



MEMORANDUM

Comfort Lake-Forest Lake Watershed District

Date: November 4, 2024
To: CLFLWD Board of Managers
From: Mike Kinney, District Administrator
Subject: MN Watersheds Delegates Appointment



District Wide

Background/Discussion

The 2023 MN Watersheds (formerly MAWD) Annual Conference and Trade Show will be held in person on December 4th-6th at the Grand View Lodge in Nisswa, MN.

The Delegate Appointment Form is enclosed with the attached meeting packet. The Board needs to select two managers to attend as delegates and one to serve as an alternate for the District. A motion or unanimous consent is required.

More information is available at <https://www.mnwatersheds.com/annual-conference>.

Recommended Action

Proposed Motion: Manager _____ moves to appoint Managers _____ and _____ as District delegates and Manager _____ as alternate delegate at the MN Watersheds annual meeting. Seconded by Manager _____.

Attached

- Conference Agenda
- MN Watersheds Business Meeting Packet, including Delegate Appointment Form
- Region 3 Caucus Packet



Annual Conference and Trade Show Tentative Agenda
Location: Grand View Lodge, Nisswa, MN

Tuesday, Dec 3	Time
Government Affairs Conversation with Lockridge, Grindal and Nauen (LGN)	6:30pm-8pm
Wednesday, Dec 4	
Registration + Breakfast	8am-9am
Choose your workshop when you register (click here to view agendas for each) The Minnesota Watersheds Drainage Workshop will include a variety of topics such as overcoming barriers that exist in the drainage environment, an overview of what the Drainage Work Group is doing, managing trees along drainage systems, myths regarding drainage systems and their management, lessons learned about grants, and an update on case law impacting drainage authorities. The Watershed Management Workshop will cover the roles of watershed districts and watershed management organizations in watershed management, watershed planning and plan implementation, laws that govern government officials, and real-world examples of on-the-ground projects. We encourage board and staff to attend this workshop. The Staff Development Workshop is geared toward watershed administrators and will cover the topics of best-value bidding and human resources training regarding fostering a thriving and engaged workforce and understanding the nuances of human resources regulations. The Staff Technical Training Workshop is a new endeavor. It is meant for watershed staff and will focus on new tools and framework for developing a storage strategy, an adaption of the MDNR Score the Score methodology for shoreline health, and a session on GPS surveying and construction staking.	9am-4:30pm
Lunch	12pm-1pm
Trade Show + Networking – Opening Night	6pm-9pm
Night at the Movies (TBD)	6pm-8pm
Thursday, Dec 5	
Breakfast	6:30am-9:30am
Regional Caucuses	7am-9am
Concurrent Sessions: No need to register for these sessions individually (view presentations)	8am-4:30pm
Lunch, Keynote and Awards	12pm-1:30pm
Trade Show	8am-3pm
Banquet + Awards	5pm-7pm
Friday, Dec 6	
Breakfast	7am-9am
Business Meeting (resolutions)	9am-11am
MW BOD Meeting	11am-12pm

**Minnesota Watersheds
2024 Annual Conference
December 3 - 6
Grand View Lodge, Nisswa, Minnesota**

Member Meeting Materials

Enclosed are the following items:

1. Notice of Annual Meeting
2. Delegate Appointment Form
3. Annual Business Meeting Agenda
4. 2023 Annual Business Meeting Minutes
5. Proposed Fiscal Year 2025 Budget
6. Proposed Strategic Plan Revisions
7. Proposed Legislative Platform Updates
8. Proposed Bylaws Changes
9. Resolutions Packet
10. Active Resolutions

Please note that the Delegate Appointment Forms are **REQUIRED**. For the annual business meeting to be held, **a quorum of 44 delegates MUST be present**. Please return your Delegate Appointment Forms to Maddy Bohn at mnwatershed@gmail.com at your earliest convenience.

This packet has been distributed to administrators and managers via email. No paper copies of this packet will be sent via the U.S. Postal Service.

We are looking forward to seeing you at this year's conference!

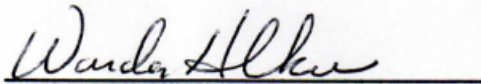
**PLEASE BRING THIS INFORMATION PACKET WITH YOU TO THE CONVENTION.
EXTRA COPIES WILL NOT BE AVAILABLE ON SITE. THANK YOU!!**

Minnesota Watersheds 2024 Annual Meeting Notice

NOTICE IS HEREBY GIVEN that the 2024 Annual Meeting of Minnesota Watersheds will be held at the Grand View Lodge, Nisswa, Minnesota beginning at 9:00 a.m. on Friday, December 6, 2024 for the following purposes:

1. To receive and accept the reports of the President, Secretary, and Treasurer regarding the business of the association of the past year;
2. To receive the report of the auditor;
3. To consider and act upon the Fiscal Year 2025 budget;
4. To consider and act upon proposed Strategic Plan revisions;
5. To consider and act upon proposed Legislative Platform updates;
6. To consider and act upon proposed Bylaws changes;
7. To consider and act upon proposed Resolutions;
8. To elect three directors, one from each region, for terms ending in 2027; and
9. To consider and act upon any other business that may properly come before the membership.

Sincerely,



Wanda Holker
Secretary

Minnesota Watersheds 2024 Delegate Appointment Form

The _____ hereby certifies that it is
name of watershed organization

a watershed district or watershed management organization duly established and in good standing pursuant to Minnesota Statutes 103B or 103D and is a member of Minnesota Watersheds for the year 2024.

The _____ hereby further certifies
name of watershed organization

the following individuals have been appointed as delegates, or as an alternate delegate, all of whom are managers in good standing with their respective watershed district or watershed management organization.

Delegate #1: _____

Delegate #2: _____

Alternate: _____

Authorized by: _____
Signature Date

Title

** Please return this form to mnwatershed@gmail.com at your earliest convenience. **



Minnesota Watersheds
2024 Annual Conference
Grand View Lodge, Nisswa, MN

Annual Business Meeting
AGENDA
Friday, December 6, 2024 | 9 a.m.

GENERAL BUSINESS

- 9:00 a.m. Call to Order
9:01 a.m. Approval of Agenda (Action)
9:02 a.m. Approval of 2023 Annual Business Meeting Minutes (Action) – Linda Vavra
9:05 a.m. Treasurer’s Reports – Linda Vavra
- 2024 Year End Financial Report (Action)
 - 2024 Review of Financial Procedure Report (Action)
 - 2025 Proposed Budget (Action)

REPORTS

- 9:30 a.m. President’s Report – Linda Vavra
9:40 a.m. Caucus Election Results Report – Linda Vavra
9:45 a.m. Executive Director’s Report – Jan Voit
10:05 a.m. Board of Water and Soil Resources Report – Assistant Director Justin Hanson

ACTION ITEMS

- 10:20 a.m. **STRATEGIC PLAN** (Action) – Linda Vavra
10:35 a.m. **LEGISLATIVE PLATFORM** (Action) – Linda Vavra
10:50 a.m. **BYLAWS HEARING** (Action) – Linda Vavra
11:05 a.m. **RESOLUTIONS HEARING** (Action) – Linda Vavra

Note: There will be two microphones in the room – One to use if you are “FOR” an amendment and one if you are “AGAINST” an amendment. If you wish to testify on a resolution, please proceed to the appropriate microphone and limit your comments to 2 minutes.

Resolution 1 – Regulatory Approaches to Reducing Chloride Contamination

Resolution 2 – Allowing Alternative Notice of Watershed District Proceedings by Publication on District’s Website

Resolution 3 – Providing for Watershed Management Organization Representation on Wetland Technical Evaluation Panels in Seven-County Metropolitan Area

Resolution 4 – Seeking the Ability to Allow Resale of Acquisition Buyout Property

Resolution 5 – Seeking the DNR to Establish a “Comprehensive Guideline for Calcareous Fen Management”

Resolution 6 – Seeking Clarification of Minn. Rule 8420.0935, Subp. 1

Resolution 7 – Seeking the DNR to Adopt a Program to Incentive Calcareous Fen Management on Private Lands

Resolution 8 – Seeking the Removal of the Water Resource Enforcement Officer

Resolution 9 – Seeking the Amendment of Minn. Rule 8420.0935, Subp. 3.A.

Resolution 10 – Seeking a Formal Process to Distribute a Complete List of Calcareous Fens Annually

Resolution 11 – Seeking Regular Reevaluation of the Designated Species List

Resolution 12 – Seeking the Development of a Calcareous Fen Work Group

Resolution 13 – Requesting Minnesota Watersheds Support to Request New Legislation to Set Permit Review Time Limits upon the Department of Natural Resources

12:00 p.m. **ADJOURNMENT**

Minnesota Watersheds
Annual Business Meeting
December 1, 2023



1. CALL TO ORDER

The 2023 Minnesota Watersheds Annual Business Meeting was convened at 9:00 a.m. by President Linda Vavra, Bois de Sioux Watershed District (WD).

2. GENERAL HOUSEKEEPING

Agenda

David Ziegler, Riley Purgatory Bluff Creek WD made a motion to approve the agenda. Jill Crafton, Riley Purgatory Bluff Creek WD seconded the motion. The motion passed by voice vote.

Secretary's Report

President Vavra presented the minutes of the 2022 Annual Business Meeting. Bill Petersen, Middle Snake Tamarac Rivers WD moved to approve the Secretary's Report. Jackie Anderson, Comfort Lake Forest Lake WD seconded the motion. The motion passed by voice vote.

Treasurer's Report

President Vavra presented the following reports:

- 2023 Year End Financial Report and Statement of Financial Position. David Ziegler, Riley Purgatory Bluff Creek WD moved to approve the 2023 Year End Financial Report. Don Pereira, Valley Branch WD seconded the motion. The motion passed by voice vote.
- Independent Accountant's Report on Applying Agreed upon Financial Procedures. The report dated November 21, 2023 was prepared by Redpath and Company, Ltd. David Ziegler, Riley Purgatory Bluff Creek WD made a motion to accept the Report on Applying Agreed upon Financial Procedures. Dennis Kral, Pelican River WD seconded the motion. The motion passed by voice vote.
- 2024 Proposed Budget. David Ziegler, Riley Purgatory Bluff Creek WD moved to approve the 2023 Proposed Budget. Bill Petersen, Middle Snake Tamarac Rivers WD seconded the motion. The motion passed by voice vote.

3. REPORTS

Reports were given by President Vavra and Executive Director Voit.

4. M.S. Chapter 103D Proposed Fixes

Executive Director Voit provided an overview of the proposed update to M.S. Chapter 103D. These changes are proposed to modernize the language and make the project process more transparent. The changes are purely housekeeping. No funding will be necessary. When the final version is complete, it will be distributed to members, along with talking points to use in discussions with legislators for the upcoming legislative session.

5. BYLAWS HEARING

Grace Butler, Nine Mile Creek WD made a motion to open the Bylaws Hearing. David Ziegler, Riley Purgatory Bluff Creek WD seconded the motion. The motion passed by voice vote.

President Vavra turned the meeting over to Bylaws Committee Co-chair Jamie Beyer, Bois de Sioux WD. Ms. Beyer reported on the proposed changes to the Bylaws. A motion was made by Mike Bradley, Rice Creek WD to approve the proposed changes to the Bylaws. The motion was seconded by Joe Collins, Capitol Region WD. The motion passed by voice vote.

A motion was made by Mike Lee, Shell Rock River WD to close the Bylaws Hearing. Bill Petersen, Middle Snake Tamarac Rivers WD seconded the motion. The motion passed by voice vote.

6. RESOLUTIONS HEARING

A motion was made by Grace Butler, Nine Mile Creek WD to open the Resolutions Hearing. The motion was seconded by Shaun Kennedy, Bassett Creek Watershed Management Commission and passed by voice vote. Jamie Beyer, Resolutions Committee Co-chair presided over the Resolutions Hearing.

Resolution #1 Resolution to Require Watershed District Permits for all State Agencies

Tara Jensen, Wild Rice WD presented the resolution. David Ziegler, Riley Purgatory Bluff Creek WD moved to adopt Resolution #1. Dennis Kral, Pelican River WD seconded the motion. It was brought to everyone's attention that the resolution in the packet had been amended by the Minnesota Watersheds Board of Directors at their meeting on November 28. Once noted, the motion and second were withdrawn.

David Ziegler, Riley Purgatory Bluff Creek WD moved to adopt Resolution #1 as amended. Dennis Kral, Pelican River WD seconded the motion. Following discussion, Brian Johnson, South Washington WD made a motion to call the question. Don Pereira, Valley Branch WD seconded the motion, which passed by voice vote.

The vote on the motion to adopt Resolution #1 was passed by voice vote.

- **Adopted Resolution 2023-1: NOW, THEREFORE, BE IT RESOLVED** that Minnesota Watersheds supports amending Minnesota Statutes § 103D.345, Subd. 5 to read as follows: Subd. 5. Applicability of permit requirements to state. A rule adopted by the managers that requires a permit for an activity applies to all state agencies, including the Department of Transportation.

Resolution #2 Resolution Seeking to Clarify Budget Adoption Deadlines and Certification Types for Watershed Districts

Dan Coughlin, Middle Fork Crow River WD presented the resolution. Dennis Kral made a motion to table Resolution #2 indefinitely. Don Pereira, Valley Branch WD seconded the motion.

Following discussion, Brian Johnson, South Washington WD made a motion to call the question. Don Pereira, Valley Branch WD seconded the motion, which passed by voice vote.

The vote on the motion to table Resolution #2 indefinitely passed by voice vote.

Resolution #3 Resolution to Support New Legislation Modeled After HF2687 and SF2419 (2018) Regarding DNR Regulatory Authority over Public Drainage Maintenance and Repairs

Nick Tomczik, Rice Creek WD presented the resolution. Mike Bradley, Rice Creek WD moved to adopt Resolution #3. Jill Crafton, Riley Purgatory Bluff Creek WD seconded the motion. The motion passed by voice vote.

- **Adopted Resolution 2023-3: NOW, THEREFORE, BE IT RESOLVED** that Minnesota Watersheds supports the introduction of new legislation modeled after HF2687 and SF2419 and commits its lobbying efforts toward promoting the passage of the bills in subsequent sessions.

Resolution #4 Resolution Seeking Action for Streamlining the DNR Flood Hazard Mitigation Grant Program

Dan Money, Two Rivers WD presented the resolution. Andrew Weber, Lac qui Parle-Yellow Bank WD moved to adopt Resolution #4. Benjamin Carp, Ramsey Washington Metro WD seconded the motion. The motion passed by voice vote.

- **Adopted Resolution 2023-4: NOW, THEREFORE, BE IT RESOLVED** that Minnesota Watersheds adopt a resolution seeking action requiring the DNR to establish transparent scoring, ranking, and funding criteria for the Flood Hazard Mitigation Program (M.S. Chapter 103F) and asking the Minnesota Legislature to fully fund the state’s share of eligible projects that are on the DNR’s list within each two-year bonding cycle. Information regarding scoring, ranking, and funding should be provided annually to project applicants.

Resolution #5 Resolution Seeking Increased Flexibility in the Open Meeting Law to Utilize Interactive Technology

David Ziegler, Riley-Purgatory-Bluff Creek WD presented the resolution. Don Pereira, Valley Branch WD moved to adopt Resolution #5. Celia Wirth, Brown’s Creek WD seconded the motion.

Following discussion, David Ziegler, Riley Purgatory Bluff Creek WD made a motion to call the question. Dennis Kral, Pelican River WD seconded the motion, which passed by voice vote.

The motion to adopt Resolution #5 was passed by voice vote.

- **Adopted Resolution 2023-5: NOW, THEREFORE, BE IT RESOLVED** that Minnesota Watersheds hereby supports changes to the Open Meeting Law to provide greater flexibility in the use of interactive technology by allowing members to participate remotely in a nonpublic location that is not noticed, without limit on the number of times such remote participation may occur; and allowing public participation from a remote location by interactive technology, or alternatively from the regular meeting location where interactive technology will be made available for each meeting, unless otherwise noticed under Minnesota Statutes Section 13D.021; **BE IT FURTHER RESOLVED** that Minnesota Watersheds supports changes to the Open Meeting Law requiring watershed district to prepare and publish procedures for conducting public meetings using interactive technology.

Resolution #6 Resolution Seeking Minnesota Watersheds Education and Outreach to Encourage Formation of Watershed Districts in Unserved Areas

Jackie Anderson and David Bakke, Comfort Lake Forest Lake WD presented the resolution. Jeff Gertgen, Middle Fork Crow River WD moved to adopt Resolution #6. Shawn Mazanec, Capitol Region WD seconded the motion. The motion was passed by voice vote.

- **Adopted Resolution 2023-6: NOW, THEREFORE, BE IT RESOLVED** that Minnesota Watersheds, in consultation with its membership, develop a framework for education and outreach intended to encourage petition and advocacy for the formation of watershed districts in areas of the state not presently served by watershed-based public agencies.

7. LEGISLATIVE PLATFORM

President Vavra and Executive Director Voit presented the Legislative Platform. David Ziegler, Riley Purgatory Bluff Creek WD made a motion to adopt the Legislative Platform. Dennis Kral, Pelican River WD seconded the motion. The motion passed by voice vote.

8. ADJOURNMENT

President Vavra thanked the members for their participation in the business meeting and the annual conference. She adjourned the meeting at 11:01 a.m.

Wanda Holker
Secretary



Memorandum

DATE: October 31, 2024
TO: Minnesota Watersheds Members
FROM: Finance Committee Co-chairs David Ziegler, Riley Purgatory Bluff Creek WD and Tera Guetter, Pelican River WD
RE: **Draft FY24 Financial Statement, Review of Financial Procedure Report, and Proposed FY25 Budget**

It is important to note that most of Minnesota Watersheds revenue is generated through payment of dues.

INCOME FY24 ACTUAL

- The FY24 dues were based on the dues structure adopted by the membership at the 2022 annual business meeting. We also had increased income from regaining the membership of Buffalo Creek and Heron Lake WDs.
- The income for the Legislative event, Summer Tour, and Annual Conference remained steady.

EXPENSES FY24 ACTUAL

Administrative and Program Management

- Administrative and Communications Support – Contract: funds paid to the Executive Director.
- Event and Communication Management – Contract: funds paid to the Program Manager for managing Minnesota Watersheds events.
- Newsletter formatting, Website, social media, etc. – Contract: funds paid to the Program Manager for these tasks.

Government Relations

- Lobbying – Contracted Services: funds paid to lobbyists Ray Bohn and Lockridge Grindal Nauen.

Professional Services

- Legal Fees: funds paid for general legal services.
- Legal Fees – Drainage Work Group: funds paid to represent members at the DWG.
- Legal Fees – M.S. Chapter 103D modernization: funds paid to assist with statutory language changes and testifying at the legislature.
- Legal Fees – Amicus Brief JD 39: funds paid to draft and submit a brief to the Minnesota Supreme Court regarding Red Lake JD 39.
- Accounting and Audit Fees: funds paid to Obremski Ltd. for monthly accounting and bookkeeping services, and to Redpath Ltd. for the agreed upon procedures report.
- Insurance: funds paid for insurance coverage for errors and omissions insurance for the Minnesota Watersheds Board of Directors, and for general coverage for office, records, and office equipment.

Office Expenses

- Rent: funds paid to Capitol Region WD for storage and office rent.
- Mileage and General Office Expenses: for directors and contractors, as well as office supplies.

Board and Committee Meetings

- Per Diems and Expenses - Directors: funds paid to directors for serving on the Board of Directors and Minnesota Watersheds Committees.

Education and Events

- The actual costs incurred for implementing the Legislative Briefing and Day at the Capitol, Summer Tour, and Annual Conference.

2024 REVIEW OF FINANCIAL PROCEDURE REPORT

The report from Redpath Ltd. for the agreed upon procedures has not been submitted. It will be distributed to members as soon as it is available.

INCOME PROPOSED FY25 BUDGET

- The estimated dues for FY25 are based upon payment in full by current members with the dues structure that was approved by the membership in 2022.
- The estimated income for the annual conference in FY25 is based on actual revenue received in FY24.
- The estimated costs for the Legislative Day at the Capitol and Summer Tour are based on actual costs for FY24.

EXPENSES PROPOSED FY24 BUDGET

Administrative and Communications Support

- Administrative and Communications Support: projected expense for the Executive Director.
- Event and Communication Management: projected expense for Program Manager for managing Minnesota Watersheds events (Legislative Briefing and Day at the Capitol; Summer Tour; and Annual Conference).
- Newsletter formatting, website, social media, etc. - Contract: projected expense for Program Manager.

Government Relations

- Lobbyist Contract: for lobbyist Ray Bohn through December 31, 2024.
- Lobbyist Contract: for the Lockridge Grindal Nauen lobbying team.

Professional Services

- Legal Fees: costs incurred by Smith Partners for general legal work.
- Legal Fees – Drainage Work Group (DWG): costs incurred for Smith Partners to represent members at the DWG on an as-needed basis.
- Drainage Work Group – Contract: costs for Myron Jesme to represent Minnesota Watersheds at DWG meetings and subcommittee meetings.
- Accounting and auditing funds paid to Obremski Ltd. for monthly accounting and bookkeeping services, and to Redpath Ltd. for the agreed upon procedures report.
- Insurance coverage for errors and omissions insurance for the Minnesota Watersheds Board of Directors, and for general coverage for office, records, and office equipment.

Office Expenses

- Rent: funds paid to Capitol Region WD for storage and office rent.
- Mileage and General Office Expenses: for directors and contractors, as well as office supplies.

Board and Committee Meetings

- Per Diems and Expenses - Directors: Funds paid to directors for serving on the Board of Directors and Minnesota Watersheds Committees.

Special projects

- Funds for anticipated costs incurred with the Watershed Handbook, surveys, or promotional items.

Education and Events

- Estimated costs for implementing the Annual Conference, Legislative Briefing and Day at the Capitol, Summer Tour, credit card processing fees, and special workshops.

Even with the additional projected expenses, we are projecting a modest increase in available capital at the end of FY25.

Questions regarding the FY25 proposed budget and/or the FY24 financial information should be directed to David Ziegler, Treasurer (david_ziegler@outlook.com or 952-905-1889) or Jan Voit (jvoit@mnwatersheds.com or 507-822-0921).

