

*State and Local Government Working
Together*



Strategic Plan

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Executive Summary

This strategic plan sets forth a foundation upon which BWSR policy and programs can be framed. The plan communicates the basic tenets the Board believes are fundamental to carrying out its mission to assist local units of government to manage and conserve their irreplaceable water and soil resources:

Local Implementation: Local units of government working directly with landowners, resource management agencies and citizens to provide a grassroots approach to water and soil protection efforts.

Voluntary Implementation: Education and incentives influence individuals to voluntarily implement resource management practices that protect water and soil resources.

Comprehensive and Collaborative Management: Natural resource issues and problems seldom follow political boundaries or are solvable by the efforts of one individual, group or agency. Local governments help bring people and their local political structures together to meet the challenges of managing soil and water resources wisely.

In keeping with those tenets the Board will strive to accomplish the following strategies:

Encourage local resource planning and protection efforts by:

- ❖ continuing to use the Comprehensive Local Water Planning process; and
- ❖ using a watershed based management approach.

Support local resource management activities by:

- ❖ providing a forum to foster working relationship; and
- ❖ enhancing the effectiveness of BWSR programs.

Develop and maintain the capability to deliver competent service to local units of government, especially in the areas of:

- ❖ soil conservation, engineering, wetlands, groundwater, information management, communication, planning and administration.

BWSR

Strategic Plan

September 1997

About the Board

Creation

The Minnesota Board of Water and Soil Resources (BWSR or the Board) was formed in 1987 when the Soil and Water Conservation Board, the Water Resources Board and the Southern Minnesota Rivers Basin Council were merged into one state agency.

Board Membership

Seventeen voting members serve on the board. The Governor appoints three county commissioners, land and water conservation district supervisors, three watershed district or watershed management organization representatives and three members of the public to staggered four-year terms. A chair is designated from this group. Five additional members represent the Department of Natural Resources, the Pollution Control Agency, the Department of Health, the Department of Agriculture and the University of Minnesota.

Board Staff

The Board employs an executive director who serves as the head of agency operations. The central office in St. Paul houses nearly one-half of the staff who work in one of four sections: engineering and technical services, land and water, communications or business management. Field offices are located in Bemidji, Brainerd, Duluth, Marshall, New Ulm, Rochester and St. Paul.

Plan Purpose

This strategic plan sets forth a foundation upon which agency policy and programs can be crafted to fit the current water and soil management issues. The primary responsibility of the Board is to assist local units of government to manage their water and soil resources. This is accomplished by providing them with technical, financial and administrative assistance. To be effective, the BWSR must be responsive to local concerns and priorities.

This plan describes the agency's mission, basic tenets (principles) and the strategies that are fundamental to implementing the Board's work in a manner that is meaningful to local governments. It summarizes the extent and condition of the state's water and soil resources, as well as some of the industries and land uses dependent on those resources. It also examines some of the major trends influencing water and soil resources management and includes a summary of the Board's statutory responsibilities.

The board is composed of 12 members appointed by the Governor and five agency representatives.

Half of BWSR's staff work out of the agency's eight field offices.

This plan describes the agency's mission, tenets and strategies that are fundamental to the Board's work.

The Board has strong alliances and works to connect these partners with the local units of government best suited to address their particular resource management concern.

The Board's Mission

The mission of the Minnesota Board of Water and Soil Resources is to assist local governments to manage and conserve their irreplaceable water and soil resources.

BWSR was formed in 1987 by consolidating three smaller agencies in order to provide more efficient and effective state support to local government. This mission statement communicates the Board's focus on local government: soil and water conservation districts, watershed districts, watershed management organizations, counties, townships and cities. The Board also has strong alliances with environmental organizations, farm groups, state and federal agencies and other groups interested in water and soil stewardship. The Board works to connect these partners with the local units of government best suited to address their particular resource management concern.

While the Board's primary clientele is local governments, its primary goal is managing and conserving water and soil resources across the state. To achieve this goal, the Board offers technical, administrative and, in some cases, financial support to local governments to help them attain their water and soil resource management goals. Ultimately, all citizens benefit from this grassroots system that protects and conserves water and soil resources.

