

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

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

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**ORDER  
APPROVING  
COMPREHENSIVE  
WATERSHED  
MANAGEMENT PLAN**

**Whereas**, the Policy Committee of the Two Rivers Plus Watershed submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on May 14, 2021 pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Decision #18-14, 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. **Partnership Establishment.** The Partnership was established in June of 2018 through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Kittson County, Kittson Soil and Water Conservation District (SWCD), Roseau County, Roseau SWCD, and Two Rivers Watershed District.
2. **Authority to Plan.** Minnesota Statutes, Sections 103B.101, Subdivision 14 allows the Board to adopt resolutions, policies or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan. Minnesota Statutes, Sections 103B.801 established the Comprehensive Watershed Management Planning Program; also known as One Watershed, One Plan. And, on March 28, 2018 Board Decision #18-14 adopted Version 2.0 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
3. **Nature of the Watershed.** The Two Rivers Plus planning area is in the extreme northwest corner of Minnesota, encompassing portions of Roseau, Kittson, and Marshall counties, and the Two Rivers and Joe River watershed districts. The economy of the approximately 1,575 square miles planning area, including all cities and villages, is generally driven by agriculture and is very flat. The land in the western part of the planning area is flat, open land devoted almost entirely to raising crops. The eastern part of the planning area has more diverse land use because of steeper slopes, sandier soils, and other factors.

4. **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 May 14, 2021, the Board received the Plan, a record of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Board Decision #18-14. State agency representatives attended and provided input at advisory committee meetings during development of the Plan. The following state review comments were received during the comment period.
  - A. Minnesota Department of Agriculture (MDA): MDA confirmed receipt of the Plan and did not provide any comments.
  - B. Minnesota Department of Health (MDH): MDH confirmed receipt of the Plan and had no further comments. MDH supports the continued approval process.
  - C. Minnesota Department of Natural Resources (DNR): DNR confirmed receipt of the Plan and had no further comments. DNR supports the plan moving forward in the approval process.
  - D. Minnesota Pollution Control Agency (MPCA): MPCA confirmed receipt of the Plan and provided comments that they appreciated the addition of the table of impairments (Table 5.1 on page 84), as recommended, but noted that the final Plan does not incorporate all of MPCA's recommended changes from the 60-day review period. MPCA supports approval of the Plan.
  - E. Minnesota Environmental Quality Board (EQB): EQB confirmed receipt of the Plan and did not provide any comments.
  - F. Minnesota Board of Water and Soil Resources Regional Staff: BWSR staff provided comments during the 60-day review commending the Partnership for inclusion of initial priority issues submitted by BWSR and other state agency staff, and for addressing the comments received during the informal review period. All comments submitted throughout the planning process 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 combined three areas from BWSR's Suggested Boundary Map, the Two Rivers watershed, the Joe River watershed, and a stand-alone drainage area consisting of numerous ditches and coulees which drain to the Red River of the North. The planning process identified 11 different planning zones which align with the Hydrologic Unit Code (HUC) 10 watershed boundaries.
  - The Plan development process generated 24 issues, organized under six resource concerns, using a combination of existing reports, data, and stakeholder input. Each of the issues received a ranking of high, medium, or low for each of the planning zones, with the highs and mediums emerging as priorities that will be the focus of implementation efforts within the Two Rivers Plus planning area.
  - The Plan prioritizes planning zones based on a composite of the individual issue rankings within each planning zone. Higher priority was given to the planning zones with more high and medium 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. Many goals are planning zone specific, while others are watershed wide.
  - Separate targeted implementation tables were created for each planning zone that include structural and management practices. Watershed-wide implementation tables were created for capital improvements; education and outreach; data collection, monitoring and analysis; and regulation and enforcement.
  - The planning group used the Prioritize, Target, and Measure Application (PTMApp) to establish sediment and nutrient load reduction goals and develop and evaluate implementation scenarios.
  - The Plan prioritizes actions for implementation based on Level 1, Level 2, and Level 3 funding scenarios. The Level 1 funding scenario assumes current funding levels, Level 2 estimates the addition of non-competitive watershed-based implementation funding, and Level 3 estimates an additional \$250,000/year through competitive grants or other sources.
7. **Planning Boundary Adjustment.** The Board adopted the One Watershed, One Plan Suggested Boundary Map on April 23, 2014. The map established suggested planning boundaries for plans developed through the One Watershed, One Plan program. The Partnership requested a boundary adjustment to portions of Red River of the North – Tamarac River watershed, which includes the planning boundary 57 (Joe River Watershed District) and planning boundary 58 (part of Two Rivers Watershed District) as indicated on the Board adopted Suggested Boundary Map. The Partnership provided documentation for local concurrence, rationale, and justification of the adjusted boundary. The adjusted boundary was approved by Board staff per the One Watershed, One Plan Operating Procedures. The adjusted boundary is included as Figure 1.1 on page 7 in the Executive Summary of the Plan.
8. **Northern Regional Committee.** On June 2, 2021, the Northern Regional Committee met to review and discuss the Plan. Those in attendance from the Board’s Committee were Committee Chair Rich Sve, Neil Peterson, Gerald Van Amburg, Tom Schulz, Jeff Berg, Theresa Ebbenga, and Theresa Haugen. Board staff in attendance were Northern Regional Manager Ryan Hughes, and Board Conservationist Matt Fischer. The representatives from the Partnership were Jeremy Benson and Jamie Osowski from Kittson SWCD, Dan Money from Two Rivers Watershed District, and Janine Lovold from Roseau SWCD. 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.
9. This Plan will be in effect for a ten-year period until June 23, 2031.

## 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 Two Rivers Plus Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.
3. The Two Rivers Plus Watershed Plan attached to this Order states water and water-related problems within the planning area; priority resource issues and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.