Minnesota Watersheds			Prepared	10/9/2024
DRAFT FY24 Financial Report and Proposed FY25 Budget				
October 1, 2024 through September 30, 2025				
	FY2025**	FY2024*	FY2024	FY2023*
			Oct'23-Sep'24	Oct'22-Sep'23
INCOME	BUDGET	BUDGET	FY 2024 ACTUAL	FY 2023 ACTUAL
Dues - Watershed District Members	262,421	251,008	255,986	227,065
Dues - Watershed Management Organization Members	22,500	22,500	22,500	22,500
Annual Conference Registrations	91,000	87,000	120,885	114,563
Annual Conference Trade Show and sponsorships	42,300	43,500	13,000	-
Legislative Day at the Capitol	5,500	4,000	5,339	6,913
Summer Tour	20,000	20,000	28,250	18,658
Minnesota Watersheds Workshops	2,500	2,500	-	-
Interest	25	25	563	481
TOTAL REVENUES	446,246	430,533	446,523	390,180
EXPENSES				
Administration & Program Management				
Administrative and Communications Support - Contract	105,000	111,600	95,532	89,708
Event and Communication Management - Contract	45,000	43,200	43,200	40,719
Newsletters, Website, Social Media, etc. - Contract	4,500	7,000	3,354	6,027
Government Relations				
Lobbying - Contracted Services - Ray Bohn, MGA	11,250	45,000	45,000	33,122
Lobbying - Contracted Services - Lockridge Grindal Nauen	56,244	30,000	22,500	-
Lobbyist Expenses	1,000	1,000	450	353
Professional Services				
Legal Fees	25,000	25,000	5,327	17,118
Legal Fees - Drainage Work Group	7,500	7,500	8,115	5,289
Legal Fees - M.S. Chapter 103D modernization	-	-	28,161	-
Legal Fees - Amicus Brief JD 39	-	-	7,005	-
Drainage Work Group - Myron Jesme contract	5,000	5,000	2,217	-
Accounting and Audit Fees	14,400	15,000	13,100	14,100
Insurance	1,700	1,700	734	2,407
Office Expenses				
Rent	2,400	4,800	2,400	3,000
Mileage and General Office Expenses	15,000	10,000	12,965	10,783
Dues, Other Organizations	-	-	-	-
Other Special Items	3,700	2,500	1,700	510
Memorials	250	250	-	-
Board and Committee Meetings				
Per Diems and Expenses - Directors	25,000	25,000	19,915	23,724
Board and Committee Meeting Expenses	1,000	1,000	-	-
Special Projects				
Watershed Handbook, Surveys, etc.	5,000	5,000	44	4,466
Education and Events				
Annual Conference	75,000	54,500	74,778	60,046
Legislative Day at the Capitol	5,500	5,500	5,778	4,508
Summer Tour	20,000	20,000	22,840	14,379
Credit Card Processing Fees	4,100	4,100	1,534	939
Special Workshops	3,700	2,500	-	-
TOTAL EXPENSES	437,244	427,150	416,649	331,197
REVENUES OVER (LESS THAN) EXPENSES	9,002	3,383	29,874	58,983
STATEMENT OF NET POSITION				
Assets, Cash and Equivalents, actual			293,210	270,378
Dues receivable			-	-
Deposits received - deferred, prepaid expenses			1,347	(4,313)
Liabilities, accounts payable, taxes payable			(19,726)	(21,108)
ENDING NET ASSETS			274,831	244,957

*These are final numbers. **FY25 Budget approved by Finance Committee on 10/09/2024 and the MW BOD on 10/28/2024.



Memorandum

DATE: October 31, 2024
TO: Minnesota Watersheds Members
FROM: Committee Co-Chairs David Ziegler, Riley Purgatory Bluff Creek WD and Andy Henschel, Shell Rock River WD
RE: **Proposed Strategic Plan Updates**

In December of 2022, the Minnesota Watersheds membership adopted the 10-Year Strategic Plan. Over the course of the last two years, many of the strategies and tactics have begun and some have been completed. With those accomplishments in mind, the Strategic Plan Committee met to review the plan.

Proposed revisions

- Many of the proposed changes are minor wordsmithing. The 10-year plan was also updated to reflect plan accomplishments.
- The introduction was revised to include the Annual Work Plan for the Minnesota Watersheds Board of Directors (Board).
- Revisions to the committee's section were made to reflect the committee makeup and processes described in the Manual of Policy and Procedures.
- It is necessary for Minnesota Watersheds to engage with members and non-members. Revisions in this section were made to reflect those needs.
- Clarifying language was added to the section regarding streamlining the resolutions and legislative priorities processes.
- Acknowledging the Legislative Coordination and Communication Plan was added to the lobbying section, as well as addressing the need for members to develop personal relationships with their legislators.
- An annual work plan for the Board was added.
- Expectations for support and advocacy from the Minnesota Watersheds representatives on the Board of Water and Soil Resources and Clean Water Council were incorporated.
- The tactics timetable was updated to include the executive director's work plan for 2025 and 2026.

Questions regarding the Strategic Plan and/or the proposed revisions should be directed to David Ziegler (david_ziegler@outlook.com), Andy Henschel (andy.henschel@co.freeborn.mn.us), or Jan Voit (jvoit@mnwatersheds.org).



MINNESOTA WATERSHEDS

Connecting People. Protecting Water.

10-YEAR STRATEGIC PLAN

December 2, 2022

Updated: December 6, 2024

Abstract

This document defines Minnesota Watersheds' mission and vision for the future and identifies goals, objectives, strategies, and tactics.

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MINNESOTA WATERSHEDS

STRATEGIC PLAN GOALS AND OBJECTIVES

MISSION: To support and advocate for leaders in watershed management.

VISION: To establish excellence and innovation in all watershed-based organizations.

GOALS AND OBJECTIVES:



Fortify the infrastructure of Minnesota Watersheds to ensure reliable delivery of services.

- Ensure Minnesota Watersheds governance and management are aligned with the Strategic Plan.
- Develop concentrated communication efforts.
- Empower Minnesota Watersheds to accomplish its goals and objectives.
- Invest in technological resources to accommodate access to information.
- Better utilize member and executive committees for healthy and sustainable Minnesota Watersheds' operations.



Build a watershed community that supports one another.

- Enhance member engagement through inclusivity.
- Grow membership.
- Expand participation at Minnesota Watersheds' events.
- Increase member involvement on committees and the Minnesota Watersheds Board of Directors to assure member needs are met.



Serve as a liaison to collaborate with statewide agencies and associations.

- Increase collaborative efforts between the Board of Water and Soil Resources and Minnesota Watersheds.
- Increase partnership activities with statewide entities.



Ensure strong legislative policies are in place for watershed management.

- Streamline the resolutions and legislative platform processes.
- Articulate clearly defined legislative policies so members and Minnesota Watersheds' representatives can accurately state our positions.
- Focus and prioritize lobbying efforts.
- Increase member engagement in the legislative process.



Enhance the skills of watershed district and watershed management organization boards.

- Provide guidance and direction for efficient and effective member board operations.

Introduction

This document is intended to be a **long-range, 10-year Strategic Plan**. Each year the Strategic Plan Committee will make recommendations to the Minnesota Watersheds Board of Directors on the organization's top priorities. The Annual Work Plan for the Minnesota Watersheds Board of Directors will be developed based on the goals, objectives, strategies, and tactics described in this plan, as well as the day-to-day operations described in the Manual of Policy and Procedures. The Tactics Timetable will be developed based upon priorities determined by the Strategic Plan Committee and recommended to the Minnesota Watersheds Board of Directors as follows: ~~annual work plan for the Minnesota Watersheds Board of Directors;~~ two-year work plan for the Executive Director; ~~and five- and 10-year work plans~~ based on Strategic Plan Committee priorities and work accomplished. This process will be done to better ensure accomplishing the goals and setting expectations for member watershed districts, watershed management organizations, the Minnesota Watersheds Board of Directors, and the Executive Director.

Definitions

Members – dues paying Watershed districts and Watershed management organizations

Non-members – Watershed districts and Watershed management organizations that have chosen not to pay dues

Strategic Plan

Mission

To support and advocate for leaders in watershed management.

Vision

To establish excellence and innovation in all watershed-based organizations.

Values

Collaborate: work with partners to enhance members' watershed management skills and initiatives.

Efficient: provide services to maximize effective science-based principles for watershed management.

Support: promote and assist members' efforts in watershed management.

Member-driven: seek and consider input to ensure the organization's decisions reflect members' voices.

Transparent: communicate information about the performance, financial position, and governance of the organization in an open and honest manner.

Goals, Objectives, Strategies, and Tactics

Goal 1: Fortify the infrastructure of Minnesota Watersheds to ensure reliable delivery of services.

Objectives, Strategies, and Tactics to Achieve Goal 1

1. Ensure Minnesota Watersheds' governance and management are aligned with the Strategic Plan.
 - Focus the organization's efforts on defined goals, strategies, objectives, and tactics.
 - i. Confirm, each month, that Board of Directors' actions reflect the Strategic Plan.
 - ii. If new issues arise that require significant resources, seek member support before pursuing.

- iii. Do not adopt major policies or expenditures without staff review and recommendations that consider pros and cons, alternatives, costs, and member perspectives.
- 2. Develop concentrated communication efforts.
 - Communication plan.
 - i. ~~Develop~~ Maintain the adopted communication plan that brings structure and consistency to all Minnesota Watersheds' communication efforts.
 - Newsletters.
 - i. Adhere to a consistent process for newsletter development and distribution, as well as a process for posting newsletters on the website.
 - ii. Ensure newsletters are distributed to members and non-members.
 - Minnesota Watersheds Board of Directors agendas and meeting packets.
 - i. Distribute agendas and meeting packets directly to each member organization ahead of each meeting and post agendas on the website.
- 3. Empower Minnesota Watersheds to accomplish its goals and objectives.
 - Sufficient staffing.
 - i. Invest in sufficient staff to complete identified strategies and tactics.
 - Suitable policies.
 - i. Set policies that ensure adequate funding for staffing and technological resources.
 - ii. Develop an annual work plan for the Minnesota Watersheds Board of Directors.
- 4. Invest in technological resources to accommodate access to information.
 - Robust website.
 - i. ~~Update~~ Maintain the website to be an up-to-date website that is a and complete resource for boards and administrators.
 - Efficient internal communication tool.
 - i. Work with Minnesota Association of Watershed Administrators to launch and house a platform for data sharing and networking.
 - ii. Transition electronic files to the cloud for reliable backup and document sharing among staff.
- 5. Better utilize member and executive committees for healthy and sustainable Minnesota Watersheds' operations.
 - Member committees.
 - i. Maintain four member committees: Awards, Events/Education, Legislative, and Resolutions/Policy.
 - ii. Adjust Support committee leadership ~~to of~~ one manager and one administrator who serve as co-chairs. Continue to populate ~~the committees~~ with one manager and one administrator from each region.
 - iii. Refine Review committee scopes of work annually.
 - iv. ~~Develop annual work plans for committees.~~
 - Executive committees.
 - i. ~~Form~~ Retain three executive committees: Governance, Personnel, and Finance.
 - ii. Governance Committee: Members include ~~one Minnesota Watersheds Board member from each region~~ the Minnesota Watersheds President, Vice President, Secretary, and except for the Personnel Committee, the Executive Director.
 - 1. ~~Combine the bylaws, Manual of Policy and Procedures, and Committee into one executive governance committee.~~ This committee would will handle minor day-to-day issues and make recommendations to the board of directors. When ~~major~~ reviews or revisions to the Bylaws, Manual of Policy and Procedures, and/or the Strategic Plan are

warranted, ~~form the appropriate~~ member committee will meet, as defined above, to perform the assigned work.

- iii. Personnel Committee: Members include the Minnesota Watersheds President, Vice President, Secretary, and Treasurer.
- iv. Finance Committee: Members include the President, Vice President, Secretary, Treasurer, and Executive Director.
 1. The Executive Finance Committee will prepare a budget, with the assistance of the member finance committee and the accountant, and make the annual recommendation to the board of directors on regarding dues. Form a member committee, as defined above, when major projects are warranted, such as proposing a new dues structure.
- v. ~~Refine~~ Review committee scopes of work annually.
- vi. ~~Develop annual work plans for committees.~~

Goal 2: Build a watershed community that supports one another.

Objectives, Strategies, and Tactics to Achieve Goal 2

1. Enhance member engagement through inclusivity.
 - ~~Change~~ Retain Minnesota Watersheds the name of the organization to accurately represent membership.
 - i. ~~Adopt Minnesota Watersheds as the new name of the organization.~~
2. Grow and sustain membership.
 - Develop and share membership benefits information.
 - Meet individually with members to understand their needs, address concerns, and strengthen the partnership with Minnesota Watersheds.
 - Meet individually with non-members to address concerns and increase the number of watershed districts and watershed management organizations as Minnesota Watersheds members.
 - i. ~~Start~~ Continue discussions with the ~~10~~ five non-member watershed districts and 15 non-member watershed management organizations on the benefits of membership.
 - ii. Use the Minnesota Watersheds ~~Regional Board of~~ Directors and/or Administrators to advocate for Minnesota Watersheds around the state.
3. Expand participation at Minnesota Watersheds events.
 - Increase the number of members that attend Minnesota Watersheds events.
 - i. Be inclusive of members and non-members for Minnesota Watersheds events and meetings ~~to maintain a sense of fairness, apply discounts to members.~~
 - ii. Hold regional caucuses in conjunction with all Minnesota Watersheds events.
 - iii. Increase the current average attendance of members at Minnesota Watersheds events: ~~Legislative Meeting (75), Summer Tour (130), and Annual Conference (500).~~
4. Increase member involvement on committees and the Minnesota Watersheds Board of Directors to assure member needs are met.
 - Promote the importance of member involvement in the Minnesota Watersheds Board of Directors and on the committees to provide direction and guidance for the organization.
 - i. Ensure members have opportunities to voice concerns and provide input at board and committee meetings.
 - ii. Advocate for Minnesota Watersheds activities through newsletters and the website.

Goal 3: Serve as a liaison to collaborate with statewide agencies and associations.

Objectives, Strategies, and Tactics to Achieve Goal 3

1. Increase collaborative efforts between the Board of Water and Soil Resources and Minnesota Watersheds.
 - Work with the Board of Water and Soil Resources leadership to address member concerns.
 - i. Strengthen the working relationship with the Board of Water and Soil Resources by ~~Identify~~ identifying points of contention, developing a ~~work~~ plan to address issues, and improve ~~develop~~ opportunities for reducing concerns.
2. Increase partnership activities with statewide entities.
 - Identify opportunities to work with the Minnesota Association of Watershed Administrators, Minnesota Association of Soil and Water Conservation Districts, the Association of Minnesota Counties, the League of Minnesota Cities, Local Government Water Roundtable, Drainage Work Group, Clean Water Council, Red River Watershed Management Board, Department of Natural Resources, Minnesota Pollution Control Agency, and others as deemed appropriate to promote watershed management.
 - i. Ensure Minnesota Watersheds staff attend Board of Water and Soil Resources, Clean Water Council, and Drainage Work Group meetings and provide updates for members.
 - ii. Strengthen the partnership with the Minnesota Association of Watershed Administrators through the Executive Director's attendance at Minnesota Association of Watershed Administrators meetings and collaboration on education opportunities at Minnesota Watersheds events.
 - iii. Increase opportunities to partner and track collaboration with Minnesota Association of Soil and Water Conservation Districts, League of Minnesota Cities, Local Government Water Roundtable, and Association of Minnesota Counties.
 - iv. Advocate for the appointment of effective watershed district board members with the Board of Water and Soil Resources and the Association of Minnesota Counties.

Goal 4: Ensure strong legislative policies are in place for watershed management.

Objectives, Strategies, and Tactics to Achieve Goal 4

1. Streamline the resolutions and legislative ~~platform~~ priorities processes.
 - Evaluate the current resolutions and legislative ~~platform~~ priorities process.
 - i. Identify alternative methods to achieve concurrence on resolutions, adopt a revised process, or reaffirm that the current process works for the membership.
 - ii. Identify alternative methods to achieve concurrence on the legislative priorities, adopt a revised process, or reaffirm that the current process works for the membership.
2. Articulate clearly defined legislative policies so members and Minnesota Watersheds representatives can accurately state our positions and priorities.
 - ~~Develop~~ Maintain a comprehensive legislative platform of clearly defined policies.
 - i. Work with Minnesota Association of Watershed Administrators and the Legislative Committee, and the Resolutions Committee to annually review ~~develop a full~~ the Legislative policy document ~~Platform~~ that is inclusive of ~~includes~~ policies and priorities that can remain on the books indefinitely or until members approve changes to those positions, including a process to handle emerging issues at the legislature.

- ii. Draft expectations for support and advocacy for Minnesota Watersheds representatives that serve on the Board of Water and Soil Resources Board, Clean Water Council, and the Local Government Water Roundtable.
3. Focus and prioritize lobbying efforts.
- Identify legislative issues impacting the most members.
 - i. Support legislation that promotes watershed management.
 - ii. Fend off legislation that limits member abilities to protect and restore water resources.
 - iii. Ensure the Minnesota Watersheds lobbyist(s) have clear direction on Minnesota Watersheds legislative priorities.
 - iv. ~~Align workload with the resources set aside for lobbying and m~~Manage member expectations regarding the Minnesota Watersheds legislative program.
 - v. Serve as a legislative point of contact for members to answer questions and provide direction.
 - vi. Maintain the adopted Legislative Coordination and Communication Plan that describes how Minnesota Watersheds and the Red River Watershed Management Board coordinate and communicate before, during, and after the Minnesota legislative sessions.
4. Increase member engagement in the legislative process.
- Encourage member involvement on the ~~resolutions and legislative committees~~Resolutions and Legislative Committees.
 - i. Solicit more direct input from members when setting legislative priorities by surveying members or provide another avenue for members to get feedback to the committee before they make a recommendation to the board.
 - ii. Promote committee membership to ensure members' voices are reflected in the legislative platform and legislative priorities.
 - iii. Encourage members to develop personal relationships with legislators.
 - Increase communication with members about legislative activity.
 - i. Provide timely and useful reminders to members about how and when engagement with legislators is needed.
 - ii. Present members with information that describes how they can assist the Minnesota Watersheds ~~lobbyist-lobbying team~~ during and outside of the legislative session.
 - iii. Host an annual event for members to learn about Minnesota Watersheds' legislative platform and priorities and to receive guidance on how to discuss and interact with legislators on issues.
 - iv. Urge members to Personally-personally call-contact and invite legislators to attend their local events as well as Minnesota Watersheds events.
 - v. Set up appointments with members and legislators.

Goal 5: Enhance the skills of watershed district and watershed management organization boards.

Objectives, Strategies, and Tactics to Achieve Goal 5

1. Provide guidance and direction for efficient and effective member watershed district and watershed management organizations board operations.
 - Offer comprehensive training for watershed district and watershed management organizations boards.
 - i. Provide training sessions at all Minnesota Watersheds events.
 - ii. Increase opportunities for the sharing of knowledge between members at Minnesota Watersheds events.

- iii. Maintain an up-to-date watershed handbook by reviewing the handbook annually and revising it as warranted.
- iv. Work collaboratively with [BWSR-the Board of Water and Soil Resources](#) to provide regional training.
- v. Utilize the expertise, knowledge, and experience of Minnesota Watersheds staff and the Minnesota Association of Watershed Administrators in the development of education and training for watershed district and watershed management organization boards.

Supporting Resources

In addition to the Strategic Plan, Minnesota Watersheds has developed supporting resources for its governance and management. The Bylaws and Manual of Policy and Procedures will be reviewed annually and updated as necessary. The Minnesota Watersheds Board of Directors can update all documents except the bylaws which require adoption by the membership. For the most up-to-date versions of these documents, visit [Minnesota Watersheds \(mnwatersheds.com\)](#)www.mnwatershed.org.

Bylaws

Bylaws are the written rules for conduct of the organization. The Bylaws can be found [herehere](#).

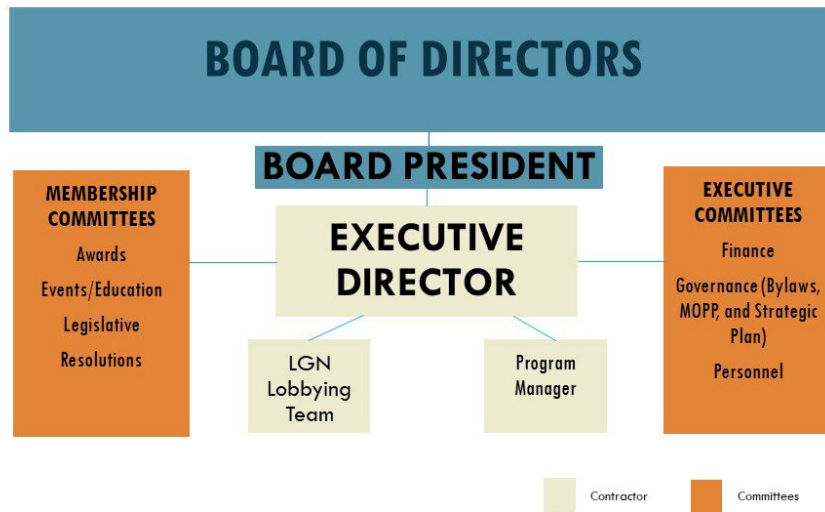
Manual of Policy and Procedures

The Manual of Policy and Procedures is designed to regulate all major decisions, actions, and principles of Minnesota Watersheds. The Manual of Policy and Procedures can be found [herehere](#).

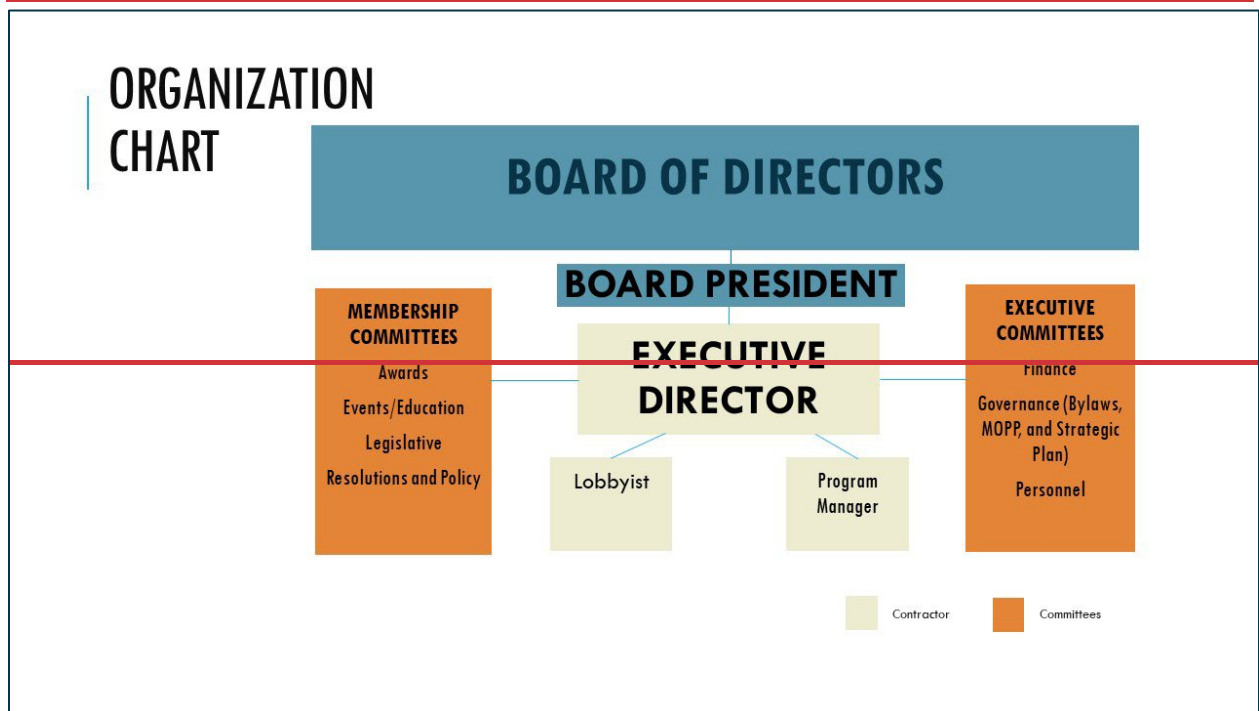
Organizational Chart

An organizational chart shows the chain of command within an organization and can be found below.