In 1992, Minnesota Planning authored *Minnesota Milestones: A Report Card for the Future*. This report describes a vision, drafted by the citizens of Minnesota, for the state in the year 2020. The themes contained therein that pertain to the Board's work are:

- *Our government will be responsive, effective and close to the people.*
- *We will protect and enjoy the natural world.*
- *Our economic activity will create wealth and provide a good standard of living for all our people.*

The Board's mission statement focuses on a government close to the people and the management and protection of our state's water and soil resources, which provide both wealth and enjoyment to Minnesotans.

The Board believes that water and soil management is best implemented at the local level, voluntarily, comprehensively and collaboratively.

Stewardship is based on landowners embracing attitudes and methods that preserve and enhance resources for the benefit of themselves and others.

Board Tenets: The Board believes that water and soil management is best implemented . . .

at the local level. Water and soil resource management is primarily a land use issue -- both in terms of the type of land use and the quality of resource management. In Minnesota, land use authority is vested primarily in local units of government. Over the past two decades, the state Legislature has reinforced this authority by passing landmark legislation for local water planning, conservation easements, conservation practice cost-sharing and wetland conservation. These legislative acts identify local units of government as the primary implementers. The federal government has also empowered state and local governments to reduce non-point source pollution and manage water and soil resources. Land use authority is one of the major forces propelling this trend.

Water, soil and other natural resources, as well as associated management issues, vary substantially from one corner of the state to another. Resource management priorities vary widely as well. Local units of government working directly with landowners, resource managers and other citizenry provide a grassroots approach to resource management. This approach tends to be realistic and address the local needs. Citizens know where and to whom to direct their comments about resource management. Resources can be targeted toward high priority issues and watersheds.

State and federal technical and financial assistance provided to and through local government helps maintain a healthy balance between statewide consistency and local flexibility for sound resource management. Involving citizens is essential to successful local resource management, as is integrating other state and federal agencies and programs that are relevant to the local resource priorities.

voluntarily. Successful resource management (stewardship) is based on landowners embracing attitudes and methods that preserve and enhance resources for the benefit of themselves and others. More than 77 percent of the land in Minnesota is privately owned. Landowners tend to feel strongly about their right to manage the land they own as they see fit. They, and all citizens, also perceive the right to a clean, healthy environment. Education and incentives influence individuals to voluntarily implement resource management practices that protect water and soil resources. Education provides the basis of understanding that helps landowners realize the results of their land use

Most people want to practice stewardship and they do it most effectively when they possess knowledge, means and choice.

Natural resource issues and problems seldom follow political boundaries or are solvable by the efforts of one individual, group or agency.

Management approaches of state and federal natural resource agencies are compatible and complementary with local government roles.

decisions. Incentives may help overcome any restrictions (financial or other) to changing their land use practices.

Most people want to practice stewardship and they do it most effectively when they possess knowledge, means and choice. Regulation is best used sparingly for resource management in order to provide a level playing field and disincentives for those whose actions threaten public health and safety.

comprehensively and collaboratively. The Board strives to encourage and facilitate successful partnerships that promote communication, help all levels of government cooperate, inspire creativity and build trust between partners as well as with the public. Natural resource issues and problems seldom follow political boundaries or are solvable by the efforts of one individual, group or agency. Because of this, local governments are building partnerships that expand their capacity to implement land and water resource protection. There are numerous examples of local governments working with their neighbors to achieve mutual goals. Whether through the creation of new governmental entities, formal joint powers agreements or more informal working arrangements, local governments are helping to bring people and their local political structures together to meet the challenges of managing land and water resources wisely. Local governments are not only addressing their resource priorities, they are helping to achieve state and federal goals by providing a strong local presence as well as a link to private landowners.

The management approaches of the state and federal natural resource agencies are compatible and complementary with local government roles. Three approaches include: The Department of Natural Resources' Ecosystem Based Management, the Minnesota Pollution Control Agency's Basin Management and the Minnesota Department of Agriculture's Agri-Ecoregion. These approaches afford new opportunities for local governments to team up with appropriate agencies to tap into expertise, funding and new collaborations. Local governments are an essential partner to implement natural resource protection initiatives; regardless of the management approach that is used. Effective partnerships with these agencies will enable local governments, whether they are organized along political or watershed boundaries, to assert their implementation responsibilities in an ever more effective fashion.