4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.
5. The One Watershed, One Plan Suggested Boundary Map is adjusted to include portions of Red River of the North – Tamarac River watershed, which includes the planning boundary 57 (Joe River Watershed District) and planning boundary 58 (part of Two Rivers Watershed District) as indicated on the Board adopted Suggested Boundary Map approved by the Board March 24, 2021.
6. The attached plan when adopted through local resolution by the members of the Partnership will serve as a replacement for the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan.

### **ORDER**

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Two Rivers Plus Watershed, dated April 2021.

Dated at St. Paul, Minnesota, this twenty-third of June, 2021.

### **MINNESOTA BOARD OF WATER AND SOIL RESOURCES**



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BY: Gerald Van Amburg, Chair

## FY 2022 Clean Water Fund Competitive Grant Policy

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

**Version:** FY2022  
**Effective Date:** 06/23/2021  
**Approval:** Board Order #21-15



### Policy Statement

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The Clean Water Fund was established to implement part of Article XI, Section 15, of the Minnesota Constitution, and Minnesota Statutes §114D 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.

### Applicable Clean Water Fund Programs and Grants

- Projects and Practices including Drinking Water
- Multi-purpose Drainage Management

### Reason for the policy

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The purpose of this policy is to provide expectations for implementation activities conducted via the Board of Water and Soil Resources (BWSR) Clean Water Fund (CWF) competitive grant program.

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.

The FY 2022 Clean Water Fund Competitive Grants Request for Proposal (RFP) may identify more specific requirements or criteria when specified by statute, rule or appropriation language. BWSR's Grants Administration Manual (<http://www.bwsr.state.mn.us/grants/manual/>) provides the primary framework for local management of all state grants administered by BWSR.

## Program Requirements

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### 1. Local Governmental Unit Eligibility Criteria

Eligible applicants for competitive grants include:

- Local governments (counties, watershed districts, watershed management organizations, and soil and water conservation districts) or local government joint power boards working under a current State approved and locally adopted local water management plan, comprehensive watershed management plan or soil and water conservation district (SWCD) comprehensive plan.
- Municipalities are eligible if they: 1) have a water plan that has been approved by a watershed district or a watershed management organization as provided under Minn. Stat. 103B.235; or 2) adopted an approved comprehensive watershed management plan developed under Minn. Stat. 103B.801.
- Counties in the seven-county metropolitan area are eligible if they have adopted a county groundwater plan under Minn Stat. 103B.255 or county comprehensive plan that has been approved by the Metropolitan Council under Minn. Stat. Chapter 473.

Applicable plans must be current when the Board approves awards to be eligible to receive grant funds as defined under the Board's *Local Water Plan Status and Grant Eligibility Policy*. Applicants must also be in compliance with all applicable federal, State, and local laws, policies, ordinances, rules, and regulations.

### 2. Match Requirements

A non-State match equal to at least 25% of the amount of Clean Water Funds requested and/or received is required, unless specified otherwise by Board action and/or included in a Request for Proposals. Activities listed as ineligible under Section 4 (Ineligible Activities) may not be counted towards match. Match can be provided by a landowner, land occupier, local government or other non-State source and can be in the form of cash or the cash value of services or materials contributed to the accomplishment of grant objectives.

### 3. Eligible Activities

The primary purpose of activities funded through this program is to restore, protect, and enhance water quality in lakes, rivers and streams; protect groundwater from degradation; and protect drinking water sources. Eligible activities must be consistent with a comprehensive watershed management plan, county comprehensive local water management plan, soil and water conservation district comprehensive plan, metropolitan local water plan or metropolitan groundwater plan that has been State approved and locally adopted or an approved total maximum daily load study (TMDL), watershed restoration and protection strategy (WRAPS) document, groundwater restoration and protection strategy (GRAPS) document, surface water intake plan, or wellhead protection plan. Local governments may include programs and projects in their grant application that are derived from an eligible plan of another local government. BWSR may request documentation outlining the cooperation between the local government submitting the grant application and the local government that has adopted the plan.

Eligible activities can consist of structural practices and projects; non-structural practices and measures, project support, grant management and reporting. Technical and engineering assistance necessary to implement these activities are considered essential and are to be included in the total project or practice cost.

- 3.1 **Effective Life.** All structural practices must be designed and maintained for a minimum effective life of ten years for best management practices and 25 years for capital improvement practices. The beginning date for a practice's effective life is the same date final payment is approved and the project is considered complete. Where questions arise under this section, the effective lifespan of structural practices and projects shall be defined by current and acceptable design standards or criteria as defined in Section 3.8.
- 3.2 **Project Assurances.** The grantee must provide assurances that the landowner or land occupier will keep the practice in place for its intended use for the expected lifespan of the practice. Such assurances may include easements, deed recordings, enforceable contracts, performance bonds, letters of credit, and termination or performance penalties. BWSR may allow replacement of a practice or project that does not comply with expected lifespan requirements with a practice or project that provides equivalent water quality benefits. See also the Projects Assurances section of the Grants Administration Manual.
- 3.3 **Operation, Maintenance and Inspections.** Identifying operation and maintenance activities specific to the installed practices is critical to ongoing performance of installed practices as well as to planning and scheduling those activities. An operation and maintenance plan must be prepared by designated technical staff for the life of the practice and be included with the design standards. An inspection schedule, procedure, and assured access to the practice site shall be included as a component of maintaining the effectiveness of the practice.
- 3.4 **Technical and Administrative Expenses.** Clean Water Funds may be used for actual technical and administrative expenses to advance project implementation. Eligible expenses include the following activities: grant administration, site investigations and assessments, design and cost estimates, construction supervision, and construction inspections. Technical and administrative expenditures must be appropriately documented according to the Grants Administration Manual.
- 3.5 **Project Support.** Eligible activities include public participation and engagement, equipment, and other activities necessary for the implementation of water quality practices consistent with the purposes of these funds. Refer to guidance within the Grants Administration Manual for Capital Equipment Purchases.
- 3.6 **Grant Management and Reporting.** All grant recipients are required to report on the outcomes, activities, and accomplishments of Clean Water Fund grants. The grant funds may be used for local grant management and reporting that are directly related to and necessary for implementing the project or activity. Applicants who have previously received a grant from BWSR must be in compliance with BWSR requirements for grantee website and eLINK reporting before grant execution and payment.
- 3.7 **Drinking Water.** Both surface water (streams, rivers, and lakes) and ground water (aquifers) can serve as sources of drinking water. Drinking water projects must be consistent with wellhead protection plans,

protection plans for surface water intakes, groundwater restoration and protection strategies (GRAPS), or local water management plans or their equivalents.

