

BOARD ORDER

Soil Health Practices Program: FY 27 Delivery Grants

PURPOSE

Authorizes staff to develop a Request for Interest (RFI) for the Soil Health Delivery Program and make awards.

FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board) received funding and authorization for soil health grants from the following appropriations:
 - A. (Clean Water Fund) Laws of Minnesota 2025, Regular Session, Chapter 36, Article 2, Section 6, paragraph (o): *\$3,560,000 the first year and \$5,926,000 the second year are for financial and technical assistance to enhance adoption of cover crops and other soil health practices to achieve water quality or drinking water benefits. The board may use agreements with local governments, the United States Department of Agriculture, AgCentric at Minnesota State Center for Excellence, and other practitioners and partners to accomplish this work. Up to \$450,000 is for an agreement with the University of Minnesota Office for Soil Health for applied research and education on Minnesota's agroecosystems and soil health management systems. This appropriation may be extended to leverage available federal funds.*
2. "Soil Health" is defined in Minnesota Statute Section 103C.101, Subd. 10a. "Soil Health" means the continued capacity of soil to function as a vital living system that sustains plants, animals, and humans. Indicators of soil health include water infiltration capacity; organic matter content; water holding capacity; biological capacity to break down plant residue and other substances and to maintain soil aggregation; nutrient sequestration and cycling capacity; carbon sequestration; and soil resistance.
3. The Board has authorities under Minnesota Statutes Section 103B.101 to award grants and contracts to accomplish water and related land resources management.
4. The Grants Program and Policy Committee, at their August 17, 2026, meeting, reviewed the proposed FY27 Soil Health Delivery Grants process and maximum allocations amounts (Table 1) and recommended the board approve this order.

ORDER

The Board hereby:

- A. Authorizes the FY 27 Soil Health Delivery Program and authorizes staff to develop a RFI to support implementation activities consistent with the appropriation language.
- B. Authorizes staff to award Soil health Delivery Grants based on RFI responses, up to individual allocations in the attached table with a maximum total distribution up to \$3,220,000, and to enter into agreements for program implementation.

- C. Authorizes staff to allocate uncommitted or returned funds for purposes consistent with the appropriation.
- D. Directs staff to report to the Board at a future date on the status of soil health program implementation.

Dated at Detroit Lakes, Minnesota, this August 27, 2026.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

A handwritten signature in black ink, appearing to read 'Todd Holman', is written over a horizontal line. The signature is stylized with a large, sweeping 'H' and 'T'.

Todd Holman, Board Chair
Board of Water and Soil Resources

Date: 8/27/2026

See attached FY2027 Soil Health Delivery Grant Allocations

Table 1. Soil Health Delivery Grant Maximum SWCD Allocation Amounts.

Recipient	Amount
Ramsey	Up to \$7,500
Lake	Up to \$7,500
Koochiching	Up to \$7,500
South St. Louis	Up to \$7,500
North St. Louis	Up to \$7,500
Cook	Up to \$7,500
Washington	Up to \$10,000
Lake of the Woods	Up to \$10,000
Itasca	Up to \$10,000
Crow Wing	Up to \$10,000
Carlton	Up to \$10,000
Aitkin	Up to \$10,000
Kanabec	Up to \$10,000
Anoka	Up to \$10,000
Hennepin	Up to \$10,000
Hubbard	Up to \$10,000
Wadena	Up to \$20,000
Chisago	Up to \$20,000
Sherburne	Up to \$20,000
Isanti	Up to \$20,000
Scott	Up to \$20,000
Carver	Up to \$20,000
Benton	Up to \$20,000
Root River	Up to \$20,000
Beltrami	Up to \$20,000
Cass	Up to \$20,000
Mille Lacs	Up to \$20,000
Clearwater	Up to \$20,000
Pine	Up to \$20,000
Mahnomen	Up to \$30,000