The Board is committed to promoting the wise use of our state's natural resources to help ensure that future generations may also find such satisfaction in Minnesota's quality of life.

Minnesota's resources

Minnesota is rich with natural resources. The wealth generated from these natural resources contributes to the well being of its citizens. A healthy state economy depends on the sound management of soil, water and forest resources. The citizens of Minnesota value the quality of life that the environment and the economy have historically provided. The Board is committed to promoting the wise use of our state's natural resources to help insure that future generations may also find such satisfaction in Minnesota's quality of life.

Water

Water covers about 5 percent of Minnesota's surface area. This percentage encompasses nearly 12,000 lakes and more than 10,000 wetlands. Minnesota's rivers and streams span 25,000 miles. There are approximately 208,000 miles of shoreline in the state.

Minnesota's significant water resources include those found beneath the land surface as well. The 14 major aquifers in the state are of "glacial drift" or "bedrock" origin. Two out of every three Minnesotans rely on groundwater for their domestic water use.

There are many threats to this rich water resource. About 51 percent of the state's wetlands have been drained over the last one hundred years and losses are still occurring (BWSR - Jaschke, 1997). Of the state's lakes that are less than 5,000 acres in size (99 percent of all lakes), only half fully support swimmable use (MPCA - Heiskary, 1997). Sediment is, by volume, the greatest pollutant of our surface water. Displaced nutrients and pesticides, which migrate off-site, can and in certain cases do, pose a real threat to the quality of both surface water and groundwater resources.

The quantity of water in the state is also of concern. "Hydrology" refers to the route precipitation takes on its way to a lake, stream, river or groundwater system. Many factors influence the hydrology of a watershed, including precipitation amounts, soils and the use of the land. Increases in either the rate or quantity of surface water runoff can escalate the transport and delivery of sediment and attached nutrients to the receiving water body and can increase flooding and erosion along water courses.

Conserving soil and enhancing soil quality is fundamental to wise natural resource management.

Water, soil and forest resources are the foundation for Minnesota's main economic industries: agriculture, tourism and forestry.

Soil

Soil is also a valuable resource in Minnesota. About one-half of Minnesota is covered by soils capable of supporting agricultural uses. Our fertile topsoil and favorable climate make Minnesota one of the outstanding crop producing regions in the United States and in the world. Soil not only functions as a medium in which to grow plants, it regulates the flow of water in the environment and it decomposes organic wastes. Conserving soil and enhancing soil quality is fundamental to wise natural resource management.

Disturbing the natural cover of the land makes it susceptible to soil erosion. The forces of wind and water erode approximately 168 million tons of Minnesota soil annually - only Texas loses more soil from cropland erosion (USDA-NRI, 1992). In urban areas, erosion generated at construction sites is estimated to be as high as 1,100 tons per acre per year (MPCA-Protecting Water Quality in Urban Areas, 10/89).

Economic and Land Uses Dependent on Water and Soil Resources

Water, soil and forest resources are the foundation for Minnesota's main economic industries. The history of Minnesota's development is deeply rooted in ***Agriculture***. It remains a dominant land use. Nearly 43 percent of Minnesota's surface area is in cropland or pastureland (Natural Resource Inventory, 1992 NRCS-USDA). Every region of the state has land devoted to raising crops and livestock, including approximately one half of the seven county metropolitan (metro) area. In 1993, the state ranked seventh in the nation for total cash receipts from crops, livestock and livestock products, with about \$7 billion generated annually from 1991-93 (Minnesota Agricultural Statistics 1996, MDA). In 1996, 162,000 jobs in Minnesota were directly related to farming and food production, and 257,000 more were indirectly related to agriculture (MDA, Commissioner's Office, 1997).

The ***Travel and Tourism Industry*** is also a significant contributor to Minnesota's economy. The industry generates approximately 133,000 jobs, 2.8 billion in wages and salaries and \$6.9 billion in gross receipts (Minnesota Office of Tourism, April 1996). Water-related activities are major contributors to the tourism industry, with purchases generating \$1.9 billion for businesses and generating about \$128 million for the state from fees and taxes (Minnesota Office of Tourism, Todd, 1989). With a significant portion of the state's economy dependent on

Soil, water quality, wetlands and forest resources are all affected by urban growth, Sustaining these resources must be encouraged by comprehensive urban watershed planning and management efforts.

water-related outdoor recreation, the need to protect and improve water quality becomes even more obvious.