ORGANIZATION CHART



ORGANIZATION CHART



Board of Directors Annual Work Plan

The Board of Directors Annual Work Plan was developed based on the goals, objectives, strategies, and tactics identified in the Strategic Plan, as well as the day-to-day operations described in the Manual of Policy and Procedures.



Minnesota Watersheds Board of Directors 2025 Work Plan

Purpose	The Minnesota Watersheds Board of Directors will work with the Executive Director to ensure the Bylaws, Manual of Policies and Procedures (MOPP), and Strategic Plan of the organization are kept up to date and adequately guide the organization.
Tasks	<p>Goal 1. Fortify the infrastructure to ensure reliable delivery of services</p> <ul style="list-style-type: none"> • Work together to ensure daily operations align with the Bylaws, MOPP, and Strategic Plan. • Review the Communication Plan annually • Provide funding for website maintenance • Provide funding for a platform for data sharing • Support the committee framework as described in the Strategic Plan • Read weekly communication • Review recommendations from committees <p>Goal 2. Build a watershed community that supports one another</p> <ul style="list-style-type: none"> • When requested, meet individually with non-members to address concerns with the goal of increasing membership • Provide for and participate in the Legislative meeting, Summer Tour, and Annual Conference <p>Goal 3. Serve as a liaison to collaborate with statewide agencies and associations</p> <ul style="list-style-type: none"> • Support the work of the executive director to strengthen the working relationship with the Board of Water and Soil Resources and the Minnesota Association of Watershed Administrators • Support the executive director’s attendance at Board of Water and Soil Resources, Clean Water Council, and Drainage Work Group meetings • Support opportunities to partner with the Local Government Water Roundtable, Red River Watershed Management Board, and other entities <p>Goal 4. Ensure strong legislative policies are in place for watershed management</p> <ul style="list-style-type: none"> • Ensure the legislative platform is provided to all member organizations • Support the executive director’s work with representatives on the Board of Water and Soil Resources and Clean Water Council • Provide for lobbying services <p>Goal 5. Enhance the skills of watershed district and watershed management organization boards</p> <ul style="list-style-type: none"> • Provide for watershed handbook maintenance • Provide funding for training opportunities at Minnesota Watersheds events
Meeting Logistics	The Minnesota Watersheds Board of Directors will meet in person at the Legislative event, Summer Tour, and Annual Conference. They will meet as needed throughout the remainder of the year.

Minnesota Watersheds Representatives Expectations for Support and Advocacy

Goal 4 of the Minnesota Watersheds Strategic Plan is to ensure strong legislative policies are in place for watershed management. Objective 2 under this goal is to articulate clearly defined legislative policies so members and Minnesota Watersheds representatives can accurately state our positions.

At the 2023 Annual Business Meeting, the membership adopted a comprehensive platform of clearly defined policies that was developed in partnership with the Minnesota Association of Watershed Administrators and the Resolutions Committee. Tactic 2 under this objective is to draft expectations for support and advocacy for Minnesota Watersheds representatives that serve on the Board of Water and Soil Resources (BWSR) Board, Clean Water Council (CWC), and Local Government Water Roundtable (LGWRT).

Review of the BWSR and CWC websites indicates that each entity is supported by several committees. These committees meet at least annually. However, there is little or no interaction between the watershed representatives on these committees and the Minnesota Watersheds Executive Director.

To improve communication, watershed representatives on the BWSR Board, CWC, and LGWRT are asked to inform the Minnesota Watersheds Executive Director in advance of each committee and monthly board meeting. If necessary, the representative(s) and Minnesota Watersheds Executive Director will meet to discuss agenda items to ensure our position(s) on a topic or topics is accurately presented. The watershed representative will take meeting notes and follow up with the Minnesota Watersheds Executive Director after each meeting. Updates will be provided to the Minnesota Watersheds Board of Directors when requested.

BWSR Committees	Watershed Representative
Administrative Advisory	
	Joe Collins
	Jill Crafton
	LeRoy Ose
Audit and Oversight	
	Joe Collins
Buffers, Soils, and Drainage	
	LeRoy Ose
Dispute Resolution	
	Joe Collins
Grants Program and Policy	
	Jill Crafton
	LeRoy Ose
RIM Reserve	
	LeRoy Ose
Water Management and Strategic Plan	
	Joe Collins
Wetland Conservation	
	Jill Crafton
Drainage Work Group	
	None

Clean Water Council Committees	Watershed Representative
Budget and Outcomes	
	None
Policy	
	Marcie Weinandt
Steering	
	None

Tactics Timetable

The Tactics Timetable¹ was developed based upon priorities determined by the Strategic Plan Committee and recommended to the Minnesota Watersheds Board of Directors as follows: ~~annual work plan for the Minnesota Watersheds Board of Directors~~; two-year work plan for the Executive Director²; ~~and five- and 10-year work plans~~ based on work accomplished. This is done to better ensure accomplishing the goals and setting expectations for member watershed districts, watershed management organizations, the Minnesota Watersheds Board of Directors, and the Executive Director.

Goal 1. Fortify the infrastructure to ensure reliable delivery of services	Start Date	Completed	Process	2025 Hours	2026 Hours
Tactics					
<i>Governance and Management</i>					
Confirm, each month, that Board of Directors actions reflect the Strategic Plan (#8 priority)	1/1/2023		Staff review	5	5
Staff review and recommendations for major policies or expenditures	1/1/2023		Staff review	12	12
<i>Communication</i>					
Maintain a communication plan (#3 priority)	3/7/2023	5/22/2023	Staff development Board approval	8	8
Adhere to a consistent process for newsletter development and distribution	1/1/2023		Staff development	75	75
Distribute meeting packets directly to members	1/1/2023		Board approval	2	2
Post agendas on website	1/1/2023		Board approval	2	2
<i>Technological Resources</i>					
Maintain website	1/1/2023		Board approval Staff development	15	15
Work with Minnesota Association of Watershed Administrators to launch a platform for data sharing (#6 priority)	2/15/2023		Board approval Staff development	20	20
<i>Committees</i>					
Events-Education	1/1/2023		Co-chairs and staff	15	15
Resolutions	4/12/2023		Co-chairs and staff	19	19
Awards	8/1/2023		Co-chairs and staff	1	1
Legislative	6/7/2023		Co-chairs and staff	9	9
Finance	8/5/2023		Co-chairs and staff	6	6
Governance (Bylaws-MOPP and Strategic Plan)	1/1/2023		Co-chairs and staff	19	19
Personnel			Executive Committee	0	0

¹ Hours in the Tactics Timetable are ESTIMATED.

² In addition to the information contained in the Tactics Timetable, the Executive Director also carries out the daily operations of Minnesota Watersheds as shown in the table on page 10. The Tactics Timetable and Daily Operations tables together form the two-year Work Plan for the Executive Director. All hours are ESTIMATED and based on an average time commitment of 1,750 hours per year ~~40-hour work week containing 2,088 work hours.~~

Goal 2. Build a watershed community that supports one another	Start Date	Completed	Process	2025 Hours	2026 Hours
Tactics					
<i>Enhance member engagement through inclusivity</i>					
Retain Minnesota Watersheds as the name of the organization (#7 priority)	1/1/2023	3/14/2023	Membership approval	0	0
<i>Grow membership (#5 priority)</i>					
Develop and share membership services information	2/2/2023		Staff development	2	2
Meet individually with non-members to address concerns and increase membership	12/23/2022		Staff development Partnership with MW BOD & MAWA	10	10
<i>Expand participation at Minnesota Watersheds events</i>					
Legislative Meeting	1/4/2023		Staff and committee	25	25
Summer Tour	2/2/2023		Staff and committee	60	60
Annual Conference	4/12/2023		Staff and committee	120	120

Goal 3. Serve as a liaison to collaborate with statewide agencies and associations	Start Date	Completed	Process	2025 Hours	2026 Hours
Tactics					
<i>Increase collaborative efforts between Board of Water and Soil Resources and Minnesota Watersheds (#4 priority)</i>					
Strengthen the working relationship with BWSR by identifying points of contention, developing a plan to address, and reduce concerns	1/1/2023		Staff development	50	50
<i>Identify Opportunities to Partner to Promote Watershed Management</i>					
Attend Board of Water and Soil Resources, Clean Water Council, and Drainage Work Group meetings and provide updates (#10 priority)	1/1/2023		Staff attendance	200	200
Strengthen partnership with Minnesota Association of Watershed Administrators through the Executive Director's attendance at Minnesota Association of Watershed Administrators meetings and collaboration on education opportunities at Minnesota Watersheds' events	1/1/2023		Staff attendance	60	60
Increase opportunities to partner and track collaboration with Minnesota Association of Soil and Water Conservation Districts, League of Minnesota Cities, Local Government Water Roundtable, Association of Minnesota Counties, and Red River Watershed Management Board	1/1/2023		Staff development	65	65

Goal 4. Ensure strong legislative policies are in place for watershed management	Start Date	Completed	Process	2025 Hours	2026 Hours
Tactics					
<i>Develop Comprehensive Platform of Policies</i>					
Maintain a comprehensive legislative platform (#1 priority)	3/9/2023	12/1/2023	Staff development Partnership with MW BOD & MAWA	5	5
Draft expectations for representatives on BWSR board, CWC, LGWRT			Staff development Partnership with MW BOD & MAWA	25	25
<i>Identify Legislative Issue Impacting Members (#2 priority)</i>					
Support legislation that promotes watershed management	1/1/2023		Staff time	40	40
Fend off legislation that limits abilities to protect and restore water resources	1/1/2023		Staff time	40	40
Ensure lobbyist(s) have clear direction on legislative priorities	1/1/2023		Staff time	75	75
Align workload with the resources set aside for lobbying and manage member expectations			Staff time	20	20
<i>Evaluate Current Resolutions and Legislative Platform Process (#2 priority)</i>					
Identify alternative methods, adopt revised process, or reaffirm current process			Staff development Partnership with MW BOD & MAWA	5	5

Goal 5. Enhance the skills of watershed district and watershed management organization boards	Start Date	Completed	Process	2025 Hours	2026 Hours
Tactics					
<i>Offer comprehensive training for watershed district and watershed management organization boards</i>					
Maintain an up-to-date watershed handbook by reviewing it annually and revising it as warranted (#9 priority)	1/1/2023	10/2/2023	Staff development Partnership with MW BOD & MAWA	65	65
Work with BWSR on regional training				25	25
Utilize the expertise of staff and Minnesota Association of Watershed Administrators in the development of education and training for watershed officials (#11 priority)	3/7/2023		Staff development in partnership with MAWA	10	10

				2025 Hours	2026 Hours
				1110	1110
Administration	1/1/2023			259	259
General Communication	1/1/2023			300	300
MW Board Meetings	1/13/2023			68	68
Meetings with Program Manager	1/3/2023			13	13
TOTAL HOURS				1750	1750



Memorandum

DATE: October 31, 2024
TO: Minnesota Watersheds Members
FROM: Legislative Committee Co-Chairs Gene Tiedemann, Red Lake WD and Michelle Overholser, Yellow Medicine River WD
RE: **Proposed Legislative Platform Changes**

At the 2024 Annual Conference, the membership adopted its first Legislative Platform that outlines positions on legislative matters and serves as the foundation for our organization to support or oppose various local, state, and federal legislation. The membership requested that this document be reviewed annually.

With that directive, the Minnesota Association of Watershed Administrators (MAWA) Legislative Platform Committee met in May, reviewed the document, and made recommendations for consideration at the joint meeting of the Legislative and Resolutions Committees. The Legislative and Resolutions Committees met jointly on June 21 to review the changes suggested by the MAWA Legislative Platform Committee and to discuss changes they believed to be necessary. The following proposed revisions are recommended by the three committees referenced previously.

Proposed Revisions

- Many of the proposed changes are minor wordsmithing.
- Clarification of what the legislative platform is based upon was added.
- An “Emerging Issues” section was incorporated.
- Committee members made several recommendations for additional issues under the Drainage, Water Quality, Agency Relations, and Natural Resources categories.
- A results section was added to the document.

Questions regarding the Legislative Platform and/or the proposed revisions should be directed to Gene Tiedemann (gtiedemann@rrv.net), Michelle Overholser (michelle.overholser@ymrwd.com), or Jan Voit (jvoit@mnwatersheds.org).



MINNESOTA WATERSHEDS

Connecting People. Protecting Water.

~~2024 LEGISLATIVE~~ ~~PLATFORM~~ 2025 LEGISLATIVE PLATFORM

Abstract

This document articulates clearly defined legislative policies so members and Minnesota Watersheds representatives on the Board of Water and Soil Resources Board, Clean Water Council, and Local Government Water Roundtable can accurately state our positions.

Adopted December ~~1, 2023~~ 6, 2024

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Purpose

Minnesota Watersheds represents both watershed districts and watershed management organizations (collectively referred to as Watersheds). That representation underscores the necessity of protecting Watershed powers, duties, and planning responsibilities on a watershed basis.

This legislative platform outlines Minnesota Watersheds positions on legislative matters and serves as the foundation for our organization to support or oppose various local, state, and federal legislation. The legislative platform is based on adopted resolutions and emerging issues as identified by the MAWA Legislative Platform Committee and the Minnesota Watersheds Resolutions and Legislative Committees and adopted by the membership. It also ~~is designed to articulate~~ clearly articulate defined legislative policies so members and Minnesota Watersheds representatives on the Board of Water and Soil Resources Board, Clean Water Council, and Local Government Water Roundtable can accurately state our positions.

Emerging Issues

New or developing problems or concerns may arise that require attention before or during the legislative session. Those problems or concerns likely have not been addressed through the resolutions process, may or may not be identified in the legislative platform, but will need to be addressed by the lobbying team and executive director through attendance and meetings, written comments, testifying at hearings, or legislation. Flexibility is necessary so that the lobbying team and executive director can be proactive on behalf of Minnesota Watersheds with state agencies, non-governmental organizations, and at the legislature.

The Minnesota Watersheds Manual of Policy and Procedures states: In the event legislation or state agency policy is introduced that may cause harm to Minnesota Watersheds members and there is no policy adopted by Minnesota Watersheds on the issue, the Minnesota Watersheds Board of Directors may review the legislation or policy and adopt a temporary position on the issue on behalf of the organization. The policy position will be in effect until the next annual resolutions hearing. At that time, the membership must review the policy position and vote on whether it should become a permanent policy position or should expire.

Finance

Watershed ~~organizations~~ are tasked with many responsibilities by Minnesota statute and ~~the~~ local priorities are set by their boards. To effectively perform those duties, adequate funding is necessary. Although some Watersheds have levy authority, there are many other avenues of funding that are important for achieving local water management, as well as water quality and quantity goals.

1. Capacity

- a. Support Clean Water Funds for implementation, not capacity (Resolution 2021-01A and B)
- b. Support capacity funding for watershed districts (Resolution 2021-02)
- c. Support General Fund repayment of Soil and Water Conservation District capacity funds to the Clean Water Fund

2. Grant Funding

- a. Support metro watershed-based implementation funding for approved 103B plans only (Resolution 2021-07)

- b. Support a more equitable formula for watershed-based implementation funding in the metro
- c. Lobby for watershed-specific grant funding

Urban Stormwater

Watersheds and land use management partners work to reduce polluted stormwater runoff and/or increase infiltration from urbanization and hard surfaces. Many Watersheds in the state have adopted regulatory standards and/or official controls to successfully manage urban stormwater when land alterations occur. Watersheds also implement a variety of urban stormwater management practices to treat runoff before it enters our lakes, streams, and wetlands.

1. Stormwater Quality Treatment

- a. Support limited liability for certified commercial salt applicators (Resolution 2022-02)
- b. Support, partner/collaborate with a municipal separate storm sewer system (MS4s municipal separate storm sewer system) (if/where appropriate) in permit compliance activities
- c. Support the use of green infrastructure and minimizing impervious surfaces, where practical, in urban development and planning
- d. Where it may exist, support removing duplication of urban stormwater regulatory standards and controls
- e. Support the rescission of the Department of Labor and Industry/Plumbing Board Final Interpretation of Inquiry PB0159, storm drainage surcharge to return to common engineering practice for stormwater pond design

2. Water Reuse

- a. Support ~~creation of a~~ Stormwater Reuse Task Force and for the Minnesota Department of Health to complete a review process (Resolution 2022-01)
- b. Support efforts to clarify and simplify State Plumbing Board rulings and requirements to facilitate more reuse of rainwater/stormwater

Water Quantity

Watersheds are directed by statute to conserve the natural resources of the state by land use planning, flood control, and other conservation projects. Specific purposes refer to flood damage reduction, stream flows, water supply, and drainage ditch systems, as well as to identify and plan for effective protection and improvement of surface water and groundwater, and to protect and enhance fish and wildlife habitat and water recreational facilities. Numerous past, present, and future legislative initiatives have affected how water quantity issues are managed at the local level. This very broad-based topic includes management of the volume of water (drought, flooding, water supply), the flow of water (drainage, storm water, channel restoration, habitat), and recreationalal (lakes, rivers, wetlands) activities like fishing, boating, and hunting.

1. Drainage

- a. Support the current statutory requirements for notification and coordination in the development of petitioned repairs, drainage improvement projects, and new drainage systems

- b. Support the addition of a classification for public drainage systems that are artificial watercourses (~~Resolution 2019-02~~)
 - c. Seek increased support for and participation in the Drainage Work Group (Resolution 2022-03)
 - d. Oppose the drainage registry information portal
 - e. Oppose incorporating increased environmental, land use, and multipurpose water management criteria (M.S. 103E.015 requirements)
 - f. ~~Comply with the legislative mandate to review outlet adequacy and notification requirements in the Drainage Work Group~~
 - g. Support new legislation modeled after HF2687 and SF2419 (2018) regarding DNR Department of Natural Resources regulatory authority over public drainage maintenance and repairs (Resolution 2023-03)
 - h. Oppose mandatory Environmental Assessment Worksheets for drainage projects
 - i. Investigate ways of maintaining water flow during periods of drought and to explore opportunities for aquifer recharge.
2. Funding
- a. Obtain stable funding for flood damage reduction and natural resources enhancement projects (Resolution 2022-05)
 - b. Clarify county financing obligations and/or authorize watershed district general obligation bonding for public drainage projects (~~Resolution 2019-04~~)
3. Flood Control
- a. Support crop insurance to include crop losses within impoundment areas (Resolution 2021-05)
 - b. Seek action for streamlining the ~~DNR~~ Department of Natural Resources Flood Hazard Mitigation Grant Program (Resolution 2023-04)
4. Regulation
- a. Support temporary water storage on Department of Natural Resources wetlands during major flood events (Resolution 2020-04)
 - b. Support managing water flows in the Minnesota River Basin (statewide) through increased water storage and other strategies and practices (~~Resolution 2019-03~~)
 - c. Work with Minnesota Department of Transportation to support flood control and how to handle increased water volume issues along state and federal highway systems (example from Bemidji district of ~~MnDOT~~ the Minnesota Department of Transportation)
5. Policy
- a. Support funding for watershed-based climate resiliency projects and studies
 - b. Support funding for best management practices that protect and enhance groundwater supply

Water Quality

Protecting and improving the quality of surface and ground water in our Watersheds is an essential component of managing water resources on a watershed basis.

1. Lakes

- a. Support limiting wake boat activities (Resolution 2022-06)
- b. Support designation change and research needs for the Chinese Mystery Snail (~~Resolution 2019-07~~)
- c. Support temporary lake quarantine authorization to control the spread of aquatic invasive species (~~Resolution 2017-02~~)
- d. Support streamlining permit applications for rough fish management
- e. Support dredging as a best management practice to manage internal phosphorus loads in lakes

2. Wetlands

- a. Support a statutory requirement for water level control structures in wetland restorations and wetland banks
- b. Support federal, state, and local funding for wetland restoration and protection activities
- c. Seek clarification of the statutorily modified definition of wetlands and the effects on watershed implementation of the Wetland Conservation Act (Minnesota Laws 2024, Chapter 90, Article 3, section 77)

3. Rivers and Streams

- a. Support a statutory deadline for Department of Natural Resources Public Waters Work Permits (45-60 days)
- b. Support automatic transfer of public waters work permits to Watersheds (M.S. Chapter 103G.245 Subd.5)

4. Policy

- a. Support funding for watershed-based climate resiliency projects and studies
- b. Support funding for best management practices that protect groundwater quality

Watershed Management and Operations

Protecting, enhancing, defending, and supporting existing Watershed statutory powers, duties, and planning responsibilities is necessary for effective and efficient watershed management and operations. Specific Watershed powers, duties, and planning responsibilities are contained in Minnesota Statutes [Chapter 103B](#) and [Chapter 103D](#).

1. Watershed Powers

- a. Support and defend eminent domain powers for watershed districts
- b. Support Watershed powers to levy property taxes and collect special assessments
- c. Support a watershed district's power to accept the transfer of drainage systems in the watershed; to repair, improve, and maintain the transferred drainage systems; and to construct all new drainage systems and improvements of existing drainage systems in the watershed
- d. Support a Watershed's power to regulate the use and development of land within its boundaries

2. Watershed Duties

- a. Support a Watershed's duty to initiate projects
- b. Support a Watershed's duty to maintain and operate existing projects

- c. Support increased flexibility in the open meeting law (Resolution 2023-05)

3. Watershed Planning

- a. Support a Watershed's ability to jointly or cooperatively manage and/or plan for the management of surface and ground water
- b. ~~Support watershed autonomy during and following a One Watershed, One Plan development process~~
- c. Support the connection between watershed-based implementation and funding
- d. Support development of a soil health goal for metropolitan watershed management plans (Resolution 2020-03)
- e. ~~Support Education-education~~ and outreach to encourage formation of watershed districts in unserved areas (Resolution 2023-06)

Agency Relations

Watershed organizations work with many federal and state agencies to accomplish their mission. While relationships vary from administrative to funding and regulatory, agency policies and procedures can have a major impact on Watershed operations and projects. Maintaining strong, positive relations and ensuring Watersheds have a role in policy making is key to successful watershed management and operations.

1. Advocacy

- a. Require a 60-day review periods before state agencies adopt new policies related to water and watershed management (Resolution 2021-06)
- b. Increase collaborative efforts between Minnesota Watersheds and all state agencies involved in water management

2. Representation

- a. Support watershed district managers being appointed, not allowing county commissioners to serve as managers

3. Regulation

- a. Streamline the Department of Natural Resources permitting process by increasing responsiveness, decreasing the amount of time it takes to approve permits, providing a detailed fee schedule prior to application, and conducting water level management practices that result in their reaction more quickly to serious, changing climate conditions (~~Resolution 2019-01~~)
- b. Require watershed district permits for all state agencies (Resolution 2023-01)
- c. Oppose mandatory Environmental Assessment Worksheets for drainage projects

Regulations

Watershed representation on state and local panels and committees and the ability for Watersheds to regulate development and use of land within the organization's boundaries without prohibitive regulatory restrictions is necessary.