- 3.8 Practice Standards.** All practices must be consistent with the Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG), Minnesota Stormwater Manual, or be a professionally accepted engineering or ecological practice. Design standards for all practices must include specifications for operation and maintenance for the effective life of the given practice, including an inspection schedule and procedure.

***Livestock Waste Management Practices.*** Funding for application of conservation practice components to improve water quality is limited to: livestock management systems that were constructed before October 23, 2000, and livestock operations registered with the Minnesota Pollution Control Agency Database or its equivalent and that are not classified as a Concentrated Animal Feeding Operation (CAFO) and have less than 500 animal units (AUs), in accordance with Minnesota Rule Chapter 7020. BWSR reserves the right to deny, postpone or cancel funding where financial penalties related to livestock waste management violations have been imposed on the operator.

- a. Funded projects must be in compliance with standards in MN Rule Chapter 7020 upon completion.
- b. Eligible practices and project components must meet all applicable local, State, and federal standards and permitting requirements.
- c. Eligible practices are limited to best management practices listed by the MN USDA-NRCS.
- d. Feedlot roof structure is an eligible practice with the following payment limitation: The maximum grant for a feedlot roof structure is not to exceed \$100,000 with state grant funds and not to exceed 100% of construction costs.
- e. Feedlot relocation is an eligible practice, with the following conditions:
  - 1) The existing eligible feedlot must be permanently closed in accordance with local and State requirements,
  - 2) Payment Limitation: The maximum grant for a feedlot relocation is not to exceed \$100,000 with state grant funds and not to exceed 100% of the construction costs.
  - 3) The existing and relocated livestock waste management systems sites are considered one project for grant funding.

#### ***Subsurface Sewage Treatment Systems (SSTS)***

- a. Local governments should first exhaust primary source of SSTS grant funding from the Minnesota Pollution Control Agency.



- b. Eligible activities are limited to identified imminent threat to public health systems (ITPHS) and systems that fail to protect groundwater. Project landowners must meet low income thresholds. Low income guidelines from U.S Rural Development are strongly encouraged as the basis for the definition of low income.
- c. Proposed community wastewater treatment systems involving multiple landowners are eligible for funding but must be listed on the MPCA's Project Priority List (PPL) and have a Community Assessment Report (CAR) or facilities plan [Minn. Rule 7077.0272] developed prior to the application deadline. For community wastewater system applications that include ITPHS, systems that fail to protect groundwater are also eligible.
- d. In an unsewered area that is connecting into a sewer line to a municipal wastewater treatment plant (WWTP), the costs associated with connecting the home to the sewer line is eligible for funding if the criteria in b. and c. above are met.

3.9 **Incentives.** Incentives to install or adopt best management practices that improve or protect water quality are an eligible use of funds. Incentive payments should be reasonable and justifiable, supported by grant recipient policy, consistent with prevailing local conditions, and must be based on established standards. BWSR reserves the right to review and approve incentive payment rates established by grant recipient policy. Incentives to install or adopt best management practices can have a maximum duration of 3 years with a goal of ongoing landowner adoption unless otherwise approved by the Assistant Director of Regional Operations prior to work plan approval.

3.10 **Non-structural Practices and Measures** Non-structural practices and activities that supplement or exceed current minimum state standards or procedures for protection, enhancement, and restoration of water quality in lakes, rivers, and streams and to protect groundwater and drinking water sources from degradation are eligible. Non-structural vegetative practices must follow the Native Vegetation Establishment and Enhancement Guidelines.

[http://www.bwsr.state.mn.us/native\\_vegetation/seeding\\_guidelines.pdf](http://www.bwsr.state.mn.us/native_vegetation/seeding_guidelines.pdf).

- a. **In-lake or in-channel treatment.** Best management practices such as rough fish management, vegetation management, lake draw-down and alum treatments that have been identified as an implementation activity are eligible. A feasibility study that meets minimal requirements as defined by BWSR must be completed prior to applying for funding and the report uploaded to eLINK as part of the grant application. Eligible costs apply only to initial costs for design and implementation. All subsequent applications and treatments under this subsection are considered to be Operations and Maintenance expenses that are a local responsibility.
- b. **Duration.** Projects proposing to install or adopt non-structural land management practices must have a minimum duration of 3 years with a goal of ongoing landowner adoption unless otherwise approved by BWSR. Any projects proposing a duration other than 3-years must be reviewed by BWSR staff and approved by the Assistant Director of Regional Operations prior to work plan approval.

## 4. Ineligible Activities

The following activities are ineligible for these funds. The Clean Water Fund Competitive RFP may identify program specific ineligible activities.

