

BOARD ORDER

Performance Review and Assistance Program (PRAP) Assistance Service Grants

PURPOSE

Authorize PRAP Assistance services and delegate approval of payment to the Executive Director.

FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) regularly monitors and evaluates the performance and activities of local water management entities and provides assistance in improving performance under the authorities and requirements of Minnesota Statutes §103B.102.
2. In December 2018, the Board through Resolution #18-71 “approved the allocation of designated or available funds to eligible local water management entities and reconfirmed the delegation of authority to the Executive Director to approve individual PRAP Assistance grants up to \$10,000 requires that program awards are reported to the Board at least once per year.”
3. The Board continues to receive requests for PRAP assistance services to address operational or service delivery needs identified through a PRAP assessment or specialized assistance request noting an increase in requests from multiple entities or partnerships.
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 Grants Program and Policy Committee, at their August 11, 2021 meeting, reviewed this request and recommended the Board approve this order.

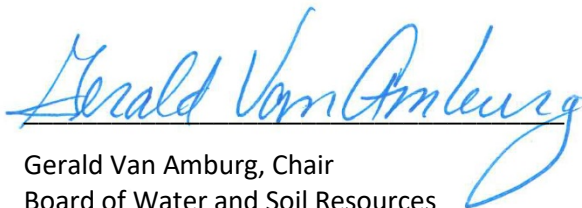
ORDER

The Board hereby:

1. Approves the allocation of designated or available funds, consistent with the appropriation of the designated or available funds, to eligible local government water management entities for fulfilling the provisions of Minnesota Statutes §103B.102.
2. Confirms the delegation of authority to the Executive Director to approve PRAP Assistance grants or contracts up to \$10,000 per contract for single entity requests and \$20,000 for projects that involve multiple entities or partnerships and requires that program awards are reported to the Board at least once per year.
3. Establishes that all PRAP Assistance awards be cost shared by the grantee at a percentage determined by the Executive Director.
4. Authorizes staff to enter into grant agreements or contracts for these purposes.
5. Establishes that this order replaces previous Board resolution #18-71.

Dated at Austin, Minnesota, this August 26, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: August 26, 2021



BOARD ORDER

Reallocating Previous Years' Clean Water Funds for One Watershed, One Plan

PURPOSE

Authorize an adjustment of the use to carry forward returned Clean Water Funds.

FINDINGS OF FACT / RECITALS

1. On March 24, 2021, through Board Order #21-10, staff were authorized to reallocate an estimated \$1,400,762 in funds from previous years' Clean Water Targeted Watershed Program to the Watershed-based Implementation Funding program.
2. The \$1,400,762 remains unallocated as no additional comprehensive watershed management plans were approved to be eligible for these funds.
3. The Minnesota Legislature has appropriately funded the Watershed-based Implementation Funding Program for fiscal year (FY) 2022-2023.
4. The Board on March 24, 2021 authorized staff to distribute and promote a request for proposals (RFP) for planning grants for the One Watershed, One Plan Program (1W1P) and a formal request for proposal was noticed on March 26, 2021 with a submittal deadline of June 11, 2021.
5. Eleven applications totaling \$2,452,416 were submitted by local governments for the FY2022 1W1P Planning Grants.
6. Based on additional analysis and consideration, the Grants Program and Policy Committee recommends adjusting the reallocation of the estimated \$1,400,762 from Watershed Based Implementation Funding program as approved in Board Order #21-10 to the One Watershed, One Plan Program to allow all of the eleven FY22 1W1P Planning grants to be funded.

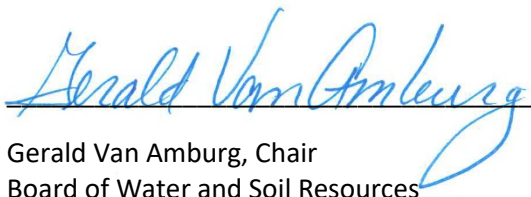
ORDER

The Board hereby:

Authorizes staff to adjust the reallocation of the \$1,400,762 as described in Board Order #21-10 from the Watershed-based Implementation Funding program to the One Watershed, One Plan program.

Dated at Austin, Minnesota, this August 26, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: August 26, 2021



BOARD ORDER

One Watershed, One Plan FY22 Planning Grants

PURPOSE

Authorize the fiscal year 2022 One Watershed, One Plan Planning Grants.

