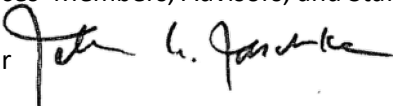




DATE: June 18, 2024

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

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice – June 26, 2024

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, June 26, 2024, beginning at 9:00 a.m. The meeting will be held in the lower-level Board Room, at 520 Lafayette Road North, St. Paul and by Microsoft Teams. Individuals interested in attending the meeting through Teams should do so by either 1) logging into Teams by [clicking here to join the meeting](#) or 2) join by audio only conference call by calling telephone number: 651-395-7448 and entering the conference ID: 575 117 842#. The following information pertains to agenda items:

The following information pertains to agenda items:

#### **COMMITTEE RECOMMENDATIONS**

##### ***Grants Program and Policy Committee***

1. **FY 2025 CWF Competitive Grant Program and RFP Criteria** – There will no longer be any policy for this program. All program requirements are contained in the RFP.

The FY25 Program includes funding for Accelerated implementation grants.

The board order also authorizes the fiscal year 2025 Clean Water Fund Competitive Grants Program and authorizes staff to finalize and issue a Request for Proposals. The Grants Program and Policy Committee reviewed these recommendations on May 23, 2024 and recommends the attached order to the board.

##### ***DECISION ITEM***

2. **Grant Monitoring and Financial Reconciliation Policy** – BWSR has a fiduciary responsibility to ensure public funds are used for their program intent and legislative purpose. Minnesota Statutes §16B.97 provides that the Commissioner of Administration shall create general grants management policies and procedures that are applicable to all executive agencies. This includes policies on Pre-Award Risk Assessment for Potential Grantees (08-06), Grant Payments (08-08) and Grant Monitoring (08-10) developed by the Office of Grants Management.

The Board currently has a Grants Monitoring and Financial Reconciliation Policy which documents the Board's compliance with these Office of Grants Management policies. The Grants Monitoring and Financial Reconciliation Policy has been found to be unnecessary as the Board utilizes internal procedures developed and implemented by staff to document how the requirements of the Office of Grants Management policies are being met. Staff are therefore recommending that the policy be rescinded and will discuss with the committee. ***DECISION ITEM***

##### ***Wetland Conservation Committee***

1. **Wetland Conservation Act Rulemaking – Request for Comments** – The process to amend the Wetland Conservation Act (WCA) rule was initiated with two requests for comments published in the State Register, the most recent of which closed on March 19, 2022. The publications also defined the scope of the current rulemaking. However, multiple amendments to WCA statutes occurred during the 2024 legislative session.

These amendments represent a substantial increase in rulemaking scope, such that conducting another public comment period is desirable and appropriate. The Board's Wetland Conservation Committee met on June 4, 2024 and are recommending approval to expand the scope of the current WCA rulemaking to address the 2024 statutory amendments and to initiate a new public comment period via publication of a notice in the State Register. **DECISION ITEM**

#### ***Northern Region Committee***

1. **Kettle River & Upper St. Croix Watershed Comprehensive Watershed Management Plan** – The Kettle River & Upper St. Croix Watershed was selected by BWSR for a One Watershed, One Plan program planning grant on August 26, 2021. The watershed Partnership submitted the Kettle River & Upper St. Croix Comprehensive Watershed Management Plan to BWSR on April 26, 2024, for review and approval. The Northern Regional Committee met on June 5, 2024, to review the content of the Plan, State agency comments on the Plan, and to make a recommendation. The Committee recommends approval of the submitted Plan by the full Board. **DECISION ITEM**

#### ***Water Management and Strategic Planning Committee***

1. **Nonpoint Priority Funding Plan Update** – The original Nonpoint Priority Funding Plan (NPPF) was written in 2014 and updated in 2016 and 2018 as required by statute. A change to statute in 2019 allows BWSR to establish alternative content and timelines for updating the NPPF. In 2021, BWSR established a framework for updating the NPPF; and in 2023, the Board directed staff to revise the NPPF and to provide an update to the Board in June 2024. Staff have been working with an interagency team and are making good progress on the NPPF revision. Staff will present an update on the revision status and a proposed timeline for completion. **INFORMATION ITEM**

#### ***Audit and Oversight Committee***

1. **Draft Agency Tribal Consultation Policy** – BWSR must develop and implement a Tribal Consultation Policy to comply with Minn. Stat. §10.65 and to guide the agency's work to maintain a respectful and collaborative relationship between BWSR and each Tribal Government. The purpose for policy, policy development steps, and the draft policy will be reviewed with the Board. **INFORMATION ITEM**

If you have any questions regarding the agenda, please feel free to call me at 651-539-2587. We look forward to seeing you on June 26th.

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD NORTH  
ST. PAUL, MN 55155  
WEDNESDAY, JUNE 26, 2024**

**PRELIMINARY AGENDA**

**9:00 AM CALL MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF AGENDA**

**MINUTES OF MAY 22, 2024 BOARD MEETING**

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

**INTRODUCTION OF NEW STAFF**

- Laura Godfrey, Grants Compliance Specialist
- Melanie Bomier, Board Conservationist
- David Plagge, Easement Acquisition Specialist

**CONFLICT OF INTEREST DECLARATION**

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

**REPORTS**

- Chair & Administrative Advisory Committee – Todd Holman
- Executive Director – John Jaschke
- Audit & Oversight Committee – Joe Collins
- Dispute Resolution and Compliance Report – Travis Germundson/Rich Sve
- Grants Program & Policy Committee – Mark Zabel
- RIM Reserve Committee – Jayne Hager Dee
- Water Management & Strategic Planning Committee – Joe Collins
- Wetland Conservation Committee – Jill Crafton
- Buffers, Soils & Drainage Committee – LeRoy Ose
- Drainage Work Group – Neil Peterson/Tom Gile

**AGENCY REPORTS**

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

## **ADVISORY COMMENTS**

- Association of Minnesota Counties – Brian Martinson
- Minnesota Association of Conservation District Employees – Mike Schultz
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Eunice Biel
- Minnesota Watersheds – Jan Voit
- Natural Resources Conservation Service – Troy Daniell

## **COMMITTEE RECOMMENDATIONS**

### ***Grants Program and Policy Committee***

1. FY 2025 CWF Competitive Grant Program and RFP Criteria – Annie Felix-Gerth – ***DECISION ITEM***
2. Grant Monitoring and Financial Reconciliation Policy – Marcey Westrick – ***DECISION ITEM***

### ***Wetland Conservation Committee***

1. Wetland Conservation Act Rulemaking – Request for Comments – Les Lemm and Lewis Brockett – ***DECISION ITEM***

### ***Northern Region Committee***

1. Kettle River & Upper St. Croix Watershed Comprehensive Watershed Management Plan – Ryan Hughes and Melanie Bomier – ***DECISION ITEM***

### ***Water Management and Strategic Planning Committee***

1. Nonpoint Priority Funding Plan Update – Julie Westerlund and Annie Felix-Gerth – ***INFORMATION ITEM***

### ***Audit and Oversight Committee***

1. Draft Agency Tribal Consultation Policy – Melissa King – ***INFORMATION ITEM***

## **UPCOMING MEETINGS**

- Grants Program and Policy Committee Meeting, July 15 at 8:30 a.m. in St. Paul and by MS Teams.
- BWSR Board Tour and Meeting, August 28-29, 2024.

## **ADJOURN**

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD NORTH  
LOWER-LEVEL BOARD ROOM  
ST. PAUL, MN 55155  
WEDNESDAY, MAY 22, 2024**

**BOARD MEMBERS PRESENT:**

Joe Collins, Jill Crafton, Jayne Hager Dee, Mike Runk, Neil Peterson, Rich Sve, Lori Cox, Ted Winter, LeRoy Ose, Eunice Biel, Todd Holman, Ron Staples, Mark Zabel, Joel Larson, University of Minnesota Extension; Jeff Berg, MDA; Steve Robertson, MDH; Sarah Strommen, DNR

**BOARD MEMBERS ABSENT:**

Katrina Kessler, MPCA; Kelly Kirkpatrick

**STAFF PRESENT:**

John Jaschke, Rachel Mueller, Travis Germundson, Jared House, Rita Weaver, Amanda Deans, John Shea, Sharon Doucette, Jon Sellnow, Jacob Rossow, Marcey Westrick, Adam Beilke, Jenny Gieseke

**OTHERS PRESENT:**

Jan Voit, Minnesota Watersheds; LeAnn Buck, MASWCD; Sheila Vanney, MASWCD; Graham Berg-Moberg, Minnesota Townships; Alex Trunnell, Kerry Netzke, Sarah Boser

**Chair Todd Holman called the meeting to order at 9:01 AM**

### **PLEDGE OF ALLEGIANCE**

The Board observed a moment of silence in honor of former Board Member Kurt Beckstrom.

**\*\***  
**24-27** **ADOPTION OF AGENDA** - Moved by LeRoy Ose, seconded by Jayne Hager Dee, to adopt the agenda as amended. ***Motion passed on a roll call vote.***

**\*\***  
**24-28** **MINUTES OF APRIL 24, 2024 BOARD MEETING** – Moved by Jill Crafton, seconded by Mark Zabel, to approve the minutes of April 24, 2024, as amended. ***Motion passed on a roll call vote.***

### **PUBLIC ACCESS FORUM**

No members of the public provided comments to the board.

### **INTRODUCTION OF NEW STAFF**

Jenny Gieseke introduced Jacob Rossow, Compliance Coordinator. Marcey Westrick introduced Adam Beilke, Land and Water Programs Supervisor.

### **CONFLICT OF INTEREST DECLARATION**

**Chair Holman read the statement:**

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

### **REPORTS**

**Chair & Administrative Advisory Committee** – Chair Todd Holman reported he attended the Grant Program and Policy Committee meeting and Environmental Quality Board meeting. There are two items from the Grants Program and Policy Committee on the agenda today.

**Executive Director’s Report** - John Jaschke reviewed the Day of Packet that included updated minutes, FY24 Water Quality and Storage Grant Program Funding Recommendations Memo and Final Scores Summary, Conflict of Interest form, Snapshots, Org Chart, and an Expense Report. John reviewed the 2024 Legislative Summary that was also included in the Day of Packet and is available online.

Ron Staples left the meeting at 9:46 a.m.

**Audit and Oversight Committee** – Joe Collins reported the committee has not met.

**Dispute Resolution and Compliance Report** – Rich Sve reported they have not met. Travis Germundson reported there are presently two appeals pending.

Travis was notified on File 23-15, there was a settlement agreement that would allow legal access.

A decision was made on File 23-9, they are waiting to see if that decision will be appealed to BWSR.

Travis stated they will be updating some of their existing procedures and policies to account for the statute changes to the Buffer Law.

Travis stated File 24-1, appeal of a restoration order in Wright County and File 24-2, an appeal and no loss decision to Meeker County have been appealed to the Court of Appeals for judicial review. In both cases there's a question of proper service.

**Grants Program & Policy Committee** – Mark Zabel reported the committee met and have decision items on the agenda today. They were given an update on the Nonpoint Priority Funding plan.

**RIM Reserve Committee** – Jayne Hager Dee reported the committee has not met.

**Water Management & Strategic Planning Committee** – Joe Collins reported they met on May 13th for informational updates on the Local Water Plan Extension and Amendment Policy. They were also given an update on the Nonpoint Priority Funding plan.

**Wetland Conservation Committee** – Jill Crafton reported they met April 29th and are working on rules and statutes. Next meeting is planned for June 4th.

**Buffers, Soils & Drainage Committee** – LeRoy Ose reported the committee has not met.

**Drainage Work Group (DWG)** – Neil Peterson reported the committee has not met. The next meeting is June 13th in St. Cloud.

#### **AGENCY REPORTS**

**Minnesota Department of Agriculture** – Jeff Berg reported they had four more flocks test positive for avian influenza. Minnesota's Agriculture Water Quality Certification Program along with Truterra won a Minnesota Climate Adaptation Award from the University of Minnesota Climate Adaptation and Partnership. Jeff stated agencies are continuing to work in southeast Minnesota. In collaboration with the Minnesota Pollution Control (MPCA) they are forming a workgroup on long term issues with nitrate and groundwater and how to resolve them. Jeff provided a legislative update.