- 4.1 Activities that do not have a primary benefit of water quality.
- 4.2 Water quality monitoring such as, but not limited to, routine, baseline, diagnostic, or effectiveness monitoring. This includes both surface and groundwater monitoring activities.
- 4.3 Household water conservation appliances and water fixtures.
- 4.4 Wastewater treatment with the exception of Subsurface Sewage Treatment Systems (SSTS).
- 4.5 Municipal drinking water supply facilities or individual drinking water treatment systems.
- 4.6 Storm water conveyances that collect and move runoff, but do not provide water quality treatment benefit.
- 4.7 Activities that outlet landlocked basins.
- 4.8 Development and delivery of educational activities and curriculum that do not support or lead to the implementation of prioritized and targeted water quality practices.
- 4.9 Replacement, realignment or creation of bridges, trails or roads.
- 4.10 Aquatic plant harvesting.
- 4.11 Routine maintenance or repair of best management practices, capital equipment and infrastructure within the effective life of existing practices or projects.
- 4.12 Feedlots:
  - a. Feedlot expansions beyond state registered number of animal units.
  - b. Slats placed on top of manure storage structures.
- 4.13 Subsurface Sewage Treatment Systems (SSTS):
  - a. Small community wastewater treatment systems serving over 10,000 gallons per day with a soil treatment system, and
  - b. A small community wastewater treatment system that discharges treated sewage effluent directly to surface waters without land treatment.
- 4.14 Any project that contributes to, or otherwise is used to replace wetlands impacted under the Wetland Conservation Act (per Minn. Rules. 8420).
- 4.15 Fee title land acquisition or easement costs, unless specifically allowed. If not specifically allowed, land acquisition and easement costs can count toward the required match if directly associated with the project and incurred within the grant period.
- 4.16 Buffers that are required by law (including Drainage Law and Buffer Law).
- 4.17 Activities required under the Groundwater Protection Rule.
- 4.18 Components of projects needed to meet the statutory requirements of 103E Drainage Law.

## 5. Technical Expertise

The grantee has the responsibility to ensure that the designated technical staff have the appropriate technical expertise, skills and training for their assigned role(s). See also the Technical Quality Assurances section of the Grants Administration Manual.

5.1 **Technical Assistance Provider.** Grantees must identify the technical assistance provider(s) for the practice or project and their credentials for providing this assistance. The technical assistance provider(s) must have appropriate credentials for practice investigation, design, and construction. Credentials can include conservation partnership Job Approval Authority (JAA), also known as technical approval authority; applicable professional licensure; reputable vendor with applicable expertise and liability coverage; or other applicable credentials, training, and/or experience.

5.2 **BWSR Review.** BWSR reserves the right to review the qualifications of all persons providing technical assistance and review the technical project design if a recognized standard is not available.

## 6. Practice or Project Construction and Sign-off

Grant recipients shall verify that the practice or project was properly installed and completed according to the plans and specifications, including technically approved modifications, prior to authorization for payment.

## 7. BWSR Grant Work Plan, Reporting and Reconciliation Requirements

BWSR staff is authorized to develop grant agreements, requirements and processes for work plans and project outcomes reporting, closeouts, and fiscal reconciliations. All grantees must follow the Grants Administration Manual policy and guidance. In the event there is a violation of the terms of the grant agreement, BWSR will enforce the grant agreement and evaluate appropriate actions, up to and including repayment of grant funds at a rate up to 100% of the grant agreement.

Funds repaid to a grantee from a landowner or other land occupier who has failed to maintain a practice for its effective life must be reallocated to a local cost share program or project account consistent with MN Statutes Chapter 114D.50, less the administrative cost of the grantee.

The grantee board is the authority and has the responsibility to approve the expenditure of funds within their own organization. The approval or denial of expenditures of funds must be documented in the Grantee Board's meeting minutes.

BWSR recommends all contracts be reviewed by the grant recipient's legal counsel.

Grant reporting, fiscal management, and administration requirements are the responsibility of the grant recipient.

## History

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This policy was originally created in 2010 and is updated annually for each fiscal year of funding.

## Contact

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For Clean Water Programs: Marcey Westrick, Central Region and Grants Manager

## BOARD ORDER

### Fiscal Year 2022 Clean Water Fund Competitive Grants Program

#### PURPOSE

Authorize the fiscal year 2022 Clean Water Fund Competitive Grants Program and adopt fiscal year 2022 Clean Water Fund Competitive Grant Policy

#### FINDINGS OF FACT / RECITALS

1. The Laws of Minnesota 2021, 1<sup>st</sup> Special Session, Chapter 1, Article 2, Sec. 6(b) appropriated \$10,762,000 for the fiscal year 2022 Clean Water Fund Projects and Practices Competitive Grants Program with up to 20 percent available for land-treatment projects and practices that benefit drinking water, and the Laws of Minnesota 2021, 1<sup>st</sup> Special Session, Chapter 1, Article 2, Sec. 6(j) appropriated \$850,000 for the fiscal year 2022 Clean Water Fund Multipurpose Drainage Management Competitive Grants Program.
2. 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.
3. This policy and associated competitive grant program request for proposal criteria were created to provide expectations for application to the fiscal year 2022 Clean Water Fund Competitive Grants Program and subsequent implementation activities conducted with these funds.
4. The Grants Program and Policy Committee, at their June 15, 2021 meeting, reviewed the proposed fiscal year 2022 Clean Water Fund Competitive Grants Request for Proposal criteria and Competitive Grant Policy, and recommended approval to the Board.

#### ORDER

The Board hereby:

1. Adopts the attached fiscal year 2022 Clean Water Fund Competitive Grant Policy.
2. Authorizes the fiscal year 2022 Clean Water Fund Competitive Grants Program according to the attached ranking criteria for the *FY 2022 Clean Water Fund Competitive Grants Request for Proposal*.
3. Authorizes staff to finalize and issue a Request for Proposals contingent upon Legislative funding.

Dated at St. Paul, Minnesota, this June 23, 2021.

#### MINNESOTA BOARD OF WATER AND SOIL RESOURCES

  
Gerald Van Amburg, Chair  
Board of Water and Soil Resources

Date: June 23, 2021

Attachments: FY 2022 Clean Water Fund Competitive Grants Request for Proposal Criteria  
FY 2022 Clean Water Fund Competitive Grant Program Policy

**FY 2022 Clean Water Fund Competitive Grants Request for Proposal Criteria**

<b>Projects and Practices Ranking Criteria</b>	
<b>Ranking Criteria</b>	<b>Maximum Points Possible</b>
<u>Project Abstract</u> : The project abstract succinctly describes what results the applicant is trying to achieve and how they intend to achieve those results.	5
<u>Prioritization (Relationship to Plans)</u> : The proposal is based on priority protection or restoration actions listed in or derived from an approved local water management plan and is linked to statewide Clean Water Fund priorities and public benefits.	20
<u>Targeting</u> : The proposed project addresses identified critical pollution sources or risks impacting the water resource(s).	25
<u>Measurable Outcomes and Project Impact</u> : The proposed project has a quantifiable reduction in pollution for restoration projects or measurable outputs for protection projects and directly addresses the water quality concern identified in the application.	25
<u>Cost Effectiveness and Feasibility</u> : The application identifies a cost effective and feasible solution to address the non-point pollution concern(s).	15
<u>Project Readiness</u> : The application has a set of specific activities that can be implemented soon after grant award.	10
<b>Total Points Available</b>	<b>100</b>