Dakota	Up to \$30,000
Winona	Up to \$30,000
Red Lake	Up to \$30,000
Le Sueur	Up to \$30,000
Wabasha	Up to \$30,000
Nicollet	Up to \$30,000
Rice	Up to \$30,000
Waseca	Up to \$30,000
Steele	Up to \$30,000
Big Stone	Up to \$30,000
Watsonwan	Up to \$30,000
Wright	Up to \$30,000
Dodge	Up to \$30,000
Douglas	Up to \$30,000
McLeod	Up to \$40,000
East Polk	Up to \$40,000
Pipestone	Up to \$40,000
Grant	Up to \$40,000
East Otter Tail	Up to \$40,000
Rock	Up to \$40,000
Todd	Up to \$40,000
Pennington	Up to \$40,000
Meeker	Up to \$40,000
Olmsted	Up to \$40,000
Stevens	Up to \$40,000
Lincoln	Up to \$40,000
Morrison	Up to \$40,000
Becker	Up to \$40,000
Chippewa	Up to \$40,000
Pope	Up to \$40,000
Sibley	Up to \$40,000

Brown	Up to \$40,000
Traverse	Up to \$40,000
Goodhue	Up to \$40,000
Cottonwood	Up to \$50,000
Blue Earth	Up to \$50,000
Kandiyohi	Up to \$50,000
Swift	Up to \$50,000
Lac Qui Parle	Up to \$50,000
Freeborn	Up to \$50,000
Jackson	Up to \$50,000
Lyon	Up to \$50,000
West Otter Tail	Up to \$50,000
Roseau	Up to \$50,000
Murray	Up to \$60,000
Martin	Up to \$60,000
Fillmore	Up to \$60,000
Mower	Up to \$60,000
Faribault	Up to \$60,000
Nobles	Up to \$60,000
Yellow Medicine	Up to \$60,000
Wilkin	Up to \$60,000
Kittson	Up to \$60,000
Norman	Up to \$75,000
Redwood	Up to \$75,000
Clay	Up to \$75,000
Renville	Up to \$75,000
Stearns	Up to \$75,000
Marshall	Up to \$75,000
West Polk	Up to \$75,000
Total	\$3,220,000

BOARD ORDER

Fiscal Year (FY) 2027 SWCD Buffer Implementation Program

PURPOSE

Provide Buffer Implementation Program funds to Soil and Water Conservation Districts to implement buffer program activities for FY 2027.

FINDINGS OF FACT / RECITALS

- A. The Board of Water and Soil Resources (Board) has the responsibility to oversee the provisions of Minnesota Statute 103F.48 (the Buffer Law).
- B. The Laws of Minnesota 2025, Regular Session, Chapter 36, Article 2, Section 6(e) appropriated FY 2026 and 2027 Buffer Implementation Program funds for soil and water conservation district (SWCD) responsibilities.
- C. The Board has authorities under Minnesota Statutes §103B.101 to award grants, contracts, and payments to accomplish water and related land resources management.
- D. The Grants Program and Policy Committee, at their August 17, 2026 meeting reviewed the relevant program requirements and recommended approval of the board order.

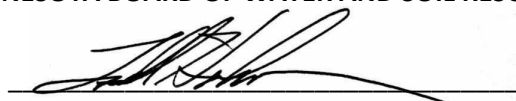
ORDER

The Board hereby:

- 1. Authorizes staff to develop a Request for Interest (RFI) and issue the FY27 Buffer Implementation Program awards based on eligible SWCD responses up to the amounts listed in the attached allocation table and totaling up to \$1,805,000.
- 2. Authorizes staff to enter into agreements with eligible SWCDs, and Hennepin and Ramsey Counties that are meeting statute, procedure and program requirements based on responses to the RFI.
- 3. Establishes that the Buffer Implementation Program awards pursuant to this order are to be used to fulfill the obligations of SWCDs under Minnesota Statute 103F.48 including but not limited to providing landowner technical, planning and implementation assistance and tracking progress towards compliance and riparian water quality improvements.
- 4. Authorizes staff to issue the Buffer Implementation Program awards pursuant to this order.
- 5. Provide supplemental payments consistent with the RFI using remaining available funds from this appropriation.

Dated at Detroit Lakes, Minnesota, this August 27, 2026.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES



Todd Holman, Board Chair
Board of Water and Soil Resources

Date: 8/27/2026

See attached FY2027 Buffer Implementation Program Grant Allocations

SWCD	Proposed FY 27 Allocation
COOK	2500
LAKE	2500
RAMSEY	2500
ST. LOUIS N	2500
ST. LOUIS S	2500
CARLTON	2500
ITASCA	2500
KOOCHICHING	2500
AITKIN	10000
CASS	10000
CROW WING	10000
ISANTI	10000
MILLE LACS	10000
WADENA	10000
HUBBARD	10000
KANABEC	10000
PINE	10000
ANOKA	10000
SCOTT	10000
SHERBURNE	10000
HENNEPIN COUNTY	10000
WASHINGTON	10000
CHISAGO	10000
LAKE OF THE WOODS	10000
CLEARWATER	20000
ROOT RIVER	20000
WABASHA	20000
WINONA	20000
DAKOTA	20000
BENTON	20000
TODD	20000
MAHNOMEN	20000
RICE	20000