Jayne Hager Dee asked if specific counties were listed for the nitrate bill in southeast Minnesota. Jeff stated the counties listed are Dodge, Fillmore, Goodhue, Houston, Mower, Olmsted, Wabasha, and Winona.

Lori Cox asked what fund the home mitigation is out of. Jeff stated its part of the General Fund.

**Minnesota Department of Health** – Steve Robertson gave an update on water reuse work. They received a grant from the Department of Energy to align their work to protect sources of drinking water with other interests in advanced renewable energy development. Steve provided a legislative update.

**Minnesota Department of Natural Resources** – Sarah Strommen reported they will be working on updating the Public Waters Inventory to better align with the statutory definition. Stated they will be expending dedicated funds tied to the various critical habitat license plates. Had an event last week with the Governor and Lieutenant Governor highlighting aquatic invasive species prevention tips.

Rich Sve asked how much revenue is generated from the conservation plates. Sarah stated she doesn't know the numbers right now.

**Minnesota Extension** – Joel Larson reported a Clean Water Fund supplemental request was tied to the recommendation from the Clean Water Council. The Minnesota Climate Adaptation effort released the Minnesota Climate Tool. It's a web-based map and database tool to have downscale climate predictions for the state. Starting to offer trainings for how to use this tool, information available on the Climate Adaptation website. Stated they are running another round of training for the AIS Detectors Program.

**Minnesota Pollution Control Agency** – No report was provided.

#### **ADVISORY COMMENTS**

**Association of Minnesota Counties** – No report was provided. John Jaschke stated the Local Roads Wetland Replacement Program did not get funded because no bonding bill was passed.

**Minnesota Association of Conservation District Employees** – No report was provided.

**Minnesota Association of Soil & Water Conservation Districts** – LeAnn Buck provided a legislative update. Stated they will be conducting eight area meetings in June. The MASWCD Governance 101 training will take place July 16th and 17th.

**Minnesota Association of Townships** – Eunice Biel reported there is a webinar today for township districts on EPA water technical assistance and helping communities access funding. Legislative passed EMS aid package. They are doing updates for the township accounting system to support local governments.

**Minnesota Watersheds** – Jan Voit provided background information on the Clean Water supplemental funds directed to Watershed Districts. Stated they appreciate the work that was done to get their Chapter 103D Statute updated. Stated she has been meeting regularly with Justin Hanson. Their Summer Tour is June 26th, the same day as the BWSR Board meeting. The day before the tour, June 25th they will have an education session, a tour overview, and a welcome reception that BWSR Board Members can attend.

**Natural Resources Conservation Service** – No report was provided.

#### **COMMITTEE RECOMMENDATIONS**

##### **Grants Program and Policy Committee**

**Approval of the FY24 Water Quality and Storage Grant Program Funding Recommendations** – Rita Weaver presented FY24 Water Quality and Storage Grant Program Funding Recommendations.

The Water Quality and Storage Pilot Grant program was passed into law by the Minnesota Legislature in 2021. The intent of the program is to fund projects that will reduce runoff volume or peak flow rates by implementing storage practices.

On January 24, 2024, the Board adopted Board Order #24-03, which authorized staff to conduct a request for proposals for the FY24 Water Quality and Storage Program grants. An application period was open from February 12, 2024 to April 11, 2024. Three million (\$3M) was available for design and construction, and up to \$500k of that amount was available for modeling and conceptual design work. Twenty-seven (27) applications were received requesting a total of approximately \$9.37M. Of these, 19 were for design and construction funds with a total request of \$3.89M, and nine were for modeling and conceptual design funds with a total request of \$389k.



Grants were scored and ranked by a team of BWSR staff, and the scoring team recommends that 10 projects be funded - 5 for design and construction (2.776M) and 5 projects be funded for modeling and conceptual design (\$213k).

The staff recommendations were provided to the BWSR SMT via email on May 6th and discussed at the May 14th SMT meeting. The Grants Program and Policy Committee discussed the recommendations at their May 13th meeting and recommended approval of the grant awards as proposed. The funding recommendations included in the board order are a result of those meetings.

Lori Cox asked how they come up with their score. Rita stated the Board authorized staff to develop the program and they brought the scoring criteria back to the Board at that time. They also talk about the scoring criteria yearly when they get approval to open the RFP. Stated there are also factors that can make a project score higher. Lori asked if there is a time frame for when the funds need to be used. Rita stated the funds have a statutory expiration date.

Mark Zabel stated there are priority points geographically to the Minnesota River Basin and Lower Mississippi. This is part of the original initiative to get storage on the landscape in those areas. John Jaschke stated that's a statutory prioritization. Rita stated priority areas receive an extra ten points.

\*\*  
24-29 Moved by Jayne Hager Dee, seconded by Joe Collins, to approve the Approval of the FY24 Water Quality and Storage Grant Program Funding Recommendations. ***Motion passed on a roll call vote.***

#### **Lower Minnesota River Dredge Grant** – Marcey Westrick presented Lower Minnesota River Dredge Grant

The Board was appropriated \$240,000 the first year and \$240,000 the second year for a grant to the Lower Minnesota River Watershed District to defray the annual cost of operating and maintaining sites for dredge spoil to sustain the state, national, and international commercial and recreational navigation on the lower Minnesota River. The Grants Program and Policy Committee met on May 13, 2024 and recommends the attached order to the board.

LeRoy Ose asked if anyone else spends money on dredging. Marcey stated the district does. Mark Zabel stated the Lower Minnesota River Watershed District was originally formed with the purpose of assisting the Army Corps of Engineers with dredge spoil management.

Lori Cox asked what the money is used for. John Jaschke stated its for design, site selection, and site securement for the disposal of the dredge material and that the federal government operates the dredging operation but need to have a local partner.

\*\*  
24-30 Moved by Mike Runk, seconded by Jill Crafton, to approve the Lower Minnesota River Dredge Grant. ***Motion passed on a roll call vote.***

#### **NEW BUSINESS**

##### **Technical Training and Certification Program Update** – Jon Sellnow and Amanda Deans presented Technical Training and Certification Program Update

The Technical Training and Certification Program was created in 2017 in partnership with NRCS, MASWCD and MACDE and is designed to efficiently provide training to develop and maintain a highly trained, technically skilled workforce of natural resource professionals capable of meeting the conservation delivery needs of Minnesota. The partnership established a renewed commitment and

partnership for technical training in Minnesota and is committed to providing resources and leadership to achieve program goals, including:

- a streamlined and coordinated approach to assessing needs and delivering training.
- increasing opportunities for obtaining job approval authority for conservation practices

Updates were provided on the achievements of the program to date as well as upcoming activities.

Joe Collins stated this is valuable training and asked if there is technical training for Metro Area Watershed Districts. Jon stated its geared towards agriculture and forestry and is less applicable to urban watersheds, some of the things on conservation planning and the assessment tools would be relevant.

Lori Cox asked what the average range of technical training is. Jon stated it varies and depends on training needs. Their trainings are open to everyone that wants to attend them.

Jeff Berg thanked them for this program.

Joel Larson asked if they are seeing any new, unexpected, or unmet training needs through the IDP or the other ways. Jon stated there will always be some level of unmet training need.

Lori Cox asked what the overall funding for this is. Jon stated its funded through a contribution agreement between BWSR and NRCS. Stated they are working to renew it for another five years starting this fall.

#### **UPCOMING MEETINGS**

- Wetland Conservation Committee meeting is scheduled for June 4<sup>th</sup> at 9:30 a.m. in St. Paul and by MS Teams.
- Northern Region Committee meeting is scheduled for June 5<sup>th</sup> at 10:30 a.m. in Duluth and by MS Teams
- Grants Program and Policy Committee meeting is scheduled for June 17<sup>th</sup> at 8:30 a.m. in St. Paul and by MS Teams.
- BWSR Board meeting is scheduled for June 26<sup>th</sup> at 9:00 a.m. in St. Paul and by MS Teams.

John Jaschke stated the BWSR Board Tour and meeting will be held in Duluth this year on August 28<sup>th</sup> and 29<sup>th</sup>.

Chair Holman adjourned the meeting at 11:15 PM.

Respectfully submitted,

Todd Holman  
Chair

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Dispute Resolution/Compliance Report

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**Meeting Date:** June 26, 2024

**Agenda Category:**     Committee Recommendation     New Business     Old Business

**Item Type:**                 Decision                                     Discussion                 Information

**Keywords for Electronic Searchability:** Wetland Conservation Act Appeals/Buffer Compliance

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**Section/Region:** Central

**Contact:** Travis Germundson

**Prepared by:** Travis Germundson

**Reviewed by:** \_\_\_\_\_ Committee(s)  
Rich Sve DRC Chair and Travis Germundson

**Presented by:** Germundson

**Time requested:** 5 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

None

**LINKS TO ADDITIONAL INFORMATION**

See attached report.

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

The report provides a monthly update on the number of appeals filed with the Board of Water and Soil Resources and summary on buffer compliance/enforcement actions statewide.

# Dispute Resolution and Compliance Report

June 11, 2024

By: Travis Germundson

There are presently **three** appeals pending. There has been **one** new appeal filed since last report.

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

~~Appeals that have been decided since last report to the Board.~~

File 24-3 (5-30-24) This is an appeal of a WCA notice of decision in Crow Wing County. The appeal regards the denial of an after-the-fact forestry exemption application for wetland impacts identified in a Restoration Order that was appealed (Appeal File 23-9). The appeal contends that the alterations are necessary for sustainable timber management. No decision has been made on the appeal.

File 23-15 (12-18-23) This is an appeal of a WCA notice of decision in Morrison County. The appeal regards a decision made under remand (Appeal file 23-8) of a wetland boundary/type. The initial decision was remanded back to the local unit of government to develop an adequate record and now that new decision is being appealed. *The appeal was placed in abeyance and the decision stayed to allow for the submittal of additional documentation on the easement area. A lawsuit was filed in district court to determine the terms and conditions of the easement. A settlement agreement has been signed by all parties resolving any controversy to the easement conditions.*

File 23-9 (10/23/23) This is an appeal of a WCA Restoration Order for property located in Crow Wing and Aitkin County. The appeal regards the placement of fill material for multiple wetland crossings including a portion of an airstrip. *The appeal has been placed in abeyance and the Restoration Order stayed for the submittal of after-the-fact exemption application. The time period on the stay was extended. The county issued a decision on May 1, 2024 denying the forestry exemption application based on TEP findings.*

Summary Table for Appeals

Type of Decision	Total for Calendar Year 2023	Total for Calendar Year 2024
Order in favor of appellant		
Order not in favor of appellant	8	2
Order Modified	1	
Order Remanded	2	
Order Place Appeal in Abeyance	1	
Negotiated Settlement	1	
Withdrawn/Dismissed	3	

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 69 parcels from the 12 counties BWSR is responsible for enforcement. Currently there is one active Corrective Action Notice (CAN) and one Administrative Penalty Order (APO) issued by BWSR that is still active. Of the actions being tracked over 59 of those have been resolved.

Statewide 39 counties are fully compliant, and 48 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 271 CANs and 64 APOs actively in place. Of the actions being tracked over 2,786 of those have been resolved.

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

## **COMMITTEE RECOMMENDATIONS**

### ***Grants Program and Policy Committee***

1. FY 2025 CWF Competitive Grant Program and RFP Criteria – Annie Felix-Gerth – ***DECISION ITEM***
2. Grant Monitoring and Financial Reconciliation Policy – Marcey Westrick – ***DECISION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** FY 2025 CWF Competitive Grant Program and RFP Criteria

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**Meeting Date:** June 26, 2024

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Keywords for Electronic Searchability:** Competitive, grants, request for proposals, RFP, clean water fund, 2025

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**Section/Region:** Land and Water, Central Region

**Contact:** Annie Felix-Gerth

**Prepared by:** Annie Felix-Gerth

**Reviewed by:** Grants Program and Policy    Committee(s)

**Presented by:** Annie Felix-Gerth

**Time requested:** 15 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

In June, the BWSR Board will make a decision to authorize the FY25 CWF Competitive Grants, including the associated RFP criteria. The RFP will open on June 28 and close August 22. The Board will be asked to make a funding decision on eligible applications on December 19, 2024.

**LINKS TO ADDITIONAL INFORMATION**

Attached draft board order and RFP criteria.