RECITALS /FINDINGS OF FACT

1. The Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(i) appropriated funds for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach as provided for in Minnesota Statutes, chapters 103B, 103C, 103D and 114D.
2. Board Order #21-24, approved on August 26, 2021, authorized the reallocation of an estimated \$1,400,762 in funds from the Watershed-based Implementation Funding Program to the One Watershed, One Plan program.
3. The Board has authority under Minnesota Statutes §103B.3369 to make grants to cities, townships, counties, soil and water conservation districts or authorities with jurisdiction in water and related land resources management when a proposed project, practice or activity implements a county water plan, watershed management plan, or county groundwater plan.
4. The Comprehensive Watershed Management Planning Program authority, also known as One Watershed, One Plan, is established in Minnesota Statutes §103B.801.
5. The Board on June 22, 2016 adopted a One Watershed, One Plan Transition Plan (Board Resolution #16-53) for development, approval, adoption, and coordination of plans consistent with Minnesota Statutes §103A.212.
6. The Board on March 24, 2021 authorized staff to distribute and promote a request for proposals (RFP) for planning grants for the One Watershed, One Plan Program and a formal request for proposal was noticed on March 26, 2021 with a submittal deadline of June 11, 2021.
7. The BWSR Senior Management Team met on July 13, 2021 and reviewed the applications with consideration of staff and Interagency WRAPS and Implementation Team feedback, consistency with the Transition Plan, and the selection criteria within the RFP and recommended providing planning grant funds to the following eleven planning areas: Chippewa River Watershed, Kettle and Upper St. Croix Watershed, Lower Minnesota River East Watershed, Mississippi River Brainerd Watershed, Mississippi River St. Cloud Watershed, Rainy River Headwaters Watershed, Rainy – Rapid River Watershed, Roseau River Watershed, Sand Hill River Watershed, South Fork of the Crow River Watershed, and Upper Minnesota River Watershed.

8. The Grants Program and Policy Committee met on August 11, 2021 and reviewed the Senior Management Team's recommendations for One Watershed, One Plan Planning Grants and recommended board approval of planning grants for the Chippewa River Watershed, Kettle and Upper St. Croix Watershed, Lower Minnesota River East Watershed, Mississippi River Brainerd Watershed, Mississippi River St. Cloud Watershed, Rainy River Headwaters Watershed, Rainy – Rapid River Watershed, Roseau River Watershed, Sand Hill River Watershed, South Fork of the Crow River Watershed, and Upper Minnesota River Watershed planning boundaries.

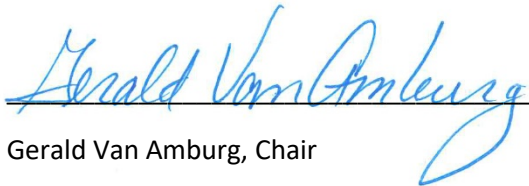
ORDER

The Board hereby:

1. Approves and authorizes eleven One Watershed, One Plan Planning Grants: Chippewa River Watershed, Kettle and Upper St. Croix Watershed, Lower Minnesota River East Watershed, Mississippi River Brainerd Watershed, Mississippi River St. Cloud Watershed, Rainy River Headwaters Watershed, Rainy – Rapid River Watershed, Roseau River Watershed, Sand Hill River Watershed, South Fork of the Crow River Watershed, and Upper Minnesota River Watershed planning boundaries.
2. Authorizes staff to approve work plans and enter into grant agreements with these watershed areas for development of One Watershed, One Plans.
3. Approves the allocation of grants funds for the 11 watershed areas not to exceed \$2,500,000 in total.

Dated at Austin, Minnesota, this August 26, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair

Date: August 26, 2021

BOARD ORDER

FY22 Buffer Program Implementation Grants

PURPOSE

To consolidate and distribute Buffer Program Funds to Soil and Water Conservation Districts to implement Buffer Program activities for Fiscal year 2022.

FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) has the responsibility to oversee the provisions of Minnesota Statute 103F.48 (the Buffer Law) and to provide funds to Soil and Water Conservation Districts (SWCDs) to implement the law.
2. The Laws of Minnesota 2021, 1st Special Session, Chapter 1, Article 2, Section 6(e), appropriated fiscal year 2022 Buffer Program Implementation funds.
3. The Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(e), appropriated fiscal year 2020 Buffer Program Implementation funds.
4. \$350,000 of the 2021 Buffer Program Implementation funding was held back as a budgetary precaution from the fiscal year 2021 SWCD Buffer Program Implementation Grants due to the COVID 19 Pandemic. The \$350,000 which was previously held back has been released.
5. The proposed allocations in this order were developed consistent with these appropriations.
6. The Grants Program and Policy Committee, at their August 11, 2021 Meeting, reviewed the proposed allocations and recommended approval to the Board.

ORDER

The Board hereby:

1. Authorizes staff to enter into individual grant agreements with each eligible SWCD, and Hennepin and Ramsey counties that are meeting statute, policy, or grant program requirements for fiscal year 2022, consistent with the attached allocation table and totaling:

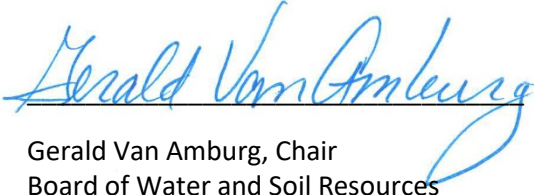
Grant FY 2022

Buffer Program Implementation \$1,698,500

2. Establishes that the Buffer Program Implementation grants awarded pursuant to this resolution will conform to the BWSR FY2022 Clean Water Fund Policy except that no match will be required.