CARVER	20000
NICOLLET	20000
BELTRAMI	20000
RED LAKE	20000
WRIGHT	20000
WASECA	20000
MC LEOD	20000
DOUGLAS	20000
DODGE	20000
OLMSTED	20000
MORRISON	20000
GOODHUE	20000
STEELE	20000
POPE	20000
LINCOLN	20000
MEEKER	20000
PIPESTONE	20000
ROCK	20000
SIBLEY	20000
OTTER TAIL E	20000
OTTER TAIL W	20000
BECKER	20000
LE SUEUR	20000
BIG STONE	20000
WATONWAN	20000
GRANT	20000
PENNINGTON	20000
POLK E	20000
FILLMORE	25000
SWIFT	25000
FARIBAULT	25000
JACKSON	25000
MOWER	25000
MURRAY	25000
BROWN	25000
LAC QUI PARLE	25000
FREEBORN	25000
CHIPPEWA	25000

COTTONWOOD	25000
BLUE EARTH	25000
STEVENS	25000
TRAVERSE	25000
LYON	25000
KANDIYOHI	25000
MARTIN	35000
STEARNS	35000
NOBLES	35000
ROSEAU	35000
KITTSOON	35000
WILKIN	35000
YELLOW MEDICINE	35000
CLAY	35000
NORMAN	35000
REDWOOD	35000
RENVILLE	45000
POLK W	45000
MARSHALL	45000
Total	\$1,805,000

BOARD ORDER

Buffer Procedures – Adoption of new Procedure #12

PURPOSE

To adopt revised Buffer Procedures.

FINDINGS OF FACT / RECITALS

- A. Minnesota Statutes Section 103F.48 establishes a riparian protection and water quality practices program, commonly referred to as Buffer Law.
- B. The Board of Water and Soil Resources (Board) has the responsibility to oversee the provisions of Minnesota Statute Section 103F.48.
- C. Board Resolution #26-03 adopted the existing Buffer Procedures.
- D. Minnesota Statutes Section 103G.201 provides the DNR with the authority to amend the Public Waters Inventory.
- E. Staff have been coordinating with MN DNR staff to better understand the anticipated process and transition from the revisions to the PWI and frequency of anticipated updates to the Buffer Protection Map that result.
- F. Procedures #1-11 are unchanged from the prior adopted.
- G. The Buffer Soils and Drainage Committee, at their August 6, 2026, meeting reviewed the draft Buffer Program Procedures and recommend the attached updates for approval.

ORDER

The Board hereby:

- 1. Rescinds Board Resolution #26-03.
- 2. Adopts the revised procedures as attached and authorizes staff to publish the revised procedures on the BWSR website.

Dated at Detroit Lakes, Minnesota, this August 27, 2026.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Todd Holman, Board Chair
Board of Water and Soil Resources

Date: 8/27/2026

Attachment: Revised Buffer Procedures Packet

BOARD ORDER**Red Lake River Comprehensive Watershed Management Plan Renewal Amendment****PURPOSE**

Approve the Red Lake River Comprehensive Watershed Management Plan Renewal Amendment

FINDINGS OF FACT / RECITALS

- A. Minnesota Statutes, Sections 103B.801 established the Comprehensive Watershed Management Planning Program; also known as One Watershed, One Plan and the Board, has created and updated operating procedures and plan content requirements for comprehensive watershed management plans.
- B. The Board, via board order on April 26, 2017, approved the Red Lake River Comprehensive Watershed Management Plan (Plan) with an expiration date of April 26, 2027.
- C. The following local governments entered into an agreement to jointly implement the Plan: Pennington County, Pennington SWCD, Polk County, East Polk SWCD, West Polk SWCD, Red Lake County, Red Lake County SWCD, and Red Lake Watershed District.
- D. The implementation agreement's purposes include amending the Plan.
- E. The Board, via board order 19-03, approved an amendment to the Plan.
- F. On June 17, 2026, the Board received the proposed Red Lake River Plan Renewal Amendment (Amendment), a record of the public hearing, copies of all written comments pertaining to the Amendment, and a summary of changes incorporated as a result for final State review pursuant to Board Decision 23-50.
- G. State review agencies received the Amendment for review. The following state review comments were received during the comment period: Minnesota Department of Natural Resources, Minnesota Department of Health, Minnesota Pollution Control Agency, and Minnesota Department of Agriculture all responded that they did not identify any conflicts with their agency's priorities or responsibilities and were satisfied with how their input was incorporated into the Amendment.
- H. Minnesota Board of Water and Soil Resources (BWSR) regional staff worked closely with the Partnership in the development of the Amendment. Staff found that all steps in the One Watershed, One Plan Operating Procedures were followed and had no additional comments during the final review.
- I. The Northern Regional Committee of the Board reviewed the Amendment on August 5, 2026, and recommended Board approval.

