



2022-2023 Biennial Report to the Legislature

Data as of March 2024



Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155 651-296-3767 www.bwsr.state.mn.us

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This document was developed in accordance with Minnesota Laws 2023, Chapter 40, article 2, section 6, para (d), clause (2). As requested by Minnesota Statute 3.197: This report cost approximately \$3,750 to prepare, including staff time, printing, and mailing expenses.

*This report is available at <u>www.bwsr.state.mn.us/cleanwaterfund</u>. Upon request, this material will be made available in an alternative format such as large print, Braille, or audio recording. Printed on recycled paper.* 

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### Introduction

Clean water matters to Minnesotans. It matters to the Minnesota Board of Water and Soil Resources (BWSR), whose mission is to improve and protect Minnesota's water and soil resources by working in partnership with local organizations and private landowners. Our agency's unique mission and structure provide for effective and efficient use of Legacy dollars with proven results. Working through our local government partners enables us to be strategic in grantmaking that addresses locally identified water quality priorities within the larger scope of Minnesota's clean water goals. Our reporting and tracking requirements document measurable and specific results.

The purpose of our Clean Water Fund (CWF) Program is to help meet statewide water quality goals through the prevention and reduction of non-point source pollution. BWSR's grant programs work through the local conservation delivery system established through comprehensive local watershed planning to fund projects that are prioritized and targeted to the most critical areas that can make the biggest impact to protect or restore water quality. Our CWF conservation easements provide permanent protection of private land in riparian and groundwater protection locations, resulting in improved surface and groundwater quality and the healthy and secure community water supplies. Capacity funding to Soil and Water Conservation Districts (SWCDs) enables local conservation professionals to work with landowners to maintain and improve the quality, quantity, and sustainability of natural resources in the state including surface water, groundwater, soil, and ecological resources. The Technical Training and Certification Program provides training to our local government partners so they can deliver high-level conservation technical assistance to landowners and ensure clean water outcomes are met through proper conservation practice selection, design, and installation.

This report has been prepared for the Minnesota State Legislature by BWSR in fulfillment of the requirements of Laws of Minnesota 2021, 1<sup>st</sup> Special Session, Chapter 1, Article 2, Section 6. This requires BWSR to submit "to the legislature by March 1 each even-numbered year a biennial report prepared by the board, in consultation with the commissioners of natural resources, health, agriculture, and the pollution control agency, detailing the recipients and projects funded" with Clean Water Funds. This report outlines BWSR's comprehensive strategy to implement the Fiscal Year (FY) 2022 - 2023 appropriations from the Clean Water Fund – one of four funds established through the Clean Water, Land and Legacy Constitutional Amendment approved by voters in 2008.

### **Clean Water Fund Appropriation Summary**

The Legislature appropriated \$141.8 million in Clean Water Funds to BWSR in the FY22-23 Biennium for planning and implementation of nonpoint source pollution reduction programs.

- \$59.054 million in appropriations for Coordinated Watershed Approach including support for accelerated implementation of watershed-based local water plans, and non-competitive, performance-based grants for local governments to implement projects that are identified and prioritized in plans developed under the One Watershed, One Plan program, or under the Metropolitan Surface and Ground Water Management frameworks.
- \$67.126 million in appropriations for competitive grants for on-the-ground water quality implementation projects including surface and drinking water protection/restoration, resource protection and enhancement. This includes a new Clean Water Legacy Grant Program. Funding also supports local efforts to ensure compliance with buffer requirements, supports conservation drainage management and assistance, and provides for oversight, results measurement, and evaluation of projects. These requirements are found in Minnesota Statutes 114D.50, Subdivision 4 and 3.303, Subdivision 10. Table 1 summarizes the competitive grant programs and funding allocated

under these appropriations.

- \$22.6 million in appropriations for easement programs for conservation easements aimed at improving surface water quality, protecting groundwater, and drinking water sources, and protecting waters threatened by degradation. Of this total, \$10.6 million is part of the state commitment to the Minnesota Conservation Reserve Enhancement Program (MN CREP).
- \$24 million in appropriations to supplement each SWCD's ability to support local capacity and delivery of soil and water conservation programs and projects. The formula for distributing these funds includes each SWCD receiving \$107,500 per year and the remaining funds are distributed based on county allocations, and the amount of private lands and public waters in the county.
- BWSR oversees up to \$1.5 million of contracted services with the Conservation Corp of Minnesota and Iowa for installing and maintaining conservation practices.

Program	Amount	Description	
Watershed-based Implementation Funding	\$43.564M	Funds grants to implement projects that protect and restore surface water and drinking water as identified in a comprehensive watershed plan developed under the One Watershed, One Plan or metropolitan surface water and groundwater management frameworks.	
Projects and Practices*	\$22.266M	Protects and restores surface water and drinking water through grants to local government units to keep water on the land; to protect, enhance and restore water quality in lakes, rivers and streams; and to protect groundwater and drinking water, including feedlot water quality and subsurface sewage treatment system projects and stream bank, stream channel, shoreline restoration, and ravine stabilization projects.	
Accelerated Implementation	\$9.682M	Accelerates resource protection through enhancement grants, development of statewide analytical targeting tools, program enhancement for technical assistance, citizen and community outreach, and training and certification.	
Oversight, support, accountability reporting	\$2.5M	Provides state oversight and fund accountability, collects results and measures the value of conservation program implementation by local government units and preparation an annual report detailing recipients, projects funded, and environmental outcomes.	
Riparian Buffer Implementation and Assistance	\$3.872M	Provides ongoing oversight, assistance, and grants for supporting local governments in implementing buffer law requirements.	

#### Table 1: Summary of FY22-23 Clean Water Fund Appropriations to BWSR (\$141,718,000)

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Program	Amount	Description	
Working Lands Floodplains Easements	\$3.872M	Purchases and restores or preserve riparian land and floodplains adjacent to lakes, rivers, streams, and tributaries, by conservation easements or contracts to keep water on the land, to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge.	
Wellhead Protection Conservation Easements	\$5.0M	Purchases permanent conservation easements or provides grants to GUs on wellhead protection areas. Priority is given to land in drinking water supply management areas designated as high or very high by the Commissioner of Health. Part of state commitment to the MN CREP, everaging federal funds.	
Restoration Evaluations	\$84K	Provides a technical evaluation panel to conduct up to ten restoration evaluations required under Minnesota Statutes, Section 114D.50, Subdivision 6.	
One Watershed, One Plan	\$5.808M	Accelerates implementation of the state's watershed approach throu the statewide development of watershed-based implementation plan utilizing information from Watershed Restoration and Protection Strategies (WRAPS) and Groundwater Restoration and Protection Strategies (GRAPS).	
Conservation Drainage Management and Assistance <sup>*</sup>	\$1.7M	Funds implementation of a conservation drainage/multipurpose drainage water management program to improve surface water management under the provisions of 103E.015.	
Conservation Reserve Enhancement Program (CREP)	\$5.6M	Purchases and restores permanent conservation sites via easements or contracts to treat and store water on the land for water quality improvement purposes and related technical assistance. Priority given for state commitment to the MN CREP, leveraging federal funds.	
Critical Shoreland Protection- Permanent Conservation Easements	\$2.468M	Purchases conservation easements to protect lands adjacent to public waters with good water quality but threatened with degradation.	