For well over a century, the *Forest Industry* in the state has continued to thrive. According to Minnesota's Forest Resource Plan, the forest products industry directly provides 58,960 jobs in the state. In addition to those jobs, indirect influences generate about 111,000 jobs, \$2.8 billion in employee compensation and \$10.1 billion in total industry output (Minnesota Department of Natural Resources, Division of Forestry, 1995). *Agroforestry* is an important component of the forest industry. Agroforestry means putting trees and shrubs to work in both rural areas and communities. Working trees are trees planted for specific purposes, usually conservation-related. The tree plantings can be designed to serve as a windbreak, a living snow fence, a buffer strip to protect water resources, a high value crop (e.g., nuts, pulp), fuel wood plantations or wildlife habitats.

While *Urban Growth* is not an economic industry per se, the geographic area of the cities of Saint Paul and Minneapolis, along with numerous suburbs of these cities, cannot be overlooked as the economic nucleus of the state. The seven county metro region encompasses only five percent of the land in the state, yet it is home to more than one-half of the state's four million residents. About 65 percent of the property value in the state of Minnesota is found within the metro area. Building permits may be seen as indicators of economic growth. In 1990 and 1991, almost 60 percent of all permit applications involved building in the metro area. Soils, water quality, wetlands and forest resources are all affected by urban growth. Sustaining these resources must be encouraged by comprehensive urban watershed planning and management efforts.

Trends affecting water & soil management:

- **Governance close to the citizens.**
- **Managing resources at the watershed level.**
- **Redefining rural Minnesota.**

... the country and the city are becoming increasingly intertwined, physically and socially.

Many local citizens are becoming involved in issues pertaining to the environment.

The Trends Shaping the Future

The Board believes the following trends must be considered when making decisions as to how water and soil resources should be managed in the state.

As a society, we continue to move toward ***governance close to the citizens***. The Board sees three primary catalysts for placing more authority and responsibility with local units of government:

- **an increase in local government budgets and staff relative to state and federal budgets and staff;**
- **the mingling of country and city; and**
- **the involvement of citizens in different ways than in the past.**

As state and federal budget and staff outlays slow their rate of increase, the responsibilities with which they have been charged are being passed to local government - often without adequate funding. To ensure that responsibilities are successfully met, administrative dollars must be passed from the federal government to the states, which can then pass them to the local units of government best equipped to solve the problems. States have the important role of transferring the dollars, programs and policies to local units of government and ensuring that those units carry out the responsibilities imparted to them.

Governance at the local level is also being propelled as the country and the city are becoming increasingly intertwined, physically and socially. Increasing numbers of people are moving to the country. Open spaces, blufflands and woodlands are being developed to home sites. Consequently, rural homeowners, like their urban counterparts, have more interaction with their neighbors. Disputes may arise, particularly regarding land use issues. Local government is called upon first to resolve any such conflicts. Citizens may look to environmental standards and regulations as possible solutions to land use disputes.

Many local citizens are becoming involved in issues pertaining to the environment. They see a healthy environment as economically and socially beneficial. Per capita income has been steadily rising in Minnesota, as has the number of environmentally-educated citizens. There appears to be a link between these circumstances and the increased involvement of citizens in environmental issues. Some people look to local governmental units as the appropriate body to address environmental problems while others have a mistrust of local government and favor state or federal intervention.

Watershed level management precipitates integration and collaboration of efforts and encourages agencies, local units of government and community members to work together to craft solutions to natural resource management problems.

... the majority of rural residents are no longer involved in or affiliated with agriculture – a major departure from the early and middle part of the 20th century.

The Board will continue its commitment to provide timely leadership to adapt new technologies to water and soil management efforts.