Dated at Austin, Minnesota, this August 26, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: August 26, 2021

See attached FY22 Buffer Implementation Supplemental Grant Allocations

SWCD	FY 20 Allocation	Proposed FY 22	
		Allocation	% Reduction
COOK	\$3,000	\$2,500	16.7%
LAKE	\$3,000	\$2,500	16.7%
RAMSEY	\$3,000	\$2,500	16.7%
ST. LOUIS N	\$5,000	\$2,500	50.0%
ST. LOUIS S	\$5,000	\$2,500	50.0%
CARLTON	\$5,000	\$2,500	50.0%
ITASCA	\$5,000	\$2,500	50.0%
KOOCHICHING	\$5,000	\$2,500	50.0%
AITKIN	\$10,000	\$8,500	15.0%
CASS	\$10,000	\$8,500	15.0%
CROW WING	\$10,000	\$8,500	15.0%
ISANTI	\$10,000	\$8,500	15.0%
MILLE LACS	\$10,000	\$8,500	15.0%
WADENA	\$10,000	\$8,500	15.0%
HUBBARD	\$10,000	\$8,500	15.0%
KANABEC	\$10,000	\$8,500	15.0%
PINE	\$10,000	\$8,500	15.0%
ANOKA	\$10,000	\$8,500	15.0%
SCOTT	\$10,000	\$8,500	15.0%
SHERBURNE	\$10,000	\$8,500	15.0%
HENNEPIN COUNT	\$10,000	\$8,500	15.0%
WASHINGTON	\$10,000	\$8,500	15.0%
CHISAGO	\$10,000	\$8,500	15.0%
LAKE OF THE WOODS	\$10,000	\$8,500	15.0%
CLEARWATER	\$20,000	\$17,000	15.0%
ROOT RIVER	\$20,000	\$17,000	15.0%
WABASHA	\$20,000	\$17,000	15.0%
WINONA	\$20,000	\$17,000	15.0%
DAKOTA	\$20,000	\$17,000	15.0%
BENTON	\$20,000	\$17,000	15.0%
TODD	\$20,000	\$17,000	15.0%
MAHNOMEN	\$20,000	\$17,000	15.0%
RICE	\$20,000	\$17,000	15.0%
CARVER	\$20,000	\$17,000	15.0%
NICOLLET	\$20,000	\$17,000	15.0%
BELTRAMI	\$20,000	\$17,000	15.0%
RED LAKE	\$20,000	\$17,000	15.0%
WRIGHT	\$20,000	\$17,000	15.0%
WASECA	\$20,000	\$17,000	15.0%
MC LEOD	\$20,000	\$17,000	15.0%
DOUGLAS	\$20,000	\$17,000	15.0%

DODGE	\$25,000	\$21,500	14.0%
OLMSTED	\$25,000	\$21,500	14.0%
MORRISON	\$25,000	\$21,500	14.0%
GOODHUE	\$25,000	\$21,500	14.0%
STEELE	\$25,000	\$21,500	14.0%
POPE	\$25,000	\$21,500	14.0%
LINCOLN	\$25,000	\$21,500	14.0%
MEEKER	\$25,000	\$21,500	14.0%
PIPESTONE	\$25,000	\$21,500	14.0%
ROCK	\$25,000	\$21,500	14.0%
SIBLEY	\$25,000	\$21,500	14.0%
OTTER TAIL E	\$25,000	\$21,500	14.0%
OTTER TAIL W	\$25,000	\$21,500	14.0%
BECKER	\$25,000	\$21,500	14.0%
LE SUEUR	\$25,000	\$21,500	14.0%
BIG STONE	\$25,000	\$21,500	14.0%
WATONWAN	\$25,000	\$21,500	14.0%
GRANT	\$25,000	\$21,500	14.0%
PENNINGTON	\$25,000	\$21,500	14.0%
POLK E	\$25,000	\$21,500	14.0%
FILLMORE	\$30,000	\$25,500	15.0%
SWIFT	\$30,000	\$25,500	15.0%
FARIBAULT	\$30,000	\$25,500	15.0%
JACKSON	\$30,000	\$25,500	15.0%
MOWER	\$30,000	\$25,500	15.0%
MURRAY	\$30,000	\$25,500	15.0%
BROWN	\$30,000	\$25,500	15.0%
LAC QUI PARLE	\$30,000	\$25,500	15.0%
FREEBORN	\$30,000	\$25,500	15.0%
CHIPPEWA	\$30,000	\$25,500	15.0%
COTTONWOOD	\$30,000	\$25,500	15.0%
BLUE EARTH	\$30,000	\$25,500	15.0%
STEVENS	\$30,000	\$25,500	15.0%
TRAVERSE	\$30,000	\$25,500	15.0%
LYON	\$30,000	\$25,500	15.0%
KANDIYOHI	\$30,000	\$25,500	15.0%
MARTIN	\$35,000	\$30,000	14.3%
STEARNS	\$35,000	\$30,000	14.3%
NOBLES	\$35,000	\$30,000	14.3%
ROSEAU	\$35,000	\$30,000	14.3%
KITTSOON	\$35,000	\$30,000	14.3%
WILKIN	\$35,000	\$30,000	14.3%
YELLOW MEDICINE	\$35,000	\$30,000	14.3%
CLAY	\$35,000	\$30,000	14.3%

