, and wetlands.
		5.1.4: High levels of E. coli in water monitoring data at stormwater outlets in Thief River Falls, which can impact the beneficial use of downstream resources.
	5.2 Healthy Rural Landscapes	5.2.2: Increased sheet, rill, and wind erosion, and its impact on agricultural productivity, surface water quality, and deposits in drainage systems.
		5.2.4: The impact of feedlots on surface and groundwater quality.

Though these issues will be the initial focus of implementation, this does not restrict local governments from addressing other lower-tier issues identified in the plan or issues that arise in the future. There are also opportunities for issue prioritization to be reviewed and revised during the five-year and 10-year updates to the plan. **Plan Section 2: Identification and Prioritization of Resource Categories, Concerns, and Issues** provides an in-depth description of resource concerns, issues and the process for identifying priority issues.

ESTABLISHING MEASURABLE GOALS

Thirteen measurable goal categories were developed to address the priority issues identified in the Thief River Watershed. Measurable Goal Categories describe a desired condition for a resource being impacted by an issue or multiple issues and are subdivided into one or more short-term goals and long-term goals:

- Short-term measurable goals describe the interim conditions to accomplish or make progress toward during the 10-year lifespan of this plan.
- Long-term measurable goals describe the desired future conditions to accomplish, regardless of timeframe.

In some instances, measurable goals are focused on either protecting resources in good condition or restoring resources that have deteriorated. Within each measurable goal category, short-term and long-term goals set milestones for resource improvement and allow for resource management flexibility during implementation efforts. In order to account for the variation of the urgency and impact of an issue within the watershed, some measurable goals are set at the planning region scale. A variety of information sources were utilized in the development of the measurable goal categories, including:

- goals from existing management plans, studies, reports, data, and information, including WRAPS, TMDLs, local water plans, state strategies, and similar documents;
- input from Advisory Committee members;
- input from Policy Committee members; and
- the knowledge of local water and resource managers provided by the Planning Work Group.



Plan Section 3: Establishment of Measurable Goals provides a detailed description of measurable goal categories and outlines the process of their development. There are 13 measurable goal categories for this plan, which collectively address all the locally prioritized issues. Short-term Goal(s) refer to interim conditions to accomplish during the 10-year lifespan of this plan. Long-term Goal(s) are for the desired future condition to accomplish, regardless of time frame. **Table ES-3** outlines the goals that were developed for the Thief River 1W1P.

Table ES-3: Short- and Long-Term Goals

	Issue: Measurable Goal Categories	Short-term Goal(s)	Long-term Goal(s)
1	Drinking Water – Reduce Nitrate Contamination	Nitrates: Progress made towards long-term goal	Nitrates: <ul style="list-style-type: none"> • Protection – Vigilance Goal: Maintain unaffected private drinking water supply wells with nitrogen concentrations at or near a concentration representative of background and transitional levels (0-4.9 mg/L) • Protection – Threatened Goal: Reduce the number of private drinking water supplies that have nitrate-nitrogen concentrations at risk for nitrate impairment (≥ 5 mg/L but < 9.9 mg/L). • Restoration – Treatment Goal: Restore private drinking water supplies that have nitrate-nitrogen concentrations that currently represent a health concern (≥ 10 mg/L)
2	Aquatic Life and Aquatic Recreation – Reduce Sediment and Phosphorus Delivery and Load	<ul style="list-style-type: none"> • Planning Region scale (Total Phosphorus): Use the phosphorus reduction targets outlined by HSPF and the Thief River Watershed 1W1P Advisory Committee in each planning region: <ul style="list-style-type: none"> ○ Protection: Judicial Ditch 30/18/13: 5% or 559 lbs./yr. ○ Protection: Branch 200 of JD 11 (Lost River): 5% or 333 lbs./yr. ○ Protection: Lower Thief River/SD 83: 5% or 5,091 lbs./yr. ○ Protection: Marshall County Ditch 20: 5% or 1,135 lbs./yr. ○ Protection: Middle Thief River/SD 83: 5% or 2,177 lbs./yr. ○ Protection: Moose River/JD 21: 5% or 811 lbs./yr. ○ Protection: Mud River/JD 11: 5% or 1,878 lbs./yr. ○ 3Protection: Upper Thief River/SD 83: 5% or 574 lbs./yr. • Planning Region Scale (Sediment): Use the sediment reduction targets 	<ul style="list-style-type: none"> • Planning Region Scale (Phosphorus): <ul style="list-style-type: none"> ○ Extend short-term protection and restoration goals • Planning Region Scale (Sediment): <ul style="list-style-type: none"> ○ Extend short-term protection and restoration goals



	Issue: Measurable Goal Categories	Short-term Goal(s)	Long-term Goal(s)
		<p>outlined by the TMDL, HSPF and the Thief River 1W1P Advisory Committee in each planning region:</p> <ul style="list-style-type: none"> ○ Protection (Highest Quality): Judicial Ditch 30/18/13: 5% or 70 tons/yr. ○ Protection (Highest Quality): Lost River: 5% or 34 tons/yr. ○ Restoration (Impaired): Lower Thief River/SD 83: 15% or 2,335 tons/yr. ○ Protection (Highest Quality): Marshall County Ditch 20: 5% or 128 tons/yr. ○ Restoration (Potential Impairment): Middle Thief River/SD 83: 15% or 653 tons/yr. ○ Protection (Highest Quality): Moose River/JD 21: 5% or 49 tons/yr. ○ Protection (Nearly Impaired): Mud River/JD 11: 10% or 290 tons/yr. ○ Protection (Highest Quality): Upper Thief River/SD 83: 5% or 103 tons/yr. 	
3	<p>Aquatic Life and Aquatic Recreation – Reduce Bacteria Delivery and Load</p>	<ul style="list-style-type: none"> ● Planning Region Scale: <ul style="list-style-type: none"> ○ Protection (Highest Quality): Judicial Ditch 30/18/13: Maintain current conditions ○ Protection (Nearly Impaired): Lower Thief River/SD 83: Maintain current conditions ○ Protection (Highest Quality): Lost River: Maintain current conditions ○ Protection (Highest Quality): Marshall County Ditch 20: Maintain current conditions ○ Protection (Nearly Impaired): Middle Thief River/SD 83: Maintain current conditions ○ Protection (Highest Quality): Moose River/JD 21: Maintain current conditions ○ Protection (Nearly Impaired): Upper Thief River/SD 83: Maintain current conditions ● Reach-specific scale: <ul style="list-style-type: none"> ○ Restoration: Mud River/JD 11: Reduction in the length of streams classified as impaired by meeting the state water quality standard 	<ul style="list-style-type: none"> ● Planning Region Scale: <ul style="list-style-type: none"> ○ Protection: Extend short-term goal ● Reach-specific scale: <ul style="list-style-type: none"> ○ Restoration: Mud River/JD 11: Reduction in the length of streams classified as impaired by meeting the state water quality standard (where a TMDL has been completed)



	Issue: Measurable Goal Categories	Short-term Goal(s)	Long-term Goal(s)
		(where a TMDL has been completed)	
4	Aquatic Life and Aquatic Recreation – Increase Dissolved Oxygen Concentration	<ul style="list-style-type: none"> • Planning Region Scale: <ul style="list-style-type: none"> ○ Protection (Highest Quality): Judicial Ditch 30/18/13: >95% of readings are above or equal to daily minimum of 5 mg/L ○ Protection (Highest Quality): Lower Thief River/SD 83: >95% of readings are above or equal to daily minimum of 5 mg/L ○ Restoration (Potential Impairment): Lost River: >90% of readings are above or equal to daily minimum of 5 mg/L; maintain base flow within channel ○ Protection (Nearly Impaired): Marshall County Ditch 20: >90% of readings are above or equal to daily minimum of 5 mg/L ○ Protection (Nearly Impaired): Middle Thief River/SD 83: >90% of readings are above or equal to daily minimum of 5 mg/L ○ Restoration (Impaired): Moose River/JD 21: >90% of readings are above or equal to daily minimum of 5 mg/L; maintain measurable flow within channel during late summer ○ Restoration (Impaired): Mud River/JD 11: >90% of readings are above or equal to daily minimum of 5 mg/L; maintain >5 CFS of flow at Hwy 89 during late summer ○ Protection (Highest Quality): Upper Thief River/SD 83: >95% of readings are above or equal to daily minimum of 5 mg/L 	<ul style="list-style-type: none"> • Planning Region Scale: <ul style="list-style-type: none"> ○ Extend short-term goal • Reach-specific scale: <ul style="list-style-type: none"> ○ Extend short-term goal
5	Surface Runoff and Flooding – Reduce Damages from Peak Flows and Overland Flooding	<ul style="list-style-type: none"> • Judicial Ditch 30/18/13: Reduce average annual runoff by 0.125 inches (442 ac-ft) • Lower Thief River/SD 83: Reduce average annual runoff by 0.125 inches (649 ac-ft) • Lost River: Reduce average annual runoff by 0.125 inches (438 ac-ft) • Marshall County Ditch 20: Reduce average annual runoff by 0.125 inches (1396 ac-ft) 	<ul style="list-style-type: none"> • Judicial Ditch 30/18/13: Reduce average annual runoff by 0.5 inch (1,750 ac-ft) • Lower Thief River/SD 83: Reduce average annual runoff by 0.5 inch (2,600 ac-ft) • Lost River: Reduce average annual runoff by 0.5 inch (1,750 ac-ft) • Marshall County Ditch 20: Reduce average annual runoff by 0.5 inch (5,600 ac-ft)



	Issue: Measurable Goal Categories	Short-term Goal(s)	Long-term Goal(s)
		<ul style="list-style-type: none"> • Middle Thief River/SD 83: No net increase in average annual runoff • Moose River/JD 21: No net increase in average annual runoff • Mud River/JD 11: No net increase in average annual runoff • Upper Thief River/SD 83: No net increase in average annual runoff 	<ul style="list-style-type: none"> • Middle Thief River/SD 83: No net increase in average annual runoff • Moose River/JD 21: No net increase in average annual runoff • Mud River/JD 11: No net increase in average annual runoff • Upper Thief River/SD 83: No net increase in average annual runoff
6	Drainage Management Systems – Erosion and Sedimentation Reduction	<ul style="list-style-type: none"> • Stabilize 20% of the 26 miles of drainage ditches, using multipurpose drainage management, in subwatersheds with high BANCS erosion estimates: Lower Thief River/SD 83, Moose River/JD 21, Mud River/JD 11, and County Ditch 20 • Provide adequate drainage to meet the design guidance objectives for a 10-year, 24-hour summer rainfall event in the Lower Thief, Marshall County Ditch 20, Moose River/JD 21, and Mud River/JD 11 planning regions 	<ul style="list-style-type: none"> • Stabilize 26 miles of drainage ditch using multipurpose drainage management in subwatersheds with high BANCS erosion estimates: Lower Thief River/SD 83, Moose River/JD 21, Mud River/JD 11, and County Ditch 20 • Extend short-term goal for providing adequate drainage based on design guidance objectives
7	Shoreland and Riparian Areas – Improve and Increase Vegetative Cover	<ul style="list-style-type: none"> • Achieve 100% compliance of Minnesota State Buffer Law within 1W1P area, increasing riparian vegetation, structure, and habitat and decreasing overland sediment and nutrient runoff 	<ul style="list-style-type: none"> • Continue 100% Minnesota Buffer Law compliance
8	Habitat for Wildlife – Enhance Connectivity and Cover	<ul style="list-style-type: none"> • Maintain and enhance the number of large terrestrial habitat blocks with the minimum size necessary to sustain ecosystem services representative of a terrestrial landscape within the plan area • No net loss of wetlands 	<ul style="list-style-type: none"> • Extend short-term goal
9	Aquatic Habitat for Fish, Macroinvertebrates and Aquatic Life – Restore Connectivity, Habitat, Moderated Flow Regimes and Promoted Vegetated Banks and Buffers	<ul style="list-style-type: none"> • Branch 200 of Judicial Ditch 11 (Lost River): Improve MSHA score of 34.5 (poor) by 15% • Judicial Ditch No. 30/18/13: Improve MSHA score of 36 (poor) by 15% • Lower Thief River/SD 83 (Agassiz Pool to Red Lake River): Improve MSHA score of 22.25 (poor) by 15% • Marshall County Ditch 20: Improve MSHA score of 34.5 (poor) by 15% 	<ul style="list-style-type: none"> • Extend short-term goal



	Issue: Measurable Goal Categories	Short-term Goal(s)	Long-term Goal(s)
		<ul style="list-style-type: none"> • Middle Thief River/SD 83: Improve MSHA score of 24.5 (poor) by 15% • Moose River/JD 21: Improve MSHA score of 38 (poor) by 15% • Mud River/JD 11: Improve MSHA score of 40.5 (poor) by 15% • Upper Thief River/SD 83: Improve MSHA score of 51.5 (fair) by 10% 	
10	Public Knowledge of and Behavior Related to Water Resources – Increase Stakeholder Participation	<ul style="list-style-type: none"> • Increase enrollment in programs outlined in Section 5 of plan 	<ul style="list-style-type: none"> • Extend short-term goal(s)
11	Data Collection – Enhance Knowledge of Baseline Conditions	<ul style="list-style-type: none"> • Altered Hydrology <ul style="list-style-type: none"> ○ Collect 10 years of continuous flow monitoring data at pour points of all eight subwatersheds • Groundwater Quantity <ul style="list-style-type: none"> ○ Collect 10 years of groundwater level monitoring data to establish a watershedwide baseline • Groundwater Quality <ul style="list-style-type: none"> ○ Arsenic: Collect 10 years of arsenic data in private wells to establish a watershedwide baseline • Bacteria: Collect 10 years of <i>E. coli</i> data in private wells to establish a watershedwide baseline • Nitrates: Collect 10 years of nitrate data in private wells to establish a watershedwide baseline • Tile Drainage <ul style="list-style-type: none"> ○ Develop records and spatial data of tiled acres within the watershed 	<ul style="list-style-type: none"> • Extend short-term goals or develop new goals if short-term goals are attained
12	Healthy Rural Landscapes – Improve Agricultural Soil Health	<ul style="list-style-type: none"> • Implement management practices in 5% (13,198 acres) of all cropland areas in the watershed to increase SOM content 1%. Areas to be managed are cropland areas categorized as rural stewardship “Probability Low” and “Probability Depends on Practice Effectiveness” that have SOM content of >1% and ≤4%. 	<ul style="list-style-type: none"> • Implement management practices in 41.5% (109,688 acres) of all cropland areas in the watershed to increase SOM content by 1%. Areas to be managed are cropland areas categorized as rural stewardship “Probability Low” and “Probability Depends on Practice Effectiveness” that have SOM content of >1% and ≤4%.
13	Healthy Rural Landscapes - Reduce Surface	<ul style="list-style-type: none"> • 100% of septic systems that are ITPHS are brought into compliance 	<ul style="list-style-type: none"> • Extend short-term goals



	Issue: Measurable Goal Categories	Short-term Goal(s)	Long-term Goal(s)
	and Groundwater Contamination	<ul style="list-style-type: none"> • 30% of septic systems that are FTPGW are upgraded • Maintain feedlot compliance if determined to be no known compliance issues 	



TARGETING IMPLEMENTATION EFFORTS AND IMPLEMENTATION PROGRAMS

Targeting means implementing the most cost-effective and measurable actions to make progress toward measurable goals.