<b>Drinking Water Protection Ranking Criteria</b>	
<b>Ranking Criteria</b>	<b>Maximum Points Possible</b>
<u>Project Abstract</u> : The project abstract succinctly describes what results the applicant is trying to achieve and how they intend to achieve those results.	5
<u>Prioritization (Relationship to Plans)</u> : The proposal is based on priority actions listed in an approved local water management plan or a state approved plan (Minnesota Department of Health approved drinking water (source water) protection plan such as a wellhead protection plan, wellhead protection action plan and surface water intake plan.	20
<u>Targeting</u> : The proposed project addresses pollution sources or risks directly impacting drinking water sources. The project is either in an area designated as a Drinking Water Supply Management Area, vulnerable to groundwater contamination, high groundwater sensitivity, or in an area with elevated levels of contamination that pose a risk to human health.	35

<u>Project Impact</u> : The proposed project reduces pollution sources posing the greatest risk to drinking water sources.	<b>30</b>
<u>Project Readiness</u> : The application has a set of specific activities that can be implemented soon after grant award.	<b>10</b>
<b>Total Points Available</b>	<b>100</b>

<b>Multipurpose Drainage Management Ranking Criteria</b>	
<b>Ranking Criteria</b>	<b>Maximum Points Possible</b>
<u>Project Description</u> : The project description succinctly describes the project purpose, the results the applicant is trying to achieve and how they intend to achieve those results.	5
<u>Prioritization</u> : The proposal is based on priority protection or restoration actions associated with a “Priority Chapter 103E Drainage System” (as defined in this RFP) and is consistent with a watershed management plan locally adopted and approved by the state or an approved total maximum daily load study (TMDL), Watershed Restoration and Protection Strategy (WRAPS), Surface Water Intake Plan, or Wellhead Protection Plan.	30
<u>Targeting</u> : The proposed project targets practices or combinations of practices to the identified critical pollution sources or risks impacting the water resource identified in the application.	20
<u>Measurable Outcomes</u> : The proposed project reduction in pollution has been qualified and directly addresses the identified water quality concern.	20
<u>Project Readiness</u> : The proposed project has a set of specific activities that can be implemented soon after grant award.	5
<u>Cost Effectiveness</u> : The application identifies a cost effective solution to address the non-point pollution concern(s).	20
<b>Total Points Available</b>	<b>100</b>

**BOARD ORDER**

**Fiscal Years 2022 and 2023 Provisional Natural Resources Block Grant Authorization**

**PURPOSE**

Provide fiscal years 2022 and 2023 Natural Resources Block Grant (NRBG) program grants to MN Counties.

**FINDINGS OF FACT / RECITALS**

1. The Natural Resources Block Grant (NRBG) program provides assistance to local governments to implement statutory natural resource programs of Comprehensive Local Water Management (LWM), the Wetland Conservation Act (WCA), the Minnesota Department of Natural Resources (DNR) Shoreland Management, and the Minnesota Pollution Control Agency (MPCA) Subsurface Sewage Treatment Systems (SSTS).
2. It is expected that Laws of Minnesota 2021 will include appropriations for fiscal year 2022 and fiscal year 2023 for LWM, WCA and DNR Shoreland Natural Resources Block Grants.
3. The MPCA will transfer 2022 SSTS program funds to BWSR to be allocated with the Fiscal Year (FY) 2022 NRBG.
4. The provisional allocations in this order were developed consistent with this appropriation.
5. The Grants Program and Policy Committee, at their June 15, 2021 Meeting, reviewed the proposed provisional allocations and recommended approval to the Board.

**ORDER**

The Board hereby:

6. Authorizes staff to enter into individual grant agreements with counties meeting the NRBG Program requirements as determined by the BWSR and DNR, and consistent with the attached table *Provisional FY2022 and 2023 Natural Resources Block Grant allocations* contingent upon a budget that is equal to or greater than the prior biennium as passed by the Legislature.

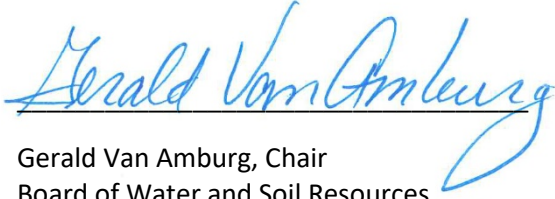
<b>Grant</b>	<b>FY 2022</b>	<b>FY 2023</b>
LWM	\$1,139,152	\$1,139,152
WCA	\$1,906,479	\$1,906,479
DNR Shoreland	\$ 398,332	\$ 398,332

1. Resolves that for LWM, WCA and DNR Shoreland programs, grantees have the flexibility to shift the amount of grant funds between these three BWSR programs consistent with local program needs.
2. Authorizes staff to enter into grant agreements for these purposes.



Dated at St. Paul, Minnesota, this June 23, 2021.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

A handwritten signature in blue ink that reads "Gerald Van Amburg". The signature is written in a cursive style and is positioned above the printed name.