Managing resources at the watershed level is becoming increasingly recognized as a wise management scale. The most efficient use of human and financial resources is to treat problems in the context of an integrated resource management approach. Cumulative impacts on water and soil resources require that we approach problems from a resource, rather than a political, perspective. Watershed level management precipitates *integration and collaboration of efforts* and encourages agencies, local units of government and community members to work together to craft solutions to natural resource management problems. As competition for financial and technical resources increases, the advantage will go to the projects that have a high level of collaboration among a diverse group of partners.

Redefining Rural Minnesota. Rural Minnesota is changing. Recent surveys by the USDA indicate that the **majority** of rural residents are no longer involved in or affiliated with agriculture - a major departure from the early and middle part of the 20th century. Those who are involved in agriculture often no longer fit the traditional view of “farmer.” In agricultural operations, as in other industries, there is a trend toward specialization and increased size. Many landowners are retired, live or work away from the farm and much of the cropland is rented to others. Of those actively farming, the median age is 58 years - this means that in the next 10-20 years nearly half of all American farmland will most likely change ownership. Fewer people manage larger tracts of land. These acres will continue to account for the bulk of agricultural production and income. Conversely, small tract ownership in agriculture and forested landscapes is also rapidly increasing. The owners of small parcels have conservation needs on their lands that often require different solutions or approaches than those of larger scale producers.

Finally, *technology* has, and will continue to change how we do business. The Board will continue its commitment to provide timely leadership to adapt new technologies pertaining to water and soil management efforts. Competition for funds to update hardware and software, and to secure the expertise to effectively use them, will intensify. The Board has a responsibility to inform, share and, in some cases, furnish the latest advances in effective electronic communications with local units of government, as well as with cooperating state and federal agencies. Use of tools such as the Internet and technical software can maximize efficiency and accuracy of conservation application and program administration. BWSR and local government decision-makers need access to these technologies to assist in making soil and water management decisions that will support changing societal needs and protect the environment.

The Board will continue to use comprehensive local water planning as the primary means to plan for and implement water and soil resource protection strategies.

The Board will encourage and assist local governments to use a watershed-based resource management approach.

The Board will strive to allocate financial, technical and administrative support to achieve the best return on the investments of all involved.

Strategies

1. Encourage local resource planning and protection efforts.

The Board will accomplish this strategy by continuing to use **comprehensive local water planning** as the primary mean to plan for and implement water and soil resource protection strategies. The local water planning process is an effective way to define the roles and responsibilities of each of the local resource partners in a county or watershed management organization, and for establishing measures of success. This process also enables state and federal agencies to align their programs, authorities, and technical and financial assistance with local government resource priorities, and increase the efficiency of individual efforts.

The Board will continue to assist local units of government to plan and implement their responsibilities using a **watershed-based management** approach. The Board recognizes that implementing watershed protection requires that local units of government take action. Such commitment to action is a political decision by a political body. The Board believes the key to comprehensive watershed resource management is to bring political units together so that problems are not addressed as isolated cases but as part of an integrated and collaborative effort. The result should be a more effective and efficient use of valuable human and financial resources.

2. Support local resource management activities.

The Board will accomplish this strategy by providing a forum to foster working relationships among state, regional and local units of government, and to maximize local government effectiveness in attaining mutual land and water management goals. The Board will share information and facilitate discussions with and among local governments to help them build on their successes, initiate new cooperative ventures and explore alternative organizational options. The Board will provide information and educational support to local government's outreach efforts.

As resource management trends and needs evolve, so must state programs. The Board will work with local units of government to maintain and **enhance the efficiency and effectiveness** of the resource management programs it administers. The Board will involve local units of government and other partners in periodically updating program rules and procedures, including reporting requirements, in order to foster efficient local implementation while maintaining accountability and the ability to measure success. The Board will also periodically assess, in

Technical capability in the areas of soil conservation, engineering, wetlands, ground water, information management, communication, planning and administration are crucial to the mission of the Board.

cooperation with the local units of government served, their ability to administer programs to effectively address current high priority resource management needs. The Board will strive to allocate financial, technical and administrative support to achieve the best return on the investments of all involved. Innovation, streamlining, flexibility, teamwork, customer service and results will be characteristics promoted within and through the programs administered by the Board.