The Thief River Watershed 1W1P Planning Group used the **Prioritize, Target, and Measure Application (PTMApp)** to estimate the locations, annual cost, water quality value (sediment, total nitrogen, and total phosphorous load reductions), and progress toward measurable goals arising from implementing the best structural practices that make up the targeted implementation approach. The Thief River Watershed 1W1P targeted implementation approach was designed to select the most cost-effective practices for removing sediment and nutrients (total phosphorus and total nitrogen) at the field edge until the cost of practices equaled what planning partners are currently spending annually on structural projects within each planning region.

The Thief River Watershed 1W1P Planning Group also designed the targeted implementation approach to select the widest range of practices in order to provide the most flexibility for local governments and landowners. These include a variety of practices preferred by landowners. Examples of locally accepted practices include storage practices (such as water and sediment control basins and drainage water management), management practices (such as nutrient management plans), and protection practices (such as grade stabilization and side water inlets). Designing the targeted implementation approach in this way identifies the most cost-effective practices in the plan area that are most likely to lead to voluntary implementation.

Targeted actions are housed within the **targeted implementation schedule**, which contains:

- a brief description of each action;
- the planning region where the action occurs;
- how much of the action will be implemented;
- how the action will be measured;
- when implementation will occur within the 10-year timeframe of the plan;
- the entities responsible and each one's role(s) in implementing the action;
- the estimated cost of the action; and
- the measurable goal corresponding to the action.

Many actions can be implemented in the Thief River Watershed to make progress toward goals. These actions are grouped into six categories:

- Implementation of **structural practices**, such as water and sediment control basins (WASCOBS), grade stabilization structures, filter strips, and grassed waterways
- Implementation of **management practices**, including planting cover crops, using conservation tillage methods, and fertilizer management methods
- Delivering **education and outreach** to increase public engagement, improve communication, and increase understanding
- Developing information to fill **data gaps** and complete **research**, and continue monitoring efforts;
- Executing local or state **regulatory** responsibilities
- Implementation of large, physical **capital improvement** projects, including multipurpose drainage management projects, two-stage ditches, and stream stabilization

Actions pertaining to education and outreach, data gaps and research, and regulatory responsibilities are implemented watershedwide to create consistency and opportunity for shared services. Actions dealing with capital improvement, structural, and management practices vary by planning region because the physical landscape and measurable goals differ among the planning regions. **Planning region implementation profiles (Section 4)** summarize current resource conditions within each planning region



and present information about the number, type, and location of structural and management practices for within each planning region. These profiles also present information about the relationship between the cost to implement practices and the potential progress practices can make toward measurable goals.

The ability and timing to achieve measurable goals largely depends on the amount of funding available to implement actions. However, the amount of funding for implementing this plan is uncertain. To address this challenge, there is more than one implementation funding scenario summarized in the targeted implementation schedule:

- The **Baseline** funding level is an annual and ten-year estimate of current LGU funding available for the plan area. This is the anticipated level of funding for implementation if no additional or outside funding sources are available.
- The **Level 1 Moderate** implementation funding level identifies actions for implementation if watershed-based noncompetitive grants are made available by the state. Estimates for funding are included if available/applicable for actions in this implementation funding level. If additional funding becomes available, these actions would be prioritized for implementation.
- The **Level 2 High** implementation funding level identifies actions for implementation if funding levels for the Baseline and Level 1 Moderate implementation funding levels are met. This level would fund projects that require greater investment of resources, have an implementation timeframe longer than the ten-year lifespan of the plan, or are important but not the highest priority.

In Section 4, all three implementation funding scenarios show increases in funding and relative increased progress toward plan goals. **Plan Section 5.2** and **Table ES-4** outline the most commonly used programs and grants for implementing the implementation program described by this plan and used within the targeted implementation schedule.



Table ES-4: Budget for the Baseline Implementation Funding Level for the Thief River Watershed One Watershed, One Plan

Implementation Program	Local		State		Federal		NGOs		All Sources	
	Annual	Total	Annual	Total	Annual	Total	Annual	Total	Annual	Total
Projects and Practices ¹	\$47,026	\$470,026	\$92,725	\$927,250	TBD	TBD	TBD	TBD	\$139,751	\$1,397,276
Regulatory ²	\$28,736	\$287,360	\$34,667	\$346,670					\$63,403	\$634,030
Research and Monitoring	\$24,826	\$248,260	\$780	\$7,800					\$25,606	\$256,060
Education and Outreach	\$17,553	\$175,530	\$1,115	\$11,150					\$18,668	\$186,680
Plan Administration ³	\$19,272	\$192,720	\$15,429	\$154,290					\$34,701	\$347,010
Capital Improvements ⁴	\$76,277	\$762,277	\$25,000	\$250,000					\$101,277	\$1,012,770
TOTAL	\$213,690	\$2,136,173	\$169,716	\$1,697,160	-	-	-	-	\$383,406	\$3,833,333

¹ Projects and Practices Cost Share amount based on current amount for all counties, and includes baseline costs for management practices and structural BMPs

² Assumes local fiscal support of local implementation of statutory obligations and ordinances remains unchanged.

³ Plan administration budgets like current local expenditures by individual counties. Estimated at 10% of annual baseline implementation budget. Does not include staffing for Research and Monitoring; Education and Outreach

⁴ Capital Improvement program includes expenditures for operations and maintenance of drainage ditches and impoundments.

* Collaborative grants assumed to be provided to the Thief River Watershed 1W1P as one or more non-competitive implementation block grant

Table ES-5: Level 1 Funding Summary

Level 1 Funding Summary Program	Total
Projects and Practices¹	\$8,480,189
Research and Monitoring	\$531,500
Education and Outreach	\$10,000
Capital Improvements²	\$12,591,393

¹ Projects and Practices Cost Share amount based on current amount for all counties, and includes baseline costs for management practices and structural BMPs

² Capital Improvement program includes expenditures for operations and maintenance of drainage ditches and impoundments

* Collaborative grants assumed to be provided to the Thief River Watershed 1W1P as one or more non-competitive implementation block grant



Table ES-6: Summary of Structural and Management Practices, Implementation Approach

Projects and Practices Summary						
Planning Region	Priority Tier	Action Level	Estimated Cost	PTMApp Treatment Group	Sediment Load Reduction (tons/yr)	Total Phosphorus Load Reduction (lbs/yr)
Lower Thief River/SD 83	1	Baseline	\$100,732	Filtration	800	162
			\$3,477	Protection	15	1
			\$59,716	Storage	207	44
			\$76,858	Source Reduction	1,428	269
		Level 1 Moderate	\$118,101	Filtration	227	53
			\$2,086,246	Storage	3,662	957
			\$245,067	Source Reduction	1,957	1,208
		Level 2 High	--	Biofiltration	74	37
			--	Filtration	60	11
			--	Protection	2,212	792
			--	Storage	1,312	360
			--	Source Reduction	3,101	1,380
Mud River/JD 11	1	Baseline	\$66,956	Filtration	375	87
			\$54,921	Storage	159	37
			\$119,854	Source Reduction	1,276	451
		Level 1 Moderate	\$31,403	Biofiltration	2	4
			\$30,321	Filtration	52	15
			\$1,687,443	Protection	663	235
			\$234,758	Storage	246	71
			\$92,702	Source Reduction	765	331
		Level 2 High	--	Biofiltration	15	8
			--	Protection	919	311
			--	Storage	25	6
			--	Source Reduction	683	328
Marshall County Ditch No. 20	1	Baseline	\$57,692	Filtration	476	96
			\$59,940	Storage	187	41
			\$121,716	Source Reduction	1,106	510
		Level 1 Moderate	\$22,243	Filtration	43	10
			\$601,992	Storage	920	218
			\$80,646	Protection	31	17
			\$63,436	Source Reduction	603	248



Projects and Practices Summary						
Planning Region	Priority Tier	Action Level	Estimated Cost	PTMApp Treatment Group	Sediment Load Reduction (tons/yr)	Total Phosphorus Load Reduction (lbs/yr)
Upper Thief River/SD 83	2	Baseline	\$38,659	Filtration	78	28
			\$52,276	Storage	64	28
			\$4,849	Protection	2	1
			\$96,658	Source Reduction	1,083	403
		Level 1 Moderate	\$64,845	Biofiltration	1	10
			\$6,851	Filtration	3	1
			\$307,332	Protection	141	49
			\$5,096	Storage	3	1
			\$15,348	Source Reduction	134	61
			Branch 200 of JD 11 (Lost River)	2	Baseline	\$7,786
\$90,785	Protection	27				10
\$15,829	Storage	22				6
\$78,251	Source Reduction	438				178
Level 1 Moderate	\$629,220	Protection			142	42
	\$33,076	Source Reduction			151	60
Level 2 High	--	Infiltration			92	10
	--	Filtration			3	1
	--	Protection			90	30
	--	Storage			6	2
Judicial Ditch No 30/18/13	2	Baseline	\$16,897	Filtration	161	31
			\$79,068	Storage	216	59
			\$95,790	Source Reduction	948	399
		Level 1 Moderate	\$112,481	Storage	286	71
Middle Thief River/SD 83	3	Baseline	\$34,726	Filtration	13	25
			\$445	Storage	1	0
			\$37,059	Source Reduction	247	59
		Level 1 Moderate	\$73,564	Filtration	63	20
			\$692,197	Storage	221	59
			\$313,166	Source Reduction	1,152	512
		Level 2 High	--	Biofiltration	22	13
			--	Infiltration	212	23
			--	Protection	1,185	423
			--	Source Reduction	2,387	1,330



Projects and Practices Summary						
Planning Region	Priority Tier	Action Level	Estimated Cost	PTMApp Treatment Group	Sediment Load Reduction (tons/yr)	Total Phosphorus Load Reduction (lbs/yr)
Moose River/ JD 21	3	Baseline	\$22,961	Filtration	109	47
			\$12,634	Storage	42	10
			\$36,264	Source Reduction	334	154
		Level 1 Moderate	\$12,605	Filtration	18	6
			\$792,519	Protection	287	115
			\$88,471	Storage	97	29
			\$39,060	Source Reduction	368	160
		Level 2 High	--	Biofiltration	3	1
			--	Infiltration	71	10
			--	Protection	439	119
			--	Storage	14	4
			--	Source Reduction	446	219

For additional information regarding this information refer to Section 4. **Baseline** funding is an annual and ten-year estimate of current LGU funding available for a plan area. This is the anticipated level of funding for implementation if no additional or outside funding sources are available. **Level 1 Moderate** implementation funding identifies actions for implementation if watershed based noncompetitive grants are made available by the State. Estimates for funding are included if available and/or applicable for actions in this implementation funding level. If additional funding becomes available, these actions would be prioritized for implementation. **Level 2 High** implementation funding level identifies actions for implementation if funding levels for the Baseline and Level 1 Moderate levels are met. This level would fund projects that require greater investment of resources, have an implementation timeframe longer than the ten-year lifespan of the plan, or are important but not the highest priority.

If the actions of the targeted implementation approach could be successfully completed, they would result in the implementation and anticipated load reduction benefits from all structural practices within each planning region. Actions in the targeted implementation approach are also inclusive of actions to implement management practices, develop a consistent education and outreach activities for the watershed area, implement research to close data gaps and expand monitoring efforts, continue regulatory implementation, and construct capital improvement projects.

The Thief River Watershed 1W1P Planning Group previously entered into a formal agreement through a Memorandum of Agreement to lead the 1W1P planning process for the Thief River Watershed. The parties are drafting a revised Memorandum of Agreement for implementing this plan. Expectations are that the roles of the local Policy Committee, Planning Work Group, and Advisory Committee will shift and change focus during plan implementation.

Ultimately, the goal of this plan is to use local and state resources to efficiently manage, restore, and protect water resources in the Thief River Watershed. This plan is a ten-year guide to assist local governments to coordinate implementation efforts through annual work planning, improve efficiencies, and reduce redundancies in local water resource management.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Amendment of the Bois de Sioux Watershed District Watershed Management Plan

Meeting Date: March 25, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Amendment, Bois de Sioux Watershed District

Section/Region: Northern Region

Contact: Ryan Hughes

Prepared by: Pete Waller

Reviewed by: North Region Committee Committee(s)

Presented by: Pete Waller

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

Approve an amendment to the Bois de Sioux Watershed District Watershed Management Plan pursuant to Minnesota Statutes Sections 103D.411 and 103D.729.

LINKS TO ADDITIONAL INFORMATION

http://www.bdswd.com/Overall_Plan.html

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

The purpose of the Amendment is to enable the Bois de Sioux Watershed District the ability to establish water management districts to provide additional local funding options, as well as, to create a specific water management district for the Lake Traverse Water Quality Improvement Project No. 1 pursuant to Minn. Stat. §103D.729. As proposed, the water management district will fund a portion of that project and additional funding will also be pursued.

BOARD ORDER

Amendment of the Bois de Sioux Watershed District Watershed Management Plan

PURPOSE

Approve an amendment to the Bois de Sioux Watershed District Watershed Management Plan pursuant to Minnesota Statutes Sections 103D.411 and 103D.729.