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

There will no longer be any policy for this program. All program requirements are contained in the RFP. The FY25 Program includes funding for Accelerated implementation grants.

The board order also authorizes the fiscal year 2025 Clean Water Fund Competitive Grants Program and authorizes staff to finalize and issue a Request for Proposals. The Grants Program and Policy Committee reviewed these recommendations on May 23, 2024 and recommends the attached order to the board.

**BOARD ORDER**

**Fiscal Year 2025 Clean Water Fund Competitive Grants Program**

**PURPOSE**

Authorize the fiscal year 2025 Clean Water Fund Competitive Grants Program.

**FINDINGS OF FACT / RECITALS**

- A. The Laws of Minnesota 2023, Chapter 40, Article 2, Section 6 (b) appropriated \$8,500,000 for the fiscal year 2025 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.
- B. The Laws of Minnesota 2021 First Special Session, Chapter 1, Article 2, Section 6 (c) appropriated \$9,682,000 for accelerated implementation, of which approximately \$3,195,943 is currently unallocated.
- C. The Board has authorities under Minnesota Statute §103B.101 to award grants and contracts to accomplish water and related land resources management.
- D. On May 13, 2024, the Grants Program and Policy Committee reviewed the proposed fiscal year 2025 Clean Water Fund Competitive Grants Request for Proposals program requirements and ranking criteria and recommended approval to the Board.

**ORDER**

The Board hereby:

- 1. Authorizes the fiscal year 2025 Clean Water Fund Competitive Grants Program according to the attached ranking criteria for the FY 2025 Clean Water Fund Competitive Grants Request for Proposal. The program consists of a.) Projects and Practices, b.) Projects and Practices – Drinking Water Subgrant, and c.) Accelerated Implementation.
- 2. Authorizes staff to utilize unallocated funds from prior Clean Water Fund fiscal years for the fiscal year 2025 Clean Water Fund Competitive Grant Program consistent with relevant provisions of prior Laws of Minnesota.
- 3. Authorizes staff to finalize and issue a Request for Proposals based on the amounts available.

Dated at St. Paul, Minnesota, this June 26, 2024.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

\_\_\_\_\_  
Todd Holman, Chair  
Board of Water and Soil Resources

Date: \_\_\_\_\_

Attachments: FY 2025 Clean Water Fund Competitive Grants Request for Proposal Criteria

**FY 2025 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 the current state approved and locally adopted plan for the project area (see plans listed in 'Applicant Eligibility' of this RFP) 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.	20
<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.	15
<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.	<b>5</b>
<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.	<b>20</b>
<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.	<b>35</b>
<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>Accelerated Implementation Ranking Criteria</b>	
<b>Ranking Criteria</b>	<b>Maximum Points Possible</b>
<u>Project Abstract</u> : Clearly describes the project and the expected project results.	<b>5</b>
<u>Prioritization (Relationship to Plan)</u> : The proposal is based on priority protection or restoration actions listed in an approved local water management plan and other related plans.	<b>20</b>
<u>Targeting</u> : The proposal will accelerate targeted implementation efforts to protect or restore water resources.	<b>25</b>
<u>Project Impact</u> : The proposed activities will accelerate implementation of effective water resource protection and restoration activities that go beyond existing efforts.	<b>25</b>
<u>Project Rationale</u> : The proposal describes the need for the project and other approaches considered to meet the project purpose.	<b>25</b>
<b>Total Points Available</b>	<b>100</b>

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Grant Monitoring and Financial Reconciliation Policy

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**Meeting Date:** June 26, 2024

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Keywords for Electronic Searchability:** Grants, Grants Monitoring, Financial Reconciliation, Policy

**Section/Region:** Land and Water, Central Region

**Contact:** Marcey Westrick

**Prepared by:** Marcey Westrick

**Reviewed by:** Grants Program and Policy      Committee(s)

**Presented by:** Marcey Westrick

**Time requested:** 15 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

Rescind the Grants Monitoring and Financial Reconciliation Policy

**LINKS TO ADDITIONAL INFORMATION**

Attached draft board order and RFP criteria.

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

BWSR has a fiduciary responsibility to ensure public funds are used for their program intent and legislative purpose. Minnesota Statutes §16B.97 provides that the Commissioner of Administration shall create general grants management policies and procedures that are applicable to all executive agencies. This includes policies on Pre-Award Risk Assessment for Potential Grantees (08-06), Grant Payments (08-08) and Grant Monitoring (08-10) developed by the Office of Grants Management.

The Board currently has a Grants Monitoring and Financial Reconciliation Policy which documents the Board’s compliance with these Office of Grants Management policies. The Grants Monitoring and Financial Reconciliation Policy has been found to be unnecessary as the Board utilizes internal procedures developed and implemented by staff to document how the requirements of the Office of Grants Management policies are being met. Staff are therefore recommending that the policy be rescinded and will discuss with the committee.

**DRAFT BOARD ORDER**

**Grants Monitoring and Financial Reconciliation Policy**

**PURPOSE**

Rescind the Board's Grants Monitoring and Financial Reconciliation Policy.

**FINDINGS OF FACT / RECITALS**

1. Minnesota Statutes §16B.97 provides that the Commissioner of Administration shall create general grants management policies and procedures that are applicable to all executive agencies." This includes policies on Pre-Award Risk Assessment for Potential Grantees (08-06), Grant Payments (08-08) and Grant Monitoring (08-10) developed by the Office of Grants Management.
2. The Board currently has a Grants Monitoring and Financial Reconciliation Policy which documents the Board's compliance with these Office of Grants Management policies.
3. The Grants Monitoring and Financial Reconciliation Policy has been found to be unnecessary as the Board utilizes internal procedures developed and implemented by staff to document how the requirements of the Office of Grants Management policies are being met.
4. The Board's Grants Program and Policy Committee reviewed this Board Order on June 17, 2024 and recommended approval to the Board.

**ORDER**

The Board hereby:

- a. Rescinds the Grants Monitoring and Financial Reconciliation Policy dated December 17, 2020.

Dated at St. Paul, Minnesota, this June 26, 2024.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

\_\_\_\_\_  
Todd Holman, Chair  
Board of Water and Soil Resources

Date: \_\_\_\_\_

## **COMMITTEE RECOMMENDATIONS**

### ***Wetland Conservation Committee***

1. Wetland Conservation Act Rulemaking – Request for Comments – Less Lemm and Lewis Brockette – ***DECISION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Wetland Conservation Act Rulemaking – Request for Comments

---

**Meeting Date:** June 26, 2024

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Keywords for Electronic Searchability:** Wetland Conservation Act Rulemaking WCA

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**Section/Region:** Wetlands

**Contact:** Les Lemm/Lewis Brockette

**Prepared by:** Les Lemm

**Reviewed by:** Wetland Conservation    Committee(s)

**Presented by:** Les Lemm and/or Lewis Brockette

**Time requested:** 15 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

Approval for staff to publish a Wetland Conservation Act rulemaking request for comments in the State Register that expands the scope of the current rulemaking effort to include the 2024 WCA statute changes.

**LINKS TO ADDITIONAL INFORMATION**

WCA Rulemaking Page, which includes the rulemaking plan & schedule: <https://bwsr.state.mn.us/wca-rulemaking>

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

The process to amend the Wetland Conservation Act (WCA) rule was initiated with two requests for comments published in the State Register, the most recent of which closed on March 19, 2022. The publications also defined the scope of the current rulemaking. However, multiple amendments to WCA statutes occurred during the 2024 legislative session. These amendments represent a substantial increase in rulemaking scope, such that conducting another public comment period is desirable and appropriate. The Board’s Wetland Conservation Committee met on June 4, 2024 and are recommending approval to expand the scope of the current WCA rulemaking to address the 2024 statutory amendments and to initiate a new public comment period via publication of a notice in the State Register.

## BOARD ORDER

### Request for Comments on Wetland Conservation Act Rulemaking

#### PURPOSE

To publish in the State Register a request for comments on amendments to the Wetland Conservation Act rule.

#### FINDINGS OF FACT / RECITALS

1. Minnesota Statutes 103G.2242, Subd. 1 authorizes the Board of Water and Soils Resources (Board), in consultation with the Commissioner of the Department of Natural Resources to adopt rules implementing the Wetland Conservation Act (WCA).
2. The Board has previously developed and adopted Minnesota Rules Chapter 8420 (WCA rule) in accordance with statutory authority.
3. The current WCA rule has been in effect since August 3, 2009.
4. Amendments to WCA statutes occurred in 2011, 2012, 2015, 2017, and 2024;
5. Amending the WCA rule is necessary to ensure consistency between the rule and statute and to make other changes that will improve the efficiency, effectiveness, and/or outcomes of the rule.
6. The most recent process to amend the WCA rule was initiated with a request for comments published in the State Register, which closed on March 19, 2022.
7. The 2024 WCA statute amendments represent a substantial increase in rulemaking scope, such that conducting another public comment period is desirable and appropriate.
8. The Board's Wetland Conservation Committee met on June 4, 2024 and is recommending that the Board authorize staff to expand the scope of rulemaking to include the 2024 statute changes and initiate a new public comment period as part of the WCA rulemaking process.

#### ORDER

**The Board hereby authorizes** Minnesota Board of Water and Soil Resources staff to publish a request for comments in the State Register regarding amendments to the WCA rule.

Dated at St. Paul, Minnesota, this June 26, 2024.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

\_\_\_\_\_  
Todd Holman, Chair  
Board of Water and Soil Resources

Date: \_\_\_\_\_

## COMMITTEE RECOMMENDATIONS

### *Northern Region Committee*

1. Kettle River & Upper St. Croix Watershed Comprehensive Watershed Management Plan – Ryan Hughes and Melanie Bomier – ***DECISION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Kettle River & Upper St. Croix Watershed Comprehensive Watershed Management Plan

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**Meeting Date:** June 26, 2024

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information     Non-Public Data

**Keywords for Electronic Searchability:** Kettle River & Upper St. Croix Comprehensive Watershed Management Plan

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**Section/Region:** Regional Operations/Northern

**Contact:** Ryan Hughes

**Prepared by:** Ryan Hughes

**Reviewed by:** Northern Regional Committee(s)

**Presented by:** Ryan Hughes, Melanie Bomier

**Time requested:** 5 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

Approval of the Kettle River & Upper St. Croix Watershed Comprehensive Watershed Management Plan

**LINKS TO ADDITIONAL INFORMATION**

[Kettle/Upper St. Croix 1W1P - Pine County Soil and Water Conservation District \(pineswcd.com\)](http://www.pineswcd.com)

<https://www.pineswcd.com/index.asp?SEC=9557DF63-76DD-4D16-9743-C6B068F21EE5>

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

The Kettle River & Upper St. Croix Watershed planning area was approved for a One Watershed, One Plan planning grant at the regularly scheduled meeting of the BWSR on August 26, 2021. The planning partners established a Memorandum of Agreement (MOA) for the purposes of writing a Comprehensive Watershed Management Plan. The organizations signing the MOA included Carlton County, Carlton Soil and Water Conservation District (SWCD), Kanabec SWCD, Pine County and Pine SWCD. Aitkin County, Aitkin SWCD and Kanabec County did not sign the Planning MOA due to the small area of their jurisdiction within the planning area.



The Partnership held a 60-day plan review process that ended on January 16, 2024, and held the required public hearing on February 20, 2024, and February 26, 2024. The final draft of the Plan, a record of the public hearing, and copies of all written comments and responses were submitted to the state review agencies on April 26, 2024. The Partnership has addressed and documented agency and public comments received throughout the Plan review process.

On June 5, 2024, the Northern Regional Committee met to review and discuss the Plan. 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.

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 Kettle River & Upper St. Croix Watershed, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801.

