



## BOARD ORDER

### Fiscal Year 2025 Clean Water Fund Competitive Grant Program Awards

#### PURPOSE

Authorize the Fiscal Year 2025 Clean Water Fund Competitive Grant Program Awards.

#### FINDINGS OF FACT / RECITALS

1. 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, of which approximately \$6,890,583 is currently unallocated.
2. 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; and (t) the board may shift grant, cost-share, or easement funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.
3. On June 26, 2024, the Board authorized staff to distribute and promote a request for proposals (RFP) for Clean Water Fund Competitive Grants (Board order #24-33).
4. The request for proposals for a total of \$9,610,943 was noticed on June 28, 2024 with a submittal deadline of August 22, 2024.
5. Applications were scored and ranked by the interagency committees on October 21, 2024.
6. On November 12, 2024, BWSR's senior management team reviewed staff's recommendation for allocations and recommended approval to the Grants Program and Policy Committee.
7. The Grants Program and Policy Committee, at their November 18, 2024 meeting, reviewed the proposed shift and allocations and recommended approval to the Board.

#### ORDER

The Board hereby:

- a) Approves the allocation of funds to each applicant in the amounts listed in the attached allocation tables.
- b) Authorizes staff to shift funds consistent with #2 above.
- c) Authorizes staff to approve work plans and enter into grant agreements for these funds consistent with the appropriations and the RFP.
- d) Authorizes staff to fund additional applications fully or partially in rank order and may separately or in combination: i. reallocate funds returned from previous years' Clean Water Fund Competitive grant programs, ii. reallocate funds that become available if funded projects are withdrawn or do not receive

work plan approval by March 20, 2025, unless extended for cause, or iii. reallocate funds that are modified due to a reduction in the state funding needed to accomplish the project.

- e) Establishes that the grants awarded pursuant to this order will be consistent with the FY 2025 Clean Water Fund request for proposals.

Dated at St. Paul, Minnesota, this December 19, 2024.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**



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Todd Holman, Chair  
Board of Water and Soil Resources

Date: 12/19/2024

Attachments:

- FY2025 Clean Water Fund Projects and Practices Allocation Table
- FY2025 Clean Water Fund Projects and Practices Drinking Water Subprogram Allocation Table
- FY2025 Clean Water Fund Accelerated Implementation Allocation Table

**FY2025 Clean Water Fund Projects and Practices Allocation Table**

1	C25-0221	Ditch 20 Wetland Restoration Benefitting Typo & Martin Lakes	Anoka CD	\$ 221,375
2	C25-0158	Swamp Iron Enhanced Sand Filter Implementation	Prior Lake-Spring Lake WD	\$ 443,975
3	C25-0190	Bridgewater Regional Stormwater Filter	Coon Creek WD	\$ 625,000
4	C25-0195	Alimagnet Lake Internal Phosphorus Load Reduction Project	Vermillion River Watershed JPO	\$ 70,000
5	C25-0169	Tier One Priority: Big Swan Lake Phosphorous Reduction	Todd SWCD	\$ 625,000
6	C25-0173	South Branch Wild Rice River Grade Stabilizations - Phase 1	Wild Rice WD	\$ 700,000
7	C25-0172	Red Lake County SWCD Non-structural Land Management Project	Red Lake SWCD	\$ 269,288
8	C25-0226	Plymouth Creek Restoration Project: Dunkirk Ln to 38th Ave. N.	Bassett Creek WMC	\$ 400,000
9	C25-0215	Wetland for the Improvement of St. James Creek	Watonwan SWCD	\$ 347,072
10	C25-0238	Buffalo Watershed Lakes and Mainstem Region Improvement	Becker SWCD	\$ 800,000
11	C25-0214	Clearwater SWCD Soil Health Expansion	Clearwater SWCD	\$ 100,000
12	C25-0168	Wild Rice River Private Channel Outlet Stabilization	Norman SWCD	\$ 373,000
13	C25-0216	Square Lake Park Bioretention Basins	Washington County	\$ 80,000
14	C25-0242	Redwood Falls WSCBs - Redwood County	Redwood SWCD	\$ 335,279
15	C25-0188	Heath Iron Enhanced Sand Filter	Comfort Lake-Forest Lake WD	\$ 1,499,000
<b>TOTAL</b>				<b>\$ 6,888,989</b>