RECITALS /FINDINGS OF FACT

1. The Bois de Sioux Watershed District (District) filed a petition for an amendment to the Watershed Management Plan (Plan) dated, August 2, 2019, with the Board of Water and Soil Resources (Board). A subsequent revised amendment (Amendment) was received on October 16, 2019 (Exhibit 1).
2. A watershed district is required to revise their watershed management plan at least once every ten years pursuant to Minnesota Statutes Section 103D.405, Subd. 1 (a). The current Plan was approved by the Board in May 2003. On September 26, 2012, the Plan was extended to April 2017 to allow synchronization of the Mustinka and Bois de Sioux Rivers Watershed Restoration and Protection Strategies report processes. On January 13, 2017, the Plan was extended to December 31, 2020 in order to transition to comprehensive watershed management plans through the One Watershed, One Plan program. However, the current extended Plan does not include the establishment of water management districts.
3. The purpose of the Amendment is to enable the District the ability to establish water management districts to provide additional funding options, as well as, to create a specific water management district for the Lake Traverse Water Quality Improvement Project No. 1 pursuant to Minn. Stat. §103D.729. The Amendment (Exhibit 1) profiles the establishment of a water management district that would provide a funding mechanism to assist in the implementation of the Lake Traverse Water Quality Improvement Project No. 1. As proposed, the water management district will fund a portion of the project and additional funding will also be pursued.
4. The petition for the Amendment to the Plan is valid in accordance with Minn. Stat. §§ 103D.411 and 103D.729.
5. Legal notice of the public hearing on the petition, pursuant to Minn. Stat. §103D.411, was published in the Wheaton Gazette (Exhibit 5) and the Northern Star (Exhibit 6). Further, a copy of the hearing notice was mailed to several addressees notifying them of the public hearing (Exhibit 4). No written comments were received during the notice period.
6. A public hearing was held for the Amendment on January 16, 2020 at 2:30 PM, at the American Legion, 303 5th Street North in Wheaton, Minnesota. The proceedings were recorded. The hearing panel consisted of the following Northern Regional Committee (Committee) Board members: Neil Peterson, Gerald Van Amburg, Tom Schultz, Jeff Berg, Theresa Ebbenga, Nicole Blasing and Rich Sve. Board staff in attendance were Ryan Hughes and Pete Waller. Ryan Hughes entered Exhibit 1 through Exhibit 7 into the record. No written comments were provided from interested parties at the hearing. Oral comments were heard by the Committee and recorded. The following list of exhibits comprises the hearing record:

Exhibit 1. Amendment to Watershed Management Plan Petition for the Bois de Sioux Watershed District, dated August 2, 2019. A subsequent revised amendment was received on October 16, 2019.

Exhibit 2. December 18, 2019 Board of Water and Soil Resources' Order for public hearing to be held on the amendment to watershed management plan petition for the Bois de Sioux Watershed District.

Exhibit 3. Email dated October 28, 2019 from Ryan Hughes, Board of Water and Soil Resources, to the Board of Water and Soil Resources' Northern Regional Committee on the petition, hearing date and location.

Exhibit 4. Memorandum dated December 23, 2019 from Annie Felix-Gerth, Board of Water and Soil Resources to several addressees providing notice of the public hearing including legal notice, and list of addresses.

Exhibit 5. Affidavit of Publication dated December 31, 2019, of Legal Notice in the Wheaton Gazette on December 24, 2019 and December 31, 2019.

Exhibit 6. Affidavit of Publication dated August 26, 2019, of Legal Notice in the Northern Star on December 26, 2019 and January 2, 2020.

Exhibit 7. Committee meeting packet dated January 10, 2020 from Ryan Hughes, Board of Water and Soil Resources, to the Board of Water and Soil Resources' Northern Regional Committee on the petition, hearing date, location and supporting documentation (Exhibits 1, 2, 4).

Exhibit 8. Public Hearing Speaker List dated January 16, 2020.

Exhibit 9. Public Hearing Mailing List dated January 16, 2020.

7. Staff participated with the District and their consultant through the amendment process, providing guidance, comments and recommendations. The Amendment will be inserted in the plan under "Part V Projects." The final proposed Amendment conforms to the requirements of Minnesota Statute 103D.411. Therefore, staff recommends approval of the proposed amendment.
8. The Northern Regional Committee deliberated on January 16, 2020, following the close of the public hearing, at the American Legion, 303 5th St N, Wheaton, Minnesota. Based on the public hearing record, the proposed Amendment meets the requirements of Minn. Stat. §§103D.411 and 103D.729, and staff recommends approving the Amendment. After discussion and based on the entire record, the Committee unanimously recommended approval of the Bois de Sioux Watershed Plan Amendment.
9. All relevant, substantive and procedural requirements of law and rule have been fulfilled.
10. The Board has proper jurisdiction in the matter of approving an amendment of a watershed management plan.
11. The attached Amendment to the Plan as proposed in the petition would be for the public welfare and public interest and the purpose of Minn. Stat. Chapter 103D would be served.

ORDER

The Board hereby:

1. Approves the attached Plan Amendment received on October 16, 2019, as a formal amendment to the 2003 watershed management plan for the Bois de Sioux Watershed District.

Dated at St. Paul, Minnesota, this 25th day of March 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair

Board of Water and Soil Resources



March 25, 2020

Bois de Sioux Watershed District Board of Managers
704 Hwy 75 South
Wheaton, MN 56296

Dear Board of Managers:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you it approved the Bois de Sioux Watershed District's (District) Overall Plan Amendment at its regular meetings held on March 25, 2020. Attached is the signed Findings of Fact, Conclusion, and Order that documents approval of the plan amendment and indicates it meets all relevant requirements of law and rule.

The plan amendment enables the District to establish water management districts to provide additional funding options, as well as, to create a specific water management district for the Lake Traverse Water Quality Improvement Project No. 1 pursuant to Minn. Stat. 103D.729.

The District is to be commended for developing the Lake Traverse Water Quality Improvement Project and ensuring the local public support for the Project, as per the testimony heard during the January 16, 2020 public hearing conducted by BWSR and appreciative applause at the close of the hearing in Wheaton. The Board looks forward to working with you as you implement the plan and document its outcomes.

Sincerely,

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

Enclosures

CC: Jamie Beyer, Bois de Sioux Watershed District (via email)
Lukas W. Croaker, Ohnstad Twichell (via email)
Kit Johnson, Traverse County Auditor (via email)
Sara Gronfeld, Traverse County Soil and Water Conservation District Manager (via email)
Sara Strommen, DNR Commissioner (via email)
Nathan Kestner, DNR-Division of Ecological and Water Resources (via email)
Emily Javens, Minnesota Association of Watershed Districts (via email)
Ryan Hughes, BWSR (via email)
Pete Waller, BWSR (via email)

Bemidji Brainerd Detroit Lakes Duluth Mankato Marshall Rochester St. Cloud St. Paul

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AMENDMENT
TO
BOIS DE SIOUX WATERSHED DISTRICT OVERALL PLAN
(May 2003)

PART V. PROJECTS

G. WATER MANAGEMENT DISTRICTS

1. ESTABLISHMENT OF WATER MANAGEMENT DISTRICTS UNDER
MINN. STAT. § 103D.729

- (a) **Overview.** The Bois de Sioux Watershed District (the “BdSWD”) may establish one (1) or more water management districts (WMD) in the territory within the watershed, for the purpose of collecting revenues and paying the costs of projects initiated under Minn. Stats. §§ 103B.231, 103D.601, 103D.605, 103D.611, or 103D.730. The BdSWD may establish WMDs by amending its Overall Plan, dated May 2003. Before the BdSWD may use this funding method, Minn. Stat. § 103D.729 requires that the watershed district describe the area to be included in the WMD, provide the amount to be charged, describe the method(s) used to determine the charges, and specify the length of time the WMD is expected to remain in force.
- (b) **Procedure to Create Water Management Districts.** The Board of Water and Soil Resources (BWSR) has provided draft guidance as to the procedure to create a WMD. This process involves eight (8) steps. The first two (2) steps are addressed through the revision of the Watershed Management Plan. The remaining steps must be completed prior to the watershed district collecting funds for the WMD. The following procedure is used to create a WMD:
- (1) Amend the watershed district plan to create a water management district. The amendment must include the following:
- Description of the area to be included in the water management district;
 - The amount of funds to be raised by charging the water management district (total amount is necessary if fixed time for the water management district to be effective, otherwise annual maximum amount);
 - The method that will be used to determine the charges; and
 - The length of time the water management district will be in force – in perpetuity is acceptable.

- (2) Approval of the plan amendment under Minn. Stat. § 103D.411 or as part of a revised plan under Minn. Stat. § 103D.405. The procedure for the amendment is as follows:
 - Revised plan or petition and amendment is sent to BWSR;
 - BWSR gives legal notice and holds a hearing, if requested;
 - BWSR orders approval or prescribes plan or amendment; and
 - BWSR notifies BdSWD Managers, counties, cities, and SWCDs.
- (3) Watershed district refines methodology for computing charges.
- (4) Watershed district determines and sets charges for all properties within the water management district after identifying the scope of the project and determines method(s) for funding the project.
- (5) Watershed district develops collection method. This collection method may be done by the county, private vendor, or by the watershed district.
- (6) Watershed district holds a hearing, orders the establishment of a project in the water management district, and initiates the charges.
 - Projects implemented must be ordered by the managers;
 - Order for the project must specify funding method(s); and
 - Watershed district must notify counties, cities, and towns within the affected area at least ten (10) days prior to a hearing or decision on projects implemented in accordance with Minn. Stat. § 103D.601.
- (7) Watershed district establishes a separate fund for proceeds collected from the method of charging.
- (8) Any disputes may be resolved by BWSR at the request of local government units pursuant to Minn. Stat. § 103B.101, Subd. 10.

2. APPEAL PROCEDURE FOR WATER MANAGEMENT DISTRICT CHARGES

- (a) **Purpose.** The purpose of this section is to allow owners of land in a WMD the opportunity to dispute the charges to be collected for their land in the WMD. This section does not apply to the validity of a WMD already established.
- (b) **Petition.** A petition may be made by an owner of land in a WMD appealing the charges being collected for their land in the WMD. A petition must be made in writing delivered to the BdSWD office. The petition must state the

name of the petitioner, address of the petitioner, parcel in question, and the reasons the WMD charges are calculated improperly for their respective parcel(s).

(c) **Petition Review Process.**

- (1) Within ten (10) days of receiving a petition, the BdSWD's staff, including its attorney or engineer, will respond in writing to the petitioner acknowledging receipt of the petition.
- (2) Staff will then complete an assessment of the petitioner's reasons the WMD charges are calculated improperly. Staff may request additional information, request meetings with the petitioner, conduct onsite investigations of the parcel(s) in question, and such other fact finding as staff deems necessary to evaluate and make a determination on the petition.
- (3) Upon completion of the assessment, staff will provide the petitioner the assessment and notification of a meeting with the BdSWD Managers to discuss the assessment and the petition. Notice under this section will be provided in writing at least ten (10) days before the meeting.

(d) **Decision.**

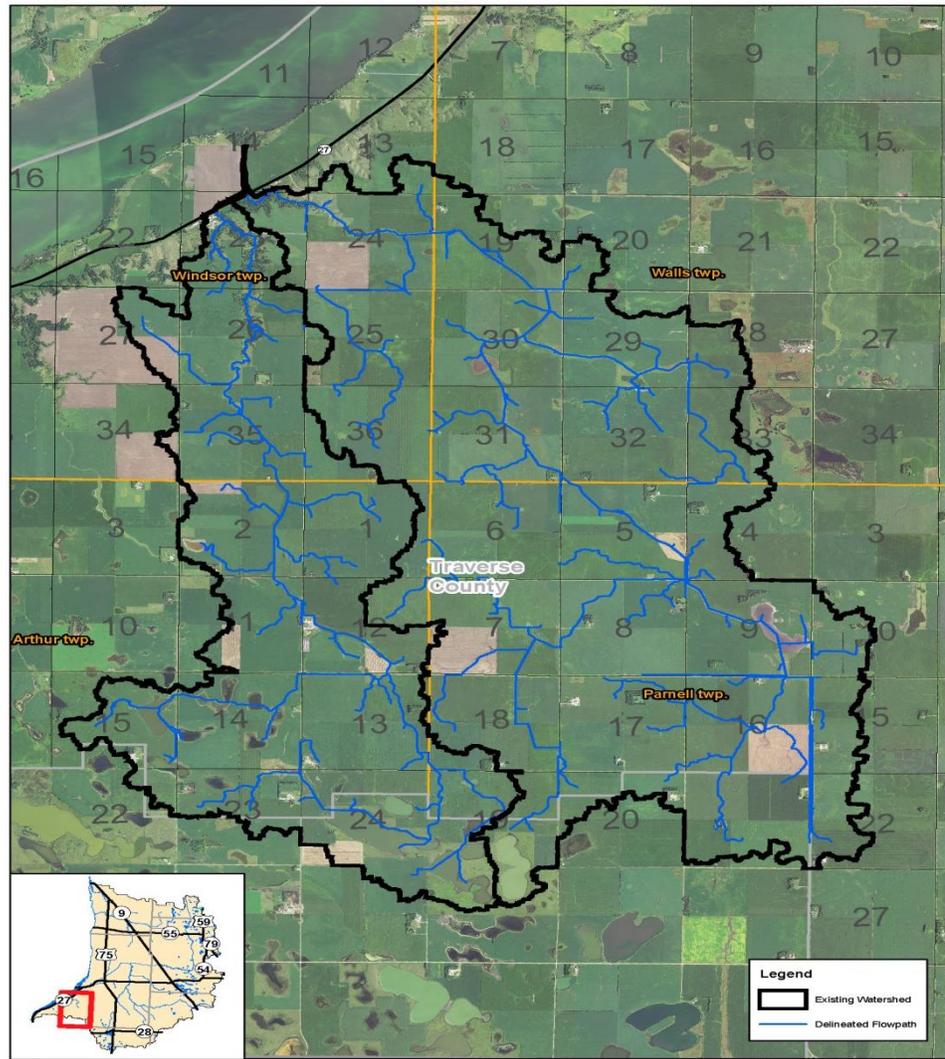
- (1) The BdSWD Managers will meet with the petitioner to discuss the results of staff's assessment and to hear testimony from the petitioner, or petitioner's attorney; the petitioner will be permitted to submit evidence to the BdSWD refuting staff's assessment. The petitioner will not be permitted to call on witnesses and the public will not be permitted to present testimony as this will not be considered a public hearing.
- (2) Upon receipt of any evidence and testimony from the petitioner and staff, the BdSWD Managers will then:
 - i. Advise staff to conduct additional fact finding it considers necessary and report back to the BdSWD Managers;
 - ii. Direct staff to attempt to resolve the matter and advise the BdSWD Managers further; or
 - iii. Issue a decision on the assessment and the petition.