- a. Oppose legislation that forces spending on political boundaries (~~Resolution 2019-06~~)
- b. Support the ability to appeal public water designations (Resolution 2020-01)
- c. Seek Watershed membership on Wetland Technical Evaluation Panels (~~Resolution 2019-05~~)

Natural Resources

Minnesota Statutes direct Watersheds to conserve the natural resources of the state. Some of the purposes listed in statute are to conserve water in streams and water supply, alleviate soil erosion and siltation of water courses or water basins, regulate improvements by riparian property owners of the beds, banks, and shores of lakes, streams, and wetlands for preservation and beneficial public use; protect or enhance the water quality in water courses or water basins; and protect and preserve groundwater resources.

1. Planning

- a. Ensure timely updates to Wildlife Management Area plans (~~Resolution 2018-06~~)
- b. Support Watershed inclusion in development of state plans (i.e., Prairie Plan, State Water Plan, etc.) related to water and watershed management

2. Policy

- a. Support funding for climate resiliency
- b. [Seek clarification in the statutory language regarding funding for and updating the public waters inventory \(Minnesota Laws 2024, Chapter 116, Article 3, section 47\)](#)

3. Habitat

- a. Clarify buffer rule issues
- b. Support funding to reduce erosion and sedimentation
- c. Support funding for the enhancement, establishment, and protection of stream corridors and riparian areas
- d. Support funding for the enhancement and protection of habitats

2024 Results

This section will document when an issue is resolved.

Water Quantity

Drainage

- Comply with the legislative mandate to review outlet adequacy and notification requirements in the Drainage Work Group
 - During the 2023 legislative session (Minnesota Laws 2023, Chapter 60, Article 5, section 21), BWSR and the DWG were directed by the legislature to evaluate and develop recommendations on the definition and application of outlet adequacy as provided in M.S. Chapter 103E.261 and public notice requirements for drainage activities, including a drainage registry portal. The report was developed during DWG meetings following the 2023 legislative session. The report was submitted to the legislature on February 1, 2024 as required by the statutory language.

Watershed Management and Operations

Watershed Planning

- Support watershed autonomy during and following a One Watershed, One Plan development process
 - Changes were made to clarify and modernize M.S. Chapter 103D during the 2024 legislative session (Minnesota Laws 2024, Chapter 90, Article 3, section 42). M.S. Chapter 103D.401 was clarified that a watershed district maintains the authority to adopt a plan even when participating in a comprehensive watershed management planning program under section 103B.801 (One Watershed, One Plan/1W1P).



Memorandum

DATE: October 31, 2024
TO: Minnesota Watersheds Members
FROM: Bylaws-MOPP Committee Co-chairs Linda Vavra and Jamie Beyer, Bois de Sioux WD
RE: **Proposed Bylaws Changes**

The Bylaws Committee met on October 14 to discuss proposed Bylaws changes. The proposed changes were also discussed at the Minnesota Watersheds Board of Directors (Board) meeting on October 28. The proposed changes are shown in track changes throughout the document.

- Several small additions and corrections are recommended for clarification.
- The date on the document is updated.
- The language in the quorum section was revised to provide clarification for the number of delegates each member organization appoints, as well as how a quorum is established.
- Article VI regarding committees is added so the Bylaws are in line with the change in committee makeup that was made through the Strategic Plan.

Questions regarding these proposed changes should be directed to Linda Vavra at lvavra@fedtel.net, Jamie Beyer at <mailto:bdswd@runestone.net>, or Jan Voit jvoit@mnwatersheds.com.

BYLAWS

MINNESOTA ASSOCIATION OF WATERSHED DISTRICTS, INC.

Doing business as Minnesota Watersheds

St. Paul, Minnesota

ARTICLE I.

Offices and Corporate Seal

- 1.1 Official Name. The official name of the corporation is the Minnesota Association of Watershed Districts, Inc., which conducts business under the registered assumed name of, and is hereinafter referred to as, Minnesota Watersheds.
- 1.2 Purpose. The purpose of Minnesota Watersheds is to provide educational opportunities, access to information resources, interface with other agencies, facilitate tours, meetings, and lobby on behalf of members. Additionally, Minnesota Watersheds will facilitate the exchange of information to help members better comply with governmental regulations and laws while offering an informed interface with the community or communities being served. Minnesota Watersheds will work to secure the capacity of its members to implement their statutory powers and purposes.
- 1.3 Organized. The corporation is organized as a 501(c)(4) organization. Notwithstanding any provision of the Articles of Incorporation or Bylaws which may be interpreted to the contrary, Minnesota Watersheds shall not authorize or undertake any actions which jeopardize its status as a 501(c)(4) organization.
- 1.4 Office. The registered office of the corporation shall be designated by the Board of Directors.
- 1.5 Corporate Seal. The corporation shall have no corporate seal.
- 1.6 Manual of Policy and Procedures. The Board of Directors has established a management document identified as the Manual of Policy and Procedures to support the orderly and timely details of regular operation. It may be revised at any time by a majority vote of the Board of Directors.

ARTICLE II.

Membership

- 2.1 Membership. Each dues-paying watershed district or watershed management organization duly established and in good standing pursuant to Minnesota Statutes, Chapter 103B or 103D, shall be entitled to membership in this corporation.
- 2.2 Delegates. Alternates. When a watershed district or watershed management organization becomes a member of this corporation, it shall designate from among its board members two delegates to represent it in this corporation. In addition, each member may designate alternate delegates to represent such member in the absence of any originally designated delegate. Thereafter, each member shall annually designate its delegates and alternate delegates so long as it remains a member in good standing of this corporation.

- 2.3 Termination of Membership. Any member that has failed to pay its dues is not in good standing and shall be stricken from the membership roll.
- 2.4 Resignation of Member. Any member may withdraw from this corporation effective immediately by notifying the secretary in writing. Regardless of the date of termination, there shall be no refund of the annual dues paid by the member.

ARTICLE III. Meetings of Membership

- 3.1 Annual Business Meeting. An annual meeting of this corporation shall be held to transact such business as shall properly come before them. Notice of the time and place of such annual meeting shall be mailed, either physically or electronically, by the secretary to all members at least thirty (30) days in advance thereof.
- 3.2 Special Meeting. Special meetings of the members of the corporation shall be called by the president upon request of a majority of directors of the Board of Directors or upon the written request of one-third of the members of the corporation in good standing. This request shall be in writing addressed to the president or the secretary of the corporation. Within thirty days of receipt of said request, the Board of Directors ~~shall, shall~~ mail (either physically or electronically) notice of said special meeting to all members. This notice shall state the objective of the meeting and the subjects to be considered.
- 3.3 Quorum. ~~A majority of Each dues-paying watershed district or watershed management organization may appoint the up to two delegates (two per member). shall constitute a quorum for the transaction of business. A quorum consists of the majority of the delegates registered at the annual conference and in attendance irrespective of whether some have departed. Once a quorum has been established there shall be no further question as to the quorum.~~
- 3.4 Voting. Any action taken by the members shall be by majority vote of the delegates present unless otherwise specifically provided by these Bylaws. Each member shall be entitled to one (1) vote for each delegate present.

ARTICLE IV. Board of Directors

- 4.1 General Powers. The business activities of the corporation shall be directed and managed by the Board of Directors. The Board of Directors shall be authorized to pay officers and directors of the corporation per diem allowances and expenses as may from time to time be submitted to the Board of Directors, and such other expenses as may from time to time be necessary for the furtherance of the corporation's business, consistent with the rate and provisions of watershed board member per diem allowances and expense reimbursement provided in state law. The Board of Directors is authorized to hire and/or contract for services needed.
- 4.2 Directors to be Elected by Regions. For the purpose of election of the Board of Directors, members are grouped into three regions; three Directors shall be elected from each region, with staggered three-year terms. Members from each region shall elect one director for a three-year term at the annual business meeting of ~~the Association~~ Minnesota Watersheds. No watershed district or watershed management organization shall have more than one board member elected to be a Director on the Board of Directors of the ~~Corporation~~ corporation. In the event of a vacancy on the Board of Directors, the Board of Directors may appoint a member for the remaining term from a watershed district or watershed management organization with an existing representative on the

Board of Directors if there are no other candidates from the region requesting appointment to the position. In the event a vacancy is filled by the Board of Directors, such appointment shall be submitted to the regional caucus for approval at the next regional caucus meeting. Regional caucuses shall elect a Chairman and Recording Secretary report the election results to the Convention at a designated time. The member watershed districts and watershed management organizations present at the Regional Caucus meeting shall have full authority to elect a Chairman, Recording Secretary, and representatives to the Board of Directors.

- 4.3 Regions. The Board of Directors may re-align the regions or the members contained therein, it being the intent and purpose that each region contain the approximate same number of members. Any watershed district or watershed management organization in Minnesota not presently a member of this corporation, upon admission to membership, will be assigned to a region by the Board of Directors. Regional membership shall be listed in the Manual of Policy and Procedures.
- 4.4 Number, Qualification, and Term of Office. The number of directors constituting the ~~board~~Board of Directors shall be nine. Each director elected at the annual meeting shall be elected for a three-year term. Directors shall be on the board of a watershed district or watershed management organization that is a member in good standing of this corporation.
- 4.5 Vacancies. If there be a vacancy among the officers of the corporation or among the directors by reason of death, resignation, termination of membership, or removal as provided by law, the Articles of Incorporation, or these Bylaws, or otherwise or for non-excused absences for three consecutive meetings, such vacancy shall be filled by the Board of Directors until the next Annual Meeting of ~~the Association~~Minnesota Watersheds.
- 4.6 Removal of Directors~~by Members~~. At a special meeting of the Board of Directors called solely for that reason, the notice of which meeting shall have been given in writing to members of ~~this board~~the Board of Directors at least thirty days prior thereto and not more than fifty days prior thereto, a super majority of seven members of ~~this board~~the Board of Directors may remove one or more directors from their term of office without cause.
- 4.7 Meetings, Actions. The Board of Directors shall hold the annual meeting of the Board of Directors immediately after the annual meeting of the members of this corporation, and at such annual meeting shall elect the officers as above provided. Regular meetings of the Board of Directors shall be held at a time and place to be fixed by resolution or adopted by the majority of the Board of Directors.

The majority of the Board of Directors shall constitute a quorum. Directors may participate and vote in Board of Directors meetings by telephone or other electronic means approved by the Board in the Manual of Policy and Procedures.

Actions may be taken by a majority vote of those Directors present or participating by telephone or other electronic means approved by the Board in the Manual of Policy and Procedures. The ~~secretary~~Secretary of the ~~board~~Board of Directors, with the assistance of the executive director, shall give written or electronic notice to each director at least ~~ten (10)~~seven calendar days in advance of any regular or special directors' meeting. Special meetings may be called at the discretion of the President of the ~~board~~Board of Directors or upon demand in writing to the ~~secretary~~Secretary by three (3) directors of the Board of Directors.

- 4.8 Conflicts of Interest. Members of the Board of Directors shall act at all times in the best interests of the corporation. This means setting aside personal self-interest and performing their duties in

transacting the affairs of the corporation in such a manner that promotes public confidence and trust in the integrity, objectivity, and impartiality of the Board. No Director shall directly or indirectly receive any profit from his/her position as such, and Directors shall serve without remuneration other than as provided in Section 4.1 of these Bylaws for the payment for reasonable expenses incurred by them in the performance of their duties. The pecuniary interests of immediate family members or close personal or business associates of a director are considered to also be the pecuniary interest of the director.

- 4.9 Indemnification. All directors and officers of the corporation shall be indemnified against any and all claims that may be brought against them as a result of action taken by them on behalf of the corporation as provided for and subject to the requirements of Chapter 317A of Minnesota Statutes as amended.

ARTICLE V. Board Officers

- 5.1 Officers and Duties. There shall be four officers of the ~~board~~Board of Directors, consisting of a ~~president~~President, ~~vice~~Vice President, ~~secretary~~Secretary, and ~~treasurer~~Treasurer. All officers shall be directors of the corporation. Their terms and duties are as follows:

- 5.2 President. The ~~president~~President shall serve a term of office of one year and may, upon re-election, succeed himself/herself for two additional successive terms. The ~~president~~President shall have the following duties:

- Convene and preside over regularly scheduled ~~and special board~~meetings of the Board of Directors and annual or special Minnesota Watersheds membership meetings.
- Have general powers and duties of supervision and management as directed by the Manual of Policy and Procedures.
- Appoint such committees as he/she shall deem necessary with the advice and consent of the Board of Directors.

- 5.3 Vice President. The Vice President shall serve a term of office of one year and may, upon re-election, succeed himself/herself for two additional successive terms. The Vice President shall have the following duties:

- Assume and perform the duties of the ~~president~~President in case of his/her absence or incapacity; and shall chair committees on special subjects as designated by the President.
- Have general powers and duties of supervision and management as directed by the Manual of Policy and Procedures.

- 5.4 Secretary. The Secretary shall serve a term of office of one year and may, upon re-election, succeed himself/herself for two additional successive terms.

The Secretary shall be responsible for preparing and keeping all records of board actions, including overseeing the taking of minutes at all board meetings, sending out meeting announcements, distributing copies of minutes and the agenda to each ~~board member~~director, and assuring that corporate records are maintained.

- 5.5 Treasurer. The Treasurer shall serve a term of office of one year and may, upon re-election, succeed himself/herself for two additional successive terms.

The ~~treasurer~~Treasurer shall Co-chair the finance committee, maintain account of all funds deposited and disbursed, disburse corporate funds as designated by the Board of Directors, assist in the preparation of the budget, collect membership dues, and make financial information available to board members and the public.

ARTICLE VI.
Committees

6.1 Committees. Committee co-chairs shall be appointed by the Board of Directors. All committees shall have co-chairs.

ARTICLE VII.
Fiscal Year, Dues and Annual Review of Financial Procedures

6.17.1 Fiscal Year. The fiscal year of the corporation shall end on September 30 each year.

6.27.2 Membership Dues. Dues will be determined annually by the Board of Directors as specified in the Manual of Policy and Procedures.

6.37.3 Annual Dues. Annual dues shall be payable in January of each year. If a member's dues are not paid on or before April 30 of each year, such member's name shall be stricken from the membership roll. Reinstatement shall be upon such terms and conditions as prescribed by the Board of Directors.

The Board of Directors shall have the authority to suspend or defer dues of any newly organized watershed district or watershed management organization that joins this association until such member watershed district or watershed management organization is in actual receipt of its first authorized fund. The Board shall send out the annual dues statement with payment directed to the Minnesota Watersheds accounting firm. The Board of Directors may consider deferring, suspending, or reducing dues to new members or on an individual case basis when an appeal is made by a member because of hardship or funding problems.

6.47.4 Annual Review of Financial Procedures. The Board of Directors of this corporation shall provide for an annual review of financial procedures of all its resources and expenditures. A full report of such review and financial status shall be furnished at each annual meeting of the members. This review will be conducted by an auditing firm selected by the Board of Directors with experience in the field of government and water management. The review results shall be furnished to all members within forty-five days after receipt thereof by the Treasurer.

ARTICLE VIII.
Employees

7.18.1 Employees. At the discretion of and under the direction of the Board of Directors, Minnesota Watersheds may choose to hire and administer various employees. Their positions and job expectations shall be individually developed and included in the Manual of Policy and Procedures.

ARTICLE ~~VIII~~IX.
Resolutions and Petitions

8.19.1 Resolutions: The Co-Chairs of the Minnesota Watersheds Resolutions Committee will send a request for resolutions, along with a form for submission, to the membership at least three months prior to the annual Minnesota Watersheds membership meeting. Resolutions and their justification

must be submitted to the Minnesota Watersheds Resolutions Committee in the required format at least two months prior to the annual Minnesota Watersheds membership meeting for committee review and recommendation. The committee will present these resolutions and their recommendations to the Board of Directors and the Minnesota Watersheds membership at least one month prior to the start of the annual Minnesota Watersheds membership meeting. The Board of Directors may make additional recommendations on each proposed resolution through its board meeting process. This same procedure will be used when policy issues are to be considered at any special Minnesota Watersheds membership meeting.

8.29.2 Petitions: Any member or group of members may submit to the Board of Directors at any time a petition requesting action, support for, rejection of, or additional information on any issue of potential importance to the members. Such petitions require signed resolutions from at least 15 members before a special meeting of the membership will be convened.

ARTICLE IX. Chapters

9.110.1 Chapters. Members may form chapters to further the purposes stated in Article II of the Articles of Incorporation, to carry out policies of the Board of Directors, and to suggest policies for consideration by the Board of Directors.

ARTICLE XI. Rules of Order

10.111.1 Rules. When consistent with its Articles of Incorporation and these Bylaws, the ~~12th~~-current edition of Robert's Rules of Order Newly Revised shall ~~govern~~provide guidance to the proceedings of this corporation. For consistency in operation, a copy shall be available for consultation if requested at every scheduled meeting of the Board of Directors and Membership meetings.

ARTICLE XII. Amendments

11.112.1 Amendments. These Bylaws may be amended by a majority vote of the members of this corporation only as provided below.

11.212.2 Annual Meeting. At the annual meeting of the members of this corporation, the Bylaws may be amended by the majority of the members present if there is a quorum at said annual meeting and due notice has been given to the membership of the changes 30 days in advance of the meeting.

11.312.3 Special Meeting. These Bylaws may be amended by the members at a special meeting called for that reason but only by a majority vote of the entire membership of the corporation, and only if there has been thirty days' written notice to all members of such special meeting. Such special meeting may be called upon the request of one-third of the members of this corporation by notice in writing to the secretary or president, which notice shall ask for said special meeting and shall state the proposed Bylaws changes, and upon receipt of such request, the ~~secretary~~Secretary or ~~president~~President must send written, either by mail or electronically, notice of the meeting to the members of this corporation within thirty days of receipt of such request, which shall be not less than thirty days nor more than fifty days of the date of the written notice.

Resolutions Committee Meeting



MINNESOTA WATERSHEDS
Connecting People. Protecting Water.

DATE: October 8, 2024
 TO: Minnesota Watersheds Board of Directors
 FROM: Linda Vavra and Jamie Beyer, Resolutions Committee Co-Chairs
 RE: Resolutions Committee Recommendations

The Resolutions Committee met on October 8 to review and discuss the resolutions submitted by Minnesota Watersheds members. Their recommendations are as follows.

Resolutions Committee Recommendations

#	Resolution Title	Committee Recommendation
1	Regulatory Approaches to Reducing Chloride Contamination	Recommends adoption
2	Allowing Alternative Notice of Watershed District Proceedings by Publication on District’s Website	Recommends adoption
3	Providing for Watershed Management Organization Representative on Wetland Technical Evaluation Panels in Seven-County Metropolitan Area	Recommends adoption as amended
4	Seeking the Ability to Allow Resale of Acquisition Buyout Property	Recommends adoption
5	Seeking the DNR to Establish a “Comprehensive Guideline for Calcareous Fen Management”	Recommends adoption
6	Seeking Clarification of the Statutory and Rule Language Regarding the Alteration of Calcareous Fens	No recommendation, more research needed
7	Seeking the DNR to Adopt a Program to Incentivize Calcareous Fen Management on Private Lands	Recommends adoption
8	Seeking the Removal of the Water Resource Enforcement Officer	No recommendation, more research needed
9	Seeking Identification of Calcareous Fens on All State Wetlands by December 31, 2030	No recommendation, more research needed
10	Seeking a Formal Process to Distribute a Complete List of Calcareous Fens Annually	Recommends adoption
11	Seeking Regular Reevaluation of the Designated Species List	No recommendation, more research needed
12	Seeking the Development of a Calcareous Fen Work Group	No recommendation, more research needed
13	Requesting Minnesota Watersheds Support to Request New Legislation to Set Permit Review Time Limits upon the Department of Natural Resources	Recommends adoption

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS

RESOLUTION 2024-01

Resolution to Develop Regulatory Approaches to Reducing Chloride Contamination

Proposing District: Nine Mile Creek Watershed District
Contact Name: Erica Sniegowski, Administrator
Phone Number: 952-358-2276
Email Address: esniegowski@ninemilecreek.org

Background that led to submission of this resolution:

Overuse of chloride compounds (primarily for removal of snow and ice from roads, parking lots and sidewalks) is degrading lakes, creeks, and wetlands in the metropolitan Twin Cities area and throughout Minnesota. The Minnesota Pollution Control Agency has designated 68 impairments in 42 waterbodies in the state – numbers that are steadily increasing. Salt persists in the environment, making chloride contamination one of the most pressing concerns in watershed management; reduction in the amount used is critical.

Ideas for how this issue could be solved:

For several years, Minnesota Watersheds and others have pursued an incentive-based approach to reducing chloride use by supporting legislation that would provide a liability limitation for property owners and maintenance companies who are certified by the Minnesota Pollution Control Agency as applicators trained to apply the correct amount of salt to achieve safe surface conditions and who document their practice of protective low-salt maintenance techniques. During the 2024 session, Minnesota Watersheds worked with several metro-area watersheds to secure the endorsement of the Minnesota Center for Environmental Advocacy, Freshwater Society, Minnesota Association for Justice (which represents trial lawyers) and Stop Over Salting on a legislative approach that provided owners and applicators with protection to the extent of negligence. The Minnesota Nursery and Landscape Association, which represents property-maintenance providers, would not join the coalition, arguing for a bill that provided more extensive liability protection, less frequent training and certification, and looser trainer controls. The trial lawyers’ lobbyist has indicated they would strongly oppose the more extensive liability protection; in addition, allowing for protection when a provider is in fact negligent is contrary to sound public policy.

Nine Mile Creek Watershed District (NMCWD) reasons that regulatory approaches to reducing salt use must be developed. The proper vehicle for such an approach – state, county, city, watershed organization – has yet to be determined; multiple options can and should be explored.

Efforts to solve the problem:

NMCWD and other watershed organizations have conducted and sponsored training in smart-salting practices and other efforts to reduce chloride use (and resultant contamination). NMCWD and others have actively supported the incentive-based legislative approach discussed above, and have communicated with legislators, county commissioners, city staff, and numerous others on the impacts of chlorides on water resources. In addition, NMCWD and a few others have already adopted rule provisions that require permit applicants to include chloride best practices in stormwater-management plans. Initial conversations about chloride have taken place, but concerted efforts have yet to commence.

Anticipated support or opposition:

Minnesota Nursery and Landscape Association is likely to oppose any regulatory approach. Property owners likely will oppose any approach that applies directly to them. Many cities and counties will likely support a regulatory approach, but some may argue that they lack the resources to implement regulatory approaches such as licensing salt applicators if that is the approach taken.