**FY2025 Clean Water Fund Project and Practices Drinking Water Subprogram Allocation Table**

1	C25-0212	Fairmont Drinking Water and Watershed Restoration Phase 2	Martin SWCD	\$ 260,000
2	C25-0186	Verdi Drinking Water Supply Management Area Soil Health Grant 2025	Lincoln SWCD	\$ 282,835
3	C25-0175	2025 Dakota County Well Seal Program	Dakota County	\$ 200,000
4	C25-0178	City of Le Sueur Minnesota Valley Canning Company Well #1 Sealing Project	Le Sueur County	\$ 181,363
5	C25-0191	Enhanced Street Sweeping in SLP for Drinking Water Protection	Spring Lake Park, City of	\$ 290,000
6	C25-0192	2025 Ramsey County Well Sealing Program	Ramsey County	\$ 65,000
7	C25-0236	Phase II: Protecting groundwater quality in Anoka County through targeted well sealing	Anoka CD	\$ 70,000
<b>TOTAL</b>				<b>\$ 1,349,198</b>

**FY2025 Clean Water Fund Accelerated Implementation Allocation Table**

1	C25-0205	Water Quality Modeling of Lower Mississippi River WMO Priority Watersheds	Lower Mississippi River WMO	\$ 98,000
2	C25-0219	Reeds Lake Sub-watershed Assessment and Ravine Stabilization	Waseca SWCD	\$ 76,500
3	C25-0174	City of Vadnais Heights Greenhaven Drive Green Streets Stormwater BMP Feasibility Study	Vadnais Heights, City of	\$ 250,000
4	C25-0180	FY2025 Phosphorus Source Assessment and Management Plan for a farm on Rush Lake	Chisago SWCD	\$ 36,000
5	C25-0232	Big Eagle Lake Alum Feasibility and Planning Project	Sherburne SWCD	\$ 46,890
6	C25-0202	Upland Best Management Practice Inventory Assessment and Project Recruitment Within the Sub-watersheds of Otter and Campbell Lakes	McLeod SWCD	\$ 121,446
7	C25-0209	Le Sueur County Lakes Subwatershed Assessments	Le Sueur County	\$ 207,075
8	C25-0170	Unnamed Creek (761) Subwatershed Stream Erosion Study	Le Sueur County	\$ 154,000
9	C25-0181	FY2025 Internal Loading Management Evaluation and Planning for Chisago County Lakes	Chisago SWCD	\$ 80,000
10	C25-0176	Joint Chloride Management Plan	Shingle Creek WMC	\$ 47,455
11	C25-0189	Sunrise River Headwaters Project Targeting & Development	Comfort Lake-Forest Lake WD	\$ 118,000
12	C25-0211	Poplar River Sediment Loading Feasibility Study	Cook SWCD	\$ 88,020
<b>TOTAL</b>				<b>\$ 1,323,386</b>

**BOARD ORDER****Local Water Plan Extension and Amendment Policy - Rescindment****PURPOSE**

Rescind the Board's Local Water Plan Extension and Amendment Policy.

**FINDINGS OF FACT / RECITALS**

1. Minnesota Statutes 103B.3367 authorizes the Board to grant extensions with or without conditions of the revision date of a comprehensive local water management plan or comprehensive watershed management plan.
2. The Board previously adopted a Local Water Plan Extension and Amendment Policy on December 18, 2019 (Board Order #19-69) to;
  - a. facilitate the transition to the One Watershed, One Plan program by ensuring active participation by counties, soil and water conservation districts, and watershed districts in plan development;
  - b. allow for effective participation and use of the Minnesota Pollution Control Agency's Watershed Restoration and Protection Strategies (WRAPS); and
  - c. provide flexibility on acting on extensions and amendments through case-by-case determinations.
3. The Local Water Plan Extension and Amendment Policy has been found to be unnecessary due to prior Legislative Session revisions to Minnesota Statutes Chapters 103B, 103C, and 103D.
4. The Local Water Plan Extension and Amendment Policy has been found to be unnecessary as the agency utilizes Minnesota Statutes §103B.3367 to authorize comprehensive local water management plan or comprehensive watershed management plan extensions.
5. The Local Water Plan Extension and Amendment Policy has been found to be unnecessary as the agency utilizes the applicable Minnesota Statute Chapters 103B, 103C, 103D and Board Orders to authorize comprehensive local water management plan or comprehensive watershed management plan amendments.
6. The Board's Senior Management Team reviewed the staff recommendation to rescind the Local Water Plan Extension and Amendment Policy on October 1, 2024, and October 22, 2024, and recommended approval of this item.
7. The Board's Administrative Advisory Committee reviewed this Board Order on November 21, 2024 and recommended approval of this item to the Board.

**ORDER**

The Board hereby:

- a) Rescinds the Local Water Plan Extension and Amendment Policy adopted via Board Order #19-69.

Dated at St. Paul, Minnesota, this December 19, 2024.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**



Todd Holman, Chair  
Board of Water and Soil Resources

Date: 12/19/2024

**BOARD ORDER**

**Local Water Plan Status and Grant Eligibility Policy - Rescindment**

**PURPOSE**

Rescind the Board's Local Water Plan Status and Grant Eligibility Policy.