---

**ORDER  
APPROVING  
COMPREHENSIVE  
WATERSHED  
MANAGEMENT PLAN**

**Whereas**, the Kettle River & Upper St. Croix Watershed Partnership submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on April 26, 2024 pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #21-08, 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 Kettle River & Upper St. Croix Watershed Partnership (Partnership) was established through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Carlton County, Carlton Soil and Water Conservation District (SWCD), Kanabec SWCD, Pine County, and Pine SWCD.
- 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 Chapters 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 the One Watershed, One Plan (1W1P) program. Board Decision #21-08 adopted the One Watershed, One Plan Program's *Operating Procedures (Version 2.1)* and Board Decision #19-41 adopted the One Watershed, One Plan Program's *Plan Content Requirements (Version 2.1)* policies.
- 3. Nature of the Watershed.** The Kettle River & Upper St. Croix Watershed covers 1,500 square miles, spanning four counties, two tribal nations (Fond du Lac Band of Lake Superior Chippewa and Mille Lacs Band of Ojibwe) and a portion of the 1837 and 1854 Treaty Authority areas in Minnesota. A large portion of the St. Croix Watershed is in Wisconsin. The watershed includes hundreds of lakes and over a thousand miles of streams, providing recreational opportunities and valuable habitat and unique plant and animal species including sturgeon, trout, cisco, rare mollusks, and wild rice. Most of the land cover is forests and wetlands, with only 13% land used for pasture or cultivated crops. Only 3% of the watershed is developed land. The watershed has a large area of karst geology. This type of

geology has the highest risk of contamination to groundwater because pores in the bedrock allow contaminants to flow directly to groundwater supplies.

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 and public input 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, protect and restore lakes, streams, and wetlands, protect and manage forests, preserve groundwater, manage stormwater and enhance recreational uses in the watershed.
  
5. **Plan Review.** On April 26, 2024, the Board received the Plan, a record of the public hearing, and copies of all written comments and responses for final State review pursuant to Board Resolution #21-08. During the development of the Plan, State agency representatives attended and provided input at advisory committee meetings. The following state review comments were received during the comment period.
  - A. Minnesota Department of Health (MDH): The entire watershed planning process has been very transparent with ample opportunity to provide comment at many places in the timeline. The concerns I expressed, and data I provided, for addressing source (drinking) water protection were well received and thoughtfully incorporated. Staff have been very accessible throughout the process and have been prompt in their replies to any questions or suggestions I posed.
  - B. Minnesota Department of Natural Resources (DNR): We are pleased to confirm that all high-level priorities outlined in DNR's 60-day review letter remain addressed in this final draft plan for BWSR approval. At this juncture, we see no need for additions or changes. The DNR has no additional comments and recommends BWSR approval.
  - C. Minnesota Pollution Control Agency (MPCA): We have reviewed the response to the 60-Day review comments and final draft version of the Kettle River Upper St. Croix 1W1P. All the 60-day comments provided by the MPCA have been answered or addressed and we have no additional comments.
  - D. Minnesota Environmental Quality Board (EQB): Policy requires that EQB be notified of the final draft document. EQB confirmed receipt of the Plan and did not provide comments on the 90-day final draft Plan.
  - E. Minnesota Department of Agriculture (MDA): We appreciate the opportunity to review responses to comments and final draft plan. The MDA has no additional comments and recommends BWSR approval.
  - F. Minnesota Board of Water and Soil Resources regional staff: The entire report is very well-written, easy to understand and is visually appealing. We commend the Partnership for their focus protecting healthy ecosystems particularly related to forestry activities and their consideration of climate adaptation and resiliency. the partnership responded well to stakeholder input by adding a section of the plan focused on recreation. They were inclusive of tribal nations during the planning process. All the 60-day comments provided by the BWSR have been answered or addressed and we have no additional comments. BWSR staff involved in the development and review of this plan include Erin Loeffler (former Board Conservationist), Michelle Jordan (Board Conservationist) and Barb Peichel (Clean Water Specialist).

6. **Plan Summary and Highlights.** The highlights of the Plan include:
- Most of the land cover is forests and wetlands, with only 13% land used for pasture or cultivated crops. Only 3% of the watershed is developed land.
  - The Partnership targeted activities in the sensitive karst geology area to protect groundwater, including farm best management practices and forest protection.
  - The Policy and Steering Committees sought extensive community engagement during the early stages of the planning process, including input from two public kick-off meetings. In addition, the Steering Committee held six focused topic meetings (streams & wetlands, agriculture & groundwater, forestry, recreation, stormwater, and lakes). The information gathered at these meetings was used to identify and prioritize issues. These meetings also provided an opportunity for public input on the implementation activities.
  - A total of 16 priority issues were prioritized with direction from the Policy Committee based on input from the public and topic meetings, existing plans and studies, and comment letters from state agencies.
  - A Landscape Stewardship Plan was developed to complement the watershed plan and provided information on forest resources and their relationship to priority water resources.
  - The planning partners set 10 goals for the watershed. These goals include reducing phosphorus loading to lakes by 340 pounds, managing 20,000 acres & protecting 10,000 acres of forests, protecting or enhancing 400 acres of riparian corridor & 2000 linear feet of streams, treating 1000 farm acres with soil health practices & installing 30 farm BMPs, updating 10 septic systems & sealing 20 wells, updating 2 ordinances to protect groundwater, completing four stormwater plans & installing 20 stormwater BMPs, and increasing recreational opportunities. The goals were established by calculating baseline numbers using models and/or datasets and then further refining them based on what could reasonably be accomplished in the 10-year lifespan of the plan.
  - The targeted implementation for this plan will be focused on private land near priority lakes, streams, and sensitive groundwater areas. The waterbodies were prioritized using water quality and habitat data. Recreational and culturally significant resources were also prioritized.
7. **Northern Regional Committee.** On June 5, 2024, the Northern Regional Committee met to review and discuss the Plan. Those in attendance were committee chair Rich Sve, LeRoy Ose, Jeff Berg, Amy Adrihan, Neil Peterson, and Ron Staples. The representatives from the Partnership were Paul Swanson, Pine SWCD; Cameron Gustafson, Carlton SWCD; Mike Gainer, Pine County; Kim Johnson, Kanabec SWCD; and Kim Samuelson, Carlton SWCD. BWSR staff in attendance were Ryan Hughes, Northern Region Manager; Melanie Bomier, Board Conservationist; Carrie Rust-Moline, Office & Administrative Specialist; Chad Severts, Board Conservationist; Jeff Hrubes, Clean Water Specialist; and Barbara Peichel, Clean Water Specialist. 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 June 26, 2034.

## 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 Kettle River & Upper St. Croix Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Resolution #21-08.
3. The Kettle River & Upper St. Croix Comprehensive Watershed Management Plan attached to this Order states water and water-related problems within the planning area; priority resource issues and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Resolution #21-08.
5. The attached Plan when adopted through local resolution by the members of the Partnership will replace the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapters 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 Kettle River & Upper St. Croix Watershed, submitted April 26, 2024.

Dated at St. Paul, Minnesota, this twenty-sixth day of June 2024.

## MINNESOTA BOARD OF WATER AND SOIL RESOURCES

\_\_\_\_\_  
Todd Holman, Chair  
Board of Water and Soil Resources

Date: \_\_\_\_\_



June 26, 2024

Kettle River & Upper St. Croix Watershed Policy Committee  
c/o Paul Swanson, Pine SWCD  
1610 Highway 23 North  
Sandstone, MN 55072

**RE: Approval of the Kettle River & Upper St. Croix Watershed Comprehensive Watershed Management Plan**

Dear Kettle River & Upper St. Croix Watershed Policy Committee:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Kettle River & Upper St. Croix Watershed Comprehensive Watershed Management Plan (Plan) was approved at its regular meeting held on June 26, 2024. Attached is the signed Board Order that documents approval of the Plan and indicates the Plan meets all relevant requirements of law, rule, and policy.

This Plan is effective for a ten-year period until June 26, 2034, in accordance with Minnesota Statutes §103B.101, Subd. 14 and 103B.801. Please be advised, the partners must adopt and begin implementing the plan within 120 days of the date of the Order, per the One Watershed, One Plan Operating Procedures.

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

Please contact Board Conservationist Melanie Bomier of our staff at 651-249-7519 or [melanie.bomier@state.mn.us](mailto:melanie.bomier@state.mn.us) for further assistance in this matter.

Sincerely,

Todd Holman, Chair  
Minnesota Board of Water and Soil Resources

Enclosure: BWSR Board Order

CC: Listed on next page.

<b>Bemidji</b>	<b>Brainerd</b>	<b>Detroit Lakes</b>	<b>Duluth</b>	<b>Mankato</b>	<b>Marshall</b>	<b>Rochester</b>	<b>St Cloud</b>
403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	1601 Minnesota Drive Brainerd, MN 56401 (218) 203-4470	26624 N. Tower Road Detroit Lakes, MN 56501 (218) 846-8400	394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	11 Civic Center Plaza Suite 300 Mankato, MN 56001 (507) 344-2826	1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	3555 9 <sup>th</sup> Street NW Suite 350 Rochester, MN 55901 (507) 206-2889	110 Second St. South Suite 307 Waite Park, MN 56387

Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

[www.bwsr.state.mn.us](http://www.bwsr.state.mn.us) TTY: (800) 627-3529 An equal opportunity employer

CC: Reid Christianson, MDA (via email)  
Carrie Raber, MDH (via email)  
Chris Parthun, MDH (via email)  
Barbara Weisman, DNR (via email)  
Darrin Hoverson, DNR (via email)  
Darrell Schindler, DNR (via email)  
Eric Alms, MPCA (via email)  
Jeff Risberg, MPCA (via email)  
Catherine Neuschler, EQB (via email)  
Ryan Hughes, BWSR (via email)  
Melanie Bomier, BWSR (via email)  
Rachel Mueller, BWSR (file copy)  
Julie Westerlund, BWSR (via email)

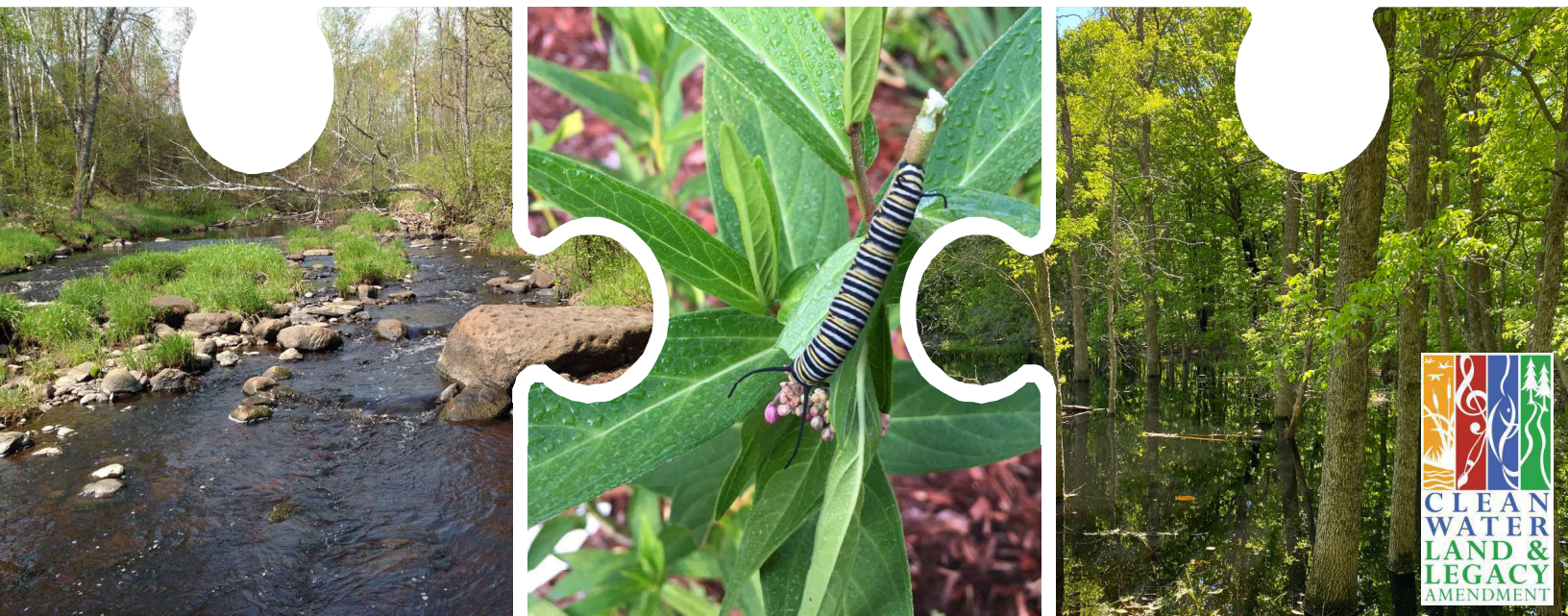
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**KETTLE RIVER/UPPER ST. CROIX**  
ONE WATERSHED ONE PLAN