Table 1: Summary of FY22-23 Clean Water Fund Appropriations to BWSR (\$141,718,000)

Program	Amount	Description	
Tillage and Erosion Transects	\$724K	Systematically collect data and produce county, watershed, and statewide estimates of soil erosion caused by water and wind, along with tracking adoption of conservation measures, including cover crops, to address erosion. This appropriation may be used for grants to or contracts with the University of Minnesota to complete this work.	
Clean Water Legacy Partners Grant Program	\$1.0M	Developing and implementing a water legacy grant program to expand partnerships for clean water.	
Wetland Restoration Easements	\$5.66M	Acquire permanent conservation easements and restore wetlands in priority areas statewide. Will hold water in upper watershed areas for de-nitrification, rate, and volume control.	
Soil Health Implementation*	\$4.0M	Grants through local units of government to farmers who own or rent land to enhance adoption of cover crops and other soil health practices in areas where there are direct benefits to public water supplies. Portion of funding is for an agreement with the University of Minnesota Office for Soil Health for applied research and education on Minnesota's agroecosystems and soil health management systems.	
Local Capacity	\$24.0M	Provides grants to SWCDs to supplement, in equal amounts, each district's general service grant to provide increased technical and financial assistance to private landowners statewide.	

\*Competitive grant process

### **Statewide Watershed Management Transition**

BWSR, together with state and local partners, is advancing watershed management in Minnesota through a systematic, statewide watershed framework for planning and implementation that directs Clean Water Funds to the highest priority water restoration and protection needs.

Historically, local water planning and implementation occurred along government (typically county) boundaries which can be challenging since the flow of water ignores political lines. The statewide watershed management transition is an evolution to managing water along watershed boundaries. This happens when local government entities come together to develop and implement a shared comprehensive watershed management plan.

Watershed planning partnerships select implementation priorities based on data and local values. The partnerships then focus their implementation efforts on selected issues in priority areas, with the knowledge that concentrating implementation on prioritized issues and targeted locations yields more tangible results than diffuse efforts.

Two BWSR programs are helping to drive this shift: **One Watershed, One Plan (1W1P)** and **Watershed-Based Implementation Funding (WBIF)**. These programs are designed to improve water and natural resource outcomes, enhance accountability, and increase and efficiency over time via partnerships and leveraged funds.

#### **Transition plan progress**

In 2015, the Legislature modified the state's water management statutes, specifically creating Minnesota Statutes §103B.801. This statute defines the purposes and further outlines the structure for the 1W1P Program. It also directs BWSR to develop a <u>transition plan</u> with a goal of a statewide transition to comprehensive watershed management by 2025.

As of January 2024, 57 partnerships (95% of planning boundaries) are participating in the transition (see figure 1a), which is consistent with the pace of progress outlined in the transition plan. BWSR expects full participation in the next biennium.

With Clean Water Fund appropriations, BWSR provides:

- Planning grants, policies, guidance, and staff support to local planning efforts through the **1W1P Program**.
- Mid-point grants through the **1W1P Program** to assess progress on plan implementation and for plan amendments.
- Stable, reliable funding to partnerships for implementing watershed plans through the **WBIF Program**; this funding is an important incentive driving voluntary participation in the watershed management transition.

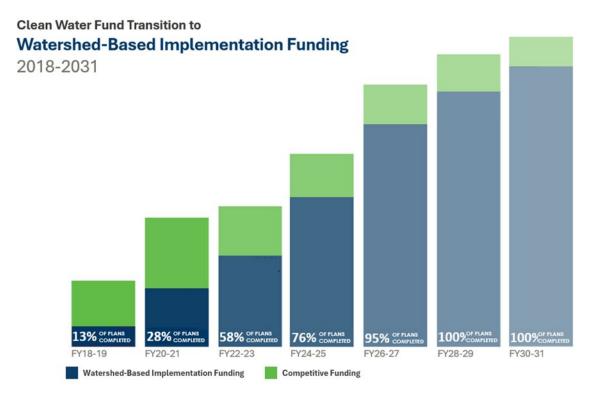


Figure 1a: Increase in completed One Watershed One Plans (1W1P) eligible for Watershed-Based Implementation Funding

#### The One Watershed, One Plan Program

The goal of the 1W1P program is to bring local and tribal governments together for water planning on major watershed boundaries, creating resource management plans with agreed-upon priorities and developing an action plan that directs targeted and measurable implementation.

This program builds on current local water plans, state and local knowledge, and a science-informed approach to watershed management. A wealth of information summarized in technical reports (Watershed Restoration and Protection Strategies, Groundwater Restoration and Protection Strategies, and more) supports local water planning and project development. Planning partnerships examine available data and gather input from watershed stakeholders to select priority issues and locations.

The partnership then sets measurable goals associated with the priorities, creates an implementation schedule for targeted actions, and quantifies how much progress can be made toward



the goals in the ten-year plan timeframe. This collaborative approach enables important cross-jurisdictional discussions about upstream-downstream issues. Plans are comprehensive in nature, addressing issues like flooding, habitat, water quality, drinking water, and recreation.

In 1W1P, officials from local boards (county, SWCDs, watershed districts, and joint powers entities) make decisions about what will be in the plan. Each participating local government's board ultimately adopt the plan, making a

collaborative commitment to local action. Tribal and municipal governments may also participate in the decisionmaking process, or they can provide input via a locally defined advisory committee which also involves state and federal agencies as well as a range of community stakeholders. Once plans are completed, funds available through the WBIF program (see section below) allows collaborating local and tribal governments to pursue timely solutions based on a watershed's highest priority needs.

As of January 2024, the BWSR board has approved 41 comprehensive watershed management plans: Root River; Yellow Medicine River; Lake Superior North; Red Lake River; North Fork Crow River; Leech Lake River; Pine River; Lake of the Woods; Missouri River Watershed; Cedar-Wapsipinicon; Thief River; Cannon River; Pomme de Terre River; Leaf, Wing, Redeye; Buffalo-Red River; Lower St. Croix; Nemadji; Wild Rice – Marsh River; Watonwan River; Bois de Sioux and Mustinka Watershed; Two Rivers Plus; Sauk River; Mississippi Headwaters Watershed; Greater Zumbro; Hawk Creek – Middle Minnesota; Shell Rock – Winnebago; Rum River; Middle-Snake-Tamarac Rivers; Long Prairie River; Clearwater River Watershed; Snake River; Otter Tail River; St. Louis River; DeMoine River; Lac qui Parle Yellow Bank; Lower Minnesota West; Mississippi River Winona/La Crescent; Roseau River; Rainy-Rapid; Le Sueur River; Mississippi River-Brainerd; and Sand Hill River.

FY22-23 appropriations for developing comprehensive watershed management plans through the One Watershed, One Plan Program totaled \$5.808 million.