Gerald Van Amburg, Chair  
Board of Water and Soil Resources

Date: June 23, 2021

Attachments: *Provisional FY2022 and 2023 Natural Resources Block Grant allocation*

<b>Provisional FY2022 and 2023 Natural Resources Block Grants Allocations</b>				
<b>COUNTY</b>	<b>LWM</b>	<b>WCA</b>	<b>SHORELAND</b>	<b>SSTS</b>
AITKIN	\$13,888	\$33,240	\$11,004	TBD
ANOKA SWCD	\$8,094	\$63,191	\$2,615	TBD
BECKER	\$13,071	\$24,237	\$10,956	TBD
BELTRAMI	\$13,688	\$64,600	\$5,616	TBD
BENTON	\$13,271	\$31,598	\$3,352	TBD
BIG STONE	\$15,711	\$8,777	\$2,744	TBD
BLUE EARTH	\$10,023	\$18,178	\$3,309	TBD
BROWN	\$13,633	\$8,778	\$2,729	TBD
CARLTON	\$13,349	\$22,507	\$4,006	TBD
CARVER	\$8,094	\$31,599	\$2,668	TBD
CASS	\$10,502	\$44,766	\$10,915	TBD
CHIPPEWA	\$14,881	\$8,778	\$2,678	TBD
CHISAGO	\$11,243	\$27,700	\$5,043	TBD
CLAY	\$12,673	\$16,447	\$3,004	TBD
CLEARWATER	\$15,256	\$19,909	\$3,227	TBD
COOK	\$14,832	\$12,985	\$4,281	TBD
COTTONWOOD	\$14,844	\$8,778	\$2,828	TBD
CROW WING	\$8,094	\$38,088	\$19,515	TBD
DAKOTA	\$8,094	\$52,804	\$2,668	TBD
DODGE	\$14,484	\$16,444	\$2,729	TBD
DOUGLAS	\$12,077	\$21,641	\$8,717	TBD
FARIBAULT	\$14,550	\$8,778	\$2,790	TBD
FILLMORE	\$14,278	\$8,778	\$2,746	TBD
FREEBORN	\$13,120	\$8,778	\$3,202	TBD
GOODHUE	\$9,433	\$16,447	\$2,828	TBD
GRANT	\$15,503	\$13,850	\$3,118	TBD
HENNEPIN	\$8,094	\$57,133	\$0	TBD
HOUSTON	\$14,699	\$12,985	\$2,780	TBD
HUBBARD	\$13,245	\$25,103	\$8,605	TBD
ISANTI	\$13,251	\$25,103	\$4,085	TBD
ITASCA	\$10,447	\$44,148	\$10,311	TBD
JACKSON	\$14,717	\$8,778	\$3,072	TBD
KANABEC	\$15,071	\$25,103	\$4,173	TBD
KANDIYOHI	\$12,023	\$21,641	\$6,890	TBD
KITSON	\$15,279	\$16,447	\$2,701	TBD
KOOCHICHING	\$15,025	\$28,913	\$2,777	TBD
LAC QUI PARLE	\$15,453	\$8,778	\$2,682	TBD
LAKE	\$14,736	\$16,447	\$4,707	TBD
LAKE OF THE WOODS	\$15,809	\$33,760	\$3,563	TBD
LE SUEUR	\$13,501	\$16,447	\$5,017	TBD
LINCOLN	\$15,488	\$8,778	\$2,824	TBD
LYON	\$13,689	\$8,778	\$2,793	TBD
MAHNOMEN	\$15,838	\$12,985	\$3,428	TBD
MARSHALL	\$14,993	\$20,308	\$2,668	TBD

MARTIN	\$13,697	\$8,778	\$3,085	TBD
MCLEOD	\$12,642	\$16,447	\$3,048	TBD
MEEKER	\$13,990	\$19,044	\$4,831	TBD
MILLE LACS	\$14,361	\$22,507	\$4,905	TBD
MORRISON	\$13,609	\$30,298	\$4,025	TBD
MOWER	\$13,047	\$12,985	\$3,330	TBD
MURRAY	\$15,050	\$8,778	\$3,286	TBD
NICOLLET	\$13,156	\$16,447	\$2,736	TBD
NOBLES	\$14,402	\$8,778	\$2,715	TBD
NORMAN	\$15,541	\$12,985	\$2,677	TBD
OLMSTED	\$8,094	\$25,103	\$3,213	TBD
OTTER TAIL	\$9,824	\$59,729	\$18,106	TBD
PENNINGTON	\$15,341	\$16,447	\$2,890	TBD
PINE	\$13,855	\$34,626	\$6,018	TBD
PIPESTONE	\$15,247	\$8,778	\$2,668	TBD
POLK	\$13,468	\$21,641	\$3,527	TBD
POPE	\$15,095	\$15,581	\$4,336	TBD
RAMSEY CD	\$8,094	\$16,677	\$0	TBD
RED LAKE	\$15,857	\$12,985	\$2,931	TBD
REDWOOD	\$14,472	\$10,387	\$2,668	TBD
RENVILLE	\$14,047	\$8,778	\$2,716	TBD
RICE	\$10,457	\$24,238	\$4,274	TBD
ROCK	\$15,175	\$8,778	\$2,668	TBD
ROSEAU	\$15,131	\$24,238	\$2,752	TBD
SCOTT	\$8,094	\$41,551	\$2,668	TBD
SHERBURNE	\$8,094	\$31,599	\$4,971	TBD
SIBLEY	\$14,615	\$13,452	\$2,755	TBD
ST. LOUIS	\$8,094	\$75,657	\$20,339	TBD
STEARNS	\$8,094	\$45,879	\$9,185	TBD
STEELE	\$12,460	\$12,118	\$2,925	TBD
STEVENS	\$15,305	\$8,778	\$2,783	TBD
SWIFT	\$15,051	\$12,118	\$2,799	TBD
TODD	\$14,676	\$21,641	\$5,033	TBD
TRAVERSE	\$15,585	\$8,778	\$2,861	TBD
WABASHA	\$14,177	\$12,118	\$16,972	TBD
WADENA	\$15,390	\$19,909	\$3,146	TBD
WASECA	\$14,271	\$12,118	\$3,067	TBD
WASHINGTON	\$8,094	\$41,551	\$2,668	TBD
WATONWAN	\$15,108	\$8,778	\$2,788	TBD
WILKIN	\$15,232	\$8,778	\$2,685	TBD
WINONA	\$11,847	\$12,118	\$2,706	TBD
WRIGHT	\$8,094	\$42,416	\$9,528	TBD
YELLOW MEDICINE	\$15,175	\$8,778	\$2,682	TBD
<b>TOTALS</b>	<b>\$1,139,152</b>	<b>\$1,906,479</b>	<b>\$398,332</b>	<b>TBD</b>

## **Appendix**

2. The Laws of Minnesota 2021, 1<sup>st</sup> Special Session, Chapter 6, Section 4(a), appropriated fiscal year 2022 and 2023 LWM, WCA and DNR Shoreland Natural Resources Block Grant funds to BWSR.