BWSR Approval Draft





## ACKNOWLEDGEMENTS

### Project Partners

Carlton SWCD  
Carlton County  
Kanabec SWCD  
Pine SWCD  
Pine County

### Planning Team

Caleb Anderson, Pine County  
Melanie Bomier, Carlton SWCD  
Karola Dalen, Carlton County  
Deanna Pomije, Kanabec SWCD  
Paul Swanson, Pine SWCD  
Erin Loeffler, BWSR  
Michelle Jordan, BWSR  
Barb Peichel, BWSR

### Plan Writer

Melanie Bomier  
Carlton SWCD  
808 3rd Street  
Carlton, MN 55707

### Plan Facilitator

Houston Engineering, Inc. (HEI)  
7550 Meridian Circle North, Suite 120  
Maple Grove, MN 55369

### Funded by



KETTLE RIVER/UPPER ST. CROIX  
ONE WATERSHED ONE PLAN



Pine County  
**Soil & Water**  
CONSERVATION DISTRICT



*Funding provided from the Clean Water Fund as part of the Clean Water, Land, and Legacy Amendment.*

## **ACKNOWLEDGEMENTS**

### **Policy Committee**

Dan Benzie, Pine SWCD  
Gary Peterson, Carlton County  
Kim Samuelson, Carlton SWCD  
Kim Johnson, Kanabec SWCD  
Matt Ludwig, Pine County

### **Advisory Committee**

Barb Peichel, BWSR  
Erin Loeffler, BWSR  
Chris Parthun, MDH  
Eric Alms, MPCA  
Karen Evens, MPCA  
Kelly Applegate, Mille Lacs Band of Ojibwe  
Jennifer Loeffler, BWSR  
Michelle Jordan, BWSR  
Matthew Meyer, MnDOT  
Nayere Ghazanfarpour, DNR

### **River, Stream & Wetland Meeting Experts**

Bob Gubernick, Watershed Resident, Forest Service  
David Demmer, BWSR  
Donald Roepke, Big Pine Lake Association  
Kevin Stroom, MPCA  
Matt Meyer, MnDOT  
Stephanie Paulson, Kanabec SWCD  
Tony Vauricka, Hard Water Sports  
Will Bomier, Carlton County Transportation  
Zach Van Orsdel, Pine SWCD

### **Lake Meeting Experts**

Deb Vermeersch, DNR  
Don Roepke, Big Pine Lake Association  
Dwight Benoy, Big Pine Lake Association  
John Mueller, Big Pine Lake Association  
Leslie George, DNR  
Ron Spong, Grindstone Lake Association  
Zach Van Orsdel, Pine SWCD

### **Groundwater & Farm Meeting Experts**

Hannah Bernhardt, MN Farmers Union, Producer  
Katie Hagen, Pine County Extension  
Kevin Stroom, MPCA  
Kimberly Kaiser, MDA, Township Nitrate Testing Program  
Lucas Olson, Pine County  
Ryan Clark, Minnesota Agriculture Water Quality Certification Program  
Tom Peterson, MDA, Producer  
Troy Salzer, Producer, MN Extension  
Tyler Nelson, Producer  
Zach Van Orsdel, Pine SWCD Technician

### **Stormwater Meeting Experts**

Dave Ropke, Big Pine Lake Association  
Leah Jackson, City of Sandstone  
Mark Perry, City of Hinckley  
Phil Entner, City of Moose Lake  
Will Bomier, Carlton County Transportation



## Forest Meeting Experts

Duane Fogard, American Bird Conservancy  
Greg Beck, Pine County  
Erik Eggen, Forester  
Greg Bernu, Carlton County  
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## **APPENDIX**

**Appendix A – Planning Memorandum of Agreement**

**Appendix B – Key Terms**

**Appendix C – Rare and Endangered Species**

**Appendix D – Public Kick-Off Meeting**

**Appendix E – Topic Meeting Reports**

**Appendix F – Draft Issue Statements**

**Appendix G – HSPF-SAM Scenario**

**Appendix H – Carbon and Water Storage Benefits**

**Appendix I – Ordinances**

**Appendix J – References**

**Appendix K - Formal Review Comments**

## ACRONYMS

1W1P	One Watershed, One Plan
AIS	Aquatic Invasive Species
BMP	Best Management Practice
BSA	Bank Service Area
BWSR	Board of Water and Soil Resources
CIP	Capital Improvement Project
CO <sub>2</sub> -e	Carbon Dioxide Equivalent
CRP	Conservation Reserve Program
CWMP	Comprehensive Watershed Management Plan
DNR	Minnesota Department of Natural Resources
DWSMA	Drinking Water Supply Management Area
EPA	Environmental Protection Agency
EQIP	Environmental Quality Incentives Program
EQuIS	Environmental Quality Information System
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FSA	Farm Service Agency
GRAPS	Groundwater Restoration and Protection Strategies
HSPF – SAM	Hydrologic Simulation Program FORTRAN – Scenario Application Manager
JPA	Joint Powers Agreement
LCCMR	Legislative-Citizen Commission on Minnesota Resources
LGU	Local Government Unit
LPSS	Lakes of Phosphorus Sensitivity Significance
LSOHC	Lessard-Sams Outdoor Heritage Council
MAWQCP	Minnesota Agricultural Water Quality Certification Program
MDA	Minnesota Department of Agriculture



MDH	Minnesota Department of Health
MNDOT	Minnesota Department of Transportation
MOA	Memorandum of Agreement
MPCA	Minnesota Pollution Control Agency
MRWA	Minnesota Rural Water Association
MS4	Municipal Separate Storm Sewer Systems
NLCD	National Land Cover Database
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRRI	Natural Resources Research Institute
PFAS	Per- and Polyfluoroalkyl Substances
PILT	Payment In Lieu of Taxes
QA/QC	Quality Assurance / Quality Control
RAQ	Riparian Adjacency Quality
RIM	Reinvest in Minnesota
SFIA	Sustainable Forest Incentive Act
SSTS	Subsurface Sewage Treatment System
SWCD	Soil and Water Conservation District
TMDL	Total Maximum Daily Load
UMD	University of Minnesota - Duluth
UMN	University of Minnesota
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
W:L	Watershed to Lake Ratio
WASCOB	Water and Sediment Control Basin





WBIF	Watershed-Based Implementation Funding
WCA	Wetland Conservation Act
WMA	Wildlife Management Area
WPLMN	Watershed Pollutant Load Monitoring Network
WRAPS	Watershed Restoration and Protection Strategy





## Executive Summary

# EXECUTIVE SUMMARY

## Introduction

The Kettle River and Upper St. Croix Watershed (Watershed) is rich in natural resources. The watershed includes hundreds of lakes and over a thousand miles of streams, providing recreational opportunities and valuable habitat for unique plant and animal species. This area has great cultural importance due to wild rice (manoomin) that grows in numerous lakes and rivers throughout the watershed.

The Watershed covers over 1,500 square miles, spanning four counties and two Tribal nations (Fond du Lac Band of Lake Superior Chippewa and Mille Lacs Band of Ojibwe). The southern half of the watershed is within the 1837 Treaty of St. Peters ceded territory, and the northern half of the watershed is within the 1854 Treaty of LaPointe ceded territory. A portion of the Upper St. Croix Watershed is in Wisconsin (Figure ES.1). Land use in the Watershed is primarily dominated by forests, consisting of more than 380,000 acres. Wetlands are the second highest land cover type, providing a variety of benefits such as habitat, protection from floods, groundwater recharge and water quality protection. Farming, while small compared to other parts of the state, is an important part of the Watershed's communities. Most of the farms are hay/pasture and/or animal operations. Groundwater supplies all drinking water whether private or public. Supplies are protected by the soil above them which range from sandy to clayey. The Watershed's lakes, forests, streams, groundwater, farmland, cities, and towns provide for and support the people and wildlife who live, work, and play here.

The intention of this plan is to prioritize issues impacting watershed resources and assign goals and action items that will be implemented in the next 10 years to improve and protect these

### Vision Statement:

*Protect this wild and pristine watershed to support resilient communities, sustainable natural resources, and abundant recreational opportunities.*

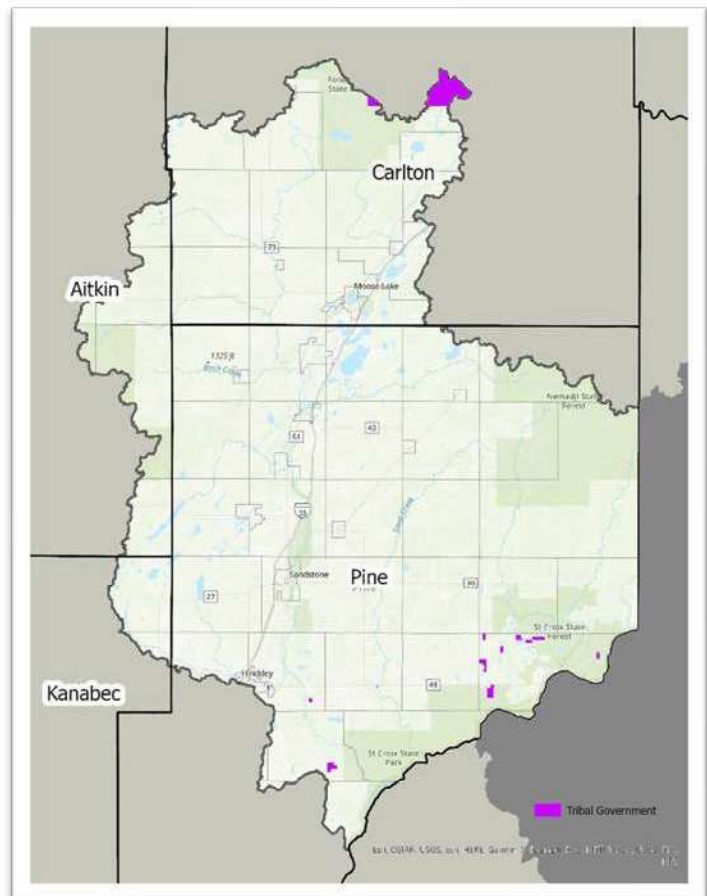


Figure ES.1. Kettle River and Upper St. Croix Watershed

valuable resources. The results will be a measurable improvement in water quality and protection of these important resources for future generations.

## Purpose, Roles, and Responsibilities

The Kettle River and Upper St. Croix Comprehensive Watershed Management Plan (CWMP) was developed as part of the Minnesota Board of Water and Soil Resources' (BWSR) One Watershed, One Plan (1W1P) program. The purpose of the 1W1P program is to align local water planning along major watershed boundaries instead of local jurisdictional boundaries. All resulting CWMPs contain prioritized, targeted, and measurable implementation plans with the purpose of achieving meaningful and lasting results for Minnesota's water resources.

Three committees were formed to develop the plan. A Memorandum of Agreement (MOA) between Carlton County, Carlton SWCD, Pine County, Pine SWCD and Kanabec SWCD was established as the first step in the planning process. A board member from each governmental unit was appointed to serve on the Policy Committee, which is the decision-making body for this plan. Pine County was the fiscal agent for this project. A Steering Committee was formed to guide the process and produce plan content. One staff member from each LGU on the MOA, BWSR Board Conservationists, and Consultants made up the Steering Committee. An Advisory Committee was formed to provide valuable input into the planning process and advise on plan content. This group was made up of local stakeholders, including state agencies, watershed residents, and private business (Figure ES.2). See Appendix A for the MOA and Appendix B for key terms, including the committees. After plan approval, LGU boards are the ultimate decision-maker over plan implementation.