ORDER

The Board hereby:

1. The Board hereby approves the attached Plan Renewal Amendment of the Red Lake River Comprehensive Watershed Management Plan. The Plan Renewal Amendment will be effective until August 27, 2036.

Dated at Detroit Lakes, Minnesota, this August 27, 2026.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES



Todd Holman, Board Chair
Board of Water and Soil Resources

Date: 8/27/2026

Attachments:

- Red Lake River Comprehensive Watershed Management Plan Renewal Amendment

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

In the Matter of the review of the Watershed
Management Plan for the **Brown's Creek**
Watershed District, pursuant to Minnesota
Statutes Section 103B.231, Subdivision 9.

ORDER
APPROVING
A WATERSHED
MANAGEMENT PLAN

Whereas, the Board of Managers of the Brown's Creek Watershed District submitted a Watershed Management Plan (Plan) on June 11, 2026, to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 9, and;

Whereas, the Board has completed its review of the Plan;

Now Therefore, the Board hereby makes the following Findings of Fact, Conclusions and Order:

FINDINGS OF FACT

1. **Watershed District Establishment.** The Brown's Creek Watershed District (BCWD) was established in 1997 when the Brown's Creek Watershed Management Organization was unable to resolve flooding issues in Goggins Lake, Plaisted Lake, School Section Lake, and Kismet Basin. This chain of lakes had merged due to rising water levels to form one shallow, 440-acre basin. Nearby homes and septic systems flooded, resulting in property damage and threatened lake water quality. Since that time, BCWD's role has expanded to address all facets of water resources management, including protecting and restoring Brown's Creek and adopting stormwater management rules. The Brown's Creek Watershed Management Organization prepared its first-generation watershed management plan that the Board approved in 1990.
2. **Authority of Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251. The current BCWD watershed management plan was approved by Board Order on September 28, 2016. Subsequently, the BCWD completed two minor amendments in 2017 and 2019.
3. **Nature of the Watershed.** The BCWD is located entirely within central Washington County in the eastern Twin Cities metropolitan area (metro). Its 28 square mile jurisdiction includes portions of seven cities and townships, including parts of Stillwater, Hugo, and Lake Elmo. BCWD is the smallest watershed district by area in the state, though it still contains a bounty of small lakes and wetlands. BCWD is bounded by Valley Branch Watershed District to the south, Rice Creek Watershed District to the west and north, Carnelian-Marine St. Croix Watershed District to the north and east, and the Middle St. Croix Watershed Management Organization and the St. Croix River to the east, the latter of which the entire BCWD drains to. Historically, BCWD's focus has been on alleviating flooding and protecting Brown's Creek (one of the few metro trout streams) from the impacts of development, necessary commitments considering nearly 37% of the land cover in the watershed is impervious surfaces.
4. **Plan Development and Review.** On December 14, 2023, the BCWD sent notification of initiation of the planning process for the development of the 2027-2036 Watershed Management Plan (Plan) to the plan review agencies

and other parties as required by MR 8410, and solicited each agency's priority issues, summaries of relevant water management goals, and water resource information. An initial planning meeting/public kickoff event with the convened Technical Advisory Committee (TAC), made up of plan review authorities and other governmental units within the watershed, was held on July 9, 2024. BCWD solicited input from their Citizen's Advisory Committee (CAC) on June 10, 2024, August 12, 2024, October 14, 2024, and December 9, 2024. The TAC met again on August 20, 2024, October 22, 2024, and February 25, 2025. BCWD met with the TAC and CAC in April of 2025 to prioritize issues facing the BCWD, prioritize capital improvement projects, and prioritize programs and projects. A memo detailing the results of these prioritization meetings was shared on May 28, 2025. Finally, the TAC and CAC met in October of 2025 to provide input on budget and implementation activities. BCWD continued to solicit input from the Board of Water and Soil Resources up to the release of the 60-day draft Plan in February of 2026.