## BOARD ORDER

### Fiscal Years 2022 and 2023 Soil and Water Conservation District Provisional Grants Authorization

#### PURPOSE

Provide fiscal years 2022 and 2023 Soil and Water Conservation District (SWCD) grants.

#### FINDINGS OF FACT / RECITALS

1. The SWCD Grants provide Conservation Delivery and State Cost Share grants to SWCDs.
2. It is expected that Laws of Minnesota 2021 will include appropriations for Conservation Delivery and State Cost Share grants.
3. 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.
4. The provisional allocations in this order were developed consistent with this appropriation.
5. The Grants Program and Policy Committee, at their June 15, 2021 meeting, reviewed the provisional allocations and recommended approval to the Board.

#### ORDER

The Board hereby:

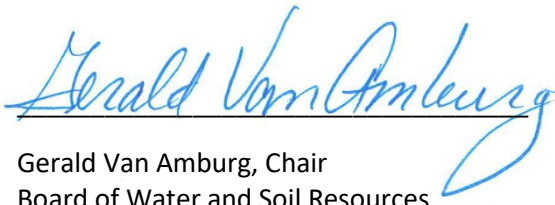
1. Authorizes staff to enter into individual grant agreements with SWCDs meeting statute, policy, or grant program requirements for fiscal year 2022 and 2023 consistent with the attached provisional allocation table contingent upon a budget that is equal to or greater than the prior biennium as passed by the Legislature and totaling:

Grant	FY 2022	FY 2023
Conservation Delivery	\$1,765,001	\$1,765,001
Erosion Control and Water Management	\$1,199,999	\$1,199,999

2. Authorizes staff to enter into grant agreements for these purposes.

Dated at St. Paul, Minnesota, this June 23, 2021.

#### MINNESOTA BOARD OF WATER AND SOIL RESOURCES

  
 Gerald Van Amburg, Chair  
 Board of Water and Soil Resources

Date: June 23, 2021

Attachments: *Provisional FY2022 and 2023 SWCD Programs and Operations Grants*

**Provisional FY 2022 and 2023 SWCD Programs and Operations  
Grants**

<b>SWCD</b>	<b>Conservation Delivery</b>	<b>Erosion Control and Water Management</b>
AITKIN	\$20,212	\$4,141
ANOKA	\$20,765	\$11,107
BECKER	\$19,026	\$26,044
BELTRAMI	\$26,376	\$10,122
BENTON	\$19,224	\$11,169
BIG STONE	\$18,037	\$6,550
BLUE EARTH	\$18,868	\$17,309
BROWN	\$18,947	\$14,757
CARLTON	\$18,670	\$8,001
CARVER	\$19,698	\$16,673
CASS	\$18,275	\$8,347
CHIPPEWA	\$18,947	\$11,213
CHISAGO	\$19,737	\$8,844
CLAY	\$19,263	\$16,468
CLEARWATER	\$18,750	\$7,506
COOK	\$18,196	\$10,142
COTTONWOOD	\$18,947	\$14,091
CROW WING	\$18,354	\$9,607
DAKOTA	\$21,240	\$22,054
DODGE	\$19,343	\$9,908
DOUGLAS	\$20,172	\$16,410
FARIBAULT	\$19,343	\$12,651
FILLMORE	\$20,133	\$24,289
FREEBORN	\$19,145	\$16,482
GOODHUE	\$20,054	\$25,855
GRANT	\$19,026	\$11,332
HENNEPIN COUNTY	\$25,930	\$13,392
HUBBARD	\$18,157	\$7,761
ISANTI	\$20,172	\$6,050
ITASCA	\$18,828	\$6,931
JACKSON	\$18,314	\$11,769
KANABEC	\$18,710	\$9,607
KANDIYOHI	\$19,501	\$14,294
KITTSOON	\$19,184	\$9,607
KOOCHICHING	\$18,472	\$10,142
LAC QUI PARLE	\$18,750	\$20,521
LAKE	\$18,314	\$10,142
LAKE OF THE	\$18,037	\$10,142
LE SUEUR	\$19,619	\$19,479
LINCOLN	\$19,896	\$15,527
LYON	\$19,224	\$14,141
MAHNOMEN	\$18,117	\$10,799
MARSHALL	\$29,596	\$9,491
MARTIN	\$18,908	\$17,945
MC LEOD	\$18,789	\$10,987
MEEKER	\$18,552	\$14,977
MILLE LACS	\$18,868	\$6,944