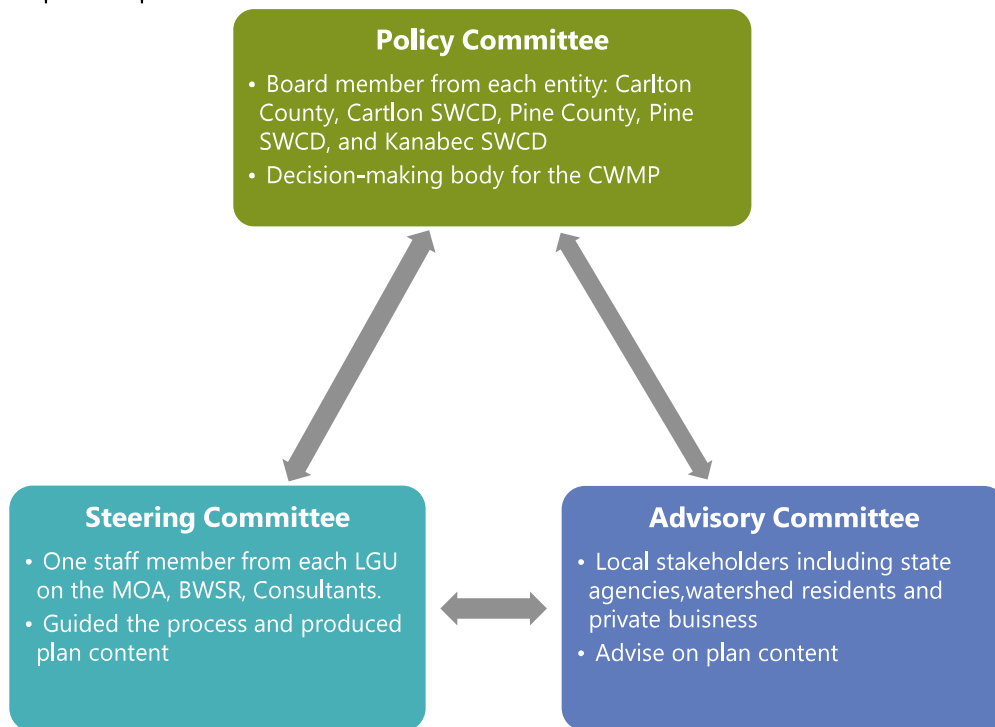


Figure ES.2. Roles and responsibilities of the three committees involved in the development of the Kettle River and Upper St. Croix CWMP.

## Planning Approach

The Kettle River and Upper St. Croix CWMP planning process took 19 months, starting with soliciting state agency written comment letters and a public kick-off meeting in June of 2022. The process included a series of topic meetings held to identify and prioritize issues and develop measurable goals. To achieve the plan’s goals, a list of actions was also created. Figure ES.3 describes the process used to develop the plan.

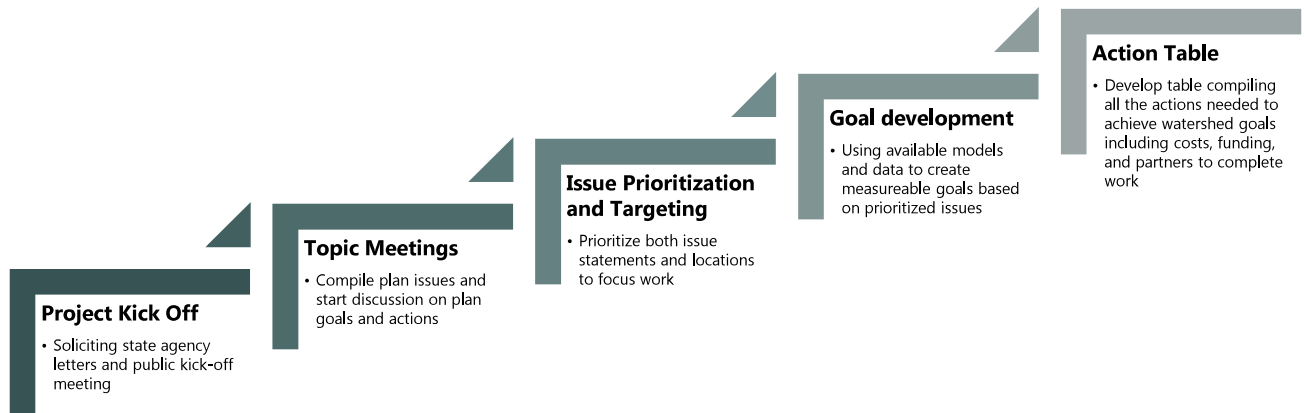


Figure ES.3. Steps in the development of the Kettle River and Upper St. Croix CWMP.

## Topic Areas

To help planning partners understand issues/opportunities for each topic, issues listed in previous plans, reports, state agency comment letters and public kick-off meeting feedback were gathered and compiled into common themes. Several topic areas became clearly important for the watershed: Lakes, Forests, Rivers and Streams, Wetlands, Farms, Groundwater, Stormwater, and Recreation. Based on the common themes, topic meetings were held to brainstorm issues. The Steering Committee wanted to include a wide variety of stakeholders for each topic but realized that many stakeholders would not be able to commit to a year-longer planning process. Thus, the solution was to invite the Advisory Committee to several focused topic meetings with topic experts.



## Issue Identification

Issues for the plan were generated and organized in topic meetings for the following: Lakes, Forests, Rivers and Streams, Wetlands, Farms, Groundwater, Stormwater, and Recreation. At these meetings, attendees developed issue statements and provided their thoughts on potential goals and actions for the plan (Figure ES.4). The group then prioritized the issue list to identify the two or three highest priority issues for each topic. The final list of issue statements was edited by the Advisory Committee and approved by the Policy Committee.

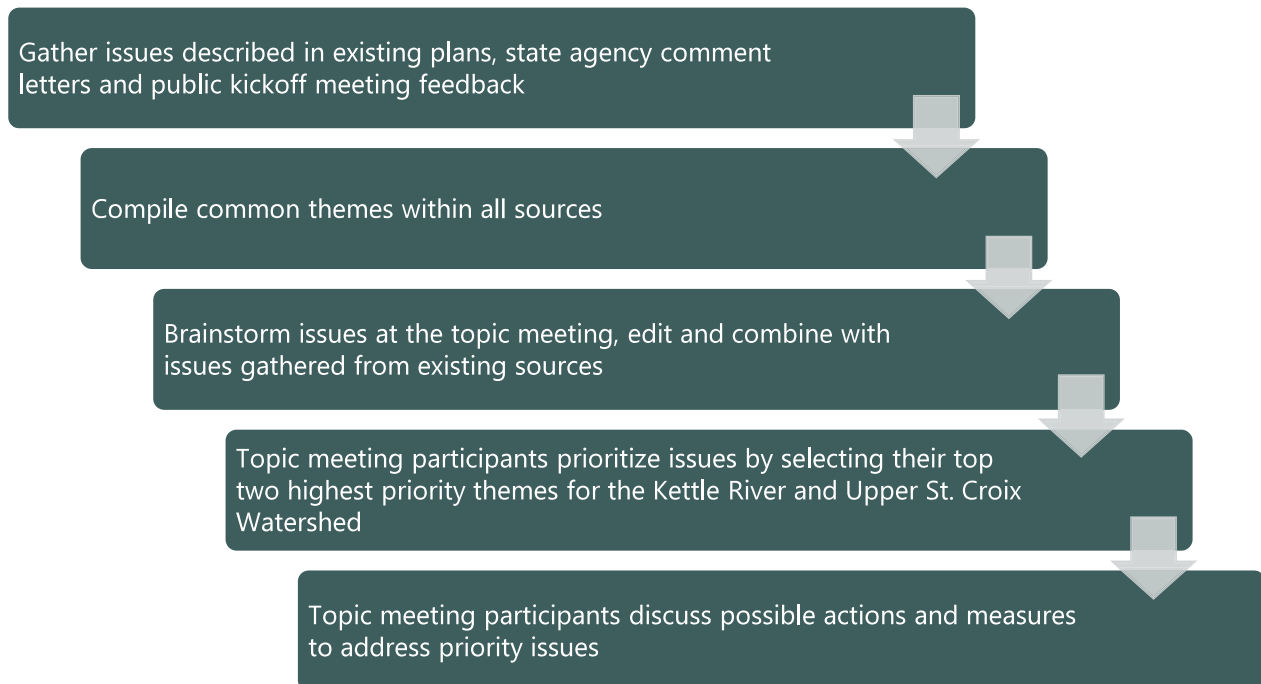


Figure ES.4. Process for developing issue statements.

## Priority Issues

A comprehensive list of priority issues was generated during the topic meetings. They are presented below in no order:

- **Protection** of lakes that provide critical habitat for rare and sensitive species (cisco, trout, wild rice, etc.) is needed to improve water quality, maintain biodiversity, and support native fish, wildlife, and plant communities.
- **Nutrients** from aging or poorly maintained septic systems/holding tanks, shoreline erosion, lake bottom sediment (internal phosphorous), wake boat erosion, and upstream watershed sources can impact lake health and water quality.
- Some tree species are at risk of disease, pests, and invasive species that are impacting **forest health**.
- Healthy forests need **healthy markets** which include a strong and diverse workforce.
- Privately owned forests are at risk and need **protection** from land conversion.

- Streams are impacted by **altered hydrology** (ditched and straightened streams), which leads to damaged infrastructure from flooding and degraded stream habitat from increased bank erosion.
- **Protection** of critical stream recreation and critical stream habitats with rare/sensitive species (e.g., sturgeon and cold-water species such as trout) and high biological integrity is needed to improve water quality, increase connectivity, maintain biodiversity, and support native fish, wildlife, and plant communities.
- Wetlands that provide critical habitat and help store and retain flood waters are at risk of being **lost or have lost function** due to development and land use change, resulting in channel instability, reduced or altered stream flows, and increased mercury concerns.
- **Protection** of critical wetland and peatland habitats is needed to improve water quality, maintain biodiversity, store carbon, and help protect infrastructure from flooding.
- **Nutrient runoff or livestock access** to lakes, streams or wetlands can lead to excessive bacteria (E. coli) and nutrient levels, erosion, and degraded habitat and water quality.
- Existing **barriers to conservation action** (paperwork/ restrictions/ lack of funding and technical assistance/cultural/behavioral) limit the ability for farmers to enroll in conservation programs to install BMPs to protect lakes, streams, and wetlands.
- Groundwater needs **protection** from contamination due to activities on the land.
- More **testing and monitoring** are needed to track groundwater safety and quality.
- **Municipal stormwater management plans** and **effective regulations** are needed to protect lakes and streams.
- Stormwater runoff delivers sediment and nutrients to lakes and streams. The **installation of new BMPs and maintenance** of current stormwater practices is needed.
- Public recreation opportunities are abundant within the watershed, though certain activities can benefit from **increased public investment, awareness, and accessibility**.

Resources were then prioritized to better understand where to work first to address priority issues. Priority resources were identified by the Advisory Committee using known datasets that best represented each issue statement (Table ES.1).