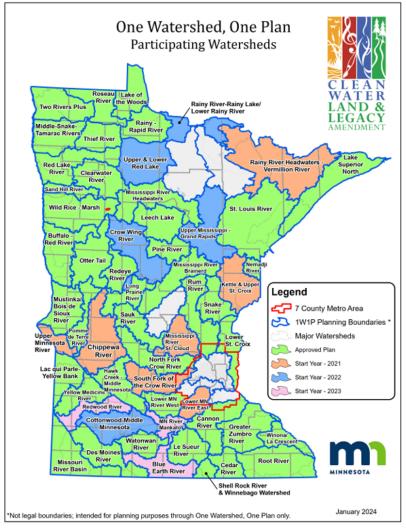


Figure 1b: Participation in One Watershed One Plans (1W1P)

### The Watershed-Based Implementation Funding Program

The WBIF Program provides grants for water quality-related activities identified in each plan developed through 1W1P program and for plans developed through the metropolitan surface water or groundwater management frameworks. As part of Minnesota's watershed management transition, funds available for these grants will increase over time as more watershed-based plans are completed. Simultaneously, funding available for traditional project-by-project CWF competitive grants will proportionally decrease.

BWSR uses a set of key indicators – known as assurance measures – to summarize and systematically evaluate how funds are being used to achieve clean water goals in watershed plans. These indicators show that previously awarded grants have paid for work that is:

- contributing to measurable clean water goals,
- implemented in priority areas as defined in plans,
- completed on schedule and within budget, and
- leveraging funds beyond the state grant.

Watershed Basin	Nitrogen (lbs/yr)	Phosphorous (lb/yr)	Sediment (tons/yr)	Wells sealed (#)	Forestry (ac.)	Cover crops (ac.)	Structural BMPs (#)
Red River of the North	4,008	9,023	10,323	14	1,488	6,239	506
Rainy River	1,443	603	458			370	14
Lake Superior	103	64	5,816			170	7
St. Croix River		2,090	859	37		1,449	63
Upper Mississippi River	9,340	4,820	10,307	13	10,342	2,798	195
Minnesota River	16,008	2,248	2,426	16		5,453	279
Missouri River / Des Moines River	31,493	1,531	5,082			3,334	216
Lower Mississippi River and Cedar River	15,288	15,159	13,770	34		5,298	446
Metro Total	2,065	4,510	7,465	77		1,905	211
Totals	79,749	40,048	56,506	191	11,830	27,016	1,937

Table 2: Clean Water Fund Watershed-Based Implementation Funding (WBIF) - Reported Outcomes (2018-March 2024)

### **Clean Water Legacy Partners Grant Program**

New in FY22-23, the Clean Water Legacy Partners Grant Program provides funding for developing and implementing a water legacy grant program to expand partnerships for clean water. The primary purpose of activities funded through this program is to expand partnerships for clean water through activities that protect or restore water quality in lakes, rivers, or streams, or protect groundwater or drinking water. Non-governmental organizations and Tribal governments are eligible for this funding.

BWSR awarded \$1.056 million dollars in Clean Water Funds to seven grantees in FY22-23. More information about this program and awarded grants can be found on BWSR's website: <u>bwsr.state.mn.us/node/10516</u>

### **Clean Water Fund Conservation Easement Programs**

BWSR's Reinvest in Minnesota (RIM) Reserve easement programs are part of a comprehensive, statewide clean water strategy to prevent sediments and nutrients from entering Minnesota's lakes, rivers, and streams; enhance fish and wildlife habitat; and protect wetlands, groundwater, and drinking water supplies. These programs focus on permanent protection of private land to address water quality concerns in targeted locations. The conservation easement programs result in improved surface water quality and enhanced wildlife habitat and protecting community water supplies.

#### **Minnesota CREP**

Launched in 2017, the Minnesota Conservation Reserve Enhancement Program (MN CREP) is a voluntary land conservation program with bipartisan support that protects environmentally sensitive land. MN CREP targets the highest priority areas for reducing nitrogen, phosphorus, and sediment loading in surface waters; protecting vulnerable drinking water and enhancing grassland and wetland habitats. BWSR acquires conservation easements on behalf of the state to permanently restore and enhance land while private ownership continues.

MN CREP uses a partnership between the Reinvest in Minnesota (RIM) Reserve easement program and the USDA Farm Service Agency (FSA) Conservation Reserve Program (CRP). MN CREP provides landowners options to conserve their land and improve water quality while retaining ownership rights. This program is on pace to enroll more than 40,000 acres that are prioritized and targeted for water quality and habitat. The existing agreement between the

state of Minnesota and the United States Department of Agriculture will use \$175 million in state funding to leverage up to \$350 million in federal funding, used as direct payments to landowners and farmers who enroll in the program.

#### MN CREP Benefits:

- Targets riparian areas and marginal agricultural land
- Restores hydrology, increases infiltration, and provides flood mitigation
- Provides habitat for wildlife and pollinators
- Reduces nitrate in drinking water supplies
- Leverages state and federal funding

#### MN CREP Funding

Over the biennium, MN CREP Clean Water funding includes \$5.6 million in a specific MN CREP appropriation and \$5.0 million for wellhead protection easements where MN CREP is a priority in leveraging funds.

#### **MN CREP Outcomes**

Sign-ups for MN CREP began in May 2017 and as of January 2024, over 875 applications, including 35,000 acres funded/enrolled into permanent conservation easements.

Converting 35,000 acres of cropland to perennial vegetation provides significant greenhouse gas, nutrient, and sediment load reductions, including up to:

- 52,361 metric tons of CO<sub>2</sub> equivalent per year
- 11,273 pounds of total phosphorus per year
- 711,996 pounds of total nitrogen per year
- 72,979 tons of sediment per year

35,000 acres enrolled in permanent conservation Sediment

Phosphorous reduction: 11,273 lbs annually

Nitrogen reduction: 711,996 lbs annually

Carbon storage: 52,361 MT CO2-e annually

Sediment reduction: 72,979 tons annually

In addition to habitat and water quality benefits, MN CREP offers incentives and conservation options to landowners with marginal cropland.

For example, a parcel in Freeborn County was frequently flooded and costly to drain and farm. A minimum maintenance township road bordering the east edge of the site was also affected by flooding within the site and created access issues for a neighboring landowner. Through collaboration with the landowner and other partners, a MN CREP easement provides water storage, flood mitigation and wildlife habitat in a frequently flooded area of the state. The Freeborn County SWCD handled easement sign-up, project oversight and ongoing vegetation establishment and maintenance. BWSR provided engineering work and MN CREP funding to secure the perpetual conservation easement and establish conservation practices. The Turtle Creek Watershed District issued a permit for the



Photo Credit: Freeborn SWCD

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project and, along with county staff, helped with project planning. The USDA's Natural Resources Conservation Service (NRCS) and Farm Service Agency (FSA) provided both technical and administrative program support. Additional information about this project can be found in a <u>Clean Water Fund article</u> that first appeared in May 2022.

#### **Other Easement Outcomes**



BWSR's Reinvest in Minnesota (RIM) Reserve programs create multiple benefits by targeting lands with a cropping history and new or existing USDA Conservation Reserve Program (CRP) contracts. Minnesota is experiencing a significant loss of grasslands and the RIM Reserve program aims to slow down the loss by targeting the most critical CRP land including areas at risk for soil erosion, areas most affecting water quality, and those lands that have high wildlife habitat quality. Participating landowners receive a payment to retire land from agricultural production and to establish permanent buffers of native vegetation.