3. Develop and maintain the capability to deliver competent service to local units of government.

Technical capability in the areas of soil conservation, engineering, wetlands, groundwater, information management, communication, planning and administration are crucial to the mission of the Board. This strategy will be accomplished by developing and maintaining the capability of staff and Board members to provide competent technical and leadership assistance to local units of government for water and soil resource management. The Board will maintain an organization that attracts, develops and maintains highly qualified members, including both generalists and specialists who, together, will effectively carry out the Board's mission.

The Board recognizes the critical relationships between soil conservation, soil quality and water quality and water quantity. The Board will support ongoing efforts and seek opportunities to develop and carry out new initiatives that give local units of government tools to address these issues.

Addendum

Board Responsibilities

The Board of water and soil resources' (Board) responsibilities can be found throughout Minnesota Statutes, Chapter 103, which pertains to water. Listed below are the references to policies or procedures that are germane to the Board. Normal type indicates the text has been transcribed as it appears in the statute. Italic text indicates the statute has been paraphrased to highlight the subjects found within the statutory reference.

General Policies

103A.204 Groundwater policy

Outlines the various state agencies' responsibilities in terms of groundwater protection. The Board of water and soil resources has the responsibility to report on groundwater education and outreach with local government officials, local water planning and management, and local cost share programs.

103A.206 Soil and Water Conservation Policy

Improper land use practices have caused serious wind and water erosion of the land of this state, the runoff of polluting materials, increased costs to maintain agricultural productivity, increased energy costs and increased flood damage. Land occupiers have the responsibility to implement practices to correct these conditions and conserve the soil and water resources of the state. It is the policy of the state to encourage land occupiers to conserve soil and water resources through the implementation of practices that effectively reduce or prevent erosion, sedimentation, siltation and agriculturally related pollution in order to preserve natural resources, ensure continued soil productivity, control floods, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers and harbors, preserve wildlife, protect the tax base, and protect public lands.

103a.209 Marginal, Erodible Land Retirement Policy

It is state policy to encourage the retirement of marginal, highly erodible land, particularly land adjacent to public waters and drainage systems, from crop production and to reestablish a cover of perennial vegetation.

103A.211 Water law policy

The water law of this state is contained in many statutes that must be considered as a whole to systematically administer water policy for the public welfare. . .

103A.301 to Determination of Water law and Policy

103A.341 *Gives authority for the Board to intervene in a proceeding (a procedure under any of the laws listed in 103A.305, jurisdiction) if a petition is filed with the Board for referral of a question of water policy involved in the proceeding and lays out the procedure the Board follows to make a policy determination.*

General Board Responsibilities

103B.101 Board of Water and Soil Resources. *Establishes the Board and defines the following duties:*

- 1) *coordinate the water and soil resources planning activities of counties, soil and water conservation districts, watershed districts, watershed management organizations, and any other local units of government through its various authorities for approval of local plans, administration of state grants, and by other means as may be appropriate;*
- 2) *facilitate communication and coordination among state agencies in cooperation with the environmental quality Board, and between state and local units of government, in order to make the expertise and resources of state agencies involved in soil and water resources management available to the local units of government to the greatest extent possible;*
- 3) *coordinate state and local interests with respect to the study in southwestern Minnesota under U.S. Code, title 16, section 1009;*
- 4) *develop information and education programs designed to increase awareness of water and soil resource problems and awareness of opportunities for local government involvement in preventing or solving them;*
- 5) *provide a forum for the discussion of local issues and opportunities relating to water and soil resources management;*

- 6) *adopt an annual budget and work program that integrate the various functions and responsibilities assigned to it by law; and*
- 7) *report to the governor and the legislature by October 15 of each even-numbered year with an assessment of Board programs and recommendations for any program changes and Board membership changes necessary to improve state and local efforts in water and soil resources management.*

In addition to these duties the Board must establish a dispute resolution committee to hear and resolve disputes, appeals and interventions pertaining to water law and policy.

