

**RESOLUTION 21-XX-XX  
COMFORT LAKE-FOREST LAKE WATERSHED DISTRICT  
BOARD of MANAGERS**

**Declining to Approve the  
Lower St. Croix Watershed Implementation Partnership 2021-2022 Work Plan**

Manager \_\_\_\_\_ offered the following resolution and moved its adoption, seconded by  
Manager \_\_\_\_\_:

**WHEREAS** under the One Watershed One Plan ("1W1P") program administered by the Minnesota Board of Water and Soil Resources (BWSR), on February 22, 2018, the Comfort Lake - Forest Lake Watershed District ("District") Board of Managers adopted Resolution 18-02-02 to enter into the Lower St. Croix Watershed Memorandum of Agreement;

**WHEREAS** in doing so, the District joined in a collaboration with 14 other political subdivisions and watershed management organizations to develop, and work to achieve, the water quality goals of a comprehensive watershed management plan for the Lower St. Croix Watershed ("Plan");

**WHEREAS** on October 28, 2020, BWSR approved the Plan, requiring the governing boards of the partnering organizations to act to advance the important work of implementing the Plan;

**WHEREAS** the partnering organizations, designated together as the Lower St. Croix Watershed Implementation Partnership ("Partnership"), developed an agreement pursuant to Minnesota Statutes §471.59, designated as the "Joint Powers Agreement for the Implementation of the Lower St. Croix Comprehensive Watershed Management Plan" (JPA), that establishes a framework to implement the Plan through the combined efforts of the Partnership and individual partners, and by allocation of Watershed-Based Implementation Funds derived from the State of Minnesota Clean Water Fund;

**WHEREAS** on November 10, 2020, the District Board of Managers adopted Resolution 20-11-01, adopting the Plan and authorizing District entry into the JPA;

**WHEREAS** the JPA, at paragraph 6.b, specifies Plan implementation through annual work plans prepared by the Partnership and submitted for approval by two-thirds vote of the Partnership Policy Committee and the vote of two-thirds of the governing bodies of individual partners;

**WHEREAS** the Policy Committee approved the 2021-2022 work plan at its meeting on January 25, 2021, and the JPA, at paragraph 7.a, specifies that each partner will vote on the work plan within 60 days of its approval by the Policy Committee;

**WHEREAS** the 1W1P program implements a shift in allocating state Clean Water Fund support from BWSR competitive project selection to block distributions for allocation by 1W1P partnership bodies;

**WHEREAS** in Resolution 18-02-02, the District Board of Managers expressed its strong conviction that with this shift, it nevertheless remains critically important to preserve the following principles for fund allocation, both for progress in attaining water quality goals and for responsible use of public funds:

- Fund allocation must continue to be based on sound, watershed-based diagnostic assessment;

- Diagnostic assessment must be used to identify, sequence and prioritize projects by both pollutant reduction outcome and cost-effectiveness;
- Project outcomes for funding candidates should be quantifiable or otherwise demonstrable; and
- Projects should incorporate measurement, associated with water quality outcomes, to provide for accountability and learning;

**WHEREAS**, further, the Minnesota Constitution, Article XI, Section 15, states that Clean Water Fund support "must supplement traditional sources of funding for [water quality] purposes and may not be used as a substitute";

**WHEREAS** the District, through its designated representatives, has engaged in good faith to fulfill the District's responsibilities in the Partnership's work plan development, and has sought to have the work plan reflect the foregoing principles; and

**WHEREAS**, however, the District Board of Managers finds that the 2021-2022 work plan, as approved by the Policy Committee, does not adequately incorporate these principles, nor does it fully ensure conformance to the constitutional requirement for use of Clean Water Fund support;

**THEREFORE BE IT RESOLVED** that the District Board of Managers declines to approve the 2021-2022 work plan; and

**BE IT FURTHER RESOLVED** that the District will continue to work within the Partnership to advance the incorporation of the above principles into the allocation of Clean Water Fund support and into the Partnership's efforts to achieve the water quality goals of the Plan;

The question was on the adoption of the above resolution and there were \_\_\_\_ ayes and \_\_\_\_ nays as follows:

**[insert vote table]**

The Chair declared the resolution adopted.

Dated: \_\_\_\_\_, 2021

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Jen Oknich, Secretary

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I, Jen Oknich, Secretary of the Comfort Lake-Forest Lake Watershed District Board of Managers, do hereby certify that the above resolution is a true and correct transcription of an action of the Board taken on the date above indicated.

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 2021.

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Jen Oknich, Secretary