#### **Riparian and Floodplain Restoration Easements**



BWSR received \$3.872 million from the CWF in FY22-23 to develop a pilot working lands/floodplain program to secure Reinvest in Minnesota (RIM) easements along riparian areas that provide both improved wildlife habitat and water quality benefits. BWSR will utilize the RIM easement program in partnership with local Soil and Water Conservation Districts (SWCDs) to target, protect and restore high priority habitat complexes.

The program goal is to restore and protect riparian and floodplain areas across the state to improve and enhance water

quality and wildlife habitat. The land targeted for this program is existing row crop within a riparian area or a mapped floodplain. This will be accomplished through limited term and perpetual easements, with the flexibility to allow for limited working lands activities. Applications are currently being accepted during the months of January, July, and October. More information available is on BWSR's webpage, <u>bwsr.state.mn.us/rim-riparian-and-floodplain-restoration</u>.

### **RIM Groundwater (Wellhead) Protection Program**

BWSR received \$5.0 million in FY22-23 to acquire conservation easements and administer grants in areas where the vulnerability of the drinking water supply management area is designated as High or Very High by the Minnesota Department of Health (MDH). Participating landowners receive a payment to permanently retire land in agricultural production, and to establish buffers of native vegetation. An example of a safeguard to a wellhead protection area includes the city of Edgerton. The city purchased 37.2 acres of land surrounding the city's drinking water supply management area to ensure perennial vegetation remain intact and continues to filter nitrates. "Our goal is to get it (the nitrate level) back below that 7 ppm, but the main reason that we're really after this is because it's been in wellhead protection for so long that we didn't want to lose it and find out what would happen if the wrong person did end up with the property," said Edgerton Water Supervisor Doug Brands. The land lies upslope from the city well,

which supplies 550 residential and business customers. It's been part of Edgerton's wellhead protection efforts since 1991.

### **Critical Shoreland Protection Easements**

BWSR's Critical Shoreland Easement program obtains, on behalf of the state, permanent conservation easements that protect lands adjacent to public waters with good water quality but threatened with degradation. The focus of the program has been on preserving riparian lands in the Upper Mississippi Watershed to protect the Mississippi River as a drinking water source of Twin Cities and St. Cloud drinking water, and a critical migration corridor. The FY22-23 CWF appropriations included \$2.468 million for this program and focuses on easements within the Rum River, Crow Wing, Pine, and Mississippi Brainerd watersheds.

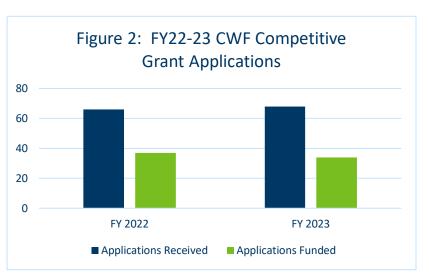
### **Clean Water Fund Competitive Grant Programs**

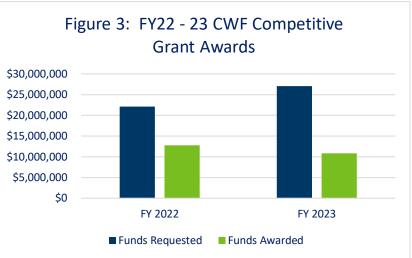
Each year, interest in BWSR's Clean Water Fund Competitive Grants Program exceeds available funding, as demonstrated in Figures 2 and 3. Our local government partners are engaged and invested in protecting and restoring Minnesota's lakes, streams, rivers, and groundwater. Their ability to do so is significantly limited by state dollars available to fund local priority projects.

Given the demand, BWSR works to fund the best projects that make the biggest difference in water quality. Our agency allocates CWF resources through a decisionmaking process based on sound science, prioritized local planning, and a commitment to identifying projects that are the most cost effective. Projects that lack source assessments, clear connections to water plans, or an adequate description of overall impact to the water resource of concern do not compete well under this program.

In FY22-23, our agency's Competitive Grants Program included Projects and Practices, the Multipurpose Drainage Management Program, and in FY23, the Clean Water Fund

Soil Health Program. Funding included for these programs was provided under Laws of Minnesota 2021, 1<sup>st</sup> Special Session, Chapter 1, Article 2, Section 6.





Figures 2 and 3: FY22-23 CWF Competitive Grant Applications and awards

### **Competitive Grant Process**

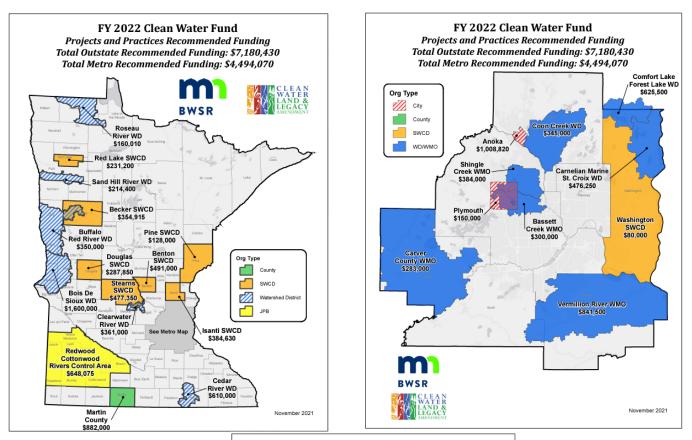
BWSR allocates Clean Water Funds through an interagency decision-making process that includes the Minnesota Department of Agriculture (MDA), the Department of Natural Resources (DNR), the Minnesota Pollution Control Agency (MPCA), and the Minnesota Department of Health (MDH) with the goal of effectively coordinating water quality projects and practices. See Appendix A for the criteria used in this process.

The BWSR Senior Management Team reviews the recommendation provided by the interagency and BWSR staff teams and then forwards their recommendations on to the BWSR Board. The BWSR Board Grants Program and Policy Committee reviews the recommendations and forwards them on for the Board's consideration.

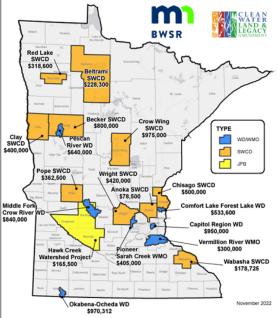
Table 3: Clean Water Fund Applications Funded per Grant Program					
Grant Program	Applications Funded		Total Funds	Awarded	
BWSR Board Approval, December 2021, December 2022	FY 22	FY 23	FY 22 FY 23		
Projects and Practices	29	19	\$11,674,500	\$9,066,037	
Drinking Water Subprogram	4	8	\$325,500	\$993,089	
Multipurpose Drainage Management	4	4	\$748,546	\$800,000	
Clean Water Fund Soil Health	-	3	-	\$829,500	
Total	37	34	\$12,748,546	\$12,310,160	

#### Projects and Practices Grants: Greater Minnesota and Metro

Funds are used to protect, enhance, and restore water quality in lakes, rivers, and streams, and to protect groundwater and drinking water. Activities include structural and vegetative practices to reduce runoff and retain water on the land, stream bank, stream channel and shoreline protection projects.