- (3) The BdSWD Managers will make a decision on staff's assessment and the petition based on the evidence and testimony provided at the meeting and staff's findings and recommendation. The BdSWD Managers may approve, conditionally approve, or reject staff's assessment and the petition at the meeting or request additional information from the petitioner.
- (4) Upon making its decision, the BdSWD will provide written notice of its decision to the petitioner, or their attorney, within five (5) days of the decision.
- (e) **Appeal.** If the BdSWD Managers deny the petitioners request to recalculate charges, the petitioner may appeal the decision to BWSR or district court within thirty (30) days of the BdSWD Managers' decision.
- (f) **Limitations.** A petition may not be filed more than once in a five (5) year time period for a specific parcel unless significant land alterations or land use changes have occurred since the charges were calculated or since a previous petition was filed with the BdSWD.
- (g) **Withdrawal of Petition.** If an agreement is reached between the BdSWD and the petitioner, the petitioner may withdraw their petition and the BdSWD may revise the charges if needed.

3. LAKE TRAVERSE WATER MANAGEMENT DISTRICT

- (a) **Purpose.** The purpose of this amendment is to allow the BdSWD to create a WMD to provide an additional funding option for the Lake Traverse Water Quality Improvement Project (the "Project").
- (b) **Lake Traverse Water Management District Overview.** The BdSWD hereby establishes the Lake Traverse Water Management District (Lake Traverse WMD) to provide an additional funding option for the Project. The Project is planned to be constructed in phases due to the scale of the Project. Phase No. 1 of the Project includes a new channel design grade, side slopes altered to a more stable 3:1 grade, and rock riffles to provide channel protection, aquatic habitat, and fish passage for the outlet reach of the Traverse County Ditch No. 52 downstream of MN Highway 27. Subsequent phases will focus on stabilizing the channel upstream of Phase No. 1, including the portion of the channel from the West watershed that runs along MN Highway 27 and Traverse County Ditch No. 52 in Sections 23 and 24 of Windsor Township.
- (c) **Lake Traverse WMD Area.** The area to be included in the Lake Traverse WMD is any area that lies within the watershed of the Project. The figure below provides an illustration of the watershed area of the Lake

Traverse WMD. In instances where the watershed boundary crosses portions of a parcel, only the area of the parcel that lies within the watershed will be included within the Lake Traverse WMD.



(d) **Probable Cost — Annual Charges.** Phase No. 1 of the Project is

estimated to cost seven hundred fifty thousand dollars (\$750,000). The maximum assessment for the Lake Traverse WMD will be capped at seventy five thousand dollars (\$75,000) annually. The Lake Traverse WMD will be the primary funding source for the Project. Additional funding sources have been pursued and will continue to be pursued as the opportunity arises.

(e) **Method to Determine Charges.** Multiple methods were considered in the process of calculating assessments for the Lake Traverse WMD. The assessment methods are further described as follows:

- (1) Simple Distribution of Cost: the total project cost equally distributed on a per acre basis to all parcels within the Lake Traverse WMD.
- (2) Distribution of Costs Based on Size of Contributing Watershed: the Lake Traverse WMD is separated into two (2) distinct watersheds, the Traverse County Ditch No. 52 watershed and West watershed, which meet together and utilize a common outlet into Lake Traverse. A method was proposed that distributes project cost to each watershed based on percentage of total contributing area. Each parcel in the two (2) watersheds is evenly assessed on a per acre basis.
- (3) Distribution of Costs Based on Sediment Loading: the assessments are based on the amount of sediment a parcel contributes to Lake Traverse.
- (4) Distribution of Costs Based on Runoff Volume: the assessments are based on the volume of runoff on a per acre basis that a parcel contributes to the outlet. The erosion and channel degradation experienced in the watershed has been exacerbated through the addition of man-made channels that allow previously non-contributing areas to discharge into Traverse County Ditch No. 52. This discharge accelerated the rate of erosion of Traverse County Ditch No. 52.
- (5) Lake Traverse WMD Method: a combination of methods 1, 2, and 4 were utilized in calculating assessments for the Lake Traverse WMD. Method 3 was not utilized as the purpose of the Project is to mitigate erosion, not sedimentation. The Lake Traverse WMD is further described as follows:

The distribution of charges is based on estimated runoff volume for the 10-year 24-hour rainfall event using depth from Atlas 14. Runoff is calculated utilizing SSURGO Soils and Land use data from the National Land Cover Database. Land use types are consolidated into four (4) categories including Developed, Cultivated Crops, Natural Areas (excluding wetlands/open water), and Wetlands/Open Water. Each of these land use types are assigned curve numbers based on the hydrologic soil group (A, B, C, D, A/D, B/D, or C/D). The table below shows the selected curve numbers for each combination of land use and hydrologic soil group.

Table 1 Curve Numbers by land use and hydrologic soil group data

Land Cover Type	Hydrologic Soil Group						
	A	B	C	D	A/D	B/D	C/D
Developed	54	70	80	85	69.5	77.5	82.5
Cultivated crops	64	74	81	85	74.5	79.5	83
Natural Areas (excluding wetlands/open water)	39	61	74	80	59.5	70.5	77
Wetlands/open water	98	98	98	98	98	98	98

The Traverse County Ditch No. 52 watershed and West watershed were analyzed separately for contribution of flow to the shared outlet. When parcels contribute to both the Traverse County Ditch No. 52 watershed and West watershed, the parcel is split accordingly. Non-contributing areas were identified within each watershed for both the 10 and 100-year events. Areas that do not contribute during a 100-year event were removed from the assessment pool, while areas that do not contribute during a 10-year event were included at half of the rate of areas that contribute for events smaller than the 10-year event. Based on the selected curve number, an average runoff depth per parcel is calculated. This calculation is used with the parcel area (with noncontributing areas taken into account) to get total runoff generated by each parcel in acre-feet. A reduction factor is applied to account for the estimated cost difference between the Traverse County Ditch No. 52 watershed and West watershed project costs, as well as a reduction based on the portion of the total area of each watershed. Parcel runoff volume with the reduction factors applied is then divided by the total sum of all runoff to get the percentage of the total distributed cost assigned to that parcel. In instances where a parcel contributes to both the Traverse County Ditch No. 52 watershed and West watershed, the cost assigned to the portion contributing to the West watershed is combined with the cost assigned to the portion contributing to the Traverse County Ditch No. 52 watershed.

- (f) **Duration of Lake Traverse Water Management District.** The Lake Traverse WMD will remain in existence in perpetuity. Annual assessment of charges may vary from no charges to the maximum amount of seventy five thousand dollars (\$75,000) per year. The calculation may be adjusted at the discretion of the BdSWD Board of Managers. After these phases are constructed, the funds will be used to maintain the Project.
- (g) **Use of Funds.** The primary use of the funds collected from charges within Lake Traverse WMD will support construction, implementation, operation, and maintenance of the Project.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Pelican River Watershed District Revised Watershed Management Plan

Meeting Date: March 25, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Pelican River, Watershed Management Plan

Section/Region: Field Operations/Northern

Contact: Brett Arne, BC
Annie Felix-Gerth, Brett Arne, Ryan Hughes

Prepared by: Northern Regional Committee(s)

Reviewed by: Brett Arne/Ryan Hughes

Time requested: _____

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 and prescription of the Pelican River Revised Watershed Management Plan (2020-2030) recommended by the Northern Regional Committee per M.S. 103D.405

LINKS TO ADDITIONAL INFORMATION

The Pelican River revised watershed management plan can be found on their website at https://prwd.org/files/8815/7843/6377/PRWD_Comprehensive_Watershed_Management_Plan_1_2_2020.pdf

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

The Pelican River Watershed District has revised the ten-year watershed management plan as required by Minnesota Statute 103D.405. The watershed district submitted to BWSR an extension request for their plan in 2015 to delay the planning deadline and incorporate new and consolidated data as gathered in the Minnesota Pollution Control Agency WRAPs (watershed restoration and protection strategies) process, as well as information developed via a BWSR accelerated implementation grant (AIG) to complete a mapping-based prioritization

process completed in the greater Otter Tail river basin. The extension was granted by BWSR to December 31, 2016. On April 29, 2016, the Pelican River Watershed District submitted to BWSR a plan outline in accordance with state statute 103D.405. BWSR received the proposed plan on September 20, 2019, and along with other state water agencies submitted to the Pelican River Watershed Districts comments for changes and inclusion in the plan. The final plan was received by BWSR on January 3, 2020.

Upon review by BWSR staff, the plan was found to meet all applicable state statutes and BWSR policies for the development of watershed management plans and meets additional points as recommended by BWSR for watersheds within the Red River Basin.

The Northern Regional Committee hosted a public hearing at the Becker County Courthouse in Detroit Lakes, Minnesota on January 23, 2020 to review and discuss the plan. The committee unanimously recommended approval of the plan per attached board Order.



BOARD ORDER

Approval of revised watershed management plan

PURPOSE

Approve the revised Pelican River Watershed District watershed management plan pursuant to Minnesota Statutes Sections 103D.405.

RECITALS /FINDINGS OF FACT

1. The Pelican River Watershed District (District) filed a proposed revised watershed management plan (Plan) with the Board of Water and Soil Resources (Board) on September 20, 2019, and a final revised Plan on January 3, 2020, pursuant to Minn. Stat. § 103D.405, (Exhibit 1).
2. The District was established on May 27, 1966 and encompasses approximately 120 square miles of land. Lands within the District are located in Becker and Otter Tail Counties. The general purposes of the District are to reduce pollution of the waters of the Pelican River Chain of Lakes, slow eutrophication, regulate water levels, enhance recreational opportunities, improve needed drainage, and provide soil and water conservation practices.
3. A watershed district is required to revise their watershed management plan (Plan) at least once every ten years pursuant to Minnesota Statutes Section 103D.405, Subd. 1 (a). The current District Plan was approved by the Board in August 24, 2005. On January 28, 2015, the Board extended the Plan to December 31, 2016. Pursuant to § 103D.405 Subd. 2(a), the District submitted a revised watershed management plan outline to the Board on April 29, 2016.
4. The District sent a copy of the draft Plan to local units of government for their review pursuant to Minn. Stat. § 103D.405.
5. Department of Natural Resource Resources Review. The Department of Natural Resources, in a letter dated November 17, 2019, provided comments on the Plan recommending that the District use the Ecological Classification System to describe the ecological landscape down to the subsection level, request a NHIS database query and list and describe the rare and endangered species found within the watershed, improve on the measurability of goals and actions identified in the plan, and consider the use of Minnesota Guide for Stream Connectivity Organism Passage through Culverts design criteria, the Minnesota Public Drainage Manual, and natural stream design for future implementation. DNR comments were addresses in the Plan through subsequent meetings with District staff.
6. Minnesota Department of Health (MDH) Review. MDH had no substantive comments to offer about the Plan and found the Plan meets MDH Rule requirements and offers a high level of protection to drinking water supplies.
7. Highlight of the Plan. The Plan follows the BWSR Administrative Guidelines for Red River Basin Watershed District Revised Watershed Management Plan Content from December 1998. The Plan incorporates new

data and information that has come available since the last plan revision including a WRAPs, drainage compliance inventory, watershed monitoring data, PTMapp products for the overall Otter Tail River watershed, and other data meticulously developed for the watershed. This revision also improves on the measurability of goals, objectives, and desired outcomes for both water quality and natural resources. The District intends to work closely with the County, SWCD, and other regional, state and federal entities to achieve the policies and proposed actions outlined in the Plan paying particular attention to water quality trends, soil erosion, and natural resources within the District.

8. The proposed revised Plan is valid in accordance with Minn. Stat. § 103D.405.
9. Legal notice of the public hearing on the revised Plan, pursuant to Minn. Stat. §103D.411, was published in the Detroit Lakes Tribune (Exhibit 6). Further, a copy of the hearing notice was mailed to several addressees notifying them of the public hearing (Exhibit 4). No written comments were received during the notice period.
10. A public hearing was held on January 23, 2020 at 6:00 PM, at the Becker County Courthouse at 915 Lake Avenue Detroit Lakes, Minnesota. The proceedings were recorded. The hearing panel consisted of the following Northern Region Committee Board members: Neil Peterson, Gerald Van Amburg, Tom Schultz, Jeff Berg, Rich Sve and Roger Hemphill representing Theresa Ebbenga. Board staff in attendance were Ryan Hughes and Brett Arne. Ryan Hughes entered Exhibit 1-5 into the record. No oral or written comments were provided from interested parties at the hearing. The following list of exhibits comprises the hearing record:

Exhibit 1. Pelican River Watershed District notice for watershed plan review, dated September 20, 2019.

Exhibit 2. Pelican River Watershed District final revised watershed management plan dated January 3, 2020.

Exhibit 3. January 7, 2020 Board of Water and Soil Resources' Order for public hearing to be held on the revised watershed management plan for the Pelican River Watershed District.

Exhibit 4. Memorandum dated January 13, 2020 from Annie Felix-Gerth, Board of Water and Soil Resources to several addressees providing notice of the public hearing including legal notice, and list of addresses.

Exhibit 5. Committee meeting packet dated January 17, 2020 from Ryan Hughes, Board of Water and Soil Resources, to the Board of Water and Soil Resources' Northern Region Committee on the petition, hearing date, location and supporting documentation (Exhibits 1, 2, 4).

The following exhibit was received after the hearing:

Exhibit 6. Affidavit of Publication dated January 23, 2020, of legal notice in the Detroit Lakes Tribune on the weeks of January 15 and 22, 2020.

11. Board Staff Report. Staff participated with the District through the revision process, providing guidance, comments and recommendations. The final revised Plan does conform to the requirements of Minnesota Statute 103D and guidance developed by BWSR. Therefore, staff recommends approval of the District's Revised Plan and look forward to assisting the District in its implementation.
12. The Northern Region Committee (Committee) met on January 23, 2020 to review and discuss the Plan. Neil Peterson, Gerald Van Amburg, Tom Schultz, Jeff Berg, Rich Sve and Roger Hemphill representing

Theresa Ebbenga. Board staff in attendance were Ryan Hughes and Brett Arne. Based on the record, the Plan meets the requirements of Minn. Stat. §103D.405, and the staff recommendation to approve the Plan, the Committee unanimously recommended approval of the District’s Revised Plan.