This issue (check all that apply):

Applies only to our district:	<input type="checkbox"/>	Requires legislative action:	<input type="checkbox"/>
Applies only to 1 or 2 regions:	<input type="checkbox"/>	Requires state agency advocacy:	<input checked="" type="checkbox"/>
Applies to the entire state:	<input checked="" type="checkbox"/>	Impacts MW bylaws or MOPP:	<input type="checkbox"/>

MINNESOTA WATERSHEDS RESOLUTION 2024-01

Resolution to Develop Regulatory Approaches to Reducing Chloride Contamination

WHEREAS, chloride contamination of the state’s water resources has been identified not only in urban waters, but in waters throughout the state; and

WHEREAS, the Minnesota Pollution Control Agency has designated 68 impairments for chlorides in 42 waterbodies in the state; and

WHEREAS, the Twin Cities Metro Area Chloride Management Plan and Total Maximum Daily Load studies on Nine Mile Creek and Shingle Creek have indicated that the largest chloride source to our lakes and streams is the application of chloride compounds on roads, parking lots, sidewalks, and other hard surfaces for winter maintenance practices; and

WHEREAS, Minnesota Watersheds and its allies have advocated for and continue to support enactment of state law that provides limited liability protection to commercial salt applicators and property owners using salt applicators who are certified through the established state salt-applicator certification program and follow best management practices, but such efforts have failed so far to result in adoption of new law; and

WHEREAS, chlorides are a metal, and once deposited in a water body do not degrade, making prevention critical; and

WHEREAS, a few watershed organizations in Minnesota have developed, adopted, and implemented regulatory approaches to reduce chloride use and contamination, charting one path forward for such efforts.

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports development, adoption, and implementation of regulatory approaches to reducing chloride contamination in waters of the state.

Notes: Committee recommends adoption.

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS RESOLUTION 2024-02

Resolution Allowing Alternative Notice of Watershed District Proceedings by Publication on the District’s Website

Proposing District: Riley Purgatory Bluff Creek Watershed District
Contact Name: Terry Jeffery, Administrator
Phone Number: 952-607-6512
Email Address: tjeffery@rpbcwd.org

Background that led to submission of this resolution:

Minnesota Statutes chapter 103D, known as the Watershed Law, requires notice by publication in a local newspaper for various watershed district proceedings, specifically publication in a legal newspaper published in the counties affected by the watershed district; such proceedings include boundary changes, changing the district’s principal place of business, consideration of ordering projects, and annual budget and tax levy. Notice by publication is one notice requirement in addition to mailed notice requirements. Some watershed districts are finding it increasingly difficult to publish notice in local newspapers because many have ceased publication. In an age of search engines and electronic communications, more citizens are likely to learn about watershed district proceedings through the internet than through publication in a legal newspaper.

Ideas for how this issue could be solved:

An alternative to publication in a newspaper is publication on the watershed district’s web site. For example, Minnesota Statutes section 103E.806, subdivision 3 provides that notice of a hearing on partial abandonment of a drainage system by mail to the owners of all property benefited by the drainage system, and either in a newspaper of general circulation within the affected drainage area or by publication on a website of the drainage authority.

Efforts to solve the problem:

Until there is a legal alternative, the only option is to publish in the newspapers that are still in business, often at increased prices.

Anticipated support or opposition:

This is an issue that may find growing support among other local units of government with publication requirements. Newspapers will likely not be supportive of decreased revenue from legal notice publications.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____	Requires state agency advocacy:	_____
Applies to the entire state:	_____ X _____	Impacts MW bylaws or MOPP:	_____

MINNESOTA WATERSHEDS RESOLUTION 2024-02

Resolution Allowing Alternative Notice of Watershed District Proceedings by Publication on the District's Website

WHEREAS, Minnesota Statutes chapter 103D, known as the Watershed Law, requires notice by publication in a local newspaper for various watershed district proceedings, specifically publication in a legal newspaper published in the counties affected by the watershed district; such proceedings include boundary changes, changing the district's principal place of business, consideration of ordering projects, and public hearings on the district's annual budget and tax levy; and

WHEREAS, notice by publication is one notice requirement in addition to mailed notice requirements; and

WHEREAS, some watershed districts are finding it increasingly difficult to publish notice in local newspapers because many have ceased publication; and

WHEREAS, an alternative to publication in a newspaper is publication on the watershed district's web site; for example, Minnesota Statutes section 103E.806, subdivision 3 provides that notice of a hearing on partial abandonment of a drainage system by mail to the owners of all property benefited by the drainage system, and *either* in a newspaper of general circulation within the affected drainage area *or* by publication on a website of the drainage authority.

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports amending the Watershed Law to provide for publication on a watershed district's website as an alternative to publication in a legal newspaper.

Notes: Committee recommends adoption.

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS

RESOLUTION 2024-03

Resolution Providing for Watershed Management Organization Representative on Wetland Technical Evaluation Panels ~~in Seven-County Metropolitan Area~~

Proposing District: Riley Purgatory Bluff Creek Watershed District
Contact Name: Terry Jeffery, Administrator
Phone Number: 952-607-6512
Email Address: tjeffery@rpbcwd.org

Background that led to submission of this resolution:

Minnesota Statutes section 103G.2242, subdivision 2 provides for Technical Evaluation Panels to address questions concerning the public value, location, size, or type of a wetland under the Wetland Conservation Act (WCA). Pursuant to this statute, a Technical Evaluation Panel (TEP) “shall be composed of a technical professional employee of the board, a technical professional employee of the local soil and water conservation district or districts, a technical professional with expertise in water resources management appointed by the local government unit (LGU), and a technical professional employee of the Department of Natural Resources for projects affecting public waters or wetlands adjacent to public waters.” Watershed management organizations may serve as the “local government unit” under WCA, but in many cases local municipalities elect to serve as the WCA LGU, which means there is no watershed management organization representation on the TEP.

Ideas for how this issue could be solved:

Amend Minnesota Statutes section 103G.2242, subdivision 2 to include a watershed management organization representative on TEPs that are convened within the seven-county metropolitan area. (This provision could easily be expanded to cover the entire state if watershed districts outside the metropolitan area so desire.)*

Efforts to solve the problem:

TEPs will often contact the watershed management organization for comments, but they are not required to do so, and the watershed management organization is not currently a voting member of the TEP when the municipality is the WCA LGU.

Anticipated support or opposition from other governmental units?

Support will vary depending upon the audience. Numerous LGUs appreciate having a member that represents the watershed district while many may feel this is an attempt to usurp WCA administration from them. Metropolitan area watershed districts typically have someone knowledgeable in WCA but may feel this is added responsibility.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____ X* _____	Requires state agency advocacy:	_____ _____
Applies to the entire state:	_____ X* _____	Impacts MW bylaws or MOPP:	_____ _____

MINNESOTA WATERSHEDS RESOLUTION 2024-03

Resolution Providing for Watershed Management Organization Representative on Wetland Technical Evaluation Panels ~~in Seven-County Metropolitan Area~~

WHEREAS, Minnesota Statutes section 103G.2242, subdivision 2 provides for Technical Evaluation Panels to address questions concerning the public value, location, size, or type of a wetland under the Wetland Conservation Act (WCA); and

WHEREAS, pursuant to this statute, a Technical Evaluation Panel (TEP) “shall be composed of a technical professional employee of the board, a technical professional employee of the local soil and water conservation district or districts, a technical professional with expertise in water resources management appointed by the local government unit (LGU), and a technical professional employee of the Department of Natural Resources for projects affecting public waters or wetlands adjacent to public waters;” and

WHEREAS, watershed management organizations may serve as the “local government unit” under WCA, but in many cases local municipalities elect to serve as the WCA LGU, which means there is no watershed management organization representation on the TEP; and

WHEREAS, watershed management organizations in the seven-county metropolitan area are required to develop watershed management plans that include an inventory of surface water resources including wetlands, establish goals for wetland management that recognize the fundamental relationship between wetland management and land use, and many metropolitan watershed management organizations have undertaken detailed wetland inventories and assessments of their function and value to develop local wetland management controls with maps or inventories of wetlands, existing comprehensive wetland protection and management plans, descriptions of existing local wetland banking programs, and procedures used in determining replacement of wetland functions and values for evaluating wetland replacement proposals; and

WHEREAS, metropolitan watershed management organizations typically have technical professionals with expertise in water resources management generally and wetlands management specifically.

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports amendment of Minnesota Statutes section 103G.2242, subdivision 2 to include a watershed management organization representative on TEPs that are convened ~~within the seven-county metropolitan area~~ in cases where the organization is not the WCA LGU.

Notes: Committee recommends adoption as amended.

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS RESOLUTION 2024-04

Resolution Seeking the Ability to Allow Resale of Acquisition Buyout Property

Proposing District: Wild Rice Watershed District
Contact Name: Tara Jensen, Administrator
Phone Number: 218-784-5501
Email Address: tara@wildricewatershed.org

Background that led to the submission of this resolution:

Buyout properties are allowed to be gifted to another government entity but not allowed to be sold to private individuals and put back on the tax rolls and into private ownership with restriction of future construction on the property.

When real property is acquired by a Local Governmental Unit (LGU) regarding a flood buyout, the property goes off the tax rolls for the county and, per FEMA requirements, cannot be resold except to a public entity or to a qualified conservation organization. See "The Stafford Act, 42 U.S.C. 5121 et seq., Hazard Mitigation Grant Program, and FEMA Model Deed Restrictions at Exhibit A. WRWD desires the FEMA requirements/model deed restrictions be amended to permit either the conveyance to a public entity or to a qualified conservation organization of the acquired interest, or alternatively a resale by an LGU of acquired real property to private taxpayers - subject to the FEMA Model Deed Restrictions (excepting re: a sale to a private party).

Ideas for how this issue could be solved:

Changes in FEMA regulations to allow property to be transferred back into private ownership, lessening government expense long term for maintenance of the property. Although it cannot be constructed on, it is a good open space for parties interested.

If LGUs were allowed to sell the flood buyout property(ies) to private taxpayers, the property would go back on the local tax rolls, thereby benefiting the local (especially) county. Any sale by the LGU could provide for the net sale proceeds to be paid back to FEMA and any sale would remain subject to the FEMA Model Deed Restrictions at Exhibit A. All the remaining restrictions/covenants contained in the FEMA Model Deed Restrictions would continue to apply to the private party.

Efforts to solve the problem:

The Wild Rice Watershed District has requested federal legislators address this issue in the past, but to date nothing has come of those requests.

Anticipated support or opposition:

Most LGUs would likely support being allowed to sell flood buyout property to private taxpayers, subject to the FEMA Model Deed Restrictions. It is unknown whether FEMA would oppose.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____	Requires state agency advocacy:	_____
Applies to the entire state:	_____ X _____	Impacts MW bylaws or MOPP:	_____

MINNESOTA WATERSHEDS RESOLUTION 2024-04

Resolution Seeking the Ability to Allow Resale of Acquisition Buyout Property

WHEREAS, when a LGU acquires real property as part of a flood buyout, such property goes off the county tax rolls and per FEMA deed restrictions, can be resold only to a public entity or qualified conservation organization (See Exhibit A attached re: FEMA Model Deed Restrictions); and

WHEREAS, flooding also has severe and repeated impacts to water quality from erosion, sedimentation, nutrient loading, raw sewage discharges, and chemical spillage; and

WHEREAS, real property acquired by a flood buyout, but resold to a private taxpayer subject to the FEMA Model Deed Restrictions would be beneficial to the county as such property would be back on the tax rolls, and such resale would reduce maintenance obligations by the LGU re the flood buyout property, plus the property would continue to be subject to the remaining FEMA restrictions/covenants as stated in Exhibit A; and

WHEREAS, the Wild Rice Watershed District Board of Managers desires Minnesota Watersheds pass a resolution supporting federal legislation to allow either the conveyance of flood acquisition property by an LGU to a public entity or to a qualified conservation organization, or alternatively allow resale of flood acquisition buyout real estate by an LGU to a private party, subject to the remaining FEMA Model Deed Restrictions as stated in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds seeks federal legislation to allow the conveyance by an LGU of flood acquisition buyout real estate to a public entity or to a qualified conservation organization, or alternatively a resale to a private taxpayer, subject to the FEMA Model Deed Restrictions as stated in Exhibit A.

Notes: Committee recommends adoption.

Exhibit "A"
FEMA Model Deed Restrictions

In reference to the property or properties ("Property") conveyed by the Deed between _____
(marital status), participating in the federally-assisted acquisition
project ("the Grantor") and _____, ("the Grantee"), its successors
and assigns:

WHEREAS, The Robert T. Stafford Disaster Relief and Emergency Assistance Act, ("The Stafford Act"), 42 U.S.C. § 5121 et seq., identifies the use of disaster relief funds under § 5170c, Hazard Mitigation Grant Program, including the acquisition and relocation of structures in the floodplain;

WHEREAS, the mitigation grant program provides a process for a local government, through the State, to apply for federal funds for mitigation assistance to acquire interests in property, including the purchase of structures in the floodplain, to demolish and/or remove the structures, and to maintain the use of the Property as open space in perpetuity;

WHEREAS, the _____ has applied for and been awarded such funding from the Department of Homeland Security, Federal Emergency Management Agency and has entered into a mitigation grant program Grant Agreement dated _____ with FEMA and herein incorporated by reference; making it a mitigation grant program grantee.

WHEREAS, the Property is located in _____ County, and _____ County participates in the National Flood Insurance Program and is in good standing with NFIP as of the date of the Deed;

WHEREAS, the _____, acting by and through the _____, has applied for and been awarded federal funds pursuant to an agreement with Minnesota dated _____ ("State-Local Agreement"), and herein incorporated by reference, making it a mitigation grant program subgrantee;

WHEREAS, the terms of the mitigation grant program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State-local Agreement require that the Grantee agree to conditions that restrict the use of the land to open space in perpetuity in order to protect and preserve natural floodplain values.

NOW, THEREFORE, the grant is made subject to the following terms and conditions:

1. Terms. Pursuant to the terms of the “Stafford Act” program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State Local Agreement, the following conditions and restrictions shall apply in perpetuity to the Property described in the attached deed and acquired by the Grantee pursuant to FEMA program requirements concerning the acquisition of property for open space:

a. Compatible uses. The Property shall be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions. Such uses may include: parks for outdoor recreational activities; wetlands management; nature reserves; cultivation; grazing; camping (except where adequate warning time is not available to allow evacuation); unimproved, unpaved parking lots; buffer zones; and other uses consistent with FEMA guidance for open space acquisition, Hazard Mitigation Assistance, Requirements for Property Acquisition and Relocation for Open Space.

b. Structures. No new structures or improvements shall be erected on the Property other than:

- i. A public facility that is open on all sides and functionally related to a designated open space or recreational use;
- ii. A public rest room; or
- iii. A structure that is compatible with open space and conserves the natural function of the floodplain, including the uses described in Paragraph 1.a., above, and approved by the FEMA Administrator in writing before construction of the structure begins.

Any improvements on the Property shall be in accordance with proper floodplain management policies and practices. Structures built on the Property according to paragraph b. of this section shall be floodproofed or elevated to at least the base flood level plus 1 foot of freeboard, or greater, if required by FEMA, or if required by any State, Tribal, or local ordinance, and in accordance with criteria established by the FEMA Administrator.

c. Disaster Assistance and Flood Insurance. No Federal entity or source may provide disaster assistance for any purpose with respect to the Property, nor may any application for such assistance be made to any Federal entity or source. The Property is not eligible for coverage under the NFIP for damage to structures on the property occurring after the date of the property settlement, except for pre-existing structures being relocated off the property as a result of the project.

d. Transfer. The Grantee, including successors in interest, shall convey any interest in the Property only if the FEMA Regional Administrator, through the State, gives prior written approval of the transferee in accordance with this paragraph:

- i. The request by the Grantee, through the State, to the FEMA Regional Administrator must include a signed statement from the proposed transferee that it acknowledges and agrees to be bound by the terms of this section, and documentation of its status as a qualified conservation organization if applicable.
- ii. The Grantee may convey a property interest only to a public entity or to a qualified conservation organization. However, the Grantee may convey an easement or lease to a private individual or entity for purposes compatible with the uses described in paragraph (a), of this section, with the prior approval of the FEMA Regional Administrator, and so long as the conveyance does not include authority to control and enforce the terms and conditions of this section.
- iii. If title to the Property is transferred to a public entity other than one with a conservation mission, it must be conveyed subject to a conservation easement that shall be recorded with the deed and shall incorporate all terms and conditions set forth in this section, including

the easement holder's responsibility to enforce the easement. This shall be accomplished by one of the following means:

- a) The Grantee shall convey, in accordance with this paragraph, a conservation easement to an entity other than the title holder, which shall be recorded with the deed, or
 - b) At the time of title transfer, the Grantee shall retain such conservation easement, and record it with the deed.
- iv. Conveyance of any property interest must reference and incorporate the original deed restrictions providing notice of the conditions in this section and must incorporate a provision for the property interest to revert to the State, Tribe, or local government in the event that the transferee ceases to exist or loses its eligible status under this section.

2. Inspection. FEMA, its representatives and assigns including the state or tribe shall have the right to enter upon the Property, at reasonable times and with reasonable notice, for the purpose of inspecting the Property to ensure compliance with the terms of this part, the Property conveyance and of the grant award.

3. Monitoring and Reporting. Every three years on July 1, the Grantee (_____), in coordination with any current successor in interest, shall submit through the State to the FEMA Regional Administrator a report certifying that the Grantee has inspected the Property within the month preceding the report, and that the Property continues to be maintained consistent with the provisions of 44 C.F.R. Part 80, the property conveyance, and the grant award.

4. Enforcement. The Grantee (_____), the State, FEMA, and their respective representatives, successors and assigns, are responsible for taking measures to bring the Property back into compliance if the Property is not maintained according to the terms of 44 C.F.R. Part 80, the property conveyance, and the grant award. The relative rights and responsibilities of FEMA, the State, the Grantee, and subsequent holders of the property interest at the time of enforcement, shall include the following:

- a. The State will notify the Grantee and any current holder of the property interest in writing and advise them that they have 60 days to correct the violation:
 - i. If the Grantee or any current holder of the property interest fails to demonstrate a good faith effort to come into compliance with the terms of the grant within the 60-day period, the State shall enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to bringing an action at law or in equity in a court of competent jurisdiction.
 - ii. FEMA, its representatives, and assignees may enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to 1 or more of the following:
 - a) Withholding FEMA mitigation awards or assistance from the State or Tribe, and Grantee; and current holder of the property interest.
 - b) Requiring transfer of title. The Grantee or the current holder of the property interest shall bear the costs of bringing the Property back into compliance with the terms of the grant; or
 - c) Bringing an action at law or in equity in a court of competent jurisdiction against any or all of the following parties: the State, the Tribe, the local community, and their respective successors.

5. Amendment. This agreement may be amended upon signatures of FEMA, the state, and the Grantee only to the extent that such amendment does not affect the fundamental and statutory purposes underlying the agreement.

6. Severability. Should any provision of this grant or the application thereof to any person or circumstance be found to be invalid or unenforceable, the rest and remainder of the provisions of this grant and their application shall not be affected and shall remain valid and enforceable.

Signed by Grantors and Grantee, witnesses and notarization in accordance with local law.

Date: _____
Grantor,

Date: _____
Grantor,

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____
(marital status), Grantor(s).

(NOTARIAL STAMP/SEAL)

NOTARY PUBLIC
My Commission Expires: _____

Date _____ Grantee, _____

By: _____
_____ Its _____

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____
_____, the _____ of the _____
_____, Grantee.

(NOTARIAL STAMP/SEAL)

NOTARY PUBLIC
My Commission Expires: _____

This instrument drafted by:

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS RESOLUTION 2024-05

Resolution Seeking the DNR to Establish a “Comprehensive Guideline for Calcareous Fen Management”

Proposing District: Middle Snake Tamarac Rivers Watershed District
Contact Name: Morteza Maher, District Administrator
Phone Number: 218-230-5703
Email Address: morteza.maher@mstrwd.org

Background that led to the submission of this resolution:

Middle-Snake-Tamarac Rivers Watershed District (MSTRWD) proposes that the rare natural communities/Calcareous Fen-related statutes and rules be streamlined so that early RNC screening can eliminate waste of public funds.

In 2016, MSTRWD began the project work team (PWT) process (a process under the 1998 Mediation agreement) on a capital project that was eventually referred to as Lilac Ridge. From the outset, the project’s PWT involved representatives from the DNR. During the process, the DNR indirectly stated some concerns about the wetlands in the area but did not mention anything about the presence of Calcareous Fen (which is protected under Minn. Stat. § 103G.223). In December of 2020, USACE under Concurrence Point 3, reviewed alternatives analysis and accepted that the selected alternative was the “Least Environmentally Damaging Practicable Alternative” (LEDPA). By then, the preliminary engineering was mostly done, the PWT process was wrapping up, and the USACE’s LEDPA determination triggered the project to move to the EAW process.

In response to the initiation of the EAW process, in July of 2021 the DNR provided a writing that suggested the potential of the existence of Calcareous Fen within the project footprint. (The document did not mention the Calcareous Fen by name, but instead referred to the potential for various types of fens, and only indirectly mentioned the ground water and minerals that feed some kinds of Calcareous Fens).

Knowing the designation of Calcareous Fen as protected, at this point MSTRWD started direct communication with DNR. In subsequent contacts, it was revealed that the DNR believed there was a high likelihood that Calcareous Fen would be found within the footprint of the planned project. Therefore, MSTRWD requested that the DNR make a prompt, solid determination regarding the existence of Calcareous Fen on the site before the district expended further funds and time on the project. In response, the DNR informed the district that it lacked staff to perform such a determination and could not accommodate the district’s request but suggested that the district could hire an outside consultant to perform the same.

In response, the district retained a consultant to investigate the site and through coordination with DNR the consultant provided a report. Following submission of the report to the DNR, the agency insisted that it needed to send its experts to the site and confirm the findings of the report. This confirmation process took three more site visits (close to a whole year) due to snow on the ground and staff shortage. Eventually DNR provided a formal letter stating that the area has Calcareous Fen.

The report from the district’s consultant did note that the quality of the Calcareous Fen on the site was not high. Since the Calcareous Fen quality based on the third party’s report was not high, with the help of relevant professionals, MSTRWD developed solutions and proposed them to the DNR. In response, the DNR questioned the solutions by offering hypothetical risks. The agency’s type of reaction caused MSTRWD to halt the project officially in 2024.

As of this writing, over \$800,000 in taxpayer funds was wasted on this proposed project.

MSTRWD is attempting to collect lessons learned from this project to share with the other interested parties and to apply in future projects. In the past, representatives from the DNR have declared an interest in any chance for improvement of the DNR’s processes. MSTRWD has started a review of the statutes and rules related to RNC’s, Calcareous Fens, and the disclosure of the existence and location of the same.

Ideas for how this issue could be solved:

In each of the resolutions 2024-05 to 2024-12, suggestions are provided.