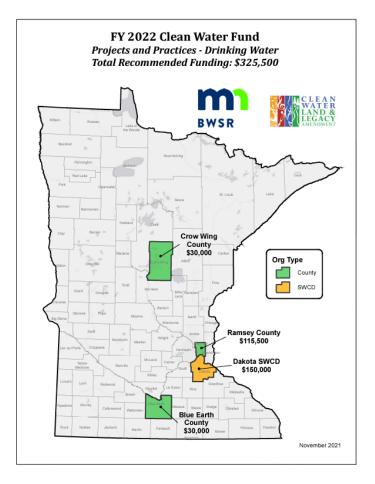


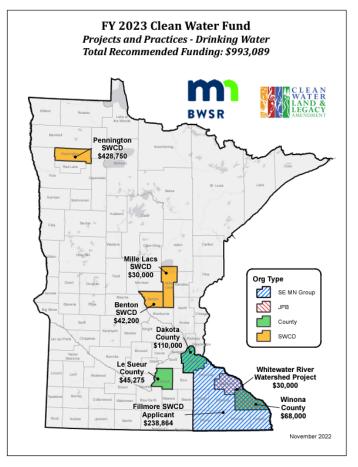
#### FY 2023 Clean Water Fund Projects and Practices Recommended Funding Total Outstate Recommended Funding: \$6,798,937 Total Metro Recommended Funding: \$2,267,100



#### **Projects and Practices: Drinking Water Protection**

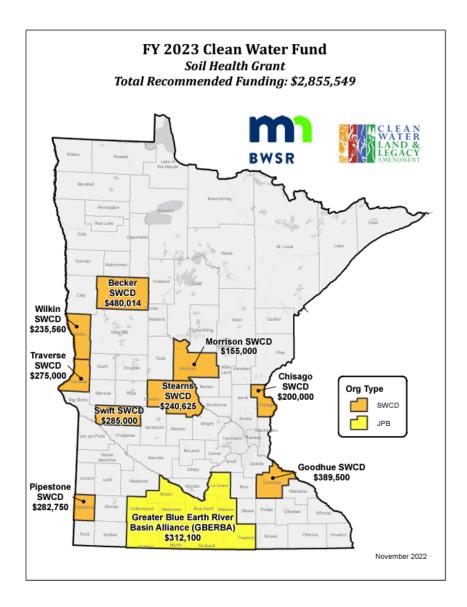
This grant makes an investment in land treatment projects and practices that will protect or improve drinking water sources. Surface water (streams, rivers, and lakes) and groundwater (aquifers) can both serve as sources of drinking water.





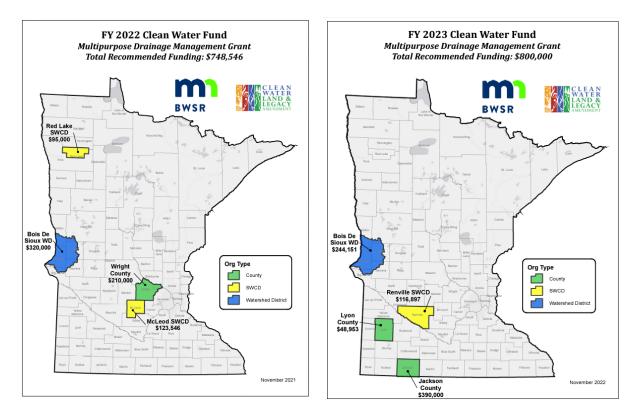
#### **Clean Water Fund Soil Health Grants**

Established in 2022, this funding was established for grants to farmers [via local government units] who own or rent land to enhance the adoption of cover crops and other soil health practices in areas where there are direct benefits to public water supplies.



#### Multipurpose Drainage Management Grants: Statewide

The purpose of these funds is implementing a conservation drainage/multipurpose drainage water management program in consultation with the Drainage Work Group to improve surface water management under the provisions of 103E.01.



### **Outcomes and Effectiveness**

BWSR funded 71 grant applications through Projects and Practices Grants, Drinking Water Protection subgrants, Soil Health Grants and Multipurpose Drainage Management Grants over the FY22-23 biennium: 45 are for water bodies listed as impaired that have a completed a Total Maximum Daily Load study (TMDL); 28 are for either drinking water or water quality protection for water bodies that are currently meeting state water quality standards.

BWSR requires grant applicants to estimate anticipated outcomes for proposed projects during the application process. Applicants used pollution reduction calculators, such as the Revised Universal Soil Loss Equation (RUSLE2), and similar tools for estimating effectiveness of keeping water runoff on the land through infiltration, diversion, or collection. Based on projected outcomes, projects funded in FY22-23 will reduce phosphorus and sediment reaching Minnesota Waters annually by 35,177 pounds and 69,649 tons, respectively.

Appendix B lists all estimated outcomes for FY22-23 Clean Water Fund competitive grant projects.

BWSR works diligently to tie Clean Water Fund project pollution reduction estimates to local and state water quality goals. From FY 2010-2023 more than 17,500 conservation practices have been installed to reduce erosion and stormwater runoff, and to keep water on the land. These awards include public and private projects and involve Minnesotans who voluntarily engage in these activities.

These conservation practices are estimated to reduce **334,349** tons of sediment per year and prevent **306,377** pounds of phosphorus per year from entering Minnesota waters. That work helps move Minnesota closer to its statewide water quality goals. It works toward state waters that are drinkable, fishable, and swimmable — all important measures for Minnesotans.

#### **Linking Outcomes to Goals**

When analyzing progress toward goals, scale is critical. It is important to understand that project impacts can vary depending on the pollutant, reduction goals, scale, and scope of the project plan. For example, a 1% progress toward goal in a large river system is going to look very different than 41% progress toward goal in a small lakeshed. If you start at the very local level, you can often begin to see the impact of this work in a relatively short time frame, but the larger the scale, the longer it takes to see outcomes.

### **Telling the Story**

Clean Water Funds from BWSR help to protect, enhance, and restore Minnesota's lakes, rivers, streams, and groundwater. Four examples illustrate collaborations from across the state that have resulted in clearer lakes, a more resilient landscape, better trout habitat, improved drainage, cleaner rivers, healthier soil, and restored wetlands.



#### Water storage among benefits of Murray SWCD wetland restoration



Through six conservation easements and four Murray County landowners, a project restored nearly 160 acres of wetlands within about 210 acres of perpetual easements, providing improved water quality, increased water storage and enhanced wildlife habitat. With this collaboration, it became possible to restore the two large former wetlands in their entirety.

#### Maple Grove's popular Fish Lake poised to drop 'impaired' status



Three Rivers Park District, Elm Creek Watershed Management Commission, lake association, Hennepin County among project partners in alum treatment. The lake was listed as impaired for aquatic recreation in 2008. In the past, severe algae blooms emerged during the summer. Alum binds to phosphorus, locking it up within the upper layer of sediment.