NORMAN	\$35,000	\$30,000	14.3%
REDWOOD	\$35,000	\$30,000	14.3%
RENVILLE	\$45,000	\$38,500	14.4%
POLK W 45	\$45,000	\$38,500	14.4%
MARSHALL	\$45,000	\$38,500	14.4%
	\$1,999,000	\$1,698,500	
BWSR Funds	\$501,000	\$412,500	17.7%



BOARD ORDER

FY22 Buffer Program Implementation Supplemental Grants

PURPOSE

To consolidate and distribute unallocated Buffer Program Funds to Soil and Water Conservation Districts based on an assessment of needs provided to all SWCDs.

FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) has the responsibility to oversee the provisions of Minnesota Statute 103F.48 (the Buffer Law) and to provide funds to Soil and Water Conservation Districts (SWCDs) to implement the law.
2. Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sec. 7(e) appropriated fiscal years 2018 & 19 Buffer Program Implementation Grants.
Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Sec. 7(e) appropriated fiscal year 2020 & 21 SWCD Buffer Program Implementation Grants.
3. Laws of Minnesota 2017, 1st Special Session, Chapter 1, Article 4, Sec. 24 established Riparian Protection Aid to provide funding to counties and watershed districts “to enforce and implement the riparian protection and water quality practices under section 103F.48”. This Law also provided funding to the Board for enforcement of the Buffer Law in counties and watershed districts which have not elected jurisdiction or are not with jurisdiction for the enforcement provisions of the law.
4. The allocation in this order was developed consistent with the appropriations listed above.
5. The Board receives an annual distribution of Riparian Aid funding from the Minnesota Department of Revenue
6. All SWCDs were sent a survey announcing the potential for additional funding based on a demonstration of need. Responses to that survey are used to provide the attached distribution.
7. Consolidating the funding from the sources listed in this Order to support Buffer Law implementation will provide for efficient distribution.
8. The Grants Program and Policy Committee at their August 11, 2021 Meeting reviewed this proposal and recommended the Board approve these grants.

ORDER

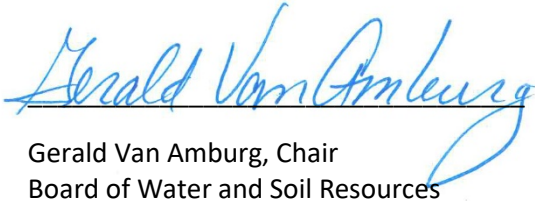
The Board hereby:

1. Approves the allocation to SWCDs in the attached table, consistent with the amounts listed in the attached allocation table, in an amount not to exceed \$350,000.
2. Approves utilizing the remaining balance of approximately \$101,942 as of July 1, 2021, from the fiscal year 18 Buffer Program Implementation appropriation for distribution as a Supplemental Buffer Program Implementation grant.

3. Approves utilizing the remaining balance of approximately \$180,212 as of July 1, 2021, from the fiscal year 20 Buffer Program Implementation appropriation for distribution as a Supplemental Buffer Program Implementation grant.
4. Approves utilizing BWSR Riparian Aid funding in an amount necessary to achieve a Supplemental Buffer Program Implementation grants allocation not to exceed \$350,000.
5. Authorizes staff make any necessary fiscal transfers and to enter into grant agreements or amendments for these purposes.

Dated at Austin, Minnesota, this August 26, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: August 26, 2021

<<See attached FY22 Buffer Implementation Supplemental Grant Allocations>>

FY22 Buffer Implementation Supplemental Grant Allocations

SWCD Name	Amount Requested
West Polk	50,000
Sibley	30,000
Yellow Med	30,000
Watonwan	30,000
Hubbard	20,000
Traverse	20,000
Pipestone	20,000
LOTW	20,000
Brown	20,000
Meeker	20,000
WOT	20,000
Marshall	20,000
Pope	10,000
Red Lake	10,000
Rice	10,000
Clay	10,000
Becker	10,000
Total	350,000

BOARD ORDER

FY22 Buffer Cost Share Solicitation Grants

PURPOSE

To make returned Buffer Cost Share funding available for use by SWCDs to bring landowners into compliance when they notify BWSR staff of specific project needs.

FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) has the responsibility to oversee the provisions of Minnesota Statute 103F.48 (the Buffer Law) and to provide funds to Soil and Water Conservation Districts (SWCDs) to implement the law.
2. Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sec. 7(o) appropriated fiscal year 2018 Buffer Cost Share funding.
3. The Board distributed a portion of the appropriation identified in item 2 through fiscal year 2018 Buffer Cost Share Grants.
4. The remaining portion of the appropriation identified in item 2 was distributed through the fiscal year 2019 Buffer Implementation Supplemental Grant amendments.
5. The current balance of approximately \$622,487 of fiscal year 2018 Buffer Cost Share funds includes returned funds from the distributions listed above.
6. The appropriation listed in item 2 is available until June 30, 2022 for distribution purposes and available to spend by grantees until June 30, 2023.
7. The Grants Program and Policy Committee at their August 11, 2021 Meeting reviewed this proposal and recommended the Board approve these grants.