- 13. All relevant, substantive and procedural requirements of law have been fulfilled.
- 14. The Board has proper jurisdiction in the matter of prescribing a revised Plan for the District pursuant to Minn. Stat. § 103D.405.
- 15. The attached, revised Plan of the District received January 3, 2020 would be for the public welfare and public interest and the purpose of Minn. Stat. Chapter 103D would be served.

ORDER

The Board hereby prescribes the attached Plan received January 3, 2020 as the revised Watershed Management Plan for the Pelican River Watershed District.

Dated at St. Paul, Minnesota, this 25th day of March 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____



March 25, 2020

Pelican River Watershed District Board of Managers
c/o Tera Guetter, Administrator
211 Holmes St. West #201
Detroit Lakes, MN 56501

Dear Managers:

The Minnesota Board of Water and Soil Resources has approved the Pelican River Watershed District's revised watershed management plan at its regular meeting held on March 25, 2020. Attached to this letter is the signed Board Order that documents the official approval of the plan revision and indicates it meets all relevant requirements of applicable state statutes, policies, and rules.

Once affirmative action is taken by the board in accordance with M.S. 103D.405 the revised watershed management plan will be prescribed to the Pelican River Watershed District and effective for a period of ten years to March 25, 2030.

The Pelican River Watershed District is to be commended for developing a plan with clear water management goals, actions, and objectives; soliciting a vast array of local, state, and federal partners, and also the willingness of staff to accept comments from partners and incorporate them where possible to ensure the plan carries local support as items are implemented. The BWSR thanks the Pelican River Watershed District for the opportunity to be a part of the planning process and looks forward to working you into the future.

Sincerely,

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

Enclosure: Board Order

CC: Tera Guetter, Pelican River Watershed District (email)
Ryan Hughes, BWSR (email)
Brett Arne, BWSR (email)
Mike Brethorst, Becker County Administrator (email)
John Dinsmore, Otter Tail County Administrator (email)
Peter Mead, Becker SWCD (email)
Brad Mergens, West Otter Tail SWCD (email)

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[Rochester](#)

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[St. Paul](#)

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Executive Summary

The Pelican River Watershed District (the District) was established by the State of Minnesota, on May 27, 1966 (Minnesota Water Resources Board). It covers approximately 120 square miles in Becker and Otter Tail Counties and includes the upper reaches of the Pelican River, which eventually drains to the Otter Tail and Red Rivers (**Figure 1-1**). According to the order prescribing the District, its general purposes are:

Conserving/making provident use of waters and other natural resources to:

1. Reduce the pollution of the waters of the Pelican River Chain of Lakes;
2. Slow down the eutrophication of the lakes;
3. Regulate the water levels in the Pelican River Chain of lakes;
4. Enhance their recreational facilities and protect and improve the scenic beauty thereof;
5. Improve the needed drainage;
6. Provide needed soil and water conservation practices on the land; and
7. For other purposes as found in the Minnesota Watershed Act.

The District completed its first Watershed Management Plan in 1967 and a revised Plan in 1994. That Plan was amended in 1997, primarily to incorporate ditch management actions and to establish stormwater management districts and procedures to be used when establishing a future stormwater utility. The District's rules governing practices that might negatively impact the watershed's lakes were significantly revised in 2003, and a permitting program was established. An updated Revised Management Plan was adopted in 2005.

The Board of Managers adopted a new Mission Statement in 1994, reaffirming its commitment to protecting and improvement the water resources in the watershed.

MISSION STATEMENT

The mission of the Pelican River Watershed District is to enhance the quality of water in the lakes within its jurisdiction. It is understood that to accomplish this, the District must ensure that wise decisions are made concerning the management of streams, wetlands, lakes, groundwater, and related land resources which affect these lakes.

The Managers and District Staff chose to go forward with this Plan Revision using the Board of Water and Soil Resources (BWSR) One Watershed One Plan approach to watershed planning. This approach brings together various units of government who are all charged with managing various aspects of water planning, to develop a unified understanding of issues so that each of these parties can use their unique strengths, authorities and resources to achieve common goals. This type of approach is intended to streamline planning and implementation, reduce duplication of effort, and increase capacity.

Priority Issues, Goals and Action Items

Managers and staff met with a number of stakeholder advisory groups and individuals over the course of 2017 to better understand the issues affecting the water resources in the watershed and the priority goals they believe are achievable over the planning period, 2020- 2029. A comprehensive list of the issues identified can be found in Chapter 2. These issues fall into four categories: water quality (Section 2.1), water quantity (Section 2.2), ecological integrity (Section 2.3) and administration and education (Section 2.4). Because the District does not have the resources to tackle all of these issues in the next ten years, these issues were prioritized. Five issues were eventually chosen as high priority. These high priority issues are listed below. Chapter 3 contains a description of the District's issue prioritization process and lists of high, medium and low priority issues. For each of these issues, goals, objectives and action items were developed aimed at resolving each issue. A comprehensive list of goals, objectives and action items can be found in Chapter 4. Those that pertain only to high priority issues are listed below. Action items are

Priority Issues

- Water Quality- Lakes
- Water Quality- Wetlands
- Water Quality- Rivers, streams and ditches
- Water Quantity- Lake Levels
- Ecological Integrity- Aquatic Invasive Species

Goals & Objectives

1. Water Quality- Lakes

Goal: *Adaptively manage District lakes to protect, enhance and restore lake water quality and recreational utility as appropriate to each lake.*

Objective A. Reduce excess nutrient and sediment loading to lakes through best management practices, capital improvement projects and regulatory controls.

Objective B. Reduce rate and volume of stormwater runoff entering lakes to help meet water quality loading goals.

Objective C. Reduce internal phosphorus loading (from bottom sediments) to lakes.

Objective D. Monitor and reduce chloride loading to lakes.

Objective E. Reduce and assess loading of pharmaceuticals and personal care products to wastewater.

Objective F. Protect the public from mercury exposure due to mercury-impaired lakes.

Objective G. Acquire data necessary to better understand water quality trends and threats in order to most effectively implement water quality improvement practices.

See action items associated with each of these objectives in Section 4.1.1 (and summarized in **Table 4-2**).

2. Water Quality- Wetlands

Goal: *Protect, enhance and restore wetland water quality and function.*

Objective A. Inventory wetland water quality and function.

Objective B. Restore hydrology of altered wetlands and surrounding areas that are contributing excess nutrients to downstream waters.

Objective C. Protect high quality wetlands.

Objective D. Help implement requirements for wetland management.

See action items associated with each of these objectives in Section 4.1.2 (and summarized in **Table 4-3**).

3. Water Quality- Rivers, streams and ditches

Goal: *Protect, enhance and restore rivers, tributary streams and other waterways, such as ditches.*

Objective A. Monitor streams for water quality and other indicators of ecosystem health.

Objective B. Inventory water quality and function of public drainage systems in the District in accordance with Minnesota State Statute 103E.

Objective C. Restore stream water quality and stream ecosystem health.

Objective D. Protect high quality stream reaches.

See action items associated with each of these objectives in Section 4.1.3 (and summarized in **Table 4-4**).

4. Water Quantity- Lake Levels

Goal: *Promote shoreline resilience to fluctuations in water levels of lakes, streams and drainage systems.*

Objective A. Monitor lake, stream and drainage system water levels.

Objective B. Promote shoreline that is resilient under fluctuating water levels through shoreline rehabilitation.

See action items associated with each of these objectives in Section 4.2.1 (and summarized in **Table 4-6**).

5. Ecological Integrity- Aquatic Invasive Species

Goal: Prevent establishment of new invasive species and manage invasive species that already exist in the watershed.

Objective A. Manage priority invasive species using the best available methods and technology.

Objective B. Monitor for new invasive species.

Objective C. Stay current with new management strategies and aquatic invasive species research.

See action items associated with each of these objectives in Section 4.3.1 (and summarized in **Table 4-9**).

Implementation Programs

The District has many overarching programs that are used to implement the actions identified in Chapter 4. Chapter 5 lays out these overarching programs. Section 5.1 describes how the District operates, such as the how the District handles advisory committees, funding, and Revised Watershed Management Plan (RWMP) updates. Section 5.2 describes the District's ongoing programs, such as the regulation and enforcement program, the monitoring program, and the capital improvement project program. These overarching, ongoing programs are critical to accomplishing the District's planned action items and ultimately achieving the District's goals.

COMMITTEE RECOMMENDATIONS

Central Region Committee

1. Rice Creek WD Watershed Management Plan approval of 10-year Plan Amendment – Dan Fabian – ***DECISION ITEM***
2. Kanabec Soil & Water Conservation District Supervisor Redistricting – Dave Weirens – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Rice Creek WD Watershed Management Plan approval of 10-year Plan Amendment

Meeting Date: March 25, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Region

Contact: Kevin Bigalke

Prepared by: Dan Fabian

Reviewed by: Central Region Committee(s)

Presented by: Dan Fabian

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 Rice Creek Watershed District (RCWD) Watershed Management Plan.

LINKS TO ADDITIONAL INFORMATION

Link to final draft of plan: https://www.ricecreek.org/index.asp?SEC=1F67C316-9E90-4FDF-A43D-7FEF164E5EDA&Type=B_BASIC

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

Background:

The Rice Creek Watershed District (RCWD) encompasses approximately 186 square miles of urban and rural land primarily in Anoka, Ramsey and Washington counties with a small portion in Hennepin county. The RCWD was established with the purpose of conserving and restoring water resources for the beneficial use of current and future generations. The RCWD’s boundaries include all or portions of 28 cities and townships.

The RCWD is a special-purpose unit of government that was established by the Minnesota Board of Water and Soil Resources (BWSR) on January 18, 1972 based on a nominating petition initiated by the County Boards of Anoka, Ramsey and Washington Counties. Land in the RCWD is relatively flat, particularly in the north-central

portion where the Rice Creek Chain of Lakes is the dominant feature. Generally, the land use ranges from heavily developed with a mix of industrial, commercial, retail, multi-family and single-family residential land uses in the southwest part of the RCWD to more rural, with agricultural and undeveloped land use in the north and east. The more urbanized southwest part of the RCWD reflects its proximity to Minneapolis and St. Paul. Retail and industrial complexes are evident along the I-35W corridor to the north. Rice Creek is the principal stream of the watershed; the creek and its tributaries serve multiple purposes including draining agricultural and urban areas, providing a backup water supply for the City of St. Paul, and serving as a recreational resource. The RCWD's mission is to manage, protect, and improve the water resources of the District through flood control and water quality projects and programs.

Plan Process and Highlights:

In 2018 BWSR completed a Level II PRAP dated 08-23-2018, for the RCWD. It was noted in the general conclusions that the RCWD "is doing a very good job of administering local water management and conducting water monitoring programs and projects. The organization is getting important work done in the areas of flood damage reduction, drainage maintenance, and water quality protection". A review against BWSR's basic and high-performance standards showed excellent compliance. The RCWD received commendations for meeting 11 out of 12 High Performance Standards in the PRAP report. Two recommendations for improvement were made which are addressed with the development of this new plan and future website improvements that will be completed following adoption of the plan.

On February 15, 2018 RCWD formally initiated the planning process for completing the required 10-yr update to their Watershed Management Plan (WMP) with the required "Notice of Decision to Update" their WMP and a request for Agency and local stakeholder input per 8410.0045 Subp. 2. and Subp. 3. The initial kick-off event and planning meeting was held on August 2, 2018 for the Technical Advisory Committee (TAC), City & County partners. Prior to the kick-off event solicitation of input from the RCWD's standing Citizen Advisory Committee (CAC) started on February 7, 2018, to help the Board of Managers further develop their strategic direction of the next 10-yr WMP. A similar meeting was held on February 28, 2018 with the RCWD's standing TAC. The general public outreach campaign started on November 15, 2018 with an open house held at the Ramsey County Library.

The Executive Summary *"The WMP provides resource management guidance to District staff, establishes funding goals and limits for projects and programs, and displays transparency to constituents of the District. The WMP incorporates and builds upon the successes of previous plans and leverages the work conducted by the RCWD to ensure proper guidance for future District activities. This WMP is focused on District resources and implementation efforts that aim to address priorities and improve water resources. A focus on implementation requires the RCWD to successfully balance water management law, address funding issues, and effectively coordinate with constituents to fulfill its mission"*. In addition to the Executive Summary the WMP includes the following sections along with supporting appendices:

- **Section 1: Introduction**, lays out the plans nine management categories that are used to describe the diversity of resources and issues across the RCWD. These categories encompass specific resource concerns and associated issues that are the foundation by which the RCWD organized its efforts to meet the established measurable goals for addressing priority issues of the District.
- **Section 2: District Land and Water Resources**, provides a comprehensive inventory of the RCWD's physical and cultural features of the RCWD.

- **Section 3: District Priority Issues, Goals, and Policies.** The section discusses the issues, goals and policies important to the RCWD. Included is the extensive process the RCWD went through to identify and prioritize issues to guide implementation efforts and funding for the 10-yr lifespan of the WMP. Measurable goals are established to address each watershed issue along with the measures that will be used to evaluate the District's success toward accomplishing those goals. A unique feature to the WMP is an easy to understand fact sheet provided for each identified District issue that describes the goals, measures, and policies the RCWD will use to address watershed priorities.
- **Section 4: Implementation Plan.** The implementation plan is composed of three main elements: 1) administration, 2) implementation programs, and 3) capital improvement projects. All of which are designed to make progress towards their established measurable goals.
- **Section 5: Watershed Financing.** It is clear in the WMP that it is important to the RCWD and its partners that costs for administration, programs and projects are distributed as equitably as possible. The RCWD plans to use ad valorem levies (or its District-wide taxes) to cover the costs of administration, Districtwide implementation programs, projects of common benefit, and operation and maintenance of District facilities. Fees are utilized to mitigate the cost to the District for reviewing permit applications. Somewhat unique to the RCWD is the establishment of Water Management Districts covering the entire watershed. Water Management District charges to landowners within the boundaries of an individual Water Management District are used to fund projects that have defined local benefits. The District will also continue seek state grants to fund water quality and flood damage reduction projects.
- **Section 6: Watershed Plan Administration,** provides direction for RCWD administration of the WMP components including plan amendment procedures as well as administration of the legal boundary. The section also describes how the RCWD interacts with local government units (LGUs) in terms of local water management plans, regulatory controls and enforcement as well as financial relations between LGUs and the RCWD.