Efforts to solve the problem:

MSTRWD has tried to utilize the Flood Damage Reduction Work Group processes to work with DNR on the Lilac Ridge Project specifically. However, after the project stoppage and through the collection of lessons learned process, MSTRWD figured the issue stems from deeper roots and perhaps is not project specific nor it relates to one specific group or Commissioner’s time. The issue roots back into incremental either statutory changes through “Rules” that happened in the past perhaps on a good faith, lack of clarity of some, or time effect on getting by on things that can be addressed otherwise. Due to its importance and with the hope that this doesn’t happen to any other project again, MSTRWD believes this should be addressed in the Statute with a reporting/ accountability creation to it. So, it will not become routine again. In small scale, some concerns were shared with the DNR’s NW Region authorities and steps were taken to address them within DNR internally.

Anticipated support or opposition:

In general, all Calcareous Fen Related Stakeholders including the DNR, project Sponsors, and landowners should be onboard with the proposed resolutions as they are meant to be fair, balanced and inclusive. Even the Environmental group should get onboard as the suggested solutions to safeguard the RNCs is more reliable and sustainable than the current method of enforcement and use of coercive power only.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____	Requires state agency advocacy:	_____
Applies to the entire state:	_____ X _____	Impacts MW bylaws or MOPP:	_____

MINNESOTA WATERSHEDS RESOLUTION 2024-05

Resolution Seeking the DNR to Establish a “Comprehensive Guideline for Calcareous Fen Management”

WHEREAS, some of the stated purposes of government pursuant to Minn. Stat. § 14.001 are to:

- “(2) to increase public accountability of administrative agencies;
- (3) to ensure a uniform minimum procedure;
- (4) to increase public access to governmental information;
- (5) to increase public participation in the formulation of administrative rules;
- (6) to increase the fairness of agencies in their conduct of contested case proceedings; and
- (7) to simplify the process of judicial review of agency action as well as increase its ease and availability,”

and to “strike a fair balance between these purposes and the need for efficient, economical, and effective government administration;” and,

WHEREAS, it is apparent that the DNR does not have any plan to improve the identified Calcareous Fens as currently identified, but rather intends to leave them to nature, which is essentially leaving this state asset to chance for its survival to degrade or improve naturally; and,

WHEREAS, under Minn. Stat. § 84.027, Subd. 14, it is part of the DNR’s mission that “within the department’s resources the commissioner shall endeavor to: (1) prevent the waste or unnecessary spending of public money;” and,

WHEREAS, under Minn. Rule 8420.0935, the commissioner “must provide technical assistance to landowners or project sponsors in the development of management plans;” and

WHEREAS, under Minn. Stat. § 84.0895, Subd. 5. (a), “[N]otwithstanding any other law, the commissioner may undertake management programs, issue orders, and adopt rules necessary to bring a resident species of wild animal or plant that has been designated as threatened or endangered to a point at which it is no longer threatened or endangered;” and,

WHEREAS, based upon the DNR’s involvement in the Lilac Ridge project, it is clear that the agency sees its role to be that of the reviewer of the plan rather than technically assisting with development of the plan.

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports DNR establishing a “Comprehensive Guide for Calcareous Fen Management” as a tool for project proposers to analyze a project’s feasibility or cost effectiveness.

Notes: Committee recommends adoption.

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS RESOLUTION 2024-06

Resolution Seeking Clarification of the Statutory and Rule Language Regarding the Alteration of Calcareous Fens

Proposing District: Middle Snake Tamarac Rivers Watershed District
Contact Name: Morteza Maher, District Administrator
Phone Number: 218-230-5703
Email Address: morteza.maher@mstrwd.org

Background that led to the submission of this resolution:

Middle-Snake-Tamarac Rivers Watershed District (MSTRWD) proposes that the rare natural communities/Calcareous Fen-related statutes and rules be streamlined so that early RNC screening can eliminate waste of public funds.

In 2016, MSTRWD began the project work team (PWT) process (a process under the 1998 Mediation agreement) on a capital project that was eventually referred to as Lilac Ridge. From the outset, the project's PWT involved representatives from the DNR. During the process, the DNR indirectly stated some concerns about the wetlands in the area but did not mention anything about the presence of Calcareous Fen (which is protected under Minn. Stat. § 103G.223). In December of 2020, USACE under Concurrence Point 3, reviewed alternatives analysis and accepted that the selected alternative was the "Least Environmentally Damaging Practicable Alternative" (LEDPA). By then, the preliminary engineering was mostly done, the PWT process was wrapping up, and the USACE's LEDPA determination triggered the project to move to the EAW process.

In response to the initiation of the EAW process, in July of 2021 the DNR provided a writing that suggested the potential of the existence of Calcareous Fen within the project footprint. (The document did not mention the Calcareous Fen by name, but instead referred to the potential for various types of fens, and only indirectly mentioned the ground water and minerals that feed some kinds of Calcareous Fens).

Knowing the designation of Calcareous Fen as protected, at this point MSTRWD started direct communication with DNR. In subsequent contacts, it was revealed that the DNR believed there was a high likelihood that Calcareous Fen would be found within the footprint of the planned project. Therefore, MSTRWD requested that the DNR make a prompt, solid determination regarding the existence of Calcareous Fen on the site before the district expended further funds and time on the project. In response, the DNR informed the district that it lacked staff to perform such a determination and could not accommodate the district's request but suggested that the district could hire an outside consultant to perform the same.

In response, the district retained a consultant to investigate the site and through coordination with DNR the consultant provided a report. Following submission of the report to the DNR, the agency insisted that it needed to send its experts to the site and confirm the findings of the report. This confirmation process took three more site visits (close to a whole year) due to snow on the ground and staff shortage. Eventually DNR provided a formal letter stating that the area has Calcareous Fen.

The report from the district's consultant did note that the quality of the Calcareous Fen on the site was not high. Since the Calcareous Fen quality based on the third party's report was not high, with the help of relevant professionals, MSTRWD developed solutions and proposed them to the DNR. In response, the DNR questioned the solutions by offering hypothetical risks. The agency's type of reaction caused MSTRWD to halt the project officially in 2024.

As of this writing, over \$800,000 in taxpayer funds was wasted on this proposed project.

MSTRWD is attempting to collect lessons learned from this project to share with the other interested parties and to apply in future projects. In the past, representatives from the DNR have declared an interest in any chance for improvement of the DNR's processes. MSTRWD has started a review of the statutes and rules related to RNC's, Calcareous Fens, and the disclosure of the existence and location of the same.

Ideas for how this issue could be solved:

In each of the resolutions 2024-05 to 2024-12, suggestions are provided.

Efforts to solve the problem:

MSTRWD has tried to utilize the Flood Damage Reduction Work Group processes to work with DNR on the Lilac Ridge Project specifically. However, after the project stoppage and through the collection of lessons learned process, MSTRWD figured the issue stems from deeper roots and perhaps is not project specific nor it relates to one specific group or Commissioner’s time. The issue roots back into incremental either statutory changes through “Rules” that happened in the past perhaps on a good faith, lack of clarity of some or time effect on getting by on things that can be addressed otherwise. Due to its importance and with the hope that this doesn’t happen to any other project again, MSTRWD believes this should be addressed in the Statute with a reporting/ accountability creation to it. So, it will not become routine again. In small scale, some concerns were shared with the DNR’s NW Region authorities and steps were taken to address them within DNR internally.

Anticipated support or opposition:

In general, all Calcareous Fen Related Stakeholders including the DNR, project Sponsors and landowners should be onboard with the proposed resolutions as they are meant to be fair, balanced and inclusive. Even the Environmental group should get onboard as the suggested solutions to safeguard the RNCs is more reliable and sustainable than the current method of enforcement and use of coercive power only.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____	Requires state agency advocacy:	_____
Applies to the entire state:	_____ X _____	Impacts MW bylaws or MOPP:	_____

MINNESOTA WATERSHEDS RESOLUTION 2024-06

Resolution Seeking Clarification of the Statutory and Rule Language Regarding the Alteration of Calcareous Fens

WHEREAS, Minn. Stat. § 103G.223 authorizes the Commissioner to approve projects that may seasonally impact Calcareous Fens under an approved management plan; and

WHEREAS, under Minn. Rule 8420.0935, Subpart 1., “[C]alcareous fens, as identified by the commissioner, must not be impacted or otherwise altered or degraded, wholly or partially, by any action, unless the commissioner, under an approved management plan, decides some alteration is necessary”; and

WHEREAS, Minn. Stat. § 103G.223 could allow projects with minimal impacts to move forward, while Minn. Rule 8420.0935, in contravention of the statute, precludes that option;

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports Minn. Rule 8420.0935, Subp. 1, be amended as follows: Subpart 1. Purpose. The purpose of this part is to provide minimum standards and criteria for identifying, protecting, and managing calcareous fens as authorized by Minn. Stat. § 103G.223. Calcareous fens, as identified by the commissioner, must not be impacted or otherwise altered or degraded, wholly or partially, by any action, unless the commissioner, under an approved management plan, ~~decides some alteration is necessary.~~ determines that the proposed project may temporarily reduce ground water resources on seasonal basis. The exemptions under part 8420.0420 and the sequencing provisions under part 8420.0520 do not apply to calcareous fens.

Notes: No recommendation, more research needed.

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS RESOLUTION 2024-07

Resolution Seeking the DNR to Adopt a Program to Incentive Calcareous Fen Management on Private Lands

Proposing District: Middle Snake Tamarac Rivers Watershed District
Contact Name: Morteza Maher, District Administrator
Phone Number: 218-230-5703
Email Address: morteza.maher@mstrwd.org

Background that led to the submission of this resolution:

Middle-Snake-Tamarac Rivers Watershed District (MSTRWD) proposes that the rare natural communities/Calcareous Fen-related statutes and rules be streamlined so that early RNC screening can eliminate waste of public funds.

In 2016, MSTRWD began the project work team (PWT) process (a process under the 1998 Mediation agreement) on a capital project that was eventually referred to as Lilac Ridge. From the outset, the project's PWT involved representatives from the DNR. During the process, the DNR indirectly stated some concerns about the wetlands in the area but did not mention anything about the presence of Calcareous Fen (which is protected under Minn. Stat. § 103G.223). In December of 2020, USACE under Concurrence Point 3, reviewed alternatives analysis and accepted that the selected alternative was the "Least Environmentally Damaging Practicable Alternative" (LEDPA). By then, the preliminary engineering was mostly done, the PWT process was wrapping up, and the USACE's LEDPA determination triggered the project to move to the EAW process.

In response to the initiation of the EAW process, in July of 2021 the DNR provided a writing that suggested the potential of the existence of Calcareous Fen within the project footprint. (The document did not mention the Calcareous Fen by name, but instead referred to the potential for various types of fens, and only indirectly mentioned the ground water and minerals that feed some kinds of Calcareous Fens).

Knowing the designation of Calcareous Fen as protected, at this point MSTRWD started direct communication with DNR. In subsequent contacts, it was revealed that the DNR believed there was a high likelihood that Calcareous Fen would be found within the footprint of the planned project. Therefore, MSTRWD requested that the DNR make a prompt, solid determination regarding the existence of Calcareous Fen on the site before the district expended further funds and time on the project. In response, the DNR informed the district that it lacked staff to perform such a determination and could not accommodate the district's request but suggested that the district could hire an outside consultant to perform the same.

In response, the district retained a consultant to investigate the site and through coordination with DNR the consultant provided a report. Following submission of the report to the DNR, the agency insisted that it needed to send its experts to the site and confirm the findings of the report. This confirmation process took three more site visits (close to a whole year) due to snow on the ground and staff shortage. Eventually DNR provided a formal letter stating that the area has Calcareous Fen.

The report from the district's consultant did note that the quality of the Calcareous Fen on the site was not high. Since the Calcareous Fen quality based on the third party's report was not high, with the help of relevant professionals, MSTRWD developed solutions and proposed them to the DNR. In response, the DNR questioned the solutions by offering hypothetical risks. The agency's type of reaction caused MSTRWD to halt the project officially in 2024.

As of this writing, over \$800,000 in taxpayer funds was wasted on this proposed project.

MSTRWD is attempting to collect lessons learned from this project to share with the other interested parties and to apply in future projects. In the past, representatives from the DNR have declared an interest in any chance for improvement of the DNR's processes. MSTRWD has started a review of the statutes and rules related to RNC's, Calcareous Fens, and the disclosure of the existence and location of the same.

Ideas for how this issue could be solved:

In each of the resolutions 2024-05 to 2024-12, suggestions are provided.

Efforts to solve the problem:

MSTRWD has tried to utilize the Flood Damage Reduction Work Group processes to work with DNR on the Lilac Ridge Project specifically. However, after the project stoppage and through the collection of lessons learned process, MSTRWD figured the issue stems from deeper roots and perhaps is not project specific nor it relates to one specific group or Commissioner’s time. The issue roots back into incremental either statutory changes through “Rules” that happened in the past perhaps on a good faith, lack of clarity of some or time effect on getting by on things that can be addressed otherwise. Due to its importance and with the hope that this doesn’t happen to any other project again, MSTRWD believes this should be addressed in the Statute with a reporting/ accountability creation to it. So, it will not become routine again. In small scale, some concerns were shared with the DNR’s NW Region authorities and steps were taken to address them within DNR internally.

Anticipated support or opposition:

In general, all Calcareous Fen Related Stakeholders including the DNR, project Sponsors and landowners should be onboard with the proposed resolutions as they are meant to be fair, balanced and inclusive. Even the Environmental group should get onboard as the suggested solutions to safeguard the RNCs is more reliable and sustainable than the current method of enforcement and use of coercive power only.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____	Requires state agency advocacy:	_____
Applies to the entire state:	_____ X _____	Impacts MW bylaws or MOPP:	_____

MINNESOTA WATERSHEDS RESOLUTION 2024-07

Resolution Seeking the DNR to Adopt a Program to Incentivize Calcareous Fen Management on Private Lands

WHEREAS, Minn. Stat. § 103G.223 lacks any direction on how to maintain and protect the identified and listed Calcareous Fens; and

WHEREAS, Minn. Rule 8420.0935, does not set forth a process to maintain or improve the listed Calcareous Fens, but rather approaches the issue of maintaining and improving the fen from an enforcement and coercive power position; and

WHEREAS, under the same rule, the list is a growing list, meaning that in many cases neither landowners nor DNR employees know about the existence of Calcareous Fen on specific lands. In cases where Calcareous Fen has been identified by the agency but not made public, landowners are likely ignorant of the same; and

WHEREAS, it appears that the DNR does not have an effective incentive program to safeguard the Calcareous Fen communities which are located on private lands, but instead employs Water Resource Enforcement Officers (WREOs) to enforce fen preservation compliance; and

WHEREAS, it appears that the DNR lacks an established plan to pay landowners to maintain the Calcareous Fen on their land;

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports the Minnesota Department of Natural Resources adopting a program through which a fee is paid to landowners to incentivize them to manage the quantity and quality of the Calcareous Fens on private lands, which program is made similar to the USDA Conservation Reserve Program or similar to a perpetual easement through the Board of Water and Soil Resources Reinvest In Minnesota.

Notes: Committee recommends adoption.

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS RESOLUTION 2024-08

Resolution Seeking the Removal of the Water Resource Enforcement Officer

Proposing District: Middle Snake Tamarac Rivers Watershed District
Contact Name: Morteza Maher, District Administrator
Phone Number: 218-230-5703
Email Address: morteza.maher@mstrwd.org

Background that led to the submission of this resolution:

Middle-Snake-Tamarac Rivers Watershed District (MSTRWD) proposes that the rare natural communities/Calcareous Fen-related statutes and rules be streamlined so that early RNC screening can eliminate waste of public funds.

In 2016, MSTRWD began the project work team (PWT) process (a process under the 1998 Mediation agreement) on a capital project that was eventually referred to as Lilac Ridge. From the outset, the project's PWT involved representatives from the DNR. During the process, the DNR indirectly stated some concerns about the wetlands in the area but did not mention anything about the presence of Calcareous Fen (which is protected under Minn. Stat. § 103G.223). In December of 2020, USACE under Concurrence Point 3, reviewed alternatives analysis and accepted that the selected alternative was the "Least Environmentally Damaging Practicable Alternative" (LEDPA). By then, the preliminary engineering was mostly done, the PWT process was wrapping up, and the USACE's LEDPA determination triggered the project to move to the EAW process.

In response to the initiation of the EAW process, in July of 2021 the DNR provided a writing that suggested the potential of the existence of Calcareous Fen within the project footprint. (The document did not mention the Calcareous Fen by name, but instead referred to the potential for various types of fens, and only indirectly mentioned the ground water and minerals that feed some kinds of Calcareous Fens).

Knowing the designation of Calcareous Fen as protected, at this point MSTRWD started direct communication with DNR. In subsequent contacts, it was revealed that the DNR believed there was a high likelihood that Calcareous Fen would be found within the footprint of the planned project. Therefore, MSTRWD requested that the DNR make a prompt, solid determination regarding the existence of Calcareous Fen on the site before the district expended further funds and time on the project. In response, the DNR informed the district that it lacked staff to perform such a determination and could not accommodate the district's request but suggested that the district could hire an outside consultant to perform the same.

In response, the district retained a consultant to investigate the site and through coordination with DNR the consultant provided a report. Following submission of the report to the DNR, the agency insisted that it needed to send its experts to the site and confirm the findings of the report. This confirmation process took three more site visits (close to a whole year) due to snow on the ground and staff shortage. Eventually DNR provided a formal letter stating that the area has Calcareous Fen.

The report from the district's consultant did note that the quality of the Calcareous Fen on the site was not high. Since the Calcareous Fen quality based on the third party's report was not high, with the help of relevant professionals, MSTRWD developed solutions and proposed them to the DNR. In response, the DNR questioned the solutions by offering hypothetical risks. The agency's type of reaction caused MSTRWD to halt the project officially in 2024.

As of this writing, over \$800,000 in taxpayer funds was wasted on this proposed project.

MSTRWD is attempting to collect lessons learned from this project to share with the other interested parties and to apply in future projects. In the past, representatives from the DNR have declared an interest in any chance for improvement of the DNR's processes. MSTRWD has started a review of the statutes and rules related to RNC's, Calcareous Fens, and the disclosure of the existence and location of the same.

Ideas for how this issue could be solved:

In each of the resolutions 2024-05 to 2024-12, suggestions are provided.

Efforts to solve the problem:

MSTRWD has tried to utilize the Flood Damage Reduction Work Group processes to work with DNR on the Lilac Ridge Project specifically. However, after the project stoppage and through the collection of lessons learned process, MSTRWD figured the issue stems from deeper roots and perhaps is not project specific nor it relates to one specific group or Commissioner’s time. The issue roots back into incremental either statutory changes through “Rules” that happened in the past perhaps on a good faith, lack of clarity of some or time effect on getting by on things that can be addressed otherwise. Due to its importance and with the hope that this doesn’t happen to any other project again, MSTRWD believes this should be addressed in the Statute with a reporting/ accountability creation to it. So, it will not become routine again. In small scale, some concerns were shared with the DNR’s NW Region authorities and steps were taken to address them within DNR internally.

Anticipated support or opposition:

In general, all Calcareous Fen Related Stakeholders including the DNR, project Sponsors and landowners should be onboard with the proposed resolutions as they are meant to be fair, balanced and inclusive. Even the Environmental group should get onboard as the suggested solutions to safeguard the RNCs is more reliable and sustainable than the current method of enforcement and use of coercive power only.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____	Requires state agency advocacy:	_____
Applies to the entire state:	_____ X _____	Impacts MW bylaws or MOPP:	_____

MINNESOTA WATERSHEDS RESOLUTION 2024-08

Resolution Seeking the Removal of the Water Resource Enforcement Officer

WHEREAS, under Minn. Rule 84.027 Subd. 14, as part of the DNR’s mission “the commissioner shall endeavor to: (3) coordinate the department's activities wherever appropriate with the activities of other governmental agencies”; and

WHEREAS, units of local government already employ environmental specialists of all kinds to perform various environmental assessments, including wetland law enforcement;

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports the Minnesota Department of Natural Resources use of Wetland Conservation Act Local Government Units to manage wetlands including calcareous fens and thereby remove the Water Resource Enforcement Officer position.

Notes: No recommendation, more research needed.

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS RESOLUTION 2024-09

Resolution Seeking Identification of Calcareous Fens on All State Wetlands by December 31, 2030

Proposing District: Middle Snake Tamarac Rivers Watershed District
Contact Name: Morteza Maher, District Administrator
Phone Number: 218-230-5703
Email Address: morteza.maher@mstrwd.org

Background that led to the submission of this resolution:

Middle-Snake-Tamarac Rivers Watershed District (MSTRWD) proposes that the rare natural communities/Calcareous Fen-related statutes and rules be streamlined so that early RNC screening can eliminate waste of public funds.

In 2016, MSTRWD began the project work team (PWT) process (a process under the 1998 Mediation agreement) on a capital project that was eventually referred to as Lilac Ridge. From the outset, the project's PWT involved representatives from the DNR. During the process, the DNR indirectly stated some concerns about the wetlands in the area but did not mention anything about the presence of Calcareous Fen (which is protected under Minn. Stat. § 103G.223). In December of 2020, USACE under Concurrence Point 3, reviewed alternatives analysis and accepted that the selected alternative was the "Least Environmentally Damaging Practicable Alternative" (LEDPA). By then, the preliminary engineering was mostly done, the PWT process was wrapping up, and the USACE's LEDPA determination triggered the project to move to the EAW process.

In response to the initiation of the EAW process, in July of 2021 the DNR provided a writing that suggested the potential of the existence of Calcareous Fen within the project footprint. (The document did not mention the Calcareous Fen by name, but instead referred to the potential for various types of fens, and only indirectly mentioned the ground water and minerals that feed some kinds of Calcareous Fens).

Knowing the designation of Calcareous Fen as protected, at this point MSTRWD started direct communication with DNR. In subsequent contacts, it was revealed that the DNR believed there was a high likelihood that Calcareous Fen would be found within the footprint of the planned project. Therefore, MSTRWD requested that the DNR make a prompt, solid determination regarding the existence of Calcareous Fen on the site before the district expended further funds and time on the project. In response, the DNR informed the district that it lacked staff to perform such a determination and could not accommodate the district's request but suggested that the district could hire an outside consultant to perform the same.

In response, the district retained a consultant to investigate the site and through coordination with DNR the consultant provided a report. Following submission of the report to the DNR, the agency insisted that it needed to send its experts to the site and confirm the findings of the report. This confirmation process took three more site visits (close to a whole year) due to snow on the ground and staff shortage. Eventually DNR provided a formal letter stating that the area has Calcareous Fen.

The report from the district's consultant did note that the quality of the Calcareous Fen on the site was not high. Since the Calcareous Fen quality based on the third party's report was not high, with the help of relevant professionals, MSTRWD developed solutions and proposed them to the DNR. In response, the DNR questioned the solutions by offering hypothetical risks. The agency's type of reaction caused MSTRWD to halt the project officially in 2024.

As of this writing, over \$800,000 in taxpayer funds was wasted on this proposed project.

MSTRWD is attempting to collect lessons learned from this project to share with the other interested parties and to apply in future projects. In the past, representatives from the DNR have declared an interest in any chance for improvement of the DNR's processes. MSTRWD has started a review of the statutes and rules related to RNC's, Calcareous Fens, and the disclosure of the existence and location of the same.

