

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 Lac qui Parle – Yellow Bank, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801.

**ORDER
APPROVING
COMPREHENSIVE
WATERSHED
MANAGEMENT PLAN**

Whereas, the Policy Committee of the Lac qui Parle – Yellow Bank (LqP -YB) Partnership submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on January 6, 2023 pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #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 2021 through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes: Lac qui Parle County, Lincoln County, Yellow Medicine County, Lac qui Parle Soil and Water Conservation District (SWCD), Lincoln SWCD, Yellow Medicine SWCD, Lac qui Parle – Yellow Bank Watershed District and Area II Minnesota River Basin Projects.
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, Board Resolution #18-14 adopted the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
3. **Nature of the Watershed.** The LqP-YB Watershed planning area encompasses the Minnesota portions of one major (HUC 08) watershed, the Lac qui Parle, and four HUC 10 subwatersheds, the North and South Fork Yellow Bank subwatersheds, the Marsh Lake subwatershed, and the Lac qui Parle Reservoir subwatershed. Minnesota contains roughly 760 square miles (486,400 acres) of the total area for the Lac qui Parle River Watershed (approximately 1,100 square miles or 704,000 acres), while South Dakota's portion is approximately 340 square miles (217,600 acres). The planning region contains

steep slopes with 1,070 foot drop in elevation in the first 60 miles of drainage while the rest of the planning region is relatively flat. The plan makes note that prior to European settlement the LqP – YB watershed was populated by the Yankton and Yanktonia Dakota (Sioux, Očhéthi Šakówinj) tribes with a landscape consisting of tallgrass prairie, wetlands, floodplain forests and pothole lakes that were left behind after the ice sheets receded. Current land use is predominantly agriculture lands, with 78% of the planning area being used as cropland which influenced how the planning partners developed measurable goals and associated action items. The watershed contains 203 watercourses, 157 public water basins and 5 Drinking Water Management Supply Areas.

4. **Plan Development.** The Plan was developed as a single, concise, and coordinated approach to watershed management for the purpose of guiding watershed managers as they work with landowners and communities to protect and restore the watershed's resources. 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 goals and actions to improve surface water quality and quantity, groundwater quality and quantity including public and private water supplies, improve soil health, and mitigate negative impacts that may result from current land use in the watershed.
5. **Plan Review.** On January 6, 2023, 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 #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. Environmental Quality Board indicated Policy indicates that EQB only be notified of the final draft document. EQB did not respond to the submission.
 - B. Minnesota Department of Agriculture (MDA): During the 60-day comment period MDA requested revisions to the plan that included being added as partner for monitoring of groundwater and requested additional information for irrigation groundwater education events. MDA commended the partners for their targeted actions focused on drinking water protection for public water suppliers and private wells. MDA confirmed receipt of the Plan at the final formal review and stated all MDA comments were considered and addressed in the final draft plan and recommends approval.
 - C. Minnesota Department of Health (MDH): During the 60-day comment period MDH requested revision to the Plans goal scale and additional information for the decreased groundwater recharge and supply priority issue. MDH also requested that the priority issue statements be reviewed to ensure consistent language throughout the plan. MDH commended the partners for including drinking water as a priority concern. MDH confirmed receipt of the Plan at the final formal review and stated all MDH comments were considered and addressed in the final draft plan and recommends approval.
 - D. Minnesota Department of Natural Resources (DNR): During the 60-day comment period, DNR provided comments to the LqP – YB partners that will be beneficial during implementation. DNR commented that partners should work with drainage authorities to help mitigate impacts that may result from projects that could alter hydrology. DNR confirmed receipt of the Plan at the final formal review and recommends approval.
 - E. Minnesota Pollution Control Agency (MPCA): During the 60-day comment period MPCA acknowledged that throughout the planning process the partners were responsive to the

MPCA's concerns, comments and priorities. MPCA asked that the partners focus their education and outreach activities to the high priority planning regions. MPCA confirmed receipt of the Plan at the final formal review and stated all MPCA comments were considered and the final draft plan is very well written, concise, and thorough. MPCA recommends approval.

- F. Board of Water and Soil Resources (BWSR): During the 60-day review period, BWSR provided comments requesting numerous revisions to the Plan to ensure consistency throughout the Plan and that plan content requirements were met. All comments were adequately addressed in the final Plan.