The draft Plan was submitted to Board of Water and Soil Resources (BWSR), other state and regional review agencies, and local governments for the formal 60-day review period on February 18, 2026, pursuant to Minnesota Statutes Section 103B.231 Subd. 7. The BCWD prepared a written response to the 60-day comments and sent responses to reviewers on May 14, 2026. A public hearing was held on June 10, 2026. The BCWD sent a final draft Plan to State and Regional Review Agencies on June 11, 2026. None of the state or regional review agencies had additional comments on the 90-day draft, stating that all of their previous responses were satisfactorily addressed in the latest draft. BWSR staff's final review of the Plan identified the needed elements of the plan content requirements have been met, although staff submitted to BCWD a list of minor clarifications and typos that will be addressed prior to plan adoption.

5. **Local Review.** The BCWD distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B.231 Subd. 7. Local written comments and edits were received from the City of Oak Park Heights, Rice Creek Watershed District, Valley Branch Watershed District, and Washington County. BCWD responded in writing to all comments.
6. **Metropolitan Council (Council) Review.** During the 60-day review, the Council commended the BCWD for developing a watershed management plan that includes a thoughtful overview of the composition of the watershed, as well as a discussion of what makes this watershed unique with a thorough and thoughtful listing of issues, associated goals, and actions. The Council also applauded the incorporation of climate change and equity considerations throughout the Plan, and thought that the inclusion of a "How to Read this Plan" section demonstrated a dedication to public accessibility to the data. Several comments were regarding inconsistencies in the plan or requesting additional clarity. The Council advised the BCWD to make a clearer connection between some implementation activities with funding streams and associated tables. During the 90-day review, the Council again congratulated the BCWD for their work on this Plan, and stated that all of their comments on the 60-day draft were incorporated.
7. **Department of Agriculture (MDA) Review.** MDA did not provide any comments on this Plan.
8. **Department of Health (MDH) Review.** During the 60-day review, MDH commended the BCWD for their high priority focus on groundwater and drinking water, for the inclusion of pollutants of emerging concern that affect groundwater, for climate change being considered for all issues, and much more. MDH mentioned several areas that had typos or that could benefit from clarification. MDH recommended that several water quality goals be re-worded to be more inclusive of the groundwater/surface water interaction, that there be more discussions of DWSMAs, and that some information in the land and water resource inventory be updated to more accurately reflect the current state of groundwater in the watershed. During the 90-day review, MDH stated that all of their comments on the 60-day draft were incorporated, that they had no further comments, and that they fully support the adoption of the Plan.
9. **Department of Natural Resources (DNR) Review.** During the 60-day review, the DNR commended the BCWD for including the "Score your Shore" assessment in an implementation activity, stating that it will provide valuable

information about lake health and help identify opportunities for shoreline restoration. The DNR recommended that a discussion on how threatened and endangered species are regulated be included, that a discussion on rare and natural communities be included, and that more benefits of using native plants be included. The DNR also listed a few typographical errors to be fixed. The DNR did not have any further comments on the 90-day draft.

10. **Pollution Control Agency (PCA) Review.** During the 60-day review period, the PCA commended the BCWD for creating a well-written plan that was concise and thorough. The PCA did not have any other comments. The PCA did not have any comments on the 90-day draft either.
11. **Department of Transportation (DOT) Review.** The DOT did not provide formal comment.
12. **Board Review.** During the 60-day review, Board staff thanked the BCWD for holding Technical Advisory Committee meetings during plan development to provide input on early drafts. Board staff commended the BCWD for evaluating implementation activities through the lenses of climate change and equity. Board staff found the plan to be incredibly comprehensive with remarkable attention to detail. Innovative strategies for resource conservation and water quality improvement were discussed, and emerging issues, such as data centers, were even referenced. Staff also had comments on goal measurability and other suggestions to help bring the plan into conformance with Minnesota Statutes Sections 103B.201 to 103B.251 and Minnesota Rules 8410. Staff also sent unofficial typographical, grammatical, and formatting comments. Staff felt the Plan was revised as necessary to provide required Plan content.
13. **Plan Summary.** The Plan has 15 issue categories. Many of the categories and sub-issue areas are the same as those identified in previous Plans, with Pollutants of Emerging Concern being a new addition. The rest of the categories are: Stormwater Runoff Management; Erosion Prevention and Sediment Control; Stream Management; Lake Management; Wetland Management; Floodplain and Flood Management; Groundwater Management; Ecological Health; Monitoring and Data Collection; Regulations; Recreation; Education, Outreach, and Stewardship; Land Conservation; and Funding. A primary goal is associated with each of the issue categories. Each issue category is further divided with sub-issues that have an overarching policy, goals to meet the policies, and implementation activities associated with each goal.