Formal Plan Review Process:

The draft Plan was submitted to the Board, other state agencies, and local governments for the formal 60-day review on August 8, 2019 pursuant to Minnesota Statutes Section 103B.231, Subd. 7. The RCWD prepared a written response to the 60-day comments and then held a public hearing on November 4, 2019. Once the WMP revisions to address comments received were completed, the RCWD Managers passed a resolution to send the revised draft Plan to the Board of Water and Soil Resources (and State Review Agencies) for the final 90-day review and approval. This was received by the Board on December 30, 2019. Comments received during the 90-day review period indicated that the commenters had no further comments and they commended the RCWD on their planning process and completion of the RCWD Watershed Management Plan.

Attachments:

1. Draft order for approval of the RCWD Watershed Management Plan.
2. RCWD Plan Executive Summary.
3. Map of the RCWD

Recommendation:

On March 5, 2019, the Board's Central Region Committee and staff met with representatives from the District in St. Paul to review and discuss the final Plan. After presentation and discussion, the Committee decided with a unanimous vote to recommend approval of the RCWD Watershed Management Plan by the Board per the attached draft Order.

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 **Rice Creek Watershed District**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.

**ORDER
APPROVING
WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Managers of the Rice Creek Watershed District (RCWD) submitted a Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 9, and;

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

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

FINDINGS OF FACT

1. **Watershed District Establishment.** The RCWD is a special-purpose unit of government that was established by the Minnesota Board of Water and Soil Resources (BWSR) on January 18, 1972 based on a nominating petition initiated by the County Boards of Anoka, Ramsey and Washington Counties. The District was established with the purpose of conserving and restoring water resources for the beneficial use of current and future generations.
2. **Authority to Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed areas which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.
3. **Nature of the Watershed.** The Rice Creek Watershed District (RCWD) encompasses approximately 186 square miles of urban and rural land primarily in Anoka, Ramsey and Washington counties with a small portion in Hennepin county. Land in the District is relatively flat, particularly in the north-central portion where the Rice Creek Chain of Lakes is the dominant feature. Generally, the land use ranges from heavily developed with a mix of industrial, commercial, retail, multi-family and single-family residential land uses in the southwest part of the RCWD to more rural, with agricultural and undeveloped land use in the north and east. The more urbanized southwest part of the RCWD reflects its proximity to Minneapolis and St. Paul. Retail and industrial complexes are evident along the I-35W corridor to the north. Rice Creek is the principal stream of the watershed; the creek and its tributaries serve multiple purposes including draining agricultural and urban areas, providing a backup water supply for the City of St. Paul, and serving as a recreational resource.
4. **Plan Development and Review.** On February 15, 2018 RCWD formally initiated the planning process for completing the required 10-yr update to their Watershed Management Plan (WMP) with the required "Notice of Decision to Update" their WMP and a request for Agency and local stakeholder input per 8410.0045 Subp. 2. and Subp. 3. The initial kick-off event and planning meeting was held on August 2, 2018 for the Technical Advisory Committee (TAC), City & County partners. Prior to the kick-off event solicitation of input from the RCWD's standing Citizen Advisory Committee (CAC) started on February 7, 2018, to help the Board of Managers further develop their strategic direction of the next 10-yr WMP. A similar meeting was held on February 28, 2018 with the RCWD's standing TAC. TAC and

CAC input was sought throughout the entire plan development process. The general public outreach campaign started on November 15, 2018 with an open house held at the Ramsey County Library and was also continued throughout the plan development.

The draft Plan was submitted to the Board, other state agencies, and local governments for the formal 60-day review on August 8, 2019 pursuant to Minnesota Statutes Section 103B.231, Subd. 7. The RCWD prepared a written response to the 60-day comments and then held a public hearing on November 4, 2019. Once the WMP revisions to address comments received were completed, the RCWD Managers passed a resolution to send the revised draft Plan to the Board of Water and Soil Resources (and State Review Agencies) for the final 90-day review and approval. This was received by the Board on December 30, 2019. Comments received during the 90-day review period indicated that the commenters had no further comments and they commended the RCWD on their planning process and completion of the RCWD 2020-2030 Watershed Management Plan. The Items below contain a summary of the comments received during the formal plan review process.

- **Local Review.** The RCWD distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7. The RCWD received comments from the Anoka County, Washington County, Anoka Conservation District, Washington Conservation District, the cities of Lino Lake, Hugo, Centerville, Circle Pines, Fridley, Mahtomedi, Mounds View, and White Bear Lake. The RCWD responded in writing to all stakeholders who commented during the 60-day review period, addressing each concern.
- **Metropolitan Council Review.** During the 60-day review the Council commended the RCWD for preparation of an excellent plan that is consistent with Council policies and the Council's *Water Resources Policy Plan*. The Council further noted that the RCWD continued its innovative and comprehensive management of the watershed's water resources. For the 60-day review the Council raised a question on excess nutrient reduction needs for some of the lakes identified in Table 3-3 as being high in comparison to other lakes in the table. The council suggested that the plan explain the differences and discuss possible strategies for achieving the reductions. The RCWD responded in writing to all Council comments received during the 60-day review period, addressing each concern. No additional comments were received from the Council during the 90-day review.
- **Department of Agriculture Review.** During the 60-day review MDA indicated that they had no comments. The MDA responded that they had no additional comments resulting from the final 90-day review.
- **Department of Health Review.** During the 60-day review MDH indicated that they had no comments and no comments were received following the 90-day review.
- **Department of Natural Resources Review.** During the 60-day review, the DNR thanked the RCWD for making efforts to include recommended actions they provided at the beginning of the Plan update process. The DNR also suggested the RCWD consider an inventory of springs and noted the need for a DNR Water Appropriations Permit for an appropriation of more than 10,000 gallons. Following the 90-day review the DNR commented on the thorough job done in gathering input during the Plan update process and noted that the Plan is well organized and provides a detailed implementation plan.
- **Pollution Control Agency Review.** During the 60-day review the MPCA comments noted support for the RCWD's stated intention to add chloride monitoring to its monitoring program. A comment also noted a concern about the measures being used for the listed goal of protecting and improving water quality by managing nutrient loading. The final MPCA commented that they would like to see pollutant reductions quantified for CIPs that affect impaired waters. During the 90-day comments this item was a suggestion for consideration during future planning efforts but otherwise considered the plan adequate and had not further comments.
- **Department of Transportation Review.** During the 60-day review MNDOT indicated that they had no comments and no comments were received following the 90-day review.

- **BWSR Review.** During the 60-day review BWSR staff thanked the RCWD for inviting them to participate in the various, meetings, workshops, and advisory committee meetings that were part of the plan development process. BWSR staff provided a comprehensive review of the plan by section. The majority of BWSR comments were related to identifying any missing content; clarifying administration and self-evaluation of plan implementation as well as some suggestions to make the plan stronger and more competitive. This included a request to state the goals, so they were more clearly measurable. A comment related to the Implementation Table was to have the *Implementation Actions* linked back to the measurable goals. During the 90-day review BWSR indicated that they had no further comments except to thank RCWD staff for their efforts in proactively seeking additional input when needed to better understand BWSR 60-day review comments.

5. **Plan Summary and Highlights.** The RCWD’s mission is to manage, protect, and improve the water resources of the District through flood control and water quality projects and programs. The Executive Summary briefly describes the plan as that *“The Plan provides resource management guidance to District staff, establishes funding goals and limits for projects and programs, and displays transparency to constituents of the District. The Plan incorporates and builds upon the successes of previous plans and leverages the work conducted by the RCWD to ensure proper guidance for future District activities. This Plan is focused on District resources and implementation efforts that aim to address priorities and improve water resources. A focus on implementation requires the RCWD to successfully balance water management law, address funding issues, and effectively coordinate with constituents to fulfill its mission”*. In addition to the Executive Summary the Plan includes the following sections along with supporting appendices:

- Section 1: Introduction, lays out the plans nine management categories that are used to describe the diversity of resources and issues across the RCWD. These categories encompass specific resource concerns and associated issues that are the foundation by which the RCWD organized its efforts to meet the established measurable goals for addressing priority issues of the District.
- Section 2: District Land and Water Resources, provides a comprehensive inventory of the RCWD’s physical and cultural features of the RCWD.
- Section 3: District Priority Issues, Goals, and Policies. The section discusses the issues, goals and policies important to the RCWD. Included is the extensive process the RCWD went through to identify and prioritize issues to guide implementation efforts and funding for the 10-yr lifespan of the Plan. Measurable goals are established to address each watershed issue along with the measures that will be used to evaluate the District’s success toward accomplishing those goals. A unique feature to the Plan is an easy to understand fact sheet provided for each identified District issue that describes the goals, measures, and policies the RCWD will use to address watershed priorities.
- Section 4: Implementation Plan. The implementation plan is composed of three main elements: 1) administration, 2) implementation programs, and 3) capital improvement projects. All of which are designed to make progress towards their established measurable goals.
- Section 5: Watershed Financing. It is clear in the Plan that it is important to the RCWD and its partners that costs for administration, programs and projects are distributed as equitably as possible. The RCWD plans to use ad valorem levies (or its District-wide taxes) to cover the costs of administration, Districtwide implementation programs, projects of common benefit, and operation and maintenance of District facilities. Fees are utilized to mitigate the cost to the District for reviewing permit applications. Somewhat unique to the RCWD is the establishment of Water Management Districts covering the entire watershed. Water Management District charges to landowners within the boundaries of an individual Water Management District are used to fund projects that have defined local benefits. The District will also continue seek state grants to fund water quality and flood damage reduction projects.

- Section 6: Watershed Plan Administration, provides direction for RCWD administration of the Plan components including plan amendment procedures and administration of the legal boundary. The section also describes how the RCWD interacts with local government units (LGUs) in terms of local water management plans, regulatory controls and enforcement as well as financial relations between LGUs and the RCWD.
6. **Metro Region Committee Meeting.** On March 5, 2019, the Board's Central Region Committee and staff met with representatives from the district in St. Paul to review and discuss the final Plan. Those in attendance from the Board's committee were Page Winebarger (by telephone), Jill Crafton (by telephone), Joel Larson (by telephone), Jack Ditmore, Andrea Date (by telephone), Kathryn Kelly (by telephone), Nicole Blasing (by telephone), Chris Elvrum, Grant Wilson and Joe Collins- chair. Board staff in attendance were Assistant Director for Regional Operations Kevin Bigalke and Board Conservationist Dan Fabian. RCWD representatives' Kyle Axtell (RCWD Project Manager), 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 a Watershed Management Plan for the Rice Creek Watershed District pursuant to Minnesota Statutes Section 103B.231, Subd. 9.
3. The Watershed Management Plan for the Rice Creek Watershed District attached to this Order defines water and water-related problems within the Organization's boundaries, possible solutions thereto, and an implementation program.
4. The attached Watershed Management Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the Rice Creek Watershed District's Watershed Management Plan dated December 10, 2019

Dated at St. Paul, Minnesota, this 25th day of March 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair

March 25, 2020

Rice Creek Watershed District
RCWD Board of Managers
c/o Nick Tomczik, District Administrator
4325 Pheasant Ridge Drive NE, #611
Blaine, MN 55449

RE: Approval of the Sunrise River WMO 4th Generation Watershed Management Plan

Dear Chair and Managers:

I am pleased to inform you that the Minnesota Board of Water and Soil Resources (Board) has approved the Rice Creek Watershed District (RCWD) Watershed Management Plan (Plan) at its regular meeting held on March 25, 2020. Attached is the signed Board Order that documents approval of the Plan and indicates the Plan meets all relevant requirements of law and rule.

This update of the Plan is effective for a ten-year period until March 25, 2030. Please be advised that the RCWD must adopt and implement the Plan within 120 days of the date of the Order, in accordance with MN Statutes 103B.231, Subd. 10 and distribute copies of the Plan within 30-days of adoption in accordance with MN Rule part 8410.0140, Subp. 5.

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.

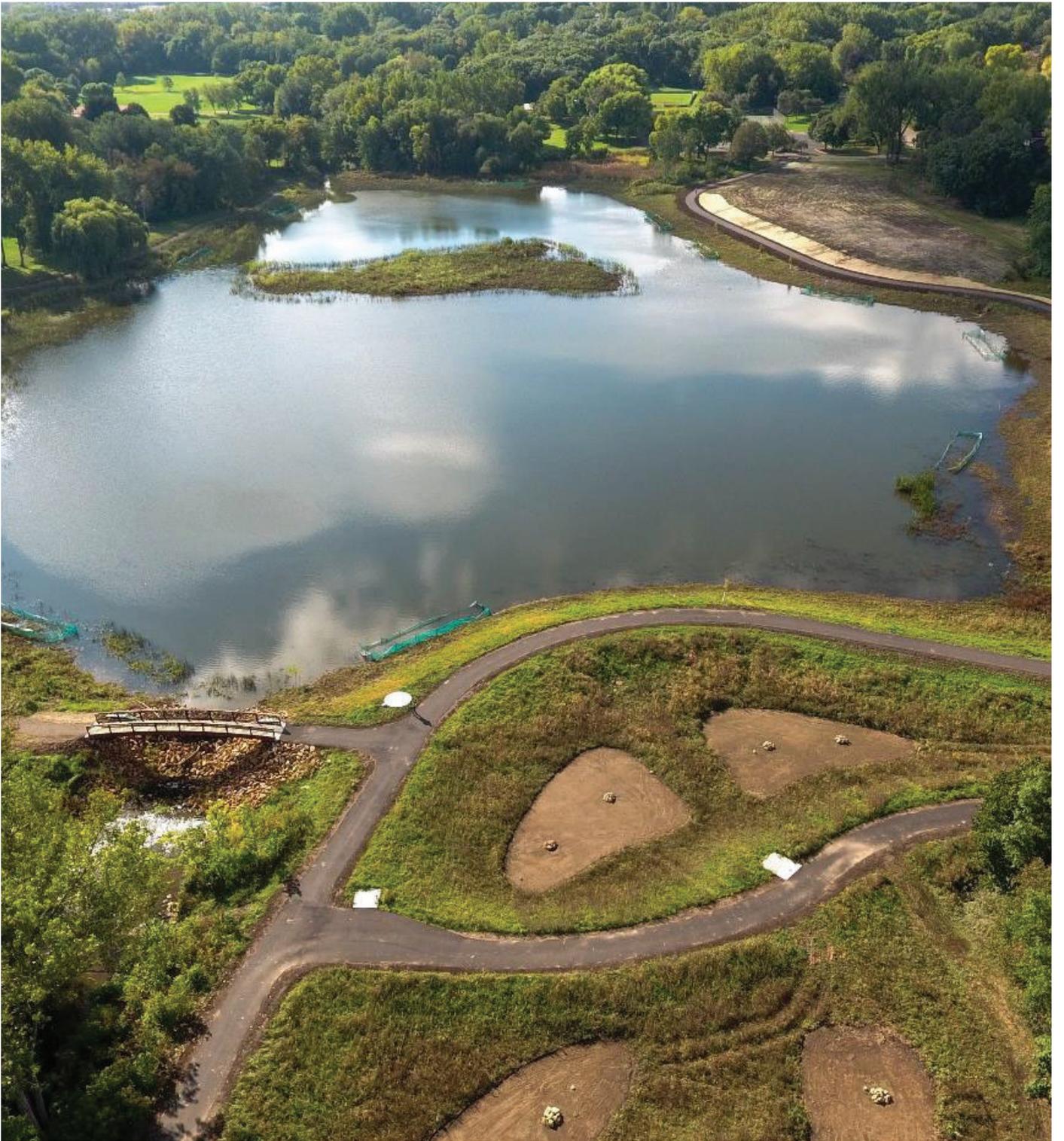
Please contact Board Conservationist Dan Fabian of our staff at 651-332-0786 or dan.fabian@state.mn.us for further assistance in this matter.