Local Water Planning

103B.201 to Metropolitan Surface Water Management

103B.251 *These sections outline the purpose of water management planning in the metropolitan area and provide direction regarding watershed management organizations and watershed plans. It gives joint powers watershed management organizations the authority to prepare, adopt and implement a plan for the watershed; to review and approve local water management plans; to, under certain conditions, regulate land use; and other authorities pertaining to budgets, assessments and contracts. It requires that the Board adopt rules prescribing minimum requirements for the content of watershed management organization joint powers agreements. A watershed management plan must be prepared for all watersheds wholly or partially within the metropolitan area. The plan must be reviewed by the Board and other state agencies. The Board has the authority to disapprove all or parts of a plan. The watershed management organization is responsible for preparing and implementing the plan. If the watershed management organization is terminated or the Board determines they are not implementing the plan, counties or cities can petition to establish a watershed district under chapter 103D. Persons believing there has been a failure to comply with a plan may request the Board review the plan and its implementation and act according to a procedure established to resolve disputes and making an implementation compliance determination. The Board is directed to adopt rules establishing the requirements for annual financial reports to the Board, standards for annual financial audits and requirements for the content of activity reports.*

103B.252 Groundwater Management

This section outlines the authority and procedures for counties to prepare and adopt groundwater plans including advisory committees, general standards, contents, review, approval, adoption and implementation, amendments and property tax levies.

103B.301 to Comprehensive Local Water Planning and Management

103B.335 *These sections encourage counties outside of the metropolitan area to prepare, adopt and implement a comprehensive water plan. The process must be completed in coordination with local government units and contiguous counties. The Board must review the draft plan and all written comments received regarding the plan in consultation with other state agencies involved in resource management. The Board may disapprove a comprehensive water plan if they determine it is not consistent with state law. The Board shall:*

- 1) *develop guidelines for the contents of the comprehensive plan that provide a flexible approach to meeting the resource needs;*
- 2) *coordinate the planning assistance provided by state agencies;*
- 3) *provide education & information about the planning process;*
- 4) *determine contested cases;*
- 5) *establish a review process;*
- 6) *report to the legislature;*
- 7) *make grants to counties for comprehensive local water planning, implementation of priority actions and sealing of abandoned wells.*

103B.3369 Local Water Resources Protection and Management Program

This section authorizes the Board to provide financial assistance to counties for activities that protect or manage water and related land quality. Outlines how counties request funds, the contracts between the state and the county and what the grants may be used for. It directs the Board to adopt rules and gives guidance regarding what requests the Board will give priority to.

103B.345 Resolution of Disputes

Provides that counties or other local units of government can request the Board to informally, or through a hearing, resolve a dispute pertaining to: 1) the interpretation and implementation of a local comprehensive water plan; 2) two or more

counties disagreeing about the apportionment of the costs of a project; or 3) a county and another local unit of government disagree about a change in a local water and related land resources plan or official control.

Soil and Water Conservation Districts

103C.401 Duties of the State Board. *The state Board shall:*

- 1) *Offer to assist the district Boards to implement their programs . . .*
- 2) *Keep the district Boards informed of the activities and experience of other districts and facilitate cooperation and an interchange of advice and experience.*
- 3) *Coordinate the programs and activities of the districts with appropriate agencies by advice and consultation.*
- 4) *Approve or disapprove the plans or programs of districts relating to the use of state funds administered by the state Board.*
- 5) *Secure the cooperation and assistance of agencies in the work of the districts. . .*
- 6) *compliance with statewide programs and policies established by the state Board by advice, consultation and approval of grant agreements with the districts.*
- 7) *Provide operating funds to districts as provided by the legislature.*

Watershed Districts

103D.101 Board of Water and Soil Resources. *This section authorizes the Board to:*

- 1) *Establish a watershed district b) define its boundaries c) appoint the first Board of managers.*
- 2) *The Board has the right to hold hearings, subpoena witnesses, examine and cross examine witnesses.*
- 3) *The Board must keep and maintain a record of all proceedings.*

Throughout this chapter are procedures to establish the watershed district, to change watershed district boundaries, to consolidate or terminate watershed districts and to appoint managers.

Protection of Water Resources

103C.501 Cost-Sharing Contracts

This section authorizes the state Board to allocate funds to districts to share the cost of conservation practices and says how districts request funds, how the state approves requests and allocates funds and the terms of the contract between the district and the landowner requesting funds. Also requires the state Board to adopt administrative rules.

103F.171 Southern Minnesota Rivers Basin Area II (Study Area II)

This section describes a pilot program to provide technical and financial assistance to local units of government for floodwater retarding and retention, and assigns associated administrative responsibilities.