In preparing this Plan, BCWD evaluated its programs, policies, and projects through both climate change and equity lenses to ensure that future actions not only strengthen resilience in natural systems, people, and infrastructure, but also address historical gaps in equity. The overall health of the resources in the BCWD are improving since the last generation plan, evidenced by the fact that Plaisted Lake was delisted from the impaired waters inventory. BCWD will continue to improve water quality, maintain and improve ecological health in the watershed, and target pollutants of emerging concern like PFAS and microplastics.

14. **Central Region Committee Meeting.** On August 3, 2026, the Board's Central Region Committee and staff met in St. Paul and online to review and discuss the final Plan. Those in attendance from the Board's committee were Joe Collins, Jayne Hager-Dee, Jill Crafton, Mike Runk, Annie Felix, Mark Zabel, Heather Johnson, and Steven Nyhus. Others in attendance included Board staff Josh Norman, Gretchen Asuncion, and Marcey Westrick, and Karen Kill and Hannah Peterson from BCWD. After presentation and discussion, the committee unanimously recommended approval of the Plan to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving the Watershed Management Plan for the Brown's Creek Watershed District (BCWD) pursuant to Minnesota Statutes Section 103B.231, Subd. 9.
3. The BCWD Watershed Management Plan, attached to this Order, defines the water and water-related problems within the BCWD's boundaries, possible solutions thereto, and an implementation program through 2036.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Brown's Creek Watershed District's Watershed Management Plan submitted on June 11, 2026.

Dated at Detroit Lakes, Minnesota this 27th day of August 2026.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES



BY: Todd Holman, Chair

BOARD ORDER**Minnesota Wetland Conservation Act, MN Rules Chapter 8420****PURPOSE**

To authorize staff to publish the notice of intent to adopt amendments to Minnesota Rules Chapter 8420 (WCA rule) in the State Register and to complete the steps necessary for the Board of Water and Soil Resources (Board) to adopt a final rule under the Administrative Procedure Act (APA).

RECITALS/FINDINGS OF FACT

- A. Minnesota Statutes § 103G.2242, Subd. 1 authorizes the Board to adopt rules implementing the Wetland Conservation Act (WCA).
- B. The current WCA rule has been in effect since August 3, 2009.
- C. Amendments to WCA statutes occurred in 2011, 2012, 2015, 2017, and 2024.
- D. Amending the WCA rule is necessary to make the rule consistent with statute and to improve the efficiency, effectiveness, and outcomes of the rule.
- E. The Board has engaged extensively with the public and stakeholders, including through the publishing of multiple requests for comments, preliminary draft versions of the rule, and the use of an advisory committee. Feedback received was used in the development of the proposed rule.
- F. The Board has consulted with Minnesota Tribal Governments pursuant to Minn. Stat. § 10.65 in the development of the proposed rule.
- G. The proposed rule has been certified to form by the Office of the Revisor of Statutes in accordance with Minn. Stat. § 14.07, Subd. 2.
- H. The APA provides the requirements and procedures for a state agency to adopt administrative rule, including the publication of a notice of intent to adopt in the State Register.
- I. The Board's Wetland Conservation Committee met on August 20, 2026, and recommends that the Board authorize staff to publish the notice of intent to adopt amendments to the WCA rule in the State Register and complete the steps necessary for the Board to adopt a final rule under the APA.

ORDER

The Board hereby:

- 1. Authorizes staff to publish the notice of intent to adopt amendments to the WCA rule in the State Register and to conduct the steps necessary for the Board to adopt a final rule under the APA.

Dated at Detroit Lakes, Minnesota, this August 27, 2026.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES



Todd Holman, Board Chair
Board of Water and Soil Resources

Date: 8/27/2026