ORDER

The Board hereby:

1. Authorizes staff to develop an open solicitation of SWCDs for the use of returned Buffer Cost Share funding to implement riparian buffers or alternative practices on public waters or public ditches consistent with Minnesota Statutes, section 103F.48.
2. Authorizes the Executive Director to make distributions to eligible SWCDs, on a monthly interval through May of 2022, consistent with solicitation process developed above. The total amount allocated shall not exceed the Buffer Cost Share fund balance.
3. Awards shall not exceed \$100,000 per SWCD per application.
4. Authorizes staff to enter into grant agreements or amendments for these purposes.

Dated at Austin, Minnesota, this August 26, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: August 26, 2021

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 Sauk River Watershed, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801.

**ORDER
APPROVING
COMPREHENSIVE
WATERSHED
MANAGEMENT PLAN**

Whereas, the Policy Committee of the Sauk River Watershed submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on April 29, 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 April 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 Douglas County, Douglas Soil and Water Conservation District (SWCD), Pope County, Pope SWCD, Stearns County, Stearns SWCD, Todd County, Todd SWCD, and the Sauk River Watershed District. Meeker County and Meeker SWCD chose not to actively participate because of the small amount of acreage of the county within the watershed.
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 Sauk River Watershed planning area is in central Minnesota, encompassing portions of Douglas, Meeker, Pope, Stearns, and Douglas Counties. The watershed boundary is coterminous with the boundary of the Sauk River Watershed District. The 1,042 square miles of watershed runs from Lake Osakis in the northwest and drains into the Mississippi River in the north part of Saint Cloud. As the river meanders through the watershed, it passes through a diverse

landscape ranging from highly productive farmland to rural recreational lake communities to high density urban neighbors in the city of St. Cloud. The land in the western part of the planning area is flat, open land devoted almost entirely to raising crops.

4. **Plan Development.** The Plan was developed as a single, concise, 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 April 29, 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 had one comment related to a statement on page 7-24, the plan states that MDA monitors 8 groundwater wells for public health concerns, such as bacteria and arsenic. In response to this statement, they provided the following response “The MDA groundwater wells in the Sauk River Watershed are only monitored for nitrate and pesticides, not for bacteria and arsenic.” Otherwise, the MDA recommends approval of the plan. The plan has been amended to reflect this change.
 - B. Minnesota Department of Health: All recommended changes have been made to the plan and the Department commends the partnership for their planning efforts and recommends approval.
 - C. Minnesota Department of Natural Resources was satisfied with the responses to the agencies concerns submitted during the 60-day review and looks forward to working with the partnership as it transitions into the implementation phase of comprehensive watershed management.
 - D. Minnesota Pollution Control Agency thanked the advisory and policy committee for including them throughout the planning process and believe that all their concerns have been addressed within the plan.
 - E. Minnesota Environmental Quality Board did not provide comment.
 - F. Minnesota Board of Water and Soil Resources staff submitted a total of 44 comments. Staff comments ranged from simple editorial comments and clarification on some of the technical aspects, to requesting changes to the Plan to ensure consistency throughout the Plan and ensure Plan Content Requirements were met. All the comments related to plan content requirements were satisfactorily answered. The partnership provided clarification in many areas for how the plan would be implemented and improved their targeting language to ensure the implementation will follow the requirements of being prioritized, targeted, and measurable.
6. **Plan Summary and Highlights.** The highlights of the plan include:
 - The policy and advisory committees received extensive input during the early stages of the planning process including eight priority concern letters, 45 citizens attended public kick-off meetings, and more than 50 reports on the conditions and trends within the watershed.
 - The advisory committee identified 11 original resource concerns, which were narrowed down to five including altered hydrology, excessive nutrients and sediments, land use, groundwater and drinking water, and habitat. The altered hydrology and excessive nutrients and sediments resource concerns were identified as the plan priorities. The plan breaks down each resource concern into an issue statement, a desired future condition, a 10-year plan goal, and a measure or indicator of goal achievement.

- The plan identifies and prioritizes impaired lakes and rivers as well as high quality lakes and establishes a tiered ranking system that will be used during the implementation to ensure management is targeted at critical resources.
 - There are ten geographic management areas within the watershed and each management area was assessed for how that area can best be managed to achieve the objectives for each resource concern. Within each management area, there are targeted and prioritized areas for implementation as well a unique implementation schedule that identifies the activity, the location, the time for implementation, and the estimated cost for implementing the activities.
 - 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.
 - For the ten-year duration of the plan, the estimated total cost is \$65,342,164 with an estimated \$63,367,164 going towards on-the ground implementation. Costs that are more than current expenditures will be derived through state and federal grant opportunities and the potential implementation of a collaborative capital improvement project process like what happens in the Red River Valley.
7. **Central Regional Committee.** On August 4, 2021, the Central Regional Committee met to review and discuss the Plan. Those in attendance from the Board’s Committee were Jill Crafton (acting committee chair), Jayne Hager Dee, Mark Zabel, Andrea Date, Melissa Lewis, and Grant Wilson. Board staff in attendance were Assistant Director for Operations Kevin Bigalke, Northern Regional Manager Marcey Westrick, Board Conservationist Jason Weinerman, Clean Water Specialist Brad Wozney, and Office and Administrative Specialist Cecelia Rost. The representatives from the Partnership were Sarah Jo Boser and Scott Henderson with the Sauk River Watershed District and Cole Loewen with the Stearns County Environmental Services Department. 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 August 25, 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 Sauk River Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.
3. The Sauk River 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.