103F.401 Soil Erosion

to 103F.460 *These sections give local units of government (that have planning and zoning authority) the authority to adopt a soil loss ordinance. It says the Board will adopt a model ordinance and rules to guide local governments to implement soil loss controls, and the Board shall review the model ordinance and rules, in cooperation with local government, every five years.*

103F.461 Groundwater Education

This section states that the Board shall biennially review groundwater education activities with local units of government and develop recommendations for improvement and submit a report containing such information to the environmental quality Board for review. The report must be coordinated with the Minnesota environmental education advisor Board and the pollution control agency. The Board is given the authority to give grants for innovative groundwater education strategies.

103F.501 Reinvest in Minnesota Resources Act

to 103F.515 *These sections authorize the Board to enter into conservation easements with private landowners to keep marginal agricultural land out of crop production to protect soil and water quality and support fish and wildlife habitats. It encourages the retirement of land adjacent to public waters, drainage systems, wetlands, and locally designated priority waters, from crop production. The act explains 1) eligible land; 2) conservation easements and the nature of the property rights acquired; 3) agreements by a landowner; 4) payments for easement and cover; 5) easement renewal; 6) correction of boundaries; and 7) enforcement.*

103F.515 Permanent Wetlands Preserve Act

to 103F.521 *These sections authorize the Board to enter into conservation easements with private landowners on lands containing type 1,2,3, or 6 wetlands. The act explains 1) easements; 2) the nature of the property rights acquires; 3) payments; 4) cooperation; and 5) technical assistance.*

Protection of Wetlands

103B.3355 Wetland Functions for determining public values

This section outlines how to determine the public values of a wetland based on functions of wetlands for water quality, floodwater and storm water retention, public recreation, commercial uses, habitats, low-flow augmentation and other public uses. The Board is given the authority to adopt rules citing what methods and criteria will be used to make such determinations.

103F.901 Wetlands Establishment and Restoration Program

to 103F.905 *These sections allow a landowner to apply to restore a wetland on their property provided it is within a Board-designated high priority wetland region and identified as a high priority wetland area in the local comprehensive water plan. It outlines the procedures in which the application is reviewed and approved, and outlines the cost-share assistance available.*

103G.222 Replacement of Wetlands

to 103G.2241 *These sections legislate that wetlands cannot be drained or filled without restoring or creating wetland areas of at least equal public value in accordance with a local comprehensive wetland protection and management plan approved by the Board. The Board must maintain a public list of restoration opportunities within the metropolitan area. Disputes about restoration opportunities for wetland replacement may be appealed to the Board's committee for dispute resolution. For new transportation projects wetland credits may be purchased from the wetland bank (103G.2242). The Board receives reports of wetland impacts on existing public transportation projects and must replace the lost wetland areas.*

103G.2242 Wetland value replacement plans

This section directs the Board to adopt rules governing the approval of wetland value replacement plans and addressing criteria, procedure, timing and location of acceptable replacement wetland values. In addition, the rules may address the establishment and administration of a wetland banking program. Evaluation of replacement plans is done by a technical evaluation panel that includes an employee of the Board. Appeals of replacement plans, exemptions or no-loss decisions may be made to the Board. The Board must decide whether to grant the petition and hear the appeal. All appeals are heard by the committee for dispute resolution of the Board. A wetland heritage advisory committee, established by the governor, will advise the Board on the development of rules and implementation of the program.

103G.2243 Local comprehensive wetland protection and management plans

This section provides an alternative to replacement plans as required in 103G.2242 and public value criteria in 103B.3355. Local governments can develop and seek Board approval of a local comprehensive wetland protection and management plan follows the general requirements and plan contents identified in this section.

103G.237 Compensation for loss of private use

This section authorizes the Board to compensate landowners for the loss of private use provided they meet eligibility requirements and apply for compensation.

103G.2373 Annual wetlands report

This section requires the Board and the commissioner of the department of natural resources jointly prepare a report to the legislature regarding the status of implementing state laws and programs relating to wetlands, the quantity, quality, acreage, types and public value of wetlands in the state and the changes in those figures from the previous reporting year.