Ideas for how this issue could be solved:

In each of the resolutions 2024-05 to 2024-12, suggestions are provided.

Efforts to solve the problem:

MSTRWD has tried to utilize the Flood Damage Reduction Work Group processes to work with DNR on the Lilac Ridge Project specifically. However, after the project stoppage and through the collection of lessons learned process, MSTRWD figured the issue stems from deeper roots and perhaps is not project specific nor it relates to one specific group or Commissioner’s time. The issue roots back into incremental either statutory changes through “Rules” that happened in the past perhaps on a good faith, lack of clarity of some or time effect on getting by on things that can be addressed otherwise. Due to its importance and with the hope that this doesn’t happen to any other project again, MSTRWD believes this should be addressed in the Statute with a reporting/ accountability creation to it. So, it will not become routine again. In small scale, some concerns were shared with the DNR’s NW Region authorities and steps were taken to address them within DNR internally.

Anticipated support or opposition:

In general, all Calcareous Fen Related Stakeholders including the DNR, project Sponsors and landowners should be onboard with the proposed resolutions as they are meant to be fair, balanced and inclusive. Even the Environmental group should get onboard as the suggested solutions to safeguard the RNCs is more reliable and sustainable than the current method of enforcement and use of coercive power only.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____	Requires state agency advocacy:	_____
Applies to the entire state:	_____ X _____	Impacts MW bylaws or MOPP:	_____

MINNESOTA WATERSHEDS RESOLUTION 2024-09

Resolution Seeking Identification of Calcareous Fens on All State Wetlands by December 31, 2030

WHEREAS, under Minn. Stat. § 103G.223 the identification of Calcareous Fen is the Commissioners responsibility as it states: ... “(a) Calcareous fens, as identified by the commissioner by written order”; and

WHEREAS, Minn. Rule 8420.0935 Subp. 3. A. states that “[T]he commissioner must investigate wetlands to determine if the wetland is properly identified as a calcareous fen”; and

WHEREAS, it is apparent that the commissioner has failed to identify and list all of the Calcareous Fen found within the state; and

WHEREAS, the root cause of the serious waste of taxpayer dollars on the Lilac Ridge project was the failure of the DNR to accept the charge to identify Calcareous Fen and the policy of the DNR to wait until a project WCA review process or project EAW process commences before conducting exploration or disclosure; and

WHEREAS, the current process provides no incentive for the DNR to perform early investigation or disclosure for Calcareous Fen, since the DNR suffers no penalty for failing to investigate or disclose; and

WHEREAS, in the example of the Lilac Ridge project, the DNR was involved in the PWT since the beginning yet from 2016 until 2022 the agency did not spend its resources to identify Calcareous Fen in the vicinity of the project; and

WHEREAS, it appears that the DNR either does not have resources or do not prioritize the identification of Calcareous Fens in the state, but instead builds its database of Calcareous Fen on a reactive basis (by allowing third-party data to trickle in) instead of on a state-wide proactive basis (by actively searching for and gathering data);

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports Minn. Rule 8420.0935 Subp. 3. A. be amended as follows: The commissioner must investigate all State wetlands to determine if the wetland is properly and identified all as a calcareous fen within the state by no later than Dec. 31, 2030.

Notes: No recommendation, more research needed.

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS RESOLUTION 2024-10

Resolution Seeking a Formal Process to Distribute a Complete List of Calcareous Fens Annually

Proposing District: Middle Snake Tamarac Rivers Watershed District
Contact Name: Morteza Maher, District Administrator
Phone Number: 218-230-5703
Email Address: morteza.maher@mstrwd.org

Background that led to the submission of this resolution:

Middle-Snake-Tamarac Rivers Watershed District (MSTRWD) proposes that the rare natural communities/Calcareous Fen-related statutes and rules be streamlined so that early RNC screening can eliminate waste of public funds.

In 2016, MSTRWD began the project work team (PWT) process (a process under the 1998 Mediation agreement) on a capital project that was eventually referred to as Lilac Ridge. From the outset, the project's PWT involved representatives from the DNR. During the process, the DNR indirectly stated some concerns about the wetlands in the area but did not mention anything about the presence of Calcareous Fen (which is protected under Minn. Stat. § 103G.223). In December of 2020, USACE under Concurrence Point 3, reviewed alternatives analysis and accepted that the selected alternative was the "Least Environmentally Damaging Practicable Alternative" (LEDPA). By then, the preliminary engineering was mostly done, the PWT process was wrapping up, and the USACE's LEDPA determination triggered the project to move to the EAW process.

In response to the initiation of the EAW process, in July of 2021 the DNR provided a writing that suggested the potential of the existence of Calcareous Fen within the project footprint. (The document did not mention the Calcareous Fen by name, but instead referred to the potential for various types of fens, and only indirectly mentioned the ground water and minerals that feed some kinds of Calcareous Fens).

Knowing the designation of Calcareous Fen as protected, at this point MSTRWD started direct communication with DNR. In subsequent contacts, it was revealed that the DNR believed there was a high likelihood that Calcareous Fen would be found within the footprint of the planned project. Therefore, MSTRWD requested that the DNR make a prompt, solid determination regarding the existence of Calcareous Fen on the site before the district expended further funds and time on the project. In response, the DNR informed the district that it lacked staff to perform such a determination and could not accommodate the district's request but suggested that the district could hire an outside consultant to perform the same.

In response, the district retained a consultant to investigate the site and through coordination with DNR the consultant provided a report. Following submission of the report to the DNR, the agency insisted that it needed to send its experts to the site and confirm the findings of the report. This confirmation process took three more site visits (close to a whole year) due to snow on the ground and staff shortage. Eventually DNR provided a formal letter stating that the area has Calcareous Fen.

The report from the district's consultant did note that the quality of the Calcareous Fen on the site was not high. Since the Calcareous Fen quality based on the third party's report was not high, with the help of relevant professionals, MSTRWD developed solutions and proposed them to the DNR. In response, the DNR questioned the solutions by offering hypothetical risks. The agency's type of reaction caused MSTRWD to halt the project officially in 2024.

As of this writing, over \$800,000 in taxpayer funds was wasted on this proposed project.

MSTRWD is attempting to collect lessons learned from this project to share with the other interested parties and to apply in future projects. In the past, representatives from the DNR have declared an interest in any chance for improvement of the DNR's processes. MSTRWD has started a review of the statutes and rules related to RNC's, Calcareous Fens, and the disclosure of the existence and location of the same.

Ideas for how this issue could be solved:

In each of the resolutions 2024-05 to 2024-12, suggestions are provided.

Efforts to solve the problem:

MSTRWD has tried to utilize the Flood Damage Reduction Work Group processes to work with DNR on the Lilac Ridge Project specifically. However, after the project stoppage and through the collection of lessons learned process, MSTRWD figured the issue stems from deeper roots and perhaps is not project specific nor it relates to one specific group or Commissioner’s time. The issue roots back into incremental either statutory changes through “Rules” that happened in the past perhaps on a good faith, lack of clarity of some or time effect on getting by on things that can be addressed otherwise. Due to its importance and with the hope that this doesn’t happen to any other project again, MSTRWD believes this should be addressed in the Statute with a reporting/ accountability creation to it. So, it will not become routine again. In small scale, some concerns were shared with the DNR’s NW Region authorities and steps were taken to address them within DNR internally.

Anticipated support or opposition:

In general, all Calcareous Fen Related Stakeholders including the DNR, project Sponsors and landowners should be onboard with the proposed resolutions as they are meant to be fair, balanced and inclusive. Even the Environmental group should get onboard as the suggested solutions to safeguard the RNCs is more reliable and sustainable than the current method of enforcement and use of coercive power only.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____	Requires state agency advocacy:	_____
Applies to the entire state:	_____ X _____	Impacts MW bylaws or MOPP:	_____

MINNESOTA WATERSHEDS RESOLUTION 2024-10

Resolution Seeking a Formal Process to Distribute a Complete List of Calcareous Fens Annually

WHEREAS, under Minn. Rule 8420.0935, under Subp. 3. C., “[T]he commissioner must provide an updated list of calcareous fens to the board (BWSR) for further distribution”; and

WHEREAS, Whereas DNR publication of “Identification List of Known Calcareous Fens” states “[S]ection legal descriptions in this list are necessarily vague due to the potential for protected species within calcareous fens”; and

WHEREAS, it is vital that accurate information regarding the location of Calcareous Fens be provided to units of local government in order to minimize waste and facilitate good planning;

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports the Board of Water and Soil Resources establishing a formal process to distribute on an annual basis an accurate and complete list identifying Calcareous Fens to all watershed districts, watershed management organizations, and soil and water conservation districts.

Notes: Committee recommends adoption.

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS RESOLUTION 2024-11

Resolution Seeking Regular Reevaluation of the Designated Species List

Proposing District: Middle Snake Tamarac Rivers Watershed District
Contact Name: Morteza Maher, District Administrator
Phone Number: 218-230-5703
Email Address: morteza.maher@mstrwd.org

Background that led to the submission of this resolution:

Middle-Snake-Tamarac Rivers Watershed District (MSTRWD) proposes that the rare natural communities/Calcareous Fen-related statutes and rules be streamlined so that early RNC screening can eliminate waste of public funds.

In 2016, MSTRWD began the project work team (PWT) process (a process under the 1998 Mediation agreement) on a capital project that was eventually referred to as Lilac Ridge. From the outset, the project's PWT involved representatives from the DNR. During the process, the DNR indirectly stated some concerns about the wetlands in the area but did not mention anything about the presence of Calcareous Fen (which is protected under Minn. Stat. § 103G.223). In December of 2020, USACE under Concurrence Point 3, reviewed alternatives analysis and accepted that the selected alternative was the "Least Environmentally Damaging Practicable Alternative" (LEDPA). By then, the preliminary engineering was mostly done, the PWT process was wrapping up, and the USACE's LEDPA determination triggered the project to move to the EAW process.

In response to the initiation of the EAW process, in July of 2021 the DNR provided a writing that suggested the potential of the existence of Calcareous Fen within the project footprint. (The document did not mention the Calcareous Fen by name, but instead referred to the potential for various types of fens, and only indirectly mentioned the ground water and minerals that feed some kinds of Calcareous Fens).

Knowing the designation of Calcareous Fen as protected, at this point MSTRWD started direct communication with DNR. In subsequent contacts, it was revealed that the DNR believed there was a high likelihood that Calcareous Fen would be found within the footprint of the planned project. Therefore, MSTRWD requested that the DNR make a prompt, solid determination regarding the existence of Calcareous Fen on the site before the district expended further funds and time on the project. In response, the DNR informed the district that it lacked staff to perform such a determination and could not accommodate the district's request but suggested that the district could hire an outside consultant to perform the same.

In response, the district retained a consultant to investigate the site and through coordination with DNR the consultant provided a report. Following submission of the report to the DNR, the agency insisted that it needed to send its experts to the site and confirm the findings of the report. This confirmation process took three more site visits (close to a whole year) due to snow on the ground and staff shortage. Eventually DNR provided a formal letter stating that the area has Calcareous Fen.

The report from the district's consultant did note that the quality of the Calcareous Fen on the site was not high. Since the Calcareous Fen quality based on the third party's report was not high, with the help of relevant professionals, MSTRWD developed solutions and proposed them to the DNR. In response, the DNR questioned the solutions by offering hypothetical risks. The agency's type of reaction caused MSTRWD to halt the project officially in 2024.

As of this writing, over \$800,000 in taxpayer funds was wasted on this proposed project.

MSTRWD is attempting to collect lessons learned from this project to share with the other interested parties and to apply in future projects. In the past, representatives from the DNR have declared an interest in any chance for improvement of the DNR's processes. MSTRWD has started a review of the statutes and rules related to RNC's, Calcareous Fens, and the disclosure of the existence and location of the same.

Ideas for how this issue could be solved:

In each of the resolutions 2024-05 to 2024-12, suggestions are provided.

Efforts to solve the problem:

MSTRWD has tried to utilize the Flood Damage Reduction Work Group processes to work with DNR on the Lilac Ridge Project specifically. However, after the project stoppage and through the collection of lessons learned process, MSTRWD figured the issue stems from deeper roots and perhaps is not project specific nor it relates to one specific group or Commissioner’s time. The issue roots back into incremental either statutory changes through “Rules” that happened in the past perhaps on a good faith, lack of clarity of some or time effect on getting by on things that can be addressed otherwise. Due to its importance and with the hope that this doesn’t happen to any other project again, MSTRWD believes this should be addressed in the Statute with a reporting/ accountability creation to it. So, it will not become routine again. In small scale, some concerns were shared with the DNR’s NW Region authorities and steps were taken to address them within DNR internally.

Anticipated support or opposition:

In general, all Calcareous Fen Related Stakeholders including the DNR, project Sponsors and landowners should be onboard with the proposed resolutions as they are meant to be fair, balanced and inclusive. Even the Environmental group should get onboard as the suggested solutions to safeguard the RNCs is more reliable and sustainable than the current method of enforcement and use of coercive power only.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____	Requires state agency advocacy:	_____
Applies to the entire state:	_____ X _____	Impacts MW bylaws or MOPP:	_____

MINNESOTA WATERSHEDS RESOLUTION 2024-11

Resolution Seeking Regular Reevaluation of the Designated Species List

WHEREAS, Calcareous Fen is a Rare Natural Community (RNC)/Threatened or Endangered Plant and; and

WHEREAS, under Minn. Rule 84.0895 Subd. 3. (c), “[T]he commissioner shall reevaluate the designated species list every three years after it is first adopted and make appropriate changes. The review must consider the need for further protection of species on the species of special concern list. Species may be withdrawn from designation in the same manner that species are designated”; and

WHEREAS, under Minn. Stat. § 103G.223 the commissioner must publish the list of Calcareous Fens in the State Register; and

WHEREAS, the updated list of Fens only appears in the State register in the years 2005, 2008, 2009, 2016, and 2019; and

WHEREAS, the DNR has failed to abide by the three-year process required under Minn. Rule 84.0895 Subd. 3. (c);

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports the Commissioner initiating an internal review process to identify the cause of this failure to “reevaluate the designated species list every three years” and to develop a plan to prevent it in the future.

Notes: No recommendation, more research needed.

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS RESOLUTION 2024-12

Resolution Seeking the Development of a Calcareous Fen Work Group

Proposing District: Middle Snake Tamarac Rivers Watershed District
Contact Name: Morteza Maher, District Administrator
Phone Number: 218-230-5703
Email Address: morteza.maher@mstrwd.org

Background that led to the submission of this resolution:

Middle-Snake-Tamarac Rivers Watershed District (MSTRWD) proposes that the rare natural communities/Calcareous Fen-related statutes and rules be streamlined so that early RNC screening can eliminate waste of public funds.

In 2016, MSTRWD began the project work team (PWT) process (a process under the 1998 Mediation agreement) on a capital project that was eventually referred to as Lilac Ridge. From the outset, the project's PWT involved representatives from the DNR. During the process, the DNR indirectly stated some concerns about the wetlands in the area but did not mention anything about the presence of Calcareous Fen (which is protected under Minn. Stat. § 103G.223). In December of 2020, USACE under Concurrence Point 3, reviewed alternatives analysis and accepted that the selected alternative was the "Least Environmentally Damaging Practicable Alternative" (LEDPA). By then, the preliminary engineering was mostly done, the PWT process was wrapping up, and the USACE's LEDPA determination triggered the project to move to the EAW process.

In response to the initiation of the EAW process, in July of 2021 the DNR provided a writing that suggested the potential of the existence of Calcareous Fen within the project footprint. (The document did not mention the Calcareous Fen by name, but instead referred to the potential for various types of fens, and only indirectly mentioned the ground water and minerals that feed some kinds of Calcareous Fens).

Knowing the designation of Calcareous Fen as protected, at this point MSTRWD started direct communication with DNR. In subsequent contacts, it was revealed that the DNR believed there was a high likelihood that Calcareous Fen would be found within the footprint of the planned project. Therefore, MSTRWD requested that the DNR make a prompt, solid determination regarding the existence of Calcareous Fen on the site before the district expended further funds and time on the project. In response, the DNR informed the district that it lacked staff to perform such a determination and could not accommodate the district's request but suggested that the district could hire an outside consultant to perform the same.

In response, the district retained a consultant to investigate the site and through coordination with DNR the consultant provided a report. Following submission of the report to the DNR, the agency insisted that it needed to send its experts to the site and confirm the findings of the report. This confirmation process took three more site visits (close to a whole year) due to snow on the ground and staff shortage. Eventually DNR provided a formal letter stating that the area has Calcareous Fen.

The report from the district's consultant did note that the quality of the Calcareous Fen on the site was not high. Since the Calcareous Fen quality based on the third party's report was not high, with the help of relevant professionals, MSTRWD developed solutions and proposed them to the DNR. In response, the DNR questioned the solutions by offering hypothetical risks. The agency's type of reaction caused MSTRWD to halt the project officially in 2024.

As of this writing, over \$800,000 in taxpayer funds was wasted on this proposed project.

MSTRWD is attempting to collect lessons learned from this project to share with the other interested parties and to apply in future projects. In the past, representatives from the DNR have declared an interest in any chance for improvement of the DNR's processes. MSTRWD has started a review of the statutes and rules related to RNC's, Calcareous Fens, and the disclosure of the existence and location of the same.

Ideas for how this issue could be solved:

In each of the resolutions 2024-05 to 2024-12, suggestions are provided.

Efforts to solve the problem:

MSTRWD has tried to utilize the Flood Damage Reduction Work Group processes to work with DNR on the Lilac Ridge Project specifically. However, after the project stoppage and through the collection of lessons learned process, MSTRWD figured the issue stems from deeper roots and perhaps is not project specific nor it relates to one specific group or Commissioner’s time. The issue roots back into incremental either statutory changes through “Rules” that happened in the past perhaps on a good faith, lack of clarity of some or time effect on getting by on things that can be addressed otherwise. Due to its importance and with the hope that this doesn’t happen to any other project again, MSTRWD believes this should be addressed in the Statute with a reporting/ accountability creation to it. So, it will not become routine again. In small scale, some concerns were shared with the DNR’s NW Region authorities and steps were taken to address them within DNR internally.

Anticipated support or opposition:

In general, all Calcareous Fen Related Stakeholders including the DNR, project Sponsors and landowners should be onboard with the proposed resolutions as they are meant to be fair, balanced and inclusive. Even the Environmental group should get onboard as the suggested solutions to safeguard the RNCs is more reliable and sustainable than the current method of enforcement and use of coercive power only.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____	Requires state agency advocacy:	_____
Applies to the entire state:	_____ X _____	Impacts MW bylaws or MOPP:	_____

MINNESOTA WATERSHEDS RESOLUTION 2024-12

Resolution Seeking the Development of a Calcareous Fen Work Group

WHEREAS, the DNR recently requested (2/22/2024) and received public comments on how to designate threatened or endangered species; and

WHEREAS, on the Lilac Ridge project there was a disagreement between the DNR employee and the third-party consultant regarding the quality level of the Calcareous Fen community found within the proposed project footprint; and

WHEREAS, clear and measurable criteria for the identification and evaluation of Calcareous Fen would assist all parties in identifying, mapping, locating, avoiding, preserving, protecting, and enhancing the fen, and would help reduce inter-agency and inter-governmental disputes concerning the same;

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports the relevant state agencies, together with relevant stakeholders (including watershed districts), convene a work group to develop by consensus clear, objective and measurable criteria for determining the presence and quality of Calcareous Fen, which criteria shall thereafter be used by all state and local units of government.

Notes: No recommendation, more research needed.

BACKGROUND INFORMATION ON MINNESOTA WATERSHEDS

RESOLUTION 2024-13

Resolution Requesting Minnesota Watersheds Support to Request New Legislation to Set Permit Review Time Limits upon the Department of Natural Resources

Proposing District: Shell Rock River Watershed District
Contact Name: Andy Henschel, District Administrator
Phone Number: 507-391-2795
Email Address: andy.henschel@co.freeborn.mn.us

Background that led to the submission of this resolution:

Watershed districts are local, water-purposed, governmental units that intimately know the local region, waters, and water-related issues. Watershed districts, as political subdivisions of the state, are entrusted to monitor local waters, produce watershed management plans which are reviewed, commented on, and receive state agency approval, and implement projects that conserve the natural resources and protect the public health and welfare consistent with these approved watershed management plans.

Fountain Lake, in the heart of the SRRWD, is on the impaired waters list in large part due to total phosphorus levels. The SRRWD has experienced significant delays in obtaining Department of Natural Resources (DNR) water permits to dredge Fountain Lake, despite years of water monitoring, consistency with watershed management plan and other state agency support, and negative declaration by Responsible Government Unit (RGU) for the need for an Environmental Impact Statement (EIS).

Ideas for how this issue could be solved:

Minnesota Statute § 15.992 requires that state agencies have a 60-day deadline to take final action on a written permit request, except the statute excludes an application requiring one or more public hearings or an EIS or EAW. No other statutory timeframe is required in the later situations. The SRRWD seeks support in requesting implementation of a similar 60-day review deadline when the request is made by another political subdivision or governmental unit, specifically including watershed districts, whereby the state agency must issue the permit within 60 days after the public hearings, issuance of negative declaration of the need for an EIS.

Efforts to solve the problem:

In each phase of project permitting, the SRWWD has met with DNR staff regarding timing and lack of diligence in issuing permits.

Anticipated support or opposition:

We anticipate support from watersheds and opposition from DNR.