*Table ES.1. Explanation of Issue Statements, the datasets used to make the issue statements and their weighted value. Higher number in the Datasets column indicates higher weight.*

Issue Statements	Datasets (Weight)
<ul style="list-style-type: none"> <li>• <b>Protection</b> of lakes that provide critical habitat for rare and sensitive species (cisco, trout, wild rice, etc.) is needed to improve water quality, maintain biodiversity, and support native fish, wildlife, and plant communities.</li> </ul>	<ul style="list-style-type: none"> <li>• Lakes of high biological significance (1)</li> <li>• Phosphorous sensitive lakes (1)</li> <li>• Recreationally/ culturally important lakes (3)</li> <li>• Wild rice lakes (1)</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Nutrients</b> from aging or poorly maintained septic systems/holding tanks, shoreline erosion, lake bottom sediment (internal phosphorous), wake boat erosion, and upstream watershed sources can impact lake health and water quality.</li> </ul>	<ul style="list-style-type: none"> <li>• Impaired lakes (1)</li> <li>• Nearly/barely lakes (3)</li> <li>• Recreationally/ culturally important lakes (3)</li> </ul>

Issue Statements	Datasets (Weight)
<ul style="list-style-type: none"> <li>Some tree species are at risk of disease, pests, and invasive species that are impacting <b>forest health</b>.</li> <li>Healthy forests need <b>healthy markets</b> which include a strong and diverse workforce.</li> <li>Privately owned forests are at risk and need <b>protection</b> from land conversion.</li> </ul>	<ul style="list-style-type: none"> <li>Priority watersheds identified in the Landscape Stewardship Plan (1)</li> </ul>
<ul style="list-style-type: none"> <li><b>Protection</b> of critical stream recreation and critical stream habitats with rare/sensitive species (e.g., sturgeon and cold-water species such as trout) and high biological integrity is needed to improve water quality, increase connectivity, maintain biodiversity, and support native fish, wildlife, and plant communities.</li> </ul>	<ul style="list-style-type: none"> <li>MPCA stream protection list (1)</li> <li>DNR fisheries trout priority (1)</li> <li>Recreationally/ culturally important streams (1)</li> <li>Wild rice waters (1)</li> </ul>
<ul style="list-style-type: none"> <li>Streams are impacted by <b>altered hydrology</b> (ditched and straightened streams), which leads to damaged infrastructure from flooding and degraded stream habitat from increased bank erosion.</li> </ul>	<ul style="list-style-type: none"> <li>Impaired streams (1)</li> <li>Protection stream (1)</li> <li>Fixable impairments (Stressor ID) (3)</li> </ul>
<ul style="list-style-type: none"> <li>Wetlands that provide critical habitat and help store and retain flood waters are at risk of being <b>lost or have lost function</b> due to development and land use change, resulting in channel instability, reduced or altered stream flows, and increased mercury concerns.</li> <li><b>Protection</b> of critical wetland and peatland habitats is needed to improve water quality, maintain biodiversity, store carbon and help protect infrastructure from flooding.</li> </ul>	<ul style="list-style-type: none"> <li>BWSR Bank Service Area 6 wetland restoration priority catchment tool (1)</li> </ul>
<ul style="list-style-type: none"> <li>Groundwater needs <b>protection</b> from contamination due to activities on the land.</li> <li>More <b>testing and monitoring</b> are needed to track groundwater safety and quality.</li> </ul>	<ul style="list-style-type: none"> <li>Karst (1)</li> <li>Drinking Water Supply Management Area (DWSMA) sensitivity (MDH Letter) (1)</li> <li>Areas of high pollution sensitivity (1)</li> </ul>
<ul style="list-style-type: none"> <li><b>Nutrient runoff or livestock access</b> to lakes, streams or wetlands can lead to excessive bacteria (E. coli) and nutrient levels, erosion, and degraded habitat and water quality.</li> <li>Existing <b>barriers to conservation action</b> (paperwork/restrictions/ lack of funding and technical assistance/cultural/behavioral) limit the ability for farmers to enroll in conservation programs to install BMPs to protect lakes, streams, and wetlands.</li> </ul>	<ul style="list-style-type: none"> <li>Farmland and feedlots in subwatersheds of bacteria impaired streams (1)</li> <li>Farmland and feedlots in subwatersheds of priority lakes/streams (1)</li> <li>Karst &amp; areas of high pollution sensitivity (1)</li> </ul>
<ul style="list-style-type: none"> <li>Municipal <b>stormwater management plans and effective regulations</b> are needed to protect lakes and streams.</li> <li>Stormwater runoff delivers sediment and nutrients to lakes and streams. The <b>installation of new BMPs and maintenance</b> of current stormwater practices is needed.</li> </ul>	<ul style="list-style-type: none"> <li>Municipalities near priority lakes, rivers, or streams (1)</li> </ul>

## Goals

Measurable goals were established using a variety of methods such as calculating baseline goals from models and/or datasets or based on an understanding on what is feasible. The numbers were refined based on estimated level of effort that could reasonably be accomplished in the 10-year time span of the plan. Each goal has a corresponding list of actions that will help make progress towards that goal.

### Kettle River and Upper St. Croix Watershed Goals



Reduce phosphorous loading by **340 pounds** using nearshore projects or projects in the direct drainage of priority restoration and protection lakes.



Manage **20,000 acres** and protect **10,000 acres** of private forest in high priority areas using easements, SFIA, land acquisition and other protection opportunities.



Protect or enhance **400 acres** of riparian corridor in priority streams and **2,000 linear feet** of priority streams to maintain healthy ecological conditions.



Protect and restore **100 acres** of wetlands (e.g., peatlands) in high priority areas resulting in **200 acre-feet** of water storage.



Treat **1,000 farm acres** with soil health practices and install **30 BMPs** in priority areas to reduce nutrient runoff and protect soil health and water quality.



Update **10 septic systems**, seal **20 wells** and monitor private wells to protect and maintain groundwater quality, focusing on high priority areas.



Improve land use planning to reduce groundwater contamination by updating **two ordinances**.



Complete or update **four stormwater management plans** and review regulations in **four communities**.





**Install and maintain 20 stormwater BMPs in high priority areas.**



**Increase opportunities, investment, awareness, and accessibility of public recreation throughout the basin.**

## Actions and Implementation

At each topic meeting, a list of actions was brainstormed. In addition, actions were gathered from previous reports along with the state agency letters, resulting in a draft list of actions for each goal. The Advisory Committee then added any actions they thought were missing. Implementation of the plan will involve programs that will be targeted to prioritized areas for management. Non-priority areas will be considered on an opportunity basis.

Plan actions and their associated cost estimates can be found in each topic section. Each action falls into one of four programs, described below with each program’s associated icon.

	<p><b>Conservation Programs</b> are voluntary programs implemented mainly by the Soil and Water Conservation Districts. These programs include incentive programs, easements, and capital improvements.</p>		<p><b>Land Use Policy</b> are required programs including regulation and ordinances. These programs include the Wetland Conservation Act, Buffer Law, Shoreline Ordinances, Septic System maintenance and more.</p>
	<p><b>Education and Outreach</b> programs are used to promote conservation in the watershed and encourage landowners to adopt practices on their land.</p>		<p><b>Research, Data and Monitoring</b> practices identify places (or “gaps”) where projects are needed, where existing research is insufficient, and where additional monitoring would help track progress toward plan goals.</p>

Current programs and funding (baseline) will not be enough to meet the full targeted implementation schedule. The Steering Committee is consistently pursuing funding opportunities to implement the activities in the targeted implementation schedule. The success of the plan will hinge on reliable non-competitive watershed-based funding being available for plan implementation in addition to competitive state, federal and private grant dollars. The implementation table displays funding in three different categories (Table ES.2). Funding categories are calculated by the best available estimates and limitations in funding levels could limit the goals of this plan.

Table ES.2. Funding categories for plan actions.

Funding Level	Description	Estimated Biennial Average	Estimated Plan Total (10-Year)
Baseline	Local Baseline Funding	\$328,000	\$1,640,000
WBIF	Watershed-Based Implementation Funding	\$1,713,360	\$8,533,800
Other	Other funding sources including competitive grants and partner funding (i.e. NRCS, State, Federal)	\$822,940	\$4,114,700

The plan provides a framework for the Kettle River and Upper St. Croix Watershed to work towards goals that maximize environmental benefits. Partners that will help with plan implementation include state agencies such as BWSR, DNR, MDH, MDA, and the MPCA along with other organizations such as lake associations, Trout Unlimited, Pheasants Forever, American Bird Conservancy, 1854 Treaty Authority and many others.

### Plan Administration

The Kettle River and Upper St. Croix 1W1P planning effort was conducted through a Memorandum of Agreement (MOA) between Carlton County, Carlton SWCD, Pine County, Pine SWCD and Kanabec SWCD. The parties, along with any additional eligible entities, plan to form a new JPA for administering the plan.

Implementation of the CWMP will require increased capacity of plan partners, including increased staffing, funding, and coordination for current levels. Success will depend on generating active interest and partnerships within the watershed. The committees formed during the planning process will continue into implementation. The Policy Committee is the decision-making body. They will approve the biennial work plans, reports, grant applications and any amendments. The Steering Committee will continue to meet, review, and identify collaborative funding and project opportunities, implement the targeted implementation schedule, and update the Policy Committee on what projects are completed and where funding is spent. The Advisory Committee will review and identify collaborative funding opportunities as well as review and provide input for the biennial work plan. Fiscal and administrative duties for plan implementation will be assigned to an LGU through a Policy Committee decision.

## **COMMITTEE RECOMMENDATIONS**

### ***Water Management and Strategic Planning***

1. Nonpoint Priority Funding Plan Update – Julie Westerlund and Annie Felix-Gerth – ***INFORMATION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Nonpoint Priority Funding Plan Update

---

**Meeting Date:** June 26, 2024

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Keywords for Electronic Searchability:** NPPF; Nonpoint Priority Funding Plan

---

**Section/Region:** Land and Water/Central Region

**Contact:** Julie Westerlund

**Prepared by:** Julie Westerlund

**Reviewed by:** Water Management & Strategic Planning Committee(s)

**Presented by:** Julie Westerlund/Annie Felix-Gerth

**Time requested:** 15 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

None (this is an update required by Board Order 23-65).

**LINKS TO ADDITIONAL INFORMATION**

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

The original Nonpoint Priority Funding Plan (NPPF) was written in 2014 and updated in 2016 and 2018 as required by statute. A change to statute in 2019 allows BWSR to establish alternative content and timelines for updating the NPPF. In 2021, BWSR established a framework for updating the NPPF; and in 2023, the Board directed staff to revise the NPPF and to provide an update to the Board in June 2024. Staff have been working with an interagency team and are making good progress on the NPPF revision. Staff will present an update on the revision status and a proposed timeline for completion.

## **COMMITTEE RECOMMENDATIONS**

### ***Audit and Oversight Committee***

1. Draft Agency Tribal Consultation Policy – Melissa King – ***INFORMATION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Draft Agency Tribal Consultation Policy

---

**Meeting Date:** June 26, 2024

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Keywords for Electronic Searchability:** Tribal Governments, Consultation, Policy

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**Section/Region:** Strategy & Operations Division

**Contact:** Andrea Fish, Melissa King

**Prepared by:** Melissa King

**Reviewed by:** Audit and Oversight    Committee(s)

**Presented by:** Melissa King

**Time requested:** 30 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

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

**ACTION REQUESTED**

None. Information Only.

**LINKS TO ADDITIONAL INFORMATION**

- Draft BWSR Tribal Consultation Policy (enclosed)
- Minn. Stat. §10.65 GOVERNMENT-TO-GOVERNMENT RELATIONSHIP WITH TRIBAL GOVERNMENTS:  
<https://www.revisor.mn.gov/statutes/cite/10.65>

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

The state and Tribal Governments share geography, history, people, natural resources, and have shared priorities for the protection of waters. State actions and policies have impacts on Tribal Governments, their citizens, and Indigenous peoples living across the state – and we significantly benefit from working together when possible.

In 2021 a new state law was enacted that codified government-to-government relations with Tribal Governments (Minn. Stat. §10.65). This law affirmed the unique and legal relationship between the State of Minnesota and Tribal Governments, and ensures that this relationship is founded on understanding and respect for sovereignty,

which also includes meaningful and timely consultation. The role of State agencies, including the Board of Water and Soil Resources (BWSR), in the continuous improvement of Tribal-State relations is described in this law.

BWSR must develop and implement a Tribal Consultation Policy to comply with Minn. Stat. §10.65 and to guide the agency's work to maintain a respectful and collaborative relationship between BWSR and each Tribal Government. The policy guides the protocols by which BWSR will communicate, cooperate, and consult with Tribal Governments on matters that may impact their interests to ensure that a Tribal Government has been provided the opportunity to be meaningfully engaged and contribute continuous input prior to BWSR decisions on the matter under consideration.

The policy must be developed in coordination with representative of each Tribal Government, must be submitted to the Governor and Lieutenant Governor, and must be updated no less once every two years, or as often as required to facilitate timely and meaningful consultation.

The draft BWSR Tribal Consultation Policy was reviewed by BWSR's Senior Management and Executive staff teams; and was distributed to the Governor's office and state agency Tribal Liaisons (including the departments of natural resources, agriculture, and health) for preliminary review. BWSR's Tribal Liaison will be working with representatives for each Tribal Government to solicit and incorporate any input on the draft policy. The final BWSR Tribal Consultation Policy will be shared with the BWSR Board.

# Government-to to-Government Relations with Tribal Nations

## Tribal Consultation Policy

**Version:** 1.00 (DRAFT June 6, 2024)

**Effective Date:** MM/DD/YYYY

**Approval:**

### Background

A unique government-to-government relationship exists between the federally-recognized Indian Tribes (Tribal Governments<sup>1</sup>) that share geography with the United States and the State of Minnesota. The Constitution of the United States, numerous treaties between the United States and Indian Tribes, statutes, federal case law, regulations, and executive orders, as well as political, legal, moral, and ethical principles have recognized and affirmed the absolute rights of Tribal Nations to existence, self-governance, and self-determination.