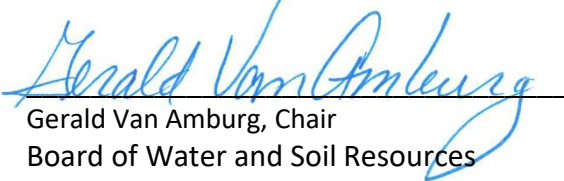
5. The attached plan when adopted through local resolution by the members of the Partnership will serve as a replacement for the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Sauk River Watershed, dated March 2021.

Dated at Austin, Minnesota, this August 26, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: August 26, 2021

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 **Comfort Lake – Forest Lake Watershed District**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.

**ORDER
APPROVING
WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Managers of the Comfort Lake-Forest Lake Watershed District (CLFLWD) 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 CLFLWD is a special-purpose unit of government established by the Board on September 23, 1999. Establishment was based on a petition dated November 18, 1998 and filed with the Board on November 20, 1998. The Petition was signed by more than 50 resident owners in the proposed watershed district pursuant to Minnesota Statutes, section 103D.205, Subd. 3(4). Minnesota Laws 2008, chapter 366, article 6, section 51 designated the CLFLWD a watershed management organization under Minnesota Statutes, section 103B.205, Subd. 13. The CLFLWD was established to promote the public welfare and public interest, and to advance the purpose of Minnesota Statutes, Chapters 103B and 103D.
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 CLFLWD encompasses approximately 49 square miles in the northeast portion of the Twin Cities Metropolitan Area, approximately 40 percent in Chisago County and 60 percent in Washington County. Surface water resources within the watershed include three major recreational lakes (Bone Lake, Forest Lake and Comfort Lake), the exceptionally high-quality Keewahtin Lake, as well as other smaller lakes and streams. The CLFLWD is part of the headwaters area of the Sunrise River and ultimately drains to the St. Croix River.

The predominant land uses in the watershed vary but the two dominant land uses watershed-wide are pasture/grasslands (25%) and forests (19%), followed by wetlands (17%), developed (14%), open water (13%) and cultivated cropland (12%). To the west of Forest Lake, a large portion of the land is developed at low to high density around I-35, Highway 61, and Highway 8. Much of this region is also composed of woody wetlands, which provide habitat for key flora and fauna of this area. Near Scandia, the land is dominated with cultivated crops and hay/pasture intermixed with wetlands to the north and south of Bone Lake. Centrally, the landscape is composed of a mixture of hay/pastureland, forest, and wetlands.

4. **Plan Development and Review.** The draft Plan was submitted to the Board, other state agencies, and local governments for the formal 60-day review on February 26, 2021 pursuant to Minnesota Statutes, section 103B.231, Subd. 7. The CLFLWD prepared a written response to the 60-day comments and then held a public hearing on June 10, 2021. Once the Plan revisions to address comments received were completed, the CLFLWD Managers passed a resolution to send the revised draft Plan to the Board (and State Review Agencies) for the final 90-day review and approval, which was received by the Board on June 15, 2021. Comments received during the 90-day review period indicated commenters had no further comments and commended the CLFLWD on their planning process and completion of the CLFLWD 2022-2031 Watershed Management Plan. The items below contain a summary of the comments received during the formal plan review process.
- **Local Review.** The CLFLWD distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes, section 103B.231, Subd. 7. The CLFLWD received comments from local citizens, Washington County, Washington Conservation District, and the cities of Forest Lake, Scandia, and Wyoming. The CLFLWD responded in writing to all stakeholders who commented during the 60- day review period, addressing each concern.
 - **Metropolitan Council (Council) Review.** During the 60-day review the Council noted that the Plan puts forth a detailed roadmap to protect water resources within the watershed and is consistent with policies outlined in the Council’s 2040 Water Resources Policy Plan. The Council further commended the CLFLWD for preparation of a Plan that includes a clear inventory of land and water resources, included local and regional partners in the discussion of priority issues and opportunities, and contains clear statements of goals and policies. Council staff also applauded the ambitious phosphorus reduction goals and were encouraged to see the breadth of the programs and projects proposed within the Plan. The adaptive management and targeted approaches were noted for the CLFLWD’s use of data to drive their water resources goals. The Council identified the following items for potential improvements: A) inconsistent rainfall depths stated in Figures 1-11 from those in Table 1-2; B) encouraged coordination with neighboring watersheds in their groundwater monitoring program; C) offered Council staff as a resource for CLFLWD climate resiliency efforts; D) suggested monitoring chloride with samples from lake bottoms; and E) requested some context for the goal to “Confirm the headwaters of the Sunrise River”. The CLFLWD responded in writing to all Council comments received during the 60-day review period, addressing each concern. During the 90-day review, the Council thanked CLFLWD for the invitation to participate in the process, as well as CLFLWD staff for leading a well-designed and thoughtful Plan update process. The Council had no additional comments during the 90-day review.
 - **Department of Agriculture (MDA) Review.** During the 60-day review, MDA noted that the Plan was well organized with goals and associated activities being well thought out and actionable. MDA had some comments requesting clarification and provided additional information related to the CLFLWD’s inclusion of the Minnesota Agricultural Water Quality Certification Program, including potential funding sources. MDA noted appreciation for the CLFLWD’s groundwater protection rules/education and outreach activity and suggested broad inclusion of the MDA’s Nitrogen Fertilizer Management Plan. The MDA noted that the 60-day review comments had been satisfactorily addressed and had no additional comments resulting from the 90-day review.
 - **Minnesota Department of Health Review.** During both the 60-day and 90-day reviews, the Minnesota Department of Health indicated that the agency had no comments.
 - **Department of Natural Resources (DNR) Review.** No comments were received from the DNR during the 60-day review. DNR staff met with Board staff during the 90-day review and indicated that the DNR would not have any further comments from the 90-day review.