This issue (check all that apply):

Applies only to our district:	_____	Requires legislative action:	_____ X _____
Applies only to 1 or 2 regions:	_____	Requires state agency advocacy:	_____
Applies to the entire state:	_____ X _____	Impacts MW bylaws or MOPP:	_____

MINNESOTA WATERSHEDS RESOLUTION 2024-13

Resolution Requesting Minnesota Watersheds Support to Request New Legislation to Set Permit Review Time Limits upon the Department of Natural Resources

WHEREAS, under authority of State statute, Minn. Stat. § 103D.201 Minnesota watershed districts' purpose is "to conserve the natural resources of the state by land use planning, flood control, and other conservation projects by using sound scientific principles for the protection of the public health and welfare and the provident use of the natural resources"; and

WHEREAS, watershed districts are charged with implementing Watershed Management Plans (the "Plan"); and

WHEREAS, in implementing the Plan, a watershed district Board of Managers (the "Board") initiates projects consistent with the Plan and applicable law ("Projects"), and

WHEREAS, watershed districts have authority under state law to:

- (1) sue and be sued;
- (2) incur debts, liabilities, and obligations;
- (3) exercise the power of eminent domain;
- (4) provide for assessments and to issue certificates, warrants, and bonds;
- (5) perform all acts expressly authorized, and all other acts necessary and proper for the watershed district to carry out and exercise the powers expressly vested in it;
- (6) make necessary surveys or use other reliable surveys and data and develop projects and programs to acquire data to accomplish the purposes for which the watershed district is organized;
- (7) establish and maintain devices for acquiring and recording hydrological and water quality data;
- (8) initiate, undertake, and implement projects;
- (9) cooperate or contract with any state or subdivision of a state or federal agency, private corporation, political subdivision, or cooperative association;
- (10) construct, clean, repair, alter, abandon, consolidate, reclaim, or change the course or terminus of any public ditch, drain, sewer, river, watercourse, natural or artificial, within the watershed district;
- (11) acquire, operate, construct, and maintain dams, dikes, reservoirs, water supply systems, and appurtenant works;
- (12) regulate, conserve, and control the use of water within the watershed district;
- (13) acquire by gift, purchase, taking under the procedures of this chapter, or by the power of eminent domain, necessary real and personal property, including property outside the watershed district where necessary for a water supply system;
- (14) contract for or purchase insurance the managers find necessary for the protection of the watershed district;
- (15) enter into contracts of construction or implementation authorized by this chapter;
- (16) enter lands inside or outside the watershed district to make surveys and investigations to accomplish the purposes of the watershed district;
- (17) take over when directed by a drainage authority all joint county or county drainage systems within the watershed district, together with the right to repair, maintain, and improve them;
- (18) provide for sanitation and public health and regulate the use of streams, ditches, or watercourses to dispose of waste and prevent pollution;
- (19) borrow funds from an agency of the federal government, a state agency, a county where the watershed district is located in whole or in part, or a financial institution authorized under chapter 47 to do business in this state;
- (20) prepare a floodplain map of the lands of the watershed district that are in the floodplain of lakes and watercourses;
- (21) prepare an open space and greenbelt map of the lands of the watershed district that should be preserved and included in the open space and greenbelt land areas of the watershed district;
- (22) appropriate necessary funds to provide for membership in a state association of watershed districts whose purpose is to improve watershed governmental operations;

- (23) make contracts or other arrangements with the federal government, persons, railroads or other corporations, political subdivisions, and the state or other states, with drainage authorities, flood control, soil conservation, or other improvement districts in this state or other states, for cooperation or assistance in constructing, maintaining, and operating the projects of the watershed district, or for the control of its waters, or for making surveys and investigations or reports on them;
- (24) purchase, lease, or acquire land or other property in adjoining states to secure outlets, to construct and maintain dikes or dams or other structures for the purposes of this chapter; and
- (25) conduct studies and monitoring of water resources within the watershed district and implement water resource management programs; and

WHEREAS, watershed districts in the State are required to prepare Comprehensive Watershed Management Plans every 10 years. These plans are vetted by Board of Water and Soil Resources (BWSR) and provide thorough statement of watershed management priorities; and

WHEREAS, watershed districts desire efficient due diligence and progress on Projects; and

WHEREAS, under Minnesota Statute § 15.992, state agencies have a 60-day deadline to take final action on a written request, except the statute excludes an application requiring one or more public hearings or an environmental impact statement or environmental assessment worksheet; and

WHEREAS, watersheds districts in the State have experienced significant delay in the Minnesota Department of Natural Resources' (DNR) processing of permits; and

WHEREAS, under Minnesota Statutes, watershed districts are political subdivisions in the State of Minnesota and have authority to act as the Responsible Governmental Unit (RGU) on projects. As such, watershed districts, like other public entities, including DNR, must follow the rules related to environmental assessment works and environmental impact statements, including soliciting comments from the agencies on the Environmental Quality Board Distribution List, providing responses, and issuing findings; and

WHEREAS, watershed districts in the state are created for the purpose of conserving the natural resources and protecting the public health and welfare and does so by implementing best management practices; and

WHEREAS, as an authoritative political subdivision within the State of Minnesota with significant legislative authority and routine vetting and approval of comprehensive watershed management plans within a watershed, with similar goals and authority as the state to protect and preserve the natural resources within the watershed district, watershed district permit applications should be provided deference in the review process and be expedited.

NOW, THEREFORE, BE IT RESOLVED that Minnesota Watersheds supports amending Minnesota Statutes to implement a 60-day permit review limit following a negative declaration on an EAW.

Notes: Committee recommends adoption.

Active Minnesota Watersheds Resolutions

December 1, 2023



FINANCE

Capacity

2021-01A: Support SWCD Capacity Fund Sources

Minnesota Watersheds supports SWCD capacity funds to come from county and state general funds.

2021-01B: Support Clean Water Funds for Implementation, Not Capacity

Minnesota Watersheds supports Clean Water Funds being used for implementation and not for capacity.

2021-02: Support Capacity Funding for Watershed Districts

Minnesota Watersheds supports capacity base funding resources directed to non-metro watershed district who request this assistance, to implement the activities as outlined in approved watershed district watershed management plans or comprehensive watershed management plans.

Grant Funding

2021-07: Support Metro Watershed-based Implementation Funding (WBIF) for Approved 103B Plans Only

Minnesota Watersheds supports BWSR distribution of metro WBIF among the 23 watershed management organizations with state-approved comprehensive, multi-year 103B watershed management plans. Those plans implement multijurisdictional priorities at a watershed scale and facilitate funding projects of any eligible local government unit (including soil and water conservation districts, counties, cities, and townships).

URBAN STORMWATER

Stormwater Quality Treatment

2022-02 Limited Liability for Certified Commercial Salt Applicators

Minnesota Watersheds supports enactment of state law that provides limited liability protection to commercial salt applicators and property owners using salt applicators who are certified through the established state salt-applicator certification program and follow best management practices.

Water Reuse

2022-01 Creation of a Stormwater Reuse Task Force

Minnesota Watersheds supports administratively or legislatively including at least one Minnesota Watersheds member on the Minnesota Department of Health's workgroup to move forward, prioritize, and implement the recommendations of the interagency report on reuse of stormwater and rainwater in Minnesota.

WATER QUANTITY

Drainage

2022-03: Seek Increased Support and Participation for the Minnesota Drainage Work Group (DWG)

- Minnesota Watersheds communications increase awareness of the DWG (meeting dates and links, topics, minutes, reports) amongst members.

- Minnesota Watersheds training opportunities strongly encourage participation in the DWG by watershed staff and board managers (for watersheds that serve as ditch authorities or work on drainage projects) – for e.g., add agenda space for DWG member updates, host a DWG meeting as part of a regular event.
- In preparation for Minnesota Watersheds member legislative visits, staff add a standing reminder for watershed drainage authorities to inform legislators on the existence, purpose, and outcomes of the DWG, and reinforce the legitimacy of the DWG as a multi-faceted problem-solving body.
- During Minnesota Watersheds staff Board of Water and Soil Resources (BWSR) visits, regularly seek updates on how facilitation of the DWG is leading to improvements for member drainage authorities and convey this information to members.

2023-03: Support New Legislation Modeled after HF2687 and SF2419 (2018) Regarding DNR Regulatory Authority over Public Drainage Maintenance and Repairs

Minnesota Watersheds supports the introduction of new legislation modeled after HF2687 and SF2419 and commits its lobbying efforts toward promoting the passage of the bills in subsequent sessions.

Funding

2022-05: Obtain Stable Funding for Flood Damage Reduction and Natural Resources Enhancement Projects

Minnesota Watersheds supports collaborating with the Red River Watershed Management Board and state agencies to seek funding from the Minnesota Legislature to provide stable sources of funding through existing or potentially new programs that provide flood damage reduction and/or natural resources enhancements. A suggested sustainable level of funding is \$30 million per year for the next 10 years.

Flood Control

2021-05: Support Crop Insurance to Include Crop Losses Within Impoundment Areas

Minnesota Watersheds supports expansion of Federal Multi-Peril Crop Insurance to include crop losses within impoundment areas.

2023-04 Seeking Action for Streamlining the DNR Flood Hazard Mitigation Grant Program

Minnesota Watersheds seeks action requiring the DNR to establish transparent scoring, ranking, and funding criteria for the Flood Hazard Mitigation Program (M.S. Chapter 103F) and asking the Minnesota Legislature to fully fund the state’s share of eligible projects that are on the DNR’s list within each two-year bonding cycle. Information regarding scoring, ranking, and funding should be provided annually to project applicants.

Regulation

2020-04 Temporary Water Storage on DNR Wetlands during Major Flood Events

Minnesota Watersheds supports the temporary storage of water on existing DNR-controlled wetlands in the times of major flood events.

WATER QUALITY

Lakes

2022-06: Limit Wake Boat Activities

Minnesota Watersheds supports working with the Minnesota Department of Natural Resources (DNR) to utilize the research findings from the St. Anthony Falls Laboratory and seek legislation to achieve one or more of the following:

- Limit lakes and areas of lakes in which wake boats may operate;
- Require new and existing wake boats to be able to completely drain and decontaminate their ballast tanks; and
- Providing funding for additional research on the effects of wake boats on aquatic systems.

WATERSHED MANAGEMENT AND OPERATIONS

Duties

2023-05: Support Increased Flexibility in Open Meeting Law

Minnesota Watersheds hereby supports changes to the Open Meeting Law to provide greater flexibility in the use of interactive technology by allowing members to participate remotely in a nonpublic location that is not noticed, without limit on the number of times such remote participation may occur; and allowing public participation from a remote location by interactive technology, or alternatively from the regular meeting location where interactive technology will be made available for each meeting, unless otherwise noticed under Minnesota Statutes Section 13D.021; and that Minnesota Watersheds supports changes to the Open Meeting Law requiring watershed district to prepare and publish procedures for conducting public meetings using interactive technology.

Watershed Planning

2020-03 Soil Health Goal for Metropolitan Watershed Management Plans

Minnesota Watersheds supports amending Minnesota Rule 8410.0080 to include a goal for soil health in watershed management plans and ten-year plan amendments.

2023-06 Education and Outreach to Encourage Formation of Watershed Districts in Unserved Areas

Minnesota Watersheds, in consultation with its membership, develop a framework for education and outreach intended to encourage petition and advocacy for the formation of watershed districts in areas of the state not presently served by watershed-based public agencies.

AGENCY RELATIONS

Advocacy

2021-06: Support 60-day Review Required for State Agencies on Policy Changes

Minnesota Watersheds supports requiring state agencies to provide a meaningful, not less than 60-day review and comment period from affected local units of government on new or amended water management policies, programs, or initiatives with a response to those comments required prior to adoption.

Regulation

2023-01 Require Watershed District Permits for all State Agencies

Minnesota Watersheds supports amending Minnesota Statutes § 103D.345, Subd. 5 to read as follows: **Subd. 5. Applicability of permit requirements to state.** A rule adopted by the managers that requires a permit for an activity applies to all state agencies, including the Department of Transportation.

REGULATIONS

2020-01 Appealing Public Water Designations

Minnesota Watersheds supports legislation that would provide landowners with a more formal process to appeal decisions made by the DNR regarding the designation of public waters including the right to fair representation in a process such as a contested case proceeding which would allow landowners an option to give oral arguments or provide expert witnesses for their case.

NATURAL RESOURCES

No current resolutions in this category.

Resolutions to Sunset

Effective December 31, 2024

It should be noted that in July the sunseting deadline was extended for resolutions expiring in 2017 by two years due to the pandemic and its influence on lobbying efforts. **All 2017 resolutions have a sunset date of 2024.**

2017-02 Temporary Lake Quarantine Authorization to Control the Spread of Aquatic Invasive Species (AIS)

Minnesota Watersheds supports legislation granting to watershed districts, independently or under DNR oversight, the authority, after public hearing and technical findings, to impose a public access quarantine, for a defined period of time in conjunction with determining and instituting an AIS management response to an infestation.

2019-01 Streamline the DNR permitting process

Minnesota Watersheds supports legislation, rules, and/or agency policies to streamline the DNR permitting process by increasing responsiveness, decreasing the amount of time it takes to approve permits, providing a detailed fee schedule prior to application, and conducting water level management practices that result in the DNR reacting more quickly to serious, changing climate conditions.

2019-02: Add a Classification for Public Drainage Systems that are Artificial Watercourses

Minnesota Watersheds supports removal of the default Class 2 categorization for public drainage systems that are artificial watercourses and supports a default Class 7 categorization for public drainage systems that are artificial watercourses.

2019-03 Support for Managing Water Flows in the Minnesota River Basin Through Increased Water Storage and Other Strategies and Practices

Minnesota Watersheds supports efforts to manage the flow of water in the Minnesota River Basin and the Minnesota River Congress in its efforts to increase water storage on the landscape; and Minnesota Watersheds supports the Minnesota River Congress in its efforts to secure state and federal programs targeted specifically to increase surface water storage in the Minnesota River Watershed.

2019-04: Clarify County Financing Obligations and/or Authorize Watershed District General Obligation Bonding for Public Drainage Projects

Minnesota Watersheds supports legislation to achieve one or both of the following:

- a) To clarify that an affected county must finance a watershed district drainage project on project establishment and request of the watershed district; and
- b) To authorize watershed districts to finance drainage project establishment and construction by issuance of bonds payable from assessments and backed by the full faith and credit of the watershed district; and further provide for adequate tax levy authority to assure the watershed district's credit capacity.

2019-05 Watershed District Membership on Wetland Technical Evaluation Panels

Minnesota Watersheds supports legislation to allow technical representatives of watershed districts to be official members of wetland technical evaluation panels (TEPs).

2019-06: Oppose Legislation that Forces Spending on Political Boundaries

Minnesota Watersheds opposes legislation that establishes spending requirements or restricts watershed district spending by political regions or boundaries.

2019-07 Chinese Mystery Snail Designation Change and Research Needs

Minnesota Watersheds supports Chinese Mystery Snail prevention and control research and to change the Chinese Mystery Snail designated status in Minnesota as a regulated species to a prohibited species.

Region III Caucus

Thursday, December 5 @ 7:00 a.m.

Caucus location: Gull Lake Center – Lake Edward

AGENDA

- 7:00 a.m. Welcome and Call to Order (Convener Don Pereira)
- 7:03 a.m. Appointment of a Secretary (Pereira)
- 7:05 a.m. Election of Caucus Chairperson (Pereira)
- 7:10 a.m. Nominations of a Region Director to Minnesota Watersheds Board (Caucus Chair)
Current Region 3 Minnesota Watersheds Board Members:
- Don Pereira – term expires December 2024
 - David Ziegler – term expires December 2025
 - Shaun Kennedy – term expires December 2026
- Vote for one open position, currently held by Don Pereira, for a term to expire in 2027.***
- 7:15 a.m. Candidate Remarks - 5 minutes each (Caucus Chair)
- 7:30 a.m. Voting (Caucus Chair)
Election results should be reported to the Minnesota Watersheds President and Executive Director so they can be presented to the members at the annual business meeting.
- 7:45 a.m. Call for Committee Members (Caucus Chair)
One manager or commissioner is needed for each committee, who is committed to attending meetings and fulfilling responsibilities, no alternates, please. In the past, not all regions have been able to fill the committee positions, let alone designate an alternate. Having alternates also makes representation lopsided, with more representation from one region over another. It is more efficient to designate one individual who is willing to commit to attending meetings. If the person is unable to attend a scheduled meeting, it is his/her responsibility to contact the committee co-chair(s). (See table on page 2.)
- 8:15 a.m. Open Forum (Caucus Chair)
Review delegate checklist
Discussion of proposed resolutions, regional hot topics, etc.
- 9:00 a.m. Adjournment (Caucus Chair)

Region III		
Bassett Creek WMC	Brown's Creek	Capitol Region
Carnelian Marine St. Croix	Comfort Lake-Forest Lake	Coon Creek
Minnehaha Creek	Mississippi WMO	Nine Mile Creek
Ramsey-Washington Metro	Rice Creek	Riley-Purgatory-Bluff Creek
South Washington	Vadnais Lake Area WMO	Valley Branch

Minnesota Watersheds Committees – Region III

Representatives

December 2024

Committee*	Region	2024 Members	2025	Responsibilities
Legislative	III	Shawn Mazanec, Capitol Region		To provide focus and direction to the lobbyist(s) and Executive Director on annual priority legislative efforts and to keep members informed of the Association's efforts and progress.
Co-Chairs: Gene Tiedemann, Michelle Overholser		Linda Vavra, Bois de Sioux*		
Governance				
<i>Bylaws & MOPP</i>	III	Mike Bradley, Rice Creek		The By-Laws/MOPP committee is responsible for the annual review of these documents to ensure that they meet the needs and operating procedures of the organization.
Co-Chairs: David Ziegler, Jamie Beyer		Linda Vavra, Bois de Sioux*		
<i>Strategic Plan</i>	III	Benjamin Karp, Ramsey Washington Metro		This Strategic Plan Committee is responsible for the review and annual prioritization of the organization's strategic plan.
Co-Chairs: David Ziegler, Andy Henschel		Linda Vavra, Bois de Sioux*		
Resolutions	III	Don Pereira, Valley Branch		The Resolutions/Policy committee is responsible for the annual solicitation and review of resolutions and policy changes to be acted upon at the Annual Meeting and any petitioned special meetings.
Co-Chairs: Linda Vavra, Jamie Beyer		Linda Vavra, Bois de Sioux*		
Finance	III	Jackie Anderson, Comfort Lake Forest Lake		The purpose of the Finance Committee is to make financial recommendations to the Board on items such as the annual budget and dues.
Co-Chairs: David Ziegler, Tera Guetter		Linda Vavra, Bois de Sioux*		
Events/Education	III	Rick Sanders, Capitol Region		The purpose of the Events/Education Committee is to ensure Minnesota Watersheds events provide high quality educational and networking opportunities for members and non-members.
Co-Chairs: Gene Tiedemann, Tina Carstens		Linda Vavra, Bois de Sioux*		
Awards	I	Joe Collins, Capitol Region		The purpose of the Awards Committee is to promote, manage and present the annual Minnesota Watersheds Project and Program of the Year Awards.
Co-Chairs: Dennis Kral, Karen Kill		Linda Vavra, Bois de Sioux*		
				*The Minnesota Watersheds President is a member of all committees.

How Minnesota Watersheds Committees Work

Information about upcoming committee meetings is developed by the Minnesota Watersheds Executive Director and committee co-chairs. The information is distributed to committee members and is available to members upon request. Meeting summaries are created and shared with members through the monthly newsletter, as well as the pertinent committee page on the Minnesota Watersheds website.

In the past, not all regions have been able to fill the committee positions, let alone designate an alternate. Having alternates also makes representation lopsided, with more representation from one region over another. It is more efficient to designate one individual who is willing to commit to attending meetings. If the person is unable to attend a scheduled meeting, it is his/her responsibility to contact the committee co-chair(s).

Executive Governance

The Executive Governance Committee works together to ensure daily operations align with the Bylaws, Manual of Policy and Procedures (MOPP), and Strategic Plan. The committee meets as needed.

By-Laws-MOPP

The purpose of the Bylaws-MOPP Committee is to ensure the Bylaws and MOPP are kept up to date and adequately guide the organization. The committee meets annually or as needed.

Strategic Plan Committee

The purpose of the Strategic Plan Committee is to ensure the Strategic Plan adequately guides the organization. The committee meets annually to prioritize the work plan for the Executive Director and to review the Strategic and Communication Plans.

Executive Finance and Finance Committee

The Executive Finance Committee will handle the day-to-day financial decisions. The Finance Committee will deal with the larger picture issues, such as preparing an annual budget and making recommendations on the annual dues structure.

Events-Education Committee

The purpose of the Events-Education Committee is to ensure Minnesota Watersheds events provide high quality educational and networking opportunities for members and non-members. The committee annually reviews the education work plan, provides input before and after events, and sets the convention presentation schedule, including recommendations for the staff development workshop. This committee is supported by the Executive Director and the Program Manager. The committee meets in January, February, April, June, July, September, and December.

Resolutions Committee

The purpose of the Resolutions Committee is to oversee the resolutions process. The committee meets in October to review and recommend resolutions.

Legislative Committee

The purpose of the Legislative Committee is to provide focus and direction to the Minnesota Watersheds lobbyist and Executive Director. They annually review the legislative program work and make recommendations to the Board of Directors on a legislative platform. The committee meets in June and December.

Awards Committee

The purpose of the Awards Committee is to promote, manage, and present the annual Minnesota Watersheds Project and Program of the Year Awards. The committee conducts its business almost exclusively by email.

Region 3 Caucus Meeting
11-30-2023

Attendees:

Nine Mile Creek: Grace Butler and Peggy Kvam
Riley Purgatory Bluff Creek: Jill Crafton, Tom Duevel, and David Ziegler
Minnehaha Creek: Bill Olson, Sherry White, and Steve Sando
Bassett Creek WMC: Shaun Kennedy, R. J. Wiford, and Michael Welch
Ramsey Washington Metro: Benjamin Karp
Capitol Region: Joe Collins, Shawn Mazanec, and Mary Texer
Valley Branch: Don Pereira
South Washington: Brian Johnson
Comfort Lake Forest Lake: Jackie Anderson
Rice Creek: Mike Bradley and John Waller
Mississippi WMO: Kevin Reich
Brown's Creek: Celia Wirth

The meeting was called to order by David Ziegler at 7:03 a.m. David Ziegler was elected caucus chair. Benjamin Karp volunteered to take notes.

Minnesota Watersheds Board Nominations

Don Pereira was nominated to continue serving in the seat to which he was appointed. The term expires in December 2024. Nominations were made for the open seat that will expire in December 2026. Joe Collins and Shaun Kennedy were nominated. All three candidates introduced themselves and provided background information. The question was called for the seat currently occupied by Don Pereira and passed unanimously. Ballots were cast for the open seat and Shaun Kennedy was elected by majority vote.

Minnesota Watersheds Committees

It was noted that not everyone that volunteers will get to serve on a committee. The Minnesota Watersheds Board of Directors makes the appointments.

Legislative

- Grace Butler was nominated by David Ziegler. Others interested in serving include Don Pereira, Shawn Mazanec, and Benjamin Karp.

Bylaws-Manual of Policy and Procedure

- Mike Bradley

Strategic Plan

- Michael Welch plans to step down from this committee. Benjamin Karp and Jill Crafton volunteered.

Resolutions

- Don Pereira, Joe Collins, and Sherry White volunteered.

Finance

- David Ziegler and Jackie Anderson volunteered.

Events-Education

- Rick Sanders and Don Pereira volunteered.

Awards

- Joe Collins volunteered.

Discussion items:

- Concerns were expressed about One Watershed One Plan funding and whether it should be based on population or land area.
- How voting should occur and what has transpired in the past was discussed.
- Resolutions
 - Resolution #1 asks to require Minnesota Department of Natural Resources (DNR) to apply for watershed district permits. Consensus was that the language should be all state agencies rather than specifically listing the DNR. Michael Welch plans to address this at the resolutions hearing.
 - Resolution #5 seeks increased flexibility in the open meeting law. Consensus was to process this through the legislative committee.
- Chloride issue
 - Fears were expressed regarding issue fatigue and that this may be the last opportunity for legislative action. It was asked that everyone be aware of this issue as assistance may be necessary during the legislative session.
- Plumbing board ruling
 - The decision by the plumbing board states that stormwater management and infiltration design are illegal. This is a Department of Labor and Industry issue.
- Metro Watersheds meeting
 - The next Metro Watersheds meeting will be held virtually on January 16. Meeting information will be distributed by email.