The State of Minnesota and Tribal Governments have shared geography, history, people, natural resources, and priorities for the protection of waters and water quality; and significantly benefit from working together, learning from one another, and partnering when possible. The State of Minnesota has responsibility to uphold treaty responsibilities in all State decisions, public processes, and policies by protecting the land, native foods, and the cultural heritage of Indigenous Minnesotans. State actions and policies have impacts on Tribal Governments, their citizens, and Indigenous peoples living within and outside of reservation and community boundaries.

The State of Minnesota has undertaken efforts over the last two decades to advance government-to-government relations between the state and Tribal Governments, and in 2021 a new state law was enacted that codified government-to-government relations with Tribal Governments (Minn. Stat. §10.65). This law affirmed the unique and legal relationship between the State of Minnesota and Tribal Governments, and ensures that this relationship is founded on respect, understanding, and sovereignty that includes meaningful and timely consultation. The role of State agencies, including the Board of Water and Soil Resources (BWSR), in the continuous improvement of Tribal-State relations is described in this law.

### Purpose

The purpose of this Tribal Consultation Policy is to develop, improve, and maintain respectful collaborative relationships between BWSR<sup>2</sup> and each Tribal Government and to ensure that each Tribal Government is

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<sup>1</sup> Minn. Stat. §10.65 (2024) defines “Minnesota Tribal Governments” as it pertains to this policy.

<sup>2</sup> This policy does not apply to BWSR’s State agency Board members acting within the scope of their individual state agency authorities and policies.



provided the opportunity to be meaningfully engaged and contribute input on actions and/or policies that may impact their interests. This approach to Tribal consultation<sup>3</sup> will facilitate the implementation of agreed-upon processes for the engagement, collaboration, and continuous input on matters that have Tribal impacts or are of mutual interest for better understanding and informed decision-making; and better align with state and federal laws, regulations, and Tribal laws.

This policy seeks to strike a balance between providing sufficient guidance to achieve consistency and predictability for coordination of Tribal consultation and communication purposes while allowing for, and encouraging, the tailoring of consultation approaches to reflect the circumstances of each consultation situation and to accommodate the unique cultural sensitivities, differences, and preferences of each Tribal Government.

## Policy Statement

BWSR recognizes Tribal Governments as unique sovereign entities, not political subdivisions of State or other governmental units, with the inherent authority and absolute right to existence, self-governance, and self-determination; and accords Tribal Governments the same respect accorded to other governments.

BWSR recognizes and supports the reciprocal interests in improving and protecting soil and water resources, and all natural resources across the state for current and future generations and supports a conservation delivery system that considers and respects Tribal sovereignty.

BWSR seeks to foster and facilitate meaningful and lasting government-to-government relations with each Tribal Government that shares geography with the State of Minnesota, founded on the principals of respect and mutual understanding. BWSR commits to consult on a government-to-government basis with each Tribal Government annually, and as early and as often as is necessary on the agency's budget and legislative agenda, matters of mutual interest, and when agency actions, policies, and/or decisions will impact Tribal interests or directly affect the distribution of power and responsibilities between the state and Tribal Governments.

BWSR will communicate with honesty, integrity, and transparency and will be open with information that may be beneficial or critical to deciding or developing a position. BWSR will consider input gathered from Tribal Governments into agency decision-making processes, and together with Tribal Governments, BWSR will remain flexible to attain practical and mutually beneficial solutions and outcomes, when possible.

BWSR will encourage cooperation between Tribal, federal, state, and local governments to resolve matters or issues of mutual interest.

When a Tribal Government official, or their authorized representative as determined by the Tribal Government, requests consultation, BWSR will honor the request with consideration of the nature of the activity, past consultation efforts, available resources, timing considerations, and all other relevant factors.

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<sup>3</sup> Consultation is an open and free exchange of information and opinions, among parties to collaborate on matters of mutual interest, prior to taking actions or implementing decisions that may affect Tribal Governments or their interests, to establish respectful and valuable relationships, and collaborate to make informed decisions with the goal of reaching mutually beneficial solutions and outcomes. The consultation process also includes advising Tribal Governments of final decisions and including explanations of final decisions.

## Consultation Guidelines

There is no single formula to determine when and how consultation and coordination should occur. BWSR will consider and apply the framework and guiding principles of this policy at all stages of planning and development of the action or item under consideration. More specific internal guidance and contact directories are described in BWSR's *Approach to Consultation, Coordination, and Cooperation*, as updated.

Consultation should occur as early as possible, and as often as necessary, to allow a Tribal Government the opportunity to provide meaningful input that can be considered *prior to* BWSR decisions on whether, how, or when to act on the matter under consideration. As proposals and options are developed, consultation, coordination, and cooperation should be continued, with appropriate level of employees and leaders, to ensure that the overall range of options and decisions is shared and deliberated by all concerned parties; including any revisions, additions, or amendments that may occur in the process.

The consultations that will result from the implementation of this policy are not intended to preclude or replace the regular communications and exchanges of information and input that are expected to occur between BWSR staff and Tribal Governments.

### *Matters that have Tribal Implications*

Consultation opportunities arise when there is a reasonable belief that an agency action has or may have substantial direct effect on or one or more Tribal Governments or their citizens. This may include:

- Agency budget and legislative proposals;
- Changes to or application of regulations, statutes, or rules;
- Land or water management planning or conservation delivery within or that may impact Indian Country, Tribal lands, ceded territories, or reserved treaty rights;
- Significant changes to BWSR policies, programs, or services, that affect the delivery of services or program funding for one or more Tribal Governments;
- Actions that would affect the relationship between BWSR and one or more Tribal Governments; or
- Actions that would affect the distribution of power and responsibilities between the state government and Tribal Governments.

### *When to Consult*

Beyond regular, "in-the-moment" consultation when needed, BWSR will invite consultation:

1. Each year, prior to October 1<sup>st</sup>, and at such a time that would allow each Tribal Government the opportunity to identify priority issues for consultation and provide input and identify items or issues that BWSR should consider and develop as part of the agency's budget and legislative agenda for the upcoming year.
2. When, and prior to, any BWSR actions and decisions which may directly affect interests of a Tribal Governments. BWSR will collaborate and cooperate, and proactively consult at the earliest possible stage and as often as is subsequently required with the affected Tribal Government(s).

## *Consultation Protocols*

1. **Identification.** BWSR in consultation with each Tribal Government, will annually identify priority activities and issues for further consultation and cooperation. BWSR or a Tribal Government may also identify, at the earliest opportunity, matters of mutual interest as it relates to the agency's work, for consultation.
2. **Notification.** BWSR, or a Tribal Government, will notify the other party of its desire to hold a consultation. Notice will be provided in a timely manner to allow for adequate time to prepare and schedule participants as needed. Invitations for consultation from BWSR shall be initiated by the Executive Director to the official or authorized representative for, and as determined by, the Tribal Government.
3. **Sharing Information.** BWSR will provide the Tribal Government with relevant and appropriate information on the matter of issue/interest and will ensure that the Tribal Government has sufficient time to consider the information before providing input.
4. **Input.** BWSR's Executive Director, Tribal Liaison, and any staff subject matter experts will be available for consultation, at a time and method/location mutually agreed. Further consultation may be necessary, in order to respond to a Tribal Government's needs, to ensure sufficient opportunity to provide, receive, and discuss input, as changes or new issues arise, and to work together to develop mutually beneficial outcomes and solutions, when possible.
5. **Documenting.** For each consultation, BWSR will create a written record of the consultation topics and the general discussion on each topic, including any actual or possible outcome of the consultation. BWSR will provide the draft record to the Tribal Government(s) consulted for review, incorporate any clarifications or corrections received, and distribute the final summary to the Tribal Government(s) consulted.

## *Coordination Protocols*

BWSR staff are expected to have regular communication and exchanges of information with Tribal Government staff with a goal to ensure that BWSR provides timely information to a Tribal Government on matters that affect or may be of mutual interest, and proactively foster opportunities to identify, solicit input, discuss, and address issues. The general coordination process of identification, notification, information sharing, input, and communication is similar. The primary difference between Tribal consultation and coordination are that consultations include more formal steps to identify issues, notify parties, and develop a record.

At any point in the coordination process, BWSR's Executive Director or a Tribal Government official, or their authorized representative, may request that consultation occur.

## **Internal Capacity Building**

BWSR's *Tribal Relations Change Management Plan*, as updated, describes BWSR's vision, goals, and expectations for integrating into the agency's business processes, consideration of how a proposed activity may impact or directly affect Tribal Governments, and ensures that sufficient time is planned to meaningfully involve Tribal Governments. The plan describes the expectations and responsibilities to:

1. Communicate and improve the flow of information regarding BWSR-Tribal Government relationships and matters of possible Tribal Government interest; and

2. Build internal agency capacity through training and learning to empower staff and Board members to develop authentic and respectful relationships and work effectively with Tribal Governments.

BWSR will commit to provide and sustain resources to support continued learning for all Board members and agency staff to attend training to improve understanding of American Indian Tribal Governments, histories, cultures and traditions, to empower Board members and employees to develop authentic and respectful relationships, and to work effectively with Tribal Governments. This includes supporting:

- Participation of all appointed Board members and agency staff in the state instituted Tribal-State Relations Training (TSRT);
- Participation of all newly appointed Board members and new staff in TSRT within one year of appointment or hire, as space in training allows;
- Completion of all TSRT eLearning training modules available in Self Service by all current staff, and new staff within one year of hire; and
- Supplementary TSRT learning opportunities for Board member and agency staff.

## Roles and Responsibilities

### *BWSR Board*

- Ensure that the underlying principals and procedures of this policy are integrated into BWSR's vision, mission, core values, and work.
- Work closely with the Executive Director to ensure that the policy is carried out in accordance with the spirit and intent Minn. Stat. §10.65.

### *Executive Director*

- Establish and maintain positive relationships with each Tribal Government, and Tribal communities and consortiums.
- Support and ensure that the policy principals are integrated into agency business processes and carried out in accordance with the spirit and intent of this policy and Minn. Stat. §10.65. Ensure that BWSR Board and senior leadership understand and implement this policy.
- Have a direct line of communication with BWSR's Tribal Liaison and agency leadership teams to maintain positive relationships and appropriately conduct government-to-government consultation and cooperation with Tribal Governments.
- Serve as BWSR's representative for participating in meetings of the Minnesota Indian Affairs Council.

### *Executive Team, Senior Management Team, Supervisors*

- Maintain positive relationships with Tribal Governments, and Tribal communities and consortiums.
- Support staff awareness, understanding, and implementation of this policy.
- Participate as necessary in consultation and cooperation with Tribal Governments.

### *Tribal Liaison*

- Represent BWSR by establishing and maintaining positive relationships with Tribal Governments, and Tribal communities and consortiums. Serve as the agency principal point of contact for Tribal Governments.
- Serve as the designated staff contact for this policy with the authority to provide leadership and direction to ensure agency-wide understanding and integration of this policy so that agency Tribal consultation, cooperation, and communication practices are meaningfully and effectively implemented in accordance with this policy and Minn. Stat. §10.65.
- Directly communicate with the Executive Director, Executive Team, and senior leaders to maintain positive relationships and appropriately conduct government-to-government consultation and cooperation with Tribal Governments.
- Coordinate the Tribal consultation process as appropriate. Ensure that records of BWSR’s Tribal consultations are recorded and maintained.
- Coordinate review and update of this policy as necessary and no less than every two years, to facilitate timely and meaningful consultation with Tribal Governments.
- Actively support and participate in the Tribal-State Relations Training.
- Develop and implement agency learning opportunities to ensure understanding of, and steps needed to integrate requirements of this policy into BWSR’s work.

### *Senior Legal and Program Advisor*

- Point of contact for legal questions and their implications for BWSR programs.

### *Agency Staff*

- Understand and follow the policy to ensure appropriate Tribal consultation and cooperation for meaningful government-to-government relations with Tribal Governments.

## **Contact**

For more information on this policy, please contact BWSR’s Tribal Liaison.

## **History**

<b>Version</b>	<b>Description</b>	<b>Date</b>
1.0		