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

- The Plan includes an informative Executive Summary summarizing resource concerns and issues, the method of establishing measurable goals, summarizing pace of progress toward goals attained by the planned activities, and short-term cost of the 10 year implementation schedule.
- The Plan includes a thorough identification of the targeted areas using PTMApp. PTMApp has estimated feasible locations for management practices and structural BMPs, as well as the associated annual costs and anticipated benefits arising from implementation. The result is a list of the best (most cost-effective and most effective toward load reduction goals) practices.
- The Plan identifies ten different planning regions which were defined based on land use, hydrology, and geology. The ten planning regions are Yellow Bank River, Minnesota River, Lac qui Parle River, Tenmile Creek, West Branch Lac qui Parle River, Lac qui Parle River South, Cobb Creek, Lazarus Creek, Canby Creek, and Headwaters Lac qui Parle River.
- West Branch Lac qui Parle River, Cobb Creek, and Headwaters Lac qui Parle River planning regions were designated High Priority planning regions. The High Priority planning regions will be the areas the partners will focus first with the Medium Priority planning regions being "on-deck" and the Low Priority planning regions are not going to be the focus during the ten-year lifespan of the Plan.
- The plan development process generated twenty-five issues, organized in six resource categories (Drinking Water, Agricultural Lands, Rural/Urban Areas, Streams/Drainage Systems, Aquifer, Aquatic Habitat) using existing reports, plans, studies, data, and stakeholder input. Each issue was assigned as one of four priority levels within each planning region. Eight issues were identified as a "high" priority ranking in at least one planning region and will be the focus of initial implementation efforts. Five issues were identified as a "medium-high" priority ranking in at least one planning region and will be the focus of initial implementation efforts, likely with additional funding. Six issues were identified as a "medium" priority ranking in any planning region and will not be assigned prioritization during the Plan but may receive attention if time and funding allows. The remaining six issues were identified as a "low" priority ranking watershed-wide and are not the focus of the Plan.
- The Plan details six measurable goals that collectively address the thirteen high and medium-high priority issues and their associated goal scale. A quick reference guide was developed for each of these priority issues. Each reference guide summarizes the priority issues, multiple benefits for the watershed-wide goals, the planning region and goal scale for each issue, background information about the issue and goal, and the long-term and short-term goals.
- Included in the Appendix are a series of maps showing possible locations to implement priority Best Management Practices (BMPs) for each planning region. These maps are to be used as a tool for prioritization of outreach and target implementation efforts in the planning regions.
- The Plan recognizes three funding levels for implementation. Level 1 - Current Funding, Level 2 - Current Funding + BWSR's Watershed Based Implementation Fund (WBIF) grant program, and Level 3 - Partner and Other Funding. Actions pursued under Funding Level 2 are the focus of the

Plan and have an estimated annual cost of \$945,801. When all funding levels are combined, an estimated \$23,616,229 is needed to fully fund the Plan over its ten-year lifespan.

- Separate targeted implementation tables were created for each planning region that include actions within the Projects and Practices implementation program. Only priority issues that rank high in the planning region were given planning region specific measurable goals and associated targeted action items. Watershed-wide implementation tables were created for actions related to Capital Improvement Projects, Regulatory, Education and Outreach, and Research and Monitoring.

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 Lac qui Parle watershed and Upper Minnesota River Watershed, which includes the planning boundary #18 (Lac qui Parle Watershed) and planning boundary #16 (part of the Lac qui Parle – Yellow Bank 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 part of the board packet.
8. **Southern Regional Committee.** On **Date**, the **Region** Regional Committee met to review and discuss the Plan. Those in attendance from the Board's Committee were **Bd Comm Member Names**. Board staff in attendance were **Region** Regional Manager **Reg Mgr Name**, and Board Conservationist **BC Name(s)**. The representatives from the Partnership were **List Partnership Attendees**. 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 March 24, 2032.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Comprehensive Watershed Management Plan for the Lac qui Parle – Yellow Bank pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Resolution #18-14.
3. The Lac qui Parle – Yellow Bank Plan attached to this Order states water and water-related problems within the planning area; priority resource issues and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Resolution #19-41.
5. The One Watershed, One Plan Suggested Boundary Map is adjusted to include portions of Lac qui Parle watershed and Upper Minnesota River Watershed, which includes the planning boundary #18 (Lac qui Parle Watershed) and planning boundary #16 (part of the Lac qui Parle – Yellow Bank Watershed District) as indicated on the Board adopted Suggested Boundary Map approved by the Board March 24, 2023.

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 and consistent with the One Watershed, One Plan Suggested Boundary Map.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the **Partnership Name**, dated **Date**.

Dated at **Town Bd Mtg Held**, Minnesota, this **Date** of **Month, year**.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: **Bd Chair Name**, Chair