#### Duluth park revamp incorporates stormwater treatment, aids trout



Clean Water Funds supported Lincoln Park revitalization in its namesake neighborhood through bioswales, biofiltration basins, rock-armored culverts and native plantings that treat stormwater before it enters Miller Creek, a designated trout stream. These best management practices will filter, slow and cool previously untreated runoff from the park and the surrounding neighborhood.

#### Kittson SWCD grows soil health program via incentives, outreach



In Minnesota's northwestern-most county, financial incentives available through watershed-based funding and a five-year, industry-backed demonstration have more producers experimenting with cover crops and other soil health practices. Over the past five years, Kittson Soil and Water Conservation District (SWCD) staff members have expanded the district's soil health program, explored creative ways to work with landowners and experimented with outreach.

### **Directed BWSR Clean Water Fund Expenditures**

Additional BWSR clean water programs, as mandated by Minnesota Legislature, provide other key components of the comprehensive statewide clean water framework.

### Local SWCD Capacity

The legislature appropriated \$24 million over the biennium to support SWCDs. This state funding recognizes the role these local governments play in providing conservation service delivery to private landowners. The funding focuses on increasing SWCD capacity to address four resource concern areas: soil erosion, riparian zone management, water storage and treatment, and excess nutrients. Eligible activity categories include staffing, cost-share/incentives, and technology/capital equipment. Aimed at achieving additionality, these funds are intended to fill gaps in local capacity, increase delivery of essential conservation services, and accomplish critical soil and water conservation goals consistent with the following principles:

- Expand the overall level of technical assistance SWCDs provide and build a network of local experts that can implement a diverse suite of land and water conservation practices.
- Increase the amount of existing, targeted, and priority services necessary to address outreach to landowners and assist landowners in meeting land and water regulatory requirements.
- Prioritize future projects by conducting both pre-project planning and post-project evaluations.
- And to improve or develop staff skills for providing specialized services and to better align with resource priorities identified by the District Board.

The results are increased responsiveness of these local governments to their landowners and more conservation on the ground. Whether SWCDs invest in staff or equipment or conservation funding, the capacity dollars allow these local governments — who have the closest connection to landowners — to be more proactive and responsive in meeting their needs.

### LOCAL PERSPECTIVES

Before SWCD capacity funding availability, Jackson SWCD Assistant Director Chris Bauer said the SWCD's federal partners supplied its conservation cost-share and provided technical and engineering services. The SWCD rarely approved the technical plans for implementation contracts with landowners because they didn't have the staffing capacity to do so. - - "SWCD Capacity funds provide a fulltime technician we wouldn't otherwise have. Without it, we wouldn't have put nearly as many projects on the ground," Bauer said. "Our thought about capacity funds' use from the beginning was that we answer to the taxpayers out here, and that it would serve the (Clean Water) Fund better to put projects on the ground."

### **Technical Service Area Funding**

Technical Service Areas (TSAs) are a critical component of the conservation delivery system in Minnesota for conservation on private lands, with the associated benefits to water quality, wildlife habitat, agricultural productivity, and sustainability. TSA staff provide technical assistance to and through member SWCDs, in cooperation with the USDA NRCS, BWSR and other local, state, and federal government units. Through the Accelerated Implementation legislative appropriation, in FY22-23 the TSAs received \$1.9 million to deliver essential engineering and associated technical services for critical soil and water conservation and water quality projects and practices on private lands.

#### Highlighted Project – Lincoln County collaboration



A conservation-minded landowner found a permanent fix for the perennial erosion that robbed his Lincoln County field of topsoil when local, state, and federal partners collaborated on a project too extensive for any one of them to take on alone.

The 120-acre field drained a 150-acre watershed in the hills above the North Branch Yellow Medicine River. After every hard rain, the landowner would repair the gullies and then keep farming the land until the next hard rain.

Lincoln SWCD enlisted the Rock County SWCD-based Southwest Prairie Technical Service Area (TSA) engineer to design a series of six water and sediment control basins in the upland area to slow and temporarily store runoff from 40 acres. A 3,000-foot-long waterway with a diversion at the top treats the remaining 110 acres. A neighbor's cooperation allowed the TSA engineer to design a stable tile outlet that crossed the neighbor's pasture . The alternative would have added about a mile — and more expense — to the route. Estimates show the six basins and the waterway will keep 22 pounds of phosphorus and just over 19 tons of sediment out of the river, and prevent 38.5 tons of soil erosion each year.

### **Technical Training and Certification Program (TTCP)**

Minnesota's future conservation accomplishments and clean water outcomes will depend on the skills and abilities of local experts to help landowners with projects and practices selection, design, and installation. The Technical Training and Certification Program (TTCP) is aimed at growing and enhancing the services provided by

local SWCD and NRCS employees by investing in the necessary and systematic training and credentialing to make that happen.

Conservation Technical Assistance requires statewide, core technical assistance capabilities, as well as capabilities tailored to the local priority resource concerns and conservation practices found in the diverse landscapes of Minnesota. Training and certification are key quality assurance elements of an effective conservation delivery system. BWSR, the Minnesota



Association of Soil and Water Conservation Districts (MASWCD), the Minnesota Association of Conservation District Employees (MACDE), and the USDA Natural Resources Conservation Service (NRCS) have renewed their commitment to providing resources for technical training and certification of local staff to maintain and enhance conservation delivery as laid out in the Technical Training and Certification Strategy.

A major element of the TTCP includes a set of Core Competency modules, which provide the foundational training in soil and water conservation. TTCP also uses an Individual Development Plan (IDP) tool, launched in 2019, for individuals to identify their technical training needs as well as track their training history and credentials. The information from IDPs is used at the local and state level to identify training priorities and develop an annual training plan. These efforts continue to be popular. For example, in 2023, the TTCP provided 55 trainings with 4,757 training attendees through a combination of the Minnesota Core Competency Conservation training (1,844 hours), in virtual training (6,606 hours), and in-person training (7,330 hours). More information about this program can be found at <u>bwsr.state.mn.us/technical-training-and-certification-program</u>.

### Minnesota's Buffer Law Compliance to Date

Buffer implementation remains high statewide thanks to the efforts of landowners, SWCDs and ongoing enforcement work. As of January 2024, approximately 99% of all parcels adjacent to Minnesota waters are compliant with the Buffer Law. SWCDs are reporting encouraging progress in their work with landowners around the state.

In FY22-23, the legislature appropriated \$3.872 million to BWSR to support local governments in their implementation of the buffer law. Funds were available on a non-competitive, formula basis to SWCDs to support their local implementation. Eligible activities include:

- Meeting with county and drainage authorities (county or watershed district) to discuss implementation roles and responsibilities.
- Pass through funding to counties and/or drainage authorities to support local implementation.
- Assistance to collect and provide drainage-systembenefitted area maps, files, and/or GIS files to DNR to support mapping.
- Landowner outreach and information.
- Providing technical and financial assistance to landowners, e.g., seed cost-share, drill loan, etc.
- Purchasing of equipment to support implementation, such as grass drills.
- Providing alternative practice validations, if requested, where the prescribed buffer may not be the best water quality practice for a site.
- Reviewing DNR maps and landowner outreach ٠ prior to finalization.
- Adopting buffer recommendations for waters not mapped by DNR for inclusion in local water management plans.
- Inventorying of baseline conditions.