MORRISON	\$20,252	\$22,808
MOWER	\$20,805	\$10,819
MURRAY	\$18,235	\$10,884
NICOLLET	\$19,224	\$12,862
NOBLES	\$18,512	\$17,383
NORMAN	\$18,986	\$9,605
OLMSTED	\$21,754	\$30,642
OTTER TAIL EAST	\$18,986	\$15,954
OTTER TAIL WEST	\$18,986	\$20,932
PENNINGTON	\$18,710	\$11,038
PINE	\$18,986	\$13,045
PIPESTONE	\$18,670	\$15,873
POLK EAST	\$18,828	\$10,293
POLK WEST	\$18,828	\$13,414
POPE	\$18,592	\$19,927
RAMSEY	\$19,343	\$10,163
RED LAKE	\$18,077	\$5,632
REDWOOD	\$19,343	\$13,576
RENVILLE	\$19,501	\$10,460
RICE	\$22,940	\$14,891
ROCK	\$19,343	\$15,923
ROOT RIVER	\$22,505	\$20,901
ROSEAU	\$18,750	\$10,525
SCOTT	\$19,935	\$18,366
SHERBURNE	\$21,635	\$7,493
SIBLEY	\$18,868	\$9,005
ST. LOUIS NORTH	\$18,789	\$8,550
ST. LOUIS SOUTH	\$18,789	\$7,119
STEARNS	\$22,030	\$36,814
STEELE	\$20,014	\$10,609
STEVENS	\$19,184	\$15,309
SWIFT	\$18,592	\$10,055
TODD	\$20,054	\$16,595
TRAVERSE	\$19,145	\$5,376
WABASHA	\$19,619	\$15,401
WADENA	\$18,710	\$10,142
WASECA	\$18,986	\$10,552
WASHINGTON	\$20,568	\$11,736
WATONWAN	\$18,394	\$9,694
WILKIN	\$19,263	\$13,427
WINONA	\$20,963	\$11,629
WRIGHT	\$21,358	\$15,797
YELLOW MEDICINE	\$19,263	\$17,060
<b>ALLOCATED TOTALS</b>	<b>\$1,765,001</b>	<b>\$1,199,999</b>

## **Appendix**

2. The Laws of Minnesota 2021, 1<sup>st</sup> Special Session, Chapter 6, Section 4 appropriated fiscal year 2022 and 2023 SWCD Conservation Delivery and Erosion Control and Water Management allocations.





## BOARD ORDER

### Fiscal Year 2022 and Fiscal Year 2023 Provisional Technical Service Area Grants Authorization

#### PURPOSE

Provide fiscal year 2022 and Fiscal Year 2023 Technical Service Area Program Grants to the eight Technical Service Areas in the state.

#### FINDINGS OF FACT / RECITALS

1. The Technical Services Area (TSA) grants program provides Nonpoint Engineering Assistance (NPEA) and TSA Enhanced Technical Assistance grants to the eight Soil and Water Conservation District TSAs.
2. It is expected that Laws of Minnesota 2021 will include appropriations for fiscal year 2022 and fiscal year 2023 for Nonpoint Engineering Assistance and Enhanced Technical Assistance grants.
3. The provisional allocations in this order were developed consistent with these appropriations.
4. The Grants Program and Policy Committee, at their June 15, 2021 Meeting, reviewed the provisional allocations and recommended approval to the Board.

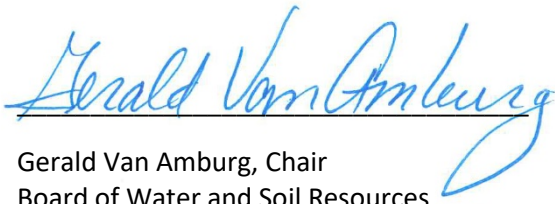
#### ORDER

The Board hereby:

1. Approves the provisional allocation of TSA Program Grants to eligible TSAs in the amounts listed in the attached table contingent upon a budget that is equal to or greater than the prior biennium as passed by the Legislature.
2. Authorizes both fiscal year 2022 and fiscal year 2023 Enhanced Technical Assistance grant allocations, recognizing that funds for the fiscal year 2023 grants will not be available until the start of that fiscal year and will be processed only after July 1, 2022.
3. Establishes that the grants awarded pursuant to this resolution will conform to Technical Service Area Grants Program Policy.
4. Authorizes staff to enter into grant agreements for this purpose.

Dated at St. Paul, Minnesota, this June 23, 2021.

#### MINNESOTA BOARD OF WATER AND SOIL RESOURCES

  
Gerald Van Amburg, Chair  
Board of Water and Soil Resources

Date: June 23, 2021

Attachments: *Provisional FY2022 and 2023 Technical Service Area Program Grant Allocation*

**Provisional FY2022 and 2023 Technical Service Area Program Grant Allocation Table**

TSA	Nonpoint Engineering Assistance Program				Clean Water Fund		FY 2022 Total	FY 2023 Total
	FY22 Equipment	FY23 Equipment	FY 2022 Total NPEA Grant	FY 2023 Total NPEA Grant	FY22 Enhanced Technical Assistance	FY23 Enhanced Technical Assistance		
1	\$0	\$0	\$127,500	\$127,500	\$242,500	\$242,500	\$370,000	\$370,000
2	\$0	\$0	\$127,500	\$127,500	\$242,500	\$242,500	\$370,000	\$370,000
3	\$0	\$20,000	\$127,500	\$127,500	\$242,500	\$242,500	\$370,000	\$390,000
4	\$20,000	\$0	\$127,500	\$127,500	\$242,500	\$242,500	\$390,000	\$370,000
5	\$0	\$0	\$127,500	\$127,500	\$242,500	\$242,500	\$370,000	\$370,000
6	\$0	\$0	\$127,500	\$127,500	\$242,500	\$242,500	\$370,000	\$370,000
7	\$20,000	\$0	\$127,500	\$127,500	\$242,500	\$242,500	\$390,000	\$370,000
8	\$0	\$20,000	\$127,500	\$127,500	\$242,500	\$242,500	\$370,000	\$390,000
	<b>\$40,000</b>	<b>\$40,000</b>	<b>\$1,020,000</b>	<b>\$1,020,000</b>	<b>\$1,940,000</b>	<b>\$1,940,000</b>	<b>\$3,000,000</b>	<b>\$3,000,000</b>

## **Appendix**

2. The Laws of Minnesota 2021, 1<sup>st</sup> Special Session, Chapter 6, Article 1, Section 4(b) appropriated fiscal year 2022 and fiscal year 2023 Nonpoint Engineering Assistance allocations; and Laws of Minnesota 2021, 1<sup>st</sup> Special Session, Chapter 1, Article 2, Sec. 6(c) appropriated the Enhanced Technical Assistance funds through fiscal year 2022 and fiscal year 2023 Accelerated Implementation Grants appropriation.