Sincerely,

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

Enclosure

CC: John Gleason, DNR (via email)
John Freitag, MDH (via email)
Jeff Berg, MDA (via email)
Judy Sventek, Met Council (via email)
Jeff Risberg, MPCA (via email)
Beth Neuendorf, MN DOT (via email)
Kevin Bigalke, BWSR (via email)
Dan Fabian, BWSR (via email)
File Copy



Executive Summary

Executive Summary

The Rice Creek Watershed District (RCWD) is comprised of approximately 186 square miles of urban and rural lands in Anoka, Hennepin, Ramsey, and Washington counties. The District was established with the purpose of conserving and restoring water resources for the beneficial use of current and future generations. The District’s boundaries include all or portions of 28 cities and townships (Figure ES-1).

The RCWD is a special-purpose unit of government that was established by the Minnesota Board of Water and Soil Resources on January 18, 1972 upon petition by citizens, county boards, and cities. The RCWD mission is to manage, protect, and improve the water resources of the District through flood control and water quality projects and programs.

Development of this Watershed Management Plan (WMP) is required by law, but was guided cooperatively by constituents of the District, technical representatives from District communities and the State of Minnesota, and RCWD’s staff and Citizen Advisory Committee. The District Board, through its staff, has promoted and implemented projects and programs with an emphasis on partnership and collaboration with its member cities and counties. This philosophy of collaboration guided the development of the WMP and can be found throughout the plan.

The WMP provides resource management guidance to District staff, establishes funding goals and limits for projects and programs, and displays transparency to constituents of the District. The WMP incorporates and builds upon the successes of previous plans and leverages the work conducted by the RCWD to ensure proper guidance for future District activities. This WMP is focused on District resources and implementation efforts that aim to address priorities and improve water resources. A focus on implementation requires the RCWD to successfully balance water management law, address funding issues, and effectively coordinate with constituents to fulfill its mission.



A focus on implementation requires the RCWD to successfully balance water management law, address funding issues, and effectively coordinate with constituents to fulfill its mission.

Section One: Introduction



Nine management categories are introduced in **Section 1** of the WMP. The management categories are used to describe the diversity of resources and issues across the District. These categories encompass specific resource concerns and associated issues. The management categories are the foundation by which the RCWD will organize its actions and efforts to meet measurable goals and address priority issues of the District (**Section 3**).

The categories include:

- MS 103E Public Drainage Systems
- Non-103E Drainage Systems
- District Facilities
- Flooding
- Water Quality Management
- Funding
- Collaborations
- Regulatory; and
- Communication, Outreach, and Education



Section Two: District Land and Water Resources



Section 2 of this WMP describes the physical and cultural features that characterize the District. Maps and tables that describe the unique climate, geography, topography, geology, geomorphology, and soils of the RCWD are included in this section. Hydrologic features described include drainage systems, streams, lakes, wetlands and groundwater resources. Natural and cultural aspects contained in this section include wildlife and recreation areas, land use and land cover, and other features such as the St. Paul Water Utility and known potential hazards.

Section Three: District Priority Issues, Goals, and Policies



Section 3 discusses issues, goals and policies that are important to the RCWD. The District Board of Managers completed a Strategic Direction process to identify and prioritize issues to guide implementation efforts and funding for the 10-year lifespan of this plan. The Strategic Direction process included input from District constituents, technical advisors, and the RCWD Board of Managers. **Table ES-1** outlines each identified issue by management category, and shows the priority level assigned during the Strategic Direction process.

Table ES-1: District Issues Table for the RCWD Plan Update

Management Category	Management Category Definition	Issue	Priority Level
MS 103E Public Drainage Systems	Management and maintenance of public drainage systems in its role as Drainage Authority (County and Judicial Ditches established under MS 103E)	Public Drainage System Maintenance, Repair, and Management Approach	A
		Repair Project Financing	B
		Stakeholder Outreach on Drainage System Roles and Expectations	B
Non-103E Drainage Systems	Management of drainage systems not established under MS 103E and stormwater conveyance systems within the District boundary	Management of Non-103E Systems	C
District Facilities	Operation and maintenance of water management structures and property constructed and/or owned by the District	Management of District Facilities	A
Flooding	Managing the peak rate and volume of runoff from the landscape in an attempt to reduce potential flood damages in receiving surface waters	Addressing Existing Flooding Issues	A
		Impacts of Future Development on Downstream Rate and Volume	B
		Modeling and Mapping	A
Water Quality Management	Protecting and/or improving the water quality of District streams, rivers, lakes, and other watercourses	Accelerated Sedimentation	B
		Aquatic Invasive Species	C
		Wetlands	B
		Nutrient Enrichment, Algae, and Cultural Eutrophication	B



Management Category	Management Category Definition	Issue	Priority Level
		Surface Water Monitoring	C
		Surface Water/ Groundwater Interactions	C
Funding	Prioritized budgeting of costs for District programs and projects and identification of revenue sources	Financing and Funding Sources	B
		Funding Distribution	A
Collaborations	Developing and maintaining positive collaborative relationships and agreements with other agencies and partners to better carry out District's mission	Collaborations with Local, State, and Federal Partners	A
		Collaborations with Private Partners	B
Regulatory	Administration of District rules to manage District water resources	District Rules	C
		District's Role as WCA Authority	C
		Permitting and Enforcement	A
Communication, Outreach, and Education	Implementation of effective outreach efforts related to District priorities, policies, activities, and projects. Outreach efforts tailored to four main audiences: General Public; Counties; Cities; and State Agencies.	Communication Opportunities and Strategies	C
		Resources for Adequate Outreach, Communication, and Education	C

Measurable goals are established to address each watershed issue. Measures accompany each goal to evaluate the District's success in achieving goals during the 10-year lifespan of the plan. Policies are established by the RCWD to guide efforts toward accomplishing stated goals. This establishes direction for the RCWD and provides an indication of how projects, problems, and issues will be approached and resolved.

This plan outlines and describes measurable goals for the 23 identified District issues in a series of easy-to-understand fact sheets. Within each fact sheet, each issue is discussed individually and goals, measures, and policies are defined to describe how the RCWD will strategically address watershed priorities. **Figure ES-2** provides an example of how three priority issues are addressed. For a full list of plan goals, see **Section 3**.



Figure ES-2. Issue/Goal Fact Sheet Examples from Section 3



Section Four: Implementation Plan



The RCWD's implementation plan is presented in **Section 4**. The implementation plan is composed of three main elements: 1) administration, 2) implementation programs, and 3) capital improvement projects.

Implementation programs are designed to carry out the District's mission and make progress towards established measurable goals. **Table ES-2** highlights the implementation programs the District will administer to address plan issues and make progress towards goals. An example implementation program summary is shown below in **Figure ES-3**.



Figure ES-3: Example Implementation Program Summary (Section 4)



Example Activities

- Maintain an inventory of District facilities and documentation that can be shared with partners
- Develop an inspection, operation and maintenance plan/protocol

Primary Issues Addressed

- District Facilities: Management of District Facilities

Table ES-2. Approximate Annual Budget by Implementation Program

Plan Section	Implementation Program	Estimated Annual Budget Range: Low	Estimated Annual Budget Range: High	Planned No. of Years for Expenditure
4.2.1	Public Drainage System Inspection, Maintenance and Repair	\$450,000	\$600,000	Annual
4.2.2	Natural Waterway Management	\$0	\$20,000	Annual
4.2.3	District Facilities Inspection, Operations and Maintenance	\$25,000	\$100,000	Annual
4.2.4	Modeling and Planning Program	\$150,000	\$250,000	Annual
4.2.5	Water Quality Grant Program	\$200,000	\$250,000	Annual
4.2.6	Carp and Curly Leaf Pondweed Management Program	\$200,000	\$300,000	Annual
4.2.7	Mini-Grants Program	\$0	\$10,000	Annual
4.2.8	Surface Water Monitoring and Management Program	\$200,000	\$400,000	Annual
4.2.9	Groundwater Management and Stormwater Reuse Assessment Program	\$15,000	\$40,000	Annual
4.2.10	Municipal Capital Improvements – Early Coordination Program	\$10,000	\$20,000	Annual
4.2.11	Boundary Management Program	\$0	\$50,000	Annual
4.2.12	Rule Revision/Permit Guidance	\$30,000	\$60,000	Annual
4.2.13	Permit Review, Inspection, and Coordination Program	\$900,000	\$1,250,000	Annual
4.2.14	Watershed Communication and Outreach	\$30,000	\$75,000	Annual
4.2.15	Master Water Steward Program	\$15,000	\$30,000	Annual
4.2.16	Watershed Plan Maintenance	\$0	\$200,000	Three years (2027-2029)
	Total	\$2,225,000	\$3,655,000	

In addition to implementation programs, **Table ES-3** highlights the Capital Improvement Projects (CIPs) the District will administer to address plan issues and make progress towards goals. Estimated cost for projects identified varies in quality and should be considered suitable for planning purposes only. To fund its capital improvement projects, the District will seek out grants and other external sources of funding when possible, and otherwise will use District sources of funds as described in Section 5 as well as contributions of project partners. Budget amounts in **Table ES-3** anticipate use of these funding sources collectively.

The District has been identified as a project funding partner in many of its member communities' approved local water management plans. Projects may be considered for implementation by the RCWD Board through this WMP, where they fit within the District's CIP list below. The community projects are summarized within **Appendix G**.

Table ES-3. Proposed Capital Improvement Projects for the Rice Creek Watershed District 2020-2029

Plan Section	Capital Improvement	Location	Proposed Implementation Year Begin	Proposed Implementation Year End	Estimated Average Annual Budget*	Total Estimated Budget*
4.3.1	Anoka County Ditch 53-62 Repair	Blaine, Circle Pines	2020	2024	\$300,000	\$1,500,000
4.3.2	Anoka Ramsey Judicial Ditch 1 Repair	Blaine, Mounds View, Circle Pines	2028	2029	\$250,000	\$500,000
4.3.3	Anoka Washington Judicial Ditch 3 Repair	Hugo, Lino Lakes	2020	2027	\$375,000	\$3,000,000
4.3.4	Ramsey County Ditch 4 Repair	Roseville, Arden Hills	2025	2027	\$400,000	\$1,200,000
4.3.5	Anoka County Ditch 15/Judicial Ditch 4 Stormwater Master Planning and Implementation	Columbus, Forest Lake	2020	2029	\$300,000	\$3,000,000
4.3.6	Stormwater Management Cost Share Program	District-Wide	2020	2029	\$300,000	\$3,000,000
4.3.7	Ramsey County Ditches 2,3, and 5 Basic Water Management Project	New Brighton, St. Anthony Village, Roseville	2020	2029	\$2,200,000	\$22,000,000**
4.3.8	Bald Eagle Lake Water Management Project	Hugo, Lino Lakes, White Bear Twp.	2020	2029	\$150,000	\$1,500,000
4.3.9	Clear Lake Water Management Project	Forest Lake	2020	2029	\$25,000	\$250,000
4.3.10	Anoka Chain of Lakes Water Management Project	Multiple Cities	2020	2029	\$250,000	\$2,500,000
4.3.11	Silver Lake Water Management Project	New Brighton, St. Anthony Village,	2020	2029	\$25,000	\$250,000

Plan Section	Capital Improvement	Location	Proposed Implementation Year Begin	Proposed Implementation Year End	Estimated Average Annual Budget*	Total Estimated Budget*
		Columbia Heights				
4.3.12	Golden Lake Water Management Project	Circle Pines, Lexington, Blaine	2020	2029	\$50,000	\$500,000
4.3.13	Southwest Urban Lakes Implementation	Multiple Cities	2020	2029	\$200,000	\$2,000,000
4.3.14	Regional Water Management Partnership Projects	District Wide	2020	2029	\$150,000	\$1,500,000
4.3.15	Maintenance of District Facilities	District-Wide	2020	2029	\$300,000	\$3,000,000
4.3.16	Middle Rice Creek Water Management Project	Arden Hills, Shoreview, Blaine, Circle Pines, Lino Lakes	2020	2029	\$50,000	\$500,000
4.3.17	Lower Rice Creek Water Management Project	Fridley, New Brighton, Mounds View, Spring Lake Park	2020	2029	\$200,000	\$2,000,000
Total					\$5,525,000	\$48,200,000
* Funding of budgeted items anticipated from all potential sources, including, but not limited to, ad valorem, Watershed Management Districts, and grants. The District will evaluate the need and availability for state and federal grant funding prior to project implementation						
** Due to the scale of the flooding and water quality issues and associated projects to address this issue, it is imperative to the success of the project that the State has a significant role in funding the project.						

Actions related to administration, implementation programs, and capital improvement projects are housed within the Implementation Table at the end of this section. The Implementation Table contains:

- A brief description of each action;
- The goal (s) addressed by implementation;
- District priority for implementation;
- Anticipated partnering entities for implementation;
- When implementation will occur within the 10-year timeframe of the plan;
- Estimated annual and total cost of action implementation; and
- The funding source(s) for each action.

The Implementation Table will be used to identify, plan, and implement specific actions and capital improvement projects to address District issues and make progress towards stated goals.