### **Tillage and Erosion Survey Program**

In FY22-23, the legislature appropriated \$724,000 for the Tillage and Erosion Survey Program. BWSR is working cooperatively with the University of Minnesota Department of Soil, Water and Climate and the Iowa State University Department of Agricultural and Biosystems Engineering to develop a long-term program to systematically collect tillage (crop residue after planting) data and soil erosion estimates to analyze trends in agricultural soil and water management in the 67-county area with greater than 30% of land dedicated to row crop production. The updated methods developed for this project were published on the BWSR website.

This program utilizes remote sensing techniques to collect crop residue and cover crop data in the spring and fall of 2017 through 2023. One of the major accomplishments of this project is the development of the Daily Erosion Project (DEP) for the agricultural regions of Minnesota. This web application predicts average rainfall, water runoff, average soil detachment, and average hillslope soil loss within a sub-watershed. Additional work has started to evaluate how this project can be integrated with other natural resource modeling efforts in Minnesota.



### **Conservation Corps of Minnesota and Iowa**

BWSR is required to contract with the Conservation Corps of Minnesota and Iowa (formerly Minnesota Conservation Corps) or CCMI, for installation and maintenance of conservation practices benefitting water quality. The Board approved reserving \$1,500,000 in FY22 and FY23 Projects and Practices program funds to comply with this requirement. Clean Water Fund allocations provide SWCDs with a trained labor force and equip CCMI crews with skills to build their conservation careers and provide local conservation partners with increased capacity to accomplish clean water outcomes.

### **BWSR Administration of Clean Water Fund Expenditures**

BWSR's goal is to reduce non-point source pollution by providing Clean Water Fund dollars to local government partners for on-the-ground activities and conservation projects. Many of the practices are installed on private lands and will result in improved and protected surface and groundwater. The BWSR board uses existing authorities, polices, and staff, along with the processes outlined previously, to implement Clean Water Fund program activities.

For FY22-23, BWSR received a \$2.5 million direct appropriation for Clean Water Program Oversight and Administration to provide for implementation and administration of Clean Water Fund dollars. Staffing of 51 FTEs (full-time equivalents) in FY22-F23, across all CWF appropriations, includes positions charged with getting protection and TMDL-derived restoration strategies adopted into local water plans, directing over \$130 million of grant and easement funds to priority areas and activities, working with the 1W1P program, assisting with implementation of the buffer and soil loss law, and aligning administrative procedures to optimize leveraging of non-state funds with low transaction costs.

## Appendix A: BWSR Clean Water Fund Competitive Grant Ranking Criteria

Table A-1 Projects and Practices Ranking Criteria	Maximum Points Possible
<u>Project Abstract</u> : The project abstract succinctly describes what results the applicant is trying to achieve and how they intend to achieve those results.	5
Prioritization (Relationship to Plans): The proposal is based on priority protection or restoration actions listed in or derived from the current state approved and locally adopted plan for the project area and is linked to statewide Clean Water Fund priorities and public benefits.	20
Targeting: The proposed project addresses identified critical pollution sources or risks impacting the water resource(s).	25
<u>Measurable Outcomes and Project Impact</u> : The proposed project has a quantifiable reduction in pollution for restoration projects or measurable outputs for protection projects and directly addresses the water quality concern identified in the application.	20
<u>Cost Effectiveness and Feasibility</u> : The application identifies a cost-effective solution to address the non-point pollution concern(s).	15
<u>Project Readiness:</u> The application has a set of specific activities that can be implemented soon after grant award.	15
Total Points Available	100

Table A-2 Projects and Practices Drinking Water Subprogram Ranking Criteria	Maximum Points Possible
<u>Project Abstract</u> : The project abstract succinctly describes what the applicant is trying to achieve and how they intend to achieve those results.	5
Prioritization (Relationship to the Plans): The proposal is based on priority actions listed in an approved local water management plan or a state approved plan (Minnesota Department of Health approved drinking water (source water) protection plan such as a wellhead protection plan, wellhead protection action plan and surface water intake plan.	20
<u>Targeting</u> : The proposed project addresses pollution sources or risks directly impacting drinking water sources. The project is either in an area designated as a Drinking Water Supply Management Area, vulnerable to groundwater contamination, high groundwater sensitivity, or in an area with elevated levels of contamination that pose a risk to human health.	35
<u>Project Impact</u> : The proposed project reduces pollution sources posing the greatest risk to drinking water sources.	30
<u>Project Readiness:</u> The application has a set of specific activities that can be implemented soon after grant award.	10
Total Points Available	100

<u>Table A-3</u> Multipurpose Drainage Management Ranking Criteria (FY23)	Maximum Points Possible
<u>Project Description</u> : The project description succinctly describes the project purpose, the results the applicant is trying to achieve and how they intend to achieve those results.	5
<u>Prioritization</u> : The proposal is based on priority protection or restoration actions associated with a "Priority Chapter 103E Drainage System" (as defined in this RFP) and is consistent with a watershed management plan locally adopted and approved by the state or an approved total maximum daily load study (TMDL), Watershed Restoration and Protection Strategy (WRAPS), Surface Water Intake Plan, or Wellhead Protection Plan.	30
<u>Targeting</u> : The proposed project targets practices or combinations of practices to the identified critical pollution sources or risks impacting the water resource identified in the application.	20
<u>Measurable Outcomes</u> : The proposed project reduction is directly quantifiable and directly addresses the water quality concern.	20
Project Readiness: The proposed project has a set of specific activities that can be implemented soon after grant award.	5
Cost-Effectiveness: The application identifies a cost-effective solution to address the non-point pollution concern(s).	20
Total Points Available	100

<u>Table A-4</u> Soil Health Ranking Criteria	Maximum Points Possible
Prioritization and connection to public water supply:: Has the applicant clearly and concisely identified the specific resource and resource concern(s)? Are these items connected via local plan reference(s).	25
<u>Targeting:</u> Are the proposed activities ones which would efficiently and effectively address Primary pollutant(s) or resource concerns.	25
Measurable Outcomes and Project Impact: Goals/Trends and progress made.	15
<u>New Adoption</u> : How do the applicants define this and what efforts are made to emphasize new adopters?	10
Long-term Adoption: What steps is the applicant taking to support successful adoption and encourage long term adoption of practices by the implementers?	10
Education and Outreach: What specific efforts are proposed to enhance local understanding and knowledge around the practices proposed? What efforts are being made to enhance or expand non-traditional partnerships for these purposes?	10
<u>Local Cost Share Policy</u> : Does the applicant have, or have they described the need for a local cost share policy for implementation of the practices which details the appropriate policies and procedures to implement these practices in an efficient and effective manner.	5
Total Points Available	100