- **Minnesota Pollution Control Agency (MPCA) Review.** During the 60-day review, the MPCA noted appreciation of the opportunity to provide input and be involved throughout the Plan development process. MPCA commended the CLFLWD on addressing all state agency priority concerns and issues provided by the MPCA at the start of Plan development. MPCA also noted support for the addition of chloride monitoring to CLFLWD’s monitoring program, establishment of baselines and trends throughout the watershed, and commitment to working with local partners for chloride reduction through Smart Salting strategies. During the 90-day review, the MPCA noted that 60-day comments had been addressed and that the agency had no further comments.
- **Department of Transportation Review.** During the 60-day and 90-day reviews, no comments were received from the Department of Transportation.
- **Board of Water and Soil Resources Review.** During the 60-day review, Board staff thanked the CLFLWD for inviting the Board to participate in the various meetings, workshops, and advisory committee meetings that were part of the development of the Plan. Board staff provided a comprehensive review of the Plan by section. The majority of comments were complementary or related to requests and suggestions for language clarifications, requests to identify missing content, and suggestions for stronger Plan language which included more clear measurability for the non-resource specific Plan goals. Comments related to the Plan Amendment section and the Annual Reporting section were made to ensure that the Plan language was consistent with the requirements in Minnesota Rules, part 8410. During the 90-day review, Board staff thanked the CLFLWD staff for their efforts in proactivity seeking additional input to better understand the Board’s 60-day review comments. Board staff also noted that the 60-day review comments had been addressed and that Board staff had no further comments.

5. **Plan Summary and Highlights.** The Plan provides for the protection and improvement of the water resources of the CLFLWD, recognizing and building on the roles and actions of other stakeholders. The CLFLWD’s water resource management approach is based on a core framework of adaptive management, diagnostic monitoring, and cost-benefit analysis. Adaptive management is defined in the Plan as an iterative approach of resource assessment, problem identification, project implementation, progress evaluation, and course correction that reflects the dynamic nature of water resources, climate, and the surrounding landscape. All CLFLWD activities are guided by scientific methods and economic principles.

An **Executive Summary** is included which provides a synopsis of the entire Plan and will prove useful as a meeting handout or starting point for people looking for a brief introduction to the CLFLWD, what they do, and the Plan. In addition to the Executive Summary, the Plan includes the following sections along with supporting appendices:

- **Table of Contents** provides a detailed outline of the Plan. In the electronic version of the Plan the user can quickly get to the desired section by clicking on the appropriate heading.
- **Section 1: Introduction** includes some basic background on the organization and operation, its history, watershed characteristics, accomplishments from the last Plan and a section on navigating the Plan.
- **Section 2: Issues Identification and Prioritization** describes the planning process used to develop the CLFLWD 2022-2031 Watershed Management Plan. This section also introduces measuring progress towards achieving Plan goals.