**FINDINGS OF FACT / RECITALS**

1. The Board previously adopted a Local Water Plan Status and Grant Eligibility Policy (Board Order #18-29) which documented the Board's direction for grantees and potential grantees on how the status of their local water plan impacts BWSR decision on grants and grant payments.
2. Minnesota Statutes §103B.102, Subd. 3 and 4 (Local Water Management; Accountability and Oversight) provide for the evaluation, reporting, and corrective actions for each local water management entity under Minnesota Statutes Chapters 103B, 103C, 103D, or 103G and chapter 114D.
3. The Local Water Plan Status and Grant Eligibility Policy has been found to be unnecessary due to prior Legislative Session revisions to Minnesota Statutes Chapters 103B, 103C, and 103D.
4. The Local Water Plan Status and Grant Eligibility Policy has been found to be unnecessary as the agency utilizes external and internal procedures developed and implemented consistent with Board Orders, Minnesota Statutes, Legislative appropriations, and Office of Grants Management policies.
5. The Board's Senior Management Team reviewed the staff recommendation to rescind the Local Water Plan Status and Grant Eligibility Policy (Board Order #18-29) on October 1, 2024, and October 22, 2024, and recommended approval of this item.
6. The Board's Administrative Advisory Committee reviewed this Board Order on November 21, 2024, and recommended approval of this item to the Board.

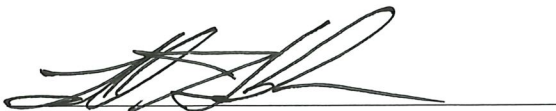
**ORDER**

The Board hereby:

- a) Rescinds the Local Water Plan Status and Grant Eligibility Policy (Board Order #18-29).

Dated at St. Paul, Minnesota, this December 19, 2024.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**



Todd Holman, Chair  
Board of Water and Soil Resources

Date: 12/19/2024



**BOARD ORDER****Delegating Certain Authorities to the Executive Director****PURPOSE**

Consolidate and Clarify Authorities Delegated to the Executive Director.

**FINDINGS OF FACT / RECITALS**

1. Pursuant to Minn. Stat. §103B.101, subd. 4, the Board may prescribe the powers and duties of its officers and employees and may authorize its employees and members of the Board to act on behalf of the Board.
2. Previously, the Board issued the following Orders delegating various authorities to the Executive Director:
  - a. Board Decision #21-31, Amending and Adopting the Delegation of Routine Administrative Water Management Decisions Policy (Prior related Board Decision: #19-68);
  - b. Board Decision #21-23, Authorizing Performance Review and Assistance Program (PRAP) assistance services and delegating approval of payment to the Executive Director (Prior related Board Decisions: #18-71, #18-41, and #15-37);
  - c. Board Decision #20-11, Authorizing Temporary Delegation of Authority to the Executive Director for COVID-19 Preparedness and Response;
  - d. Board Resolution #17-97, Authorizing Approval of Technical Training Acceleration (TTA) Grants to Soil and Water Conservation Districts (SWCDs) and Technical Service Areas (TSAs) and delegating authority to the Executive Director to approve individual grant recipients; and
  - e. Board Resolution #14-72, Authorizing the Executive Director to Sign Approvals of Supervisor Districts for SWCDs.
3. The range of delegations made in numerous Board Orders, Resolutions and Policies spread out over many years may create difficulty in tracking delegated authorities, causing confusion for interested parties and reducing overall agency efficiency.
4. It is in the interest of the Board, staff, Local Governmental Units (LGUs), partners and the public for the Board to consolidate and clarify the authorities delegated to the Executive Director.
5. The Board's Senior Management Team reviewed this Board Order on October 1, 2024, and October 22, 2024, and recommended approval of this item.
6. The Board's Administrative Advisory Committee reviewed this Board Order on November 21, 2024, and recommended approval of this item to the Board.

**ORDER**

The Board hereby:

**A. Re: Delegation of Routine Administrative Water Management Decisions**

1. Rescinds Board Decision #21-31 and the Delegation of Routine Administrative Water Management Decision Policy dated August 26, 2021.
2. Delegates decision-making authority to the Executive Director for the following actions:

- *Watershed Districts (103D)*
  - a. Non-controversial boundary changes (103D.251). To be considered a non-controversial boundary change and in addition to the requirements for petition signatures of 103D.251, Subd. 5, the petition must include a written statement of concurrence from the governing body of each city, town, county and watershed district having jurisdiction over the territory proposed to be added or transferred. Upon filing of a sufficient petition, Board staff will give notice of the filing of the petition (103D.105, Subd. 2). If BWSR does not receive a written request for a hearing within 30 days of the last publication of the notice of filing, the Executive Director may make a decision on the petition. If a request is received, the Executive Director will schedule a hearing (103D.251, Subd. 6).
  - b. Hearing orders for any of the following:
    - I. establishment (103D.221)
    - II. boundary change (103D.251)
    - III. withdrawal of territory (103D.255)
    - IV. enlargement (103D.261)
    - V. consolidation (103D.265)
    - VI. termination (103D.271)
    - VII. redistribution of managers (103D.301, Subd. 3)
    - VIII. increasing managers (103D.305)
- *Metro Watershed Districts (103B)*
  - a. Boundary changes (103B.215). Upon filing of a sufficient petition (103B.215, Subd. 2), BWSR shall give notice of the filing of the petition (103B.215, Subd. 3). If a timely written request for a hearing is not received (103B.215, Subd. 3), the Executive Director may make a decision on the petition within 30 days after the last publication of the notice without a hearing. If a hearing is requested, the Executive Director will schedule a hearing to be presided over by a Committee of the Board (Central Region Committee or another Committee as directed by the Board chair) and the decision on the petition will be made by the Board (103B.215, Subd. 4).
- *Soil and Water Conservation Districts (103C)*
  - a. Change of name (103C.215)

**B. Re: Delegation of PRAP Payment Approval**

1. Delegates decision-making authority to the Executive Director for the following actions:
2. Approval of PRAP Assistance grants or contracts up to \$10,000 per contract for single entity requests and \$20,000 for projects that involve multiple entities or partnerships.
3. Determination of the percentage to be cost shared by grantees for all PRAP Assistance awards.
4. Reaffirms Board Decision #21-23, except that any delegation to the Executive Director in this Order supersedes any previous delegation to the Executive Director in Board Decision #21-23.

**C. Re: Temporary Delegation of Authority to the Executive Director for COVID-19 Preparedness and Response**

1. Rescinds Board Decision #20-11.

**D. Re: Delegation of Approval Authority for TTA Grants to SWCDs and TSAs**

1. Delegates decision-making authority to the Executive Director for the approval of individual grant recipients.
2. Reaffirms Board Resolution #17-97 except that any delegation to the Executive Director in this Order supersedes any previous delegation to the Executive Director in Board Resolution #17-97.

**E. Re: Delegation of Approval Authority for SWCDs**

1. Rescinds Resolution #14-72.
2. Delegates decision-making authority to the Executive Director for the approval of Supervisor Districts for SWCDs when:
  - a. The Districts are drawn consistent with Minn. Stat. sec. 103C.311, subd. 2; and
  - b. There is no disagreement brought forth by the SWCD, County Board or the governing body of a Municipality.

Dated at St. Paul, Minnesota, this 19<sup>th</sup> of December, 2024.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**



Todd Holman, Chair  
Board of Water and Soil Resources

Date: 12/19/2024

## BOARD ORDER

### Buffer Administrative Penalty Order (APO) Plan update

#### PURPOSE

Update the BWSR and County/Watershed District APO plans to conform with legislative changes.

#### FINDINGS OF FACT / RECITALS

- A. Minnesota Statutes § 103F.48 establishes a riparian protection and water quality practices program commonly referred to as the Buffer Law.
- B. The Buffer Law may be enforced through Minnesota Statutes § 103B.101 (administrative penalty orders) that was amended in the 2024 legislative session.
- C. The 2024 statutory amendments require changes to the APO Plan for Buffer Law Implementation that was adopted via Board Resolution 17-60.
- D. Minnesota Statutes § 103F.48, subd. 7(c) provides that a county or watershed district must adopt a plan consistent with the plan adopted by BWSR before exercising administrative penalty authority.
- E. Staff have consulted with the Attorney Generals' Office on the proposed changes to the APO Plan for Buffer Law Implementation.
- F. Minnesota Statute specifies that the plan and any subsequent amendments is effective 30 days after being published in the State Register.
- G. The Buffers Soils and Drainage Committee, at their October 22, 2024 meeting, reviewed the proposed APO Plan for Buffer Law Implementation and recommended approval to the Board.

#### ORDER

The Board hereby:

1. Rescinds Resolution #17-60.
2. Adopts the APO Plan for Buffer Law Implementation dated December 19, 2024 and attached to this Order.
3. Directs staff to publish the attached APO plan in the State Register.
4. Acknowledges that the APO plan is effective 30 days after being published in the State Register.
5. Authorizes staff to work with Counties and Watershed Districts to amend their Ordinances, Rules, or Official Controls to be consistent with this revised APO Plan.

Dated at St. Paul, Minnesota, this December 19, 2024.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**



Todd Holman, Chair  
Board of Water and Soil Resources

Date: 12/19/2024