# **Appendix B: Estimated Outcomes for FY22-23 Competitive Grant Awards**

Applicant	Grant Title	Total Phosphorus (Ib/year)	Sediment (tons/year)	Nitrogen (lb/year)
Anoka CD	Sunrise Chain of Lakes Shoreland Stabilizations	4	2.4	
Anoka, City of	Rum River Woodbury House Riverbank Stabilization Project		128	
Bassett Creek WMC	Medley Park Stormwater Treatment Project	17		
Becker SWCD	Top-Down: Buffalo Watershed Accelerated Improvement-Phase II	21083	32712	24322
Becker SWCD	The Future of Farming in Becker County	1338	8257	12855
Beltrami SWCD	Bemidji State University Subsurface Stormwater Water Quality Treatment	58	11.42	
Benton SWCD	2022 Big Elk & Mayhew Lakes Phosphorus Reduction Program	953	399	
Benton SWCD	2023 Drinking Water Protection Initiative	Protection		
Blue Earth County	Targeted Blue Earth County Well Sealing		Protection	
Bois de Sioux WD	Lake Traverse Water Quality Improvement Project Phase 3		2250	
Bois de Sioux WD	Redpath Phase 1 - TCD 35 Water Quality Improvements	65	230	
Bois de Sioux WD	Mustinka River Rehabilitation Project	72	253	
Bois De Sioux Watershed District	WCD Sub-1 Water Quality Retrofit	90	450	
Buffalo-Red River WD	South Branch Buffalo River Watershed Restoration	310	2800	
Capitol Region WD	McMurray Fields Stormwater Treatment and Reuse	55	14.8	
Carnelian-Marine-St. Croix WD	Big Carnelian Lake Stormwater Quality Improvements Phase I	7	3	
Carnelian-Marine-St. Croix WD	Big Marine Lake Stormwater Quality Improvements Phase I	10	0.75	
Carver County WMO	Chaska Creek Remeander Phase 2		2	
Cedar River WD	Dobbins Creek Headwaters Capital Improvement Projects Implementation	63	63	
Chisago SWCD	2023 Continued Implementation of BMPs in the Chisago Lakes Chain of Lakes Watershed	125	80	

Applicant	Grant Title	Total Phosphorus (lb/year)	Sediment (tons/year)	Nitrogen (Ib/year)
Chisago SWCD	2023 Priority BMP Implementation Targeting Lawrence Creek, Dry Creek, and Direct Drainage to the St. Croix River Phase II	140	140	
Clay SWCD	Red River Tributaries Outlet Gully Stabilization Project		1404	
Clearwater River WD	Clear Lake - 2022 Soluable Phosphorus Management	1800		
Comfort Lake- Forest Lake WD	Moody Lake Capstone Projects	45		
Comfort Lake- Forest Lake WD	WJD-6 Wetland Restoration	38		
Comfort Lake- Forest Lake WD	Forest Lake Alum Treatment	527		
Coon Creek WD	Epiphany Creek BIESF	23		
Crow Wing County	Crow Wing County and Pine River watershed well sealing 2022	Protection		
Crow Wing SWCD	City of Brainerd Mississippi River Gully Erosion 250 Tons TSS	250	250	
Dakota County	2023 Dakota County Well Seal Program		Protection	
Dakota SWCD, Dodge SWCD, Fillmore SWCD, Goodhue SWCD, Houston SWCD, Mower SWCD, Olmsted SWCD, Wabasha SWCD, Winona SWCD	Drinking Water Protection in the Karst Region		Protection	
Dakota SWCD	2022 - Dakota County Drinking Water Protection Project Phase 2		7500	
Douglas SWCD	Lake Ida HUC 12 AIG Projects Phase II	343	361	
Goodhue SWCD	Goodhue DWSMA-Nitrate Protection Initiative			16000
Hawk Creek Watershed Project	Restoring the Fort Ridgely Creek Subwatershed	380	280	
Isanti SWCD	Blue Lake Priority Action Plan Phase II	590		
Jackson County	Loon Lake Improvement - Jackson County Judicial Ditch 8	320	513	
Le Sueur County	City of Le Center Municipal Well Sealing		Protection	

Applicant	Grant Title	Total Phosphorus (lb/year)	Sediment (tons/year)	Nitrogen (Ib/year)
Lyon County	Judicial Ditch 15 BMPs	73.59	64.08	
Martin County	Fairmont Chain of Lakes-Nutrient Treatment Train	463	29	12827
McLeod SWCD	McLeod County Drainage Ditch 11 Conservation Implementation Phase 2	131	127	91
Middle Fork Crow River WD	Restoration of Middle Fork Crow River / CD47	160	797	
Mille Lacs SWCD	Central Mille Lacs County targeted well sealing	Protection		
Morrison SWCD	Vulnerable Non-Community Public Water Supply Protection In Mississippi Outwash Plains Using Cover Crops	Protection		
Okabena-Ocheda WD	Crailsheim Water Quality Improvement Pond	327	117.23	
Olmsted County, Wabasha County, Winona County	Whitewater Well Sealing Grant	Protection		
Pelican River WD	Rice Lake Wetland Restoration Project Construction- Phase 2	600		
Pennington SWCD	Chief's Coulee Stormwater Project	126	16.5	
Pine SWCD	Island Lake Water Quality Protection	18	53	
Pioneer-Sarah Creek WMC	Whaletail Lake-South Basin Alum Treatment	180		
Plymouth, City of	Pike Creek Stabilization	20	23.5	
Pope SWCD	2023 Lake Emily Watershed BMP Targeted Implementation Phase IV	880	1027	
Ramsey County	2022 Ramsey County Well Sealing Program	Protection		
Red Lake SWCD	2022 Hill River Subwatershed Water Quality Agricultural Practices		1,781	
Red Lake SWCD	2022 Red Lake County Multipurpose Drainage Management Grant		397	
Red Lake SWCD	2023 Lower Clearwater Planning Region Water Quality Improvement Projects	84	318	
Redwood- Cottonwood Rivers Control Area	Pell Creek Turbidity Reduction Project		300	
Renville SWCD	Improving Water Quality for Beaver Creek	118.47	103.02	
Roseau River WD	Roseau River Water Quality Project		62	
Sand Hill River WD	Project 17 Outlet Stabilization	2176	2462	

Applicant	Grant Title	Total Phosphorus (lb/year)	Sediment (tons/year)	Nitrogen (Ib/year)
Shingle Creek WMC	Palmer Creek Stream Stabilization	18	45	
Stearns SWCD	Priority E. coli Reduction in Mississippi River- Sartell	210		
Swift SWCD	Using Soil Health to Protect Drinking Water in Two Rural Minnesota Communities		411.5	
Vermillion River Watershed JPO	FY22 CWF North Creek Foxborough Park TSS Reduction Project	32	18	
Vermillion River Watershed JPO	FY22 CWF Ravenna Trail Ravine Stabilization	78	130	
Vermillion River Watershed JPO	FY23 CWF East Lake Rough Fish Barrier Project	23		
Wabasha SWCD	2023 West Indian Creek Watershed Restoration and Protection		262.07	11200.5
Washington Conservation District	Perro Creek Stormwater Retrofits	8	2	
Winona County	Altura Well Sealing	Protection		
Wright County	2022 Wright County WASCOBs on Joint Ditch #15	157	98.87	
Wright SWCD	2023 - Twelve Mile Creek Conservation Practice Implementation	584	2898	