

MEMORANDUM
Comfort Lake-Forest Lake Watershed District

To: Board of Managers
From: Mike Kinney
Subject: One Watershed One Plan

Date: September 16, 2020

Background/Discussion

The purpose of this agenda item is to provide the Board with an update on the Lower St. Croix (LSC) One Watershed One Plan (1W1P) process. The final draft 10-year plan was submitted to the Board of Water and Soil Resources (BWSR) for its 90-day review period in July. BWSR will meet at the end of October to consider whether to approve the plan. So far, the LSC group hasn't received any feedback from BWSR to suggest disapproval may occur. Once the plan is approved, there will be several steps for the LSC group to take, and they must be done in a timely manner. Emily Heinz has been attending Planning Team meetings over the last few weeks and helped prepare the timetable on the following pages to summarize upcoming events.

Adoption of LSC 1W1P

Before the end of the year, the CLFLWD Board will be asked to adopt the LSC 1W1P comprehensive watershed management plan (CWMP). The Board can adopt the CWMP as a reference document to our own Watershed Management Plan (WMP), and ensure it is not replacing our WMP, by indicating as such in the adopting resolution. The following guidance was received from BWSR 1W1P Coordinator, Julie Westerlund:

WDs and WMOs in the metro area can adopt the comprehensive watershed management plan without replacing their current plan. Their resolution adopting the plan should be explicit that the CWMP is not substituting for (replacing) their current plan. WDs and WMOs would only be able to substitute their current plan with a CWMP if the CWMP is deemed adequate to meet the specific requirements in M.R. 8410, which I don't believe is the case for the LSC CWMP.*

With regards to conflicts between plans, there are no hard and fast rules that I'm aware of. It makes sense that the LGU plan would supersede the watershed plan if there are conflicts, but frankly I think it's up to each LGU. The local adopting resolution would be the best place to address that issue.

**the statute (M.S. 103B.101 subd.14) uses the word substitute, so we are trying to be consistent with statute. For BWSR, "substitute" is the same as "replace."*

MEMORANDUM

Comfort Lake-Forest Lake Watershed District

Timetable of Upcoming LSC 1W1P Events/Checkpoints

Month	Event	Notes
August	Planning Team meet to discuss how to develop the Annual Plan and Watershed Based Implementation Funding (WBIF) Work Plan	WBIF Work Plan (2-year plan, 2021-2022) needs to describe how we will spend the ~\$1.2M (exact amount TBD) in grant funds, plus match. Annual Plan (2021) will include everything in the WBIF Work Plan plus additional work that needs to be done in order to accomplish the top priority (A) items set forth in the first year of the 10-year implementation plan. Then we should also look at what we might possibly spend in 2023 (see white paper drafted by Matt Moore).
September	9/24, 9:00 am: Steering Committee meeting	Develop Annual Plan and WBIF Work Plan. Process may take multiple meetings over several months, targeting December or January for Policy Committee approval.
	Chisago SWCD to provide guidance regarding actions for Partner Organizations to take.	Memo to be provided to Steering Committee as soon as Chisago SWCD legal counsel reviews and to Policy Committee at October 26 th meeting.
October	10/13 (between 4-5:30pm): BWSR Central Region Committee meeting tentative date	BWSR to review the 10-year comprehensive plan. Presentation by Planning Team members.
	10/26: Policy Committee meeting	Proposed actions: <ul style="list-style-type: none"> - Amend JPC to reduce 120-day window to 60 days required timeline to dissolve MOA and adopt JPC (this is necessary to keep on time to achieve a state-approved annual work plan by 3/31/21 in order to receive WBIF grant) - Share Chisago SWCD memo containing instructions for partner organization boards - Name an interim administrator (Chisago SWCD is willing)
	10/28: BWSR Board meeting tentative date	BWSR to consider 10-year plan approval. No attendance or presentation by LSC partners/team members required.
November	Partner Organizations <u>begin</u> discussions with your boards about upcoming requested actions for your board to take in December.	A memo from legal counsel will be sent out sometime in August/September providing more detail on how to complete these actions. Also see summary below.
	11/23: Policy Committee meeting	At this point, still the same PC as we had under the planning MOU. Normally hold meetings last Monday of month, but Planning Team proposes

MEMORANDUM

Comfort Lake-Forest Lake Watershed District

		<p>moving up before holiday. Consider taking the following actions:</p> <ol style="list-style-type: none"> 1. Give direction to Partner Organizations on action items #1-4 below. 2. Approve Annual Plan and WBIF Work Plan and give direction to Partner Organizations to do the same.
December	<p>Partner Organizations <u>recommend</u> your board take several actions at their December meeting.</p>	<ol style="list-style-type: none"> 1. Terminate the existing Planning MOU (this will be replaced by the Joint Powers Collaboration agreement) 2. Adopt the 10-year LSC Comprehensive Watershed Management Plan (some orgs will adopt the plan as replacement to current plan, some will adopt as a supplementary document to their own plan) 3. Ratify Joint Powers Collaboration agreement 4. Designate or re-designate representative(s) for new JPC Policy Committee (can be the same people as before but there will need to be a formal motion because we are transiting from the planning MOA to the implementation JPC).
	<p>Policy Committee</p>	<p>Review Annual Plan and WBIF work plan draft that was developed by the Steering Committee (staff of the JPC signatories).</p>
January	<p>Planning Team address/ incorporate changes to Annual Plan and/or WBIF Work Plan in response to Policy Committee and/or Partner Organization comments.</p>	<p>If necessary.</p>
	<p>1/25: Potential Policy Committee meeting to approve Annual Plan and/or WBIF Work Plan</p>	
February	<p>2/25: Drop dead date for Policy Committee AND Partner Organizations to adopt 10-year plan.</p>	<p>BWSR requires local adoption within 120 days of approval. This presumes a BWSR approval date of October 28, 2020.</p>
March	<p>3/1: Planning Team submit Annual Plan and WBIF Work Plan to BWSR</p>	<p>Give BWSR staff at least a few weeks to review prior to end-of-month deadline.</p>
	<p>3/31: Deadline for BWSR to approve Annual Plan and WBIF Work Plan</p>	<p>Failure to achieve a State-approved annual work plan by March 31, 2021 would likely mean forgoing \$1,264,531 in State Watershed Based Implementation Funding.</p>