- **Section 3: Goals and Section 4 Implementation Plan** together describe the CLFLWD’s priority issues and goals for 2022-2031 and lists the CLFLWD’s initiatives and activities needed to achieve the Plan goals. Issues and goals are organized by program, project issues area or lake management district. For each program or project issue area, this section describes the desired future condition, 10-year measurable goals, progress evaluation metrics, targeted areas of implementation, and implementation activities. The planned programs and projects that will be implemented to address the identified issues and goals are included in these sections, including project and program summaries, progress metrics, and funding guidance.
 - 4.5 Programs describes the issues, goals and implementation activities related to the CLFLWD’s 13 programs.
 - 4.6 Projects describes the issues, goals and implementation activities related to the six project issue areas (floodplains, lakes, streams, wetlands, uplands and groundwater). These are organized by the four lake management districts: Bone, Little Comfort, Forest and Comfort.
 - **Section 5: Implementation Costs, Schedule & Capital Improvement Plan** includes a 10-year cost table for each implementation initiative with yearly cost estimates, scheduling, potential partners, potential additional revenues, and measurable outcomes and outputs that each implementation initiative addresses.
 - **Section 6: Measuring Implementation Progress** describes the tools and metrics used to measure the successful implementation of the Plan and goal progress.
 - **Section 7: Funding and Financing Approach** describes how programs and projects included in the Plan will be funded over the 10-year period.
 - **Section 8: Intergovernmental Coordination and Impacts** describes CLFLWD’s plans to work with local, state, and federal agencies and provides an analysis of the impact of this Plan on local governments, including the requirements for local water management plans.
 - **Section 9: Amendments to this Plan** describes the process to update or complete revisions to the Plan during the 10-year timeframe.
 - **Section 10: Annual Reporting** describes the CLFLWD annual report which will include the financial conditions of the organization, the status of all projects, the business transacted by the CLFLWD, and other matters affecting the interests of the watershed as guided by Minnesota Statutes, section 103D.351 and Minnesota Rules, part 8410.0150.
6. **Central Region Committee Meeting.** On August 4, 2021, the Board’s Central Region Committee and staff met in St. Paul and via teleconference with representatives from the CLFLWD to review and discuss the final draft Plan. Those in attendance from the Board’s committee included Jill Crafton (acting committee chair), Jayne Hager Dee, Mark Zabel, Andrea Date, Melissa Lewis, and Grant Wilson. Board staff in attendance included Assistant Director for Regional Operations Kevin Bigalke, Central Region Manger Marcey Westrick and Board Conservationist Melissa King. CLFLWD representatives in attendance included Jackie Anderson (CLFLWD Vice-President), Steve Schmaltz (CLFLWD Treasurer), Mike Kinney (CLFLWD Administrator), and Emily Heinz (CLFLWD Planning Coordinator), which provided highlights of the Plan and process. Board staff recommended approval of the Plan.

After presentation and discussion, the Central Region Committee voted to recommend approval of the Plan to the full Board. It was noted that committee member Mark Zabel was not present to vote.

CONCLUSIONS

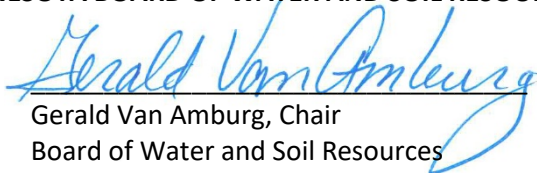
1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Watershed Management Plan for the Comfort Lake-Forest Lake Watershed District pursuant to Minnesota Statutes, section 103B.231, Subd. 9.
3. The Watershed Management Plan for the Comfort Lake-Forest Lake 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 Comfort Lake-Forest Lake Watershed District's 2022-2031 Watershed Management Plan.

Dated at Austin, Minnesota, this August 26, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: August 26, 2021



BOARD ORDER

Delegation of Routine Administrative Water Management Decision Policy

PURPOSE

Amend and Adopt the Delegation of Routine Administrative Water Management Decision Policy (Policy).

RECITALS /FINDINGS OF FACT

1. In June 26, 2019, the Board's Administrative Advisory Committee requested staff to assess which routine process items could be delegated to staff, such as amendment hearings, simple boundary changes, certain county water plan extensions, and SWCD office relocation.
2. Staff reviewed the board's statutory decision-making requirements and identified a series of administrative decisions for watershed districts, watershed management organizations, and soil and water conservation districts that could be delegated to the Executive Director and drafted a policy to allow specific decisions to be delegated.
3. The proposed policy allowing routine, administrative, and noncontroversial decisions to be delegated to the Executive Director was reviewed by the Board's Senior Management Team on October 8, 2019 and recommended to the Board's Water Management and Strategic Planning Committee.
4. The Board's Water Management and Strategic Planning Committee reviewed the Policy on November 22, 2019 and recommended approval to the Board.
5. The Board adopted the Delegation of Routine Administrative Water Management Decisions Policy on December 18, 2019.
6. In August 2021, staff identified two additions to be included in the Policy and proposed the revisions to the Administrative Advisory Committee. On August 25, 2021, the Administrative Advisory Committee reviewed the proposed revisions and recommended approval to the Board.

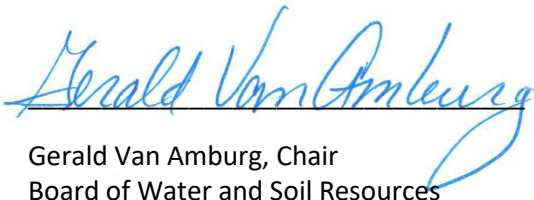
ORDER

The Board hereby:

1. Amends and adopts the revised Delegation of Routine Administrative Water Management Decision Policy dated August 26, 2021.

Dated at Austin, Minnesota, this August 26, 2021.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: August 26, 2021