Section Five: Watershed Financing



The RCWD intends to distribute costs for administration, programs, and projects as equitably as possible while maintaining an efficient implementation process without disproportionately high administrative costs. **Section 5** provides an explanation of the financing and funding mechanisms available to the District that ensure an effective operational process. These funding mechanisms are described in terms of their relation to Minnesota Statutes.

The District plans to use ad valorem levies (or its District-wide taxes) to cover the costs of administration, District-wide implementation programs, projects of common benefit, and operation and maintenance of District facilities. Fees are utilized to mitigate the cost to the District for reviewing permit applications. Water management district charges fund projects that have defined local benefits.

The District will also seek state grants to fund water quality and flood damage reduction projects.

Section Six: Watershed Plan Administration



Section 6 provides direction for the District's administration of WMP components. It includes amendment procedures, the criteria for amendments, and summarizes how amendments will be formatted. It also describes general and minor plan amendments and outlines the differences between the two. Additional concerns including the administration of the legal boundary of the RCWD are explained. Interaction with local government units (LGUs) are described in terms of local

water management plans, regulatory controls and enforcement, and the financial relations between the LGUs and the RCWD.



The RCWD Watershed Management Plan meets the District's statutory obligations and is the guide for the District's activities for the calendar years 2020-2029. Equally important is the collaborative process that was used to gain input from the District's partners on priorities, activities, and funding issues. The District endeavored to ensure that this plan is equitable, manages flood control and water quality concerns, and is a valuable tool for the District and its partners. A copy of the complete plan and comprehensive information on District efforts is maintained on the RCWD website (<http://www.ricereek.org>).





The watershed management plan will provide a collective vision for the next ten years



Want to Get Involved?

Look throughout the plan for the collaboration icon. We'll share tips and ideas for how you can become more involved with watershed management within your local watershed!



home



Sect. 1



Sect. 2



Sect. 3



Sect. 4

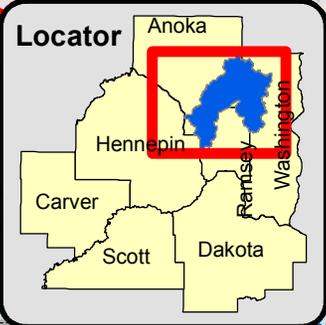
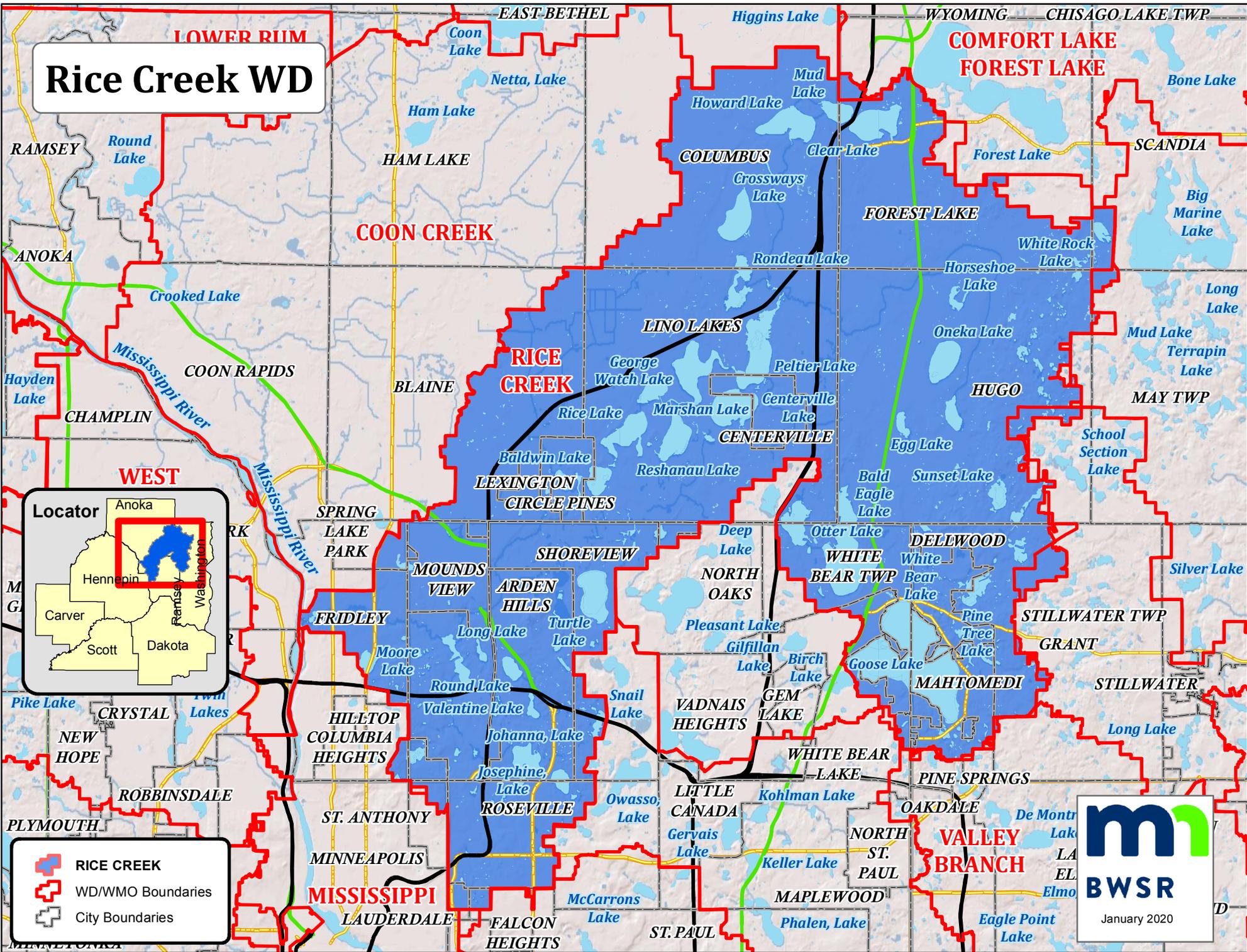


Sect. 5



Sect. 6

Rice Creek WD



- RICE CREEK
- WD/WMO Boundaries
- City Boundaries



BWSR
January 2020

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Kanabec Soil and Water Conservation District Supervisor Redistricting

Meeting Date: March 25, 2020

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Kanabec, SWCD, Redistricting

Section/Region: Central Region

Contact: Kevin Bigalke

Prepared by: Kevin Bigalke

Reviewed by: Central Region Committee(s)

Presented by: Dave Weirens

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

Approve Kanabec SWCD Supervisor redistricting as required per MS 103C.311, subd. 2.

LINKS TO ADDITIONAL INFORMATION

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

As per MS 103C.311 subd. 2, a soil and water conservation outside of the seven-county metropolitan area can elect to change from election at large to election by districts. Districts that propose this change must seek approval by the Board of Soil and Resources before this change can be implemented.

At their January 14, 2020 meeting, the Kanabec SWCD Board passed a motion to realign their supervisor districts with the Kanabec County Commissioner districts. They notified BWSR of this motion in an email sent on February 19, 2020. Upon further review, while the SWCD board took formal action, they did not provide BWSR

with the required resolution. On February 27, 2020, Jason Weinerman, Board Conservationist, spoke with the district manager and confirmed that the SWCD board would vote on and submit a formal resolution to the Board of Water and Soil Resources during their March 10th meeting. This resolution would follow the form of their motion from the January 14 meeting.

The filing period for the 2020 election cycle opens May 19th, which creates a bit of urgency for the BWSR Board to act on this resolution at their March meeting so that the required changes can be implemented before the opening of the filing period.

The BWSR Central Region Committee met on March 5, 2020 to consider the redistricting request. The BWSR Central Region committee recommends the full board to approve the Kanabec SWCD redistricting request at the March 25th meeting.



BOARD ORDER

Kanabec Soil and Water Conservation District Supervisor Redistricting

PURPOSE

Authorize the Kanabec Soil and Watershed Conservation District’s Supervisors district boundaries to align with the Kanabec County Commissioner Districts and staggered term schedule.

RECITALS /FINDINGS OF FACT

- 1. The Kanabec Soil and Water Conservation District (Kanabec SWCD) Board of Supervisors adopted a resolution dated March 10, 2020, to align the supervisor district boundaries with the Kanabec County Commissioner Districts and to create a staggered Supervisor term schedule of 3 and 2.
- 2. The Board of Water and Soil Resources (Board) must act on the change to have Kanabec SWCD Supervisors elected by districts pursuant to Minn. Stat.§ 103C.311, subd. 2(b) and to provide staggered terms for Supervisors elected by district pursuant to Minn. Stat.§ 103C.311, subd. 2(e).
- 3. The Central Region Committee of the Board met on March 5, 2020 to consider the Kanabec SWCD Supervisor election by districts and provided staggered Supervisor term schedule and unanimously recommended to approve to the Board.

ORDER

The Board hereby:

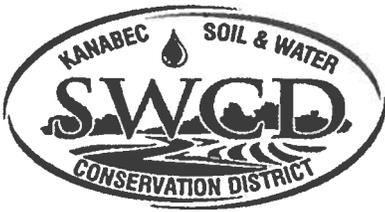
- 1. Authorizes the Kanabec SWCD Supervisor election by districts, pursuant to Minn. Stat.§ 103C.311, subd. 2(b).
- 2. Authorizes the Kanabec SWCD Supervisor staggered term schedule , pursuant to Minn. Stat.§ 103C.311, subd. 2(e).

Dated at St. Paul, Minnesota, this March 25, 2020.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Date: _____

Gerald Van Amburg, Chair
Board of Water and Soil Resources



2008 Mahogany Street, Suite 3
Mora, MN 55051
(320) 679-3982
info@KanabecSWCD.org

March 10, 2020

Board of Water and Soil Resource (BWSR)
520 Lafayette Rd. N
St. Paul MN 55155

Subject: District boundary change, 2020 Election

To whom it may concern,

Our Kanabec SWCD District Supervisors are currently on a term schedule of 4 and 1, with 4 Supervisors up for election in 2020. We got off schedule years past; we believe when a District Supervisor was appointed. To correct this back to a term schedule of 3 and 2, we are proposing our current District II to be posted for only a 2-year term. This will align Districts II & IV together and Districts I, III & V together. This will get us back on a more realistic District Supervisor 2:3 term schedule.

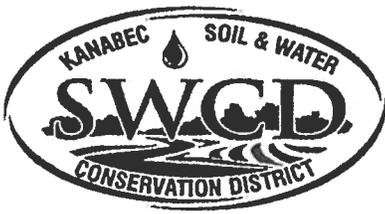
Along with this change our board is requesting to align our District boundaries to match that of the County Commissioner District boundaries. We believe this will provide better communication and partnering with our individual County Commissioners. It will also keep us in alignment with changing population trends as new censuses are completed. We are wishing this alignment to continue to align with the County Commissioner District boundaries as they change over time.

The Kanabec SWCD boundary descriptions are as follows:

<u>District</u>	<u>Description of Boundaries</u>
I	Brunswick, South Fork & Grass Lake Townships, City of Grasston, City of Braham – Industrial Park
II	City of Mora
III	Arthur & Kanabec Townships, City of Ogilvie
IV	Knife Lake, Whited & Comfort Townships, City of Quamba
V	Ann Lake, Haybrook, Ford, Kroschel, Hillman, Peace & Pomroy Townships

With these changes, we the Kanabec SWCD Supervisors are wishing our elections to be elected at large for each District. Respectfully submitted, for your approval. Please let us know if you have any concerns or questions.

Jan Anderson, Secretary
Kanabec Soil and Water Conservation District



2008 Mahogany Street, Suite 3
Mora, MN 55051
(320) 679-3982
info@KanabecSWCD.org

Nomination Districts - Resolution 2020

Be it resolved by the Kanabec Soil and Water Conservation District (SWCD) Supervisors that pursuant to M.S. 103C.311, that for the current, 2020 Election our District II will be posted as a two-year term. Our regular term for Supervisors is a four-year term. The reason for the variation of District II is to create a staggered Supervisor term schedule of 3 and 2, versus the current 4 and 1 Supervisor term schedule. During a past Supervisor appointment our Supervisor term schedule became askew to the current 4 and 1 term schedule.

Be it further resolved by the Kanabec Soil and Water Conservation District (SWCD) Supervisors that pursuant to M.S. 103C.311, the district be divided into five areas for nominating candidates for the positions of Soil and Water Conservation District Supervisors. The Kanabec SWCD district's boundaries will align with the boundaries of the Kanabec County Board of Supervisor Districts into perpetuity. The Kanabec SWCD district boundaries will change as the Kanabec County Board of Supervisor Districts change. The Kanabec SWCD Supervisors are to be elected at large. The Kanabec SWCD boundary descriptions are as follows:

<u>District</u>	<u>Description of Boundaries</u>
I	Brunswick, South Fork & Grass Lake Townships, City of Grasston, City of Braham – Industrial Park
II	City of Mora
III	Arthur & Kanabec Townships, City of Ogilvie
IV	Knife Lake, Whited & Comfort Townships, City of Quamba
V	Ann Lake, Haybrook, Ford, Kroschel, Hillman, Peace & Pomroy Townships

I, Jan Anderson, Secretary of the Kanabec Soil and Water Conservation District, do hereby certify that the above resolution relating to the division of the Kanabec Soil and Water Conservation District into five nominating areas was adopted by the said District Supervisors at a regular meeting held on January 14, 2020, that I have compared the above copy with the original resolution as set forth in the minutes of said meeting, and it 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 members of said Board was present thereat, and that said resolution was duly adopted there at by a vote of 4 to 0 of the members present.

Signed: Jan Anderson
Secretary
Kanabec Soil and Water Conservation District

Be it resolved by the Board of Water and Soil Resources that the division of the Kanabec Soil and Water Conservation District into five nominating areas as set forth in the above resolution adopted by the supervisors of said district on January 14, 2020, is hereby approved.

I, _____, Executive Director of the Board of Water and Soil Resources, do hereby certify that I have compared the above copy of resolution relating to the division of the Kanabec Soil and Water Conservation District into five nominating areas adopted by said Board at a regular meeting held on _____, 2020, with the original as set forth in the minutes of 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 said Board was duly called and held, that a quorum of members of said Board was present thereat, and that said resolution was duly adopted thereat by a vote of _____ to _____ of the members present.

Signed: _____
Executive Director
Board of Water and Soil Resources

Filed _____ day of _____, 2020.

Signed: _____
County Auditor
Kanabec County