



MAY						
S	M	T	W	T	F	S
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

# RCWD BOARD OF MANAGERS WORKSHOP

Monday, May 11, 2026, 9:00 a.m.

Rice Creek Watershed District Conference Room  
 4325 Pheasant Ridge Drive NE, Suite 611, Blaine, Minnesota  
 Virtual Monitoring via Zoom Webinar

Join Zoom Webinar:  
<https://us06web.zoom.us/j/84137454567?pwd=JVUoal5cscbX0WQxMcFaeQtFLrkdYY.1>  
 Passcode: 681193  
 +1 312 626 6799 US (Chicago)  
 Webinar ID: 841 3745 4567  
 Passcode: 681193

## Agenda

### ITEMS FOR DISCUSSION

- RCWD Investments Update
- Regulatory Program Annual Review and Forecast
- 2026 MN Watersheds Resolutions

Administrator Updates (If Any)

## **RCWD Investments Update**

- Corey Boyer of PTMA Financial Solutions will discuss RCWD investments with the Board

# **Regulatory Program Annual Review and Forecast**



# MEMORANDUM

## Rice Creek Watershed District

---

**Date:** May 4<sup>th</sup>, 2026  
**To:** RCWD Board of Managers  
**From:** Patrick Hughes, Regulatory Manager  
**Subject:** Regulatory Program Annual Review and Forecast

---

### Introduction

Staff will present a review of the regulatory program accomplishments in the past year, trends in permit activity, and the forecasted goals and budget needs for 2027.

### Background

The mission of the Rice Creek Watershed District is to manage, protect, and improve the water resources of the District through flood control and water quality projects and programs. The purpose of the regulatory program is to implement the rules of the District and ensure the implementation adequately protects RCWD resources while providing enough flexibility that the program does not unreasonably hinder land use. Regulation is one of the three primary tools of the District in water resources management.

Staff continuously work to implement a more efficient and effective regulatory program. In recent years, we have strived to increase communication between applicants and our partners, improved our internal databases and practices, and continued to explore ways to modify the rules.

Staff forecast a similar regulatory budget for 2027 with no rule revision or other unique regulatory project expected for the calendar year.

# 2026 MN Watersheds Resolutions

# MEMORANDUM

## Rice Creek Watershed District



**Date:** May 5th, 2026  
**To:** RCWD Board of Managers  
**From:** Kendra Sommerfeld, Communications/Outreach Manager  
**Subject:** 2026 MN Watersheds Resolutions

---

### **Introduction**

Minnesota Watersheds is requesting that member organizations submit proposed resolutions for consideration as part of its annual policy development process. These resolutions are used to establish future legislative priorities and organizational positions.

### **Background**

The Request for Resolutions packet outlines the process, requirements, and timeline for submitting resolutions. Members are asked to develop, discuss, and approve proposed resolutions within their organizations before submitting them by the stated deadline. Submissions must include required background information, including the issue being addressed, prior efforts, and the proposed solution.

The packet also includes existing active resolutions and previously adopted policies to inform members. These materials are provided as reference only and may guide the development of new proposals and avoid duplications.

Submitted resolutions will be reviewed by the MN Watersheds Legislative Committee, which may combine similar proposals, request additional information, or determine whether a resolution is already addressed through existing policy. Final consideration and voting occur at the Annual Meeting on Resolutions and Petitions.

### **Request for Board Consensus**

The Board is asked to:

- Consider whether to submit a new resolution for Minnesota Watersheds' consideration.
- Potential resolution: State agency 60-day review
- Use the provided packet of active and past resolutions as reference material to inform potential proposals.

# MEMORANDUM



DATE: April 1, 2026  
TO: Minnesota Watersheds Members  
FROM: Don Pereira and Michelle Overholser, Resolutions Committee Co-Chairs  
RE: **2026 REQUEST FOR RESOLUTIONS**

---

It is the time of year for Minnesota Watersheds members to submit their policy recommendations through our resolutions process. This is YOUR organization and policy statements start with YOU! Here are the next steps and timeline:

- April / May** Members write, discuss, and approve resolutions at your WD/WMO meetings. As you are aware, a well-written, well-researched, concise resolution will fare better in the review process.
- June 1** Administrators submit resolutions and background information documents to Jan Voit, Executive Director at [jvoit@mnwatersheds.com](mailto:jvoit@mnwatersheds.com) by **June 2**. The submitted resolutions will be compiled and distributed to members as soon as possible.  
**NOTE: If all the requested information is not included, the resolution will NOT be accepted.**
- June 12** Deadline for members to submit comments during the 10-day early review of resolutions.  
  
The Legislative Committee will review the resolutions, gather more information, or ask for further clarification when deemed necessary; work with the submitting watersheds to combine similar resolutions; reject resolutions already active; and discuss and make recommendations to the membership on the passage of resolutions.
- July 1** Resolutions (with committee feedback) will be emailed to each Minnesota Watersheds member organization by **July 1**.  
**NOTE: If possible, please hold a regional meeting to discuss the resolutions BEFORE the Annual Meeting on Resolutions and Petitions.**
- July** Members should discuss the resolutions at their July meeting(s) and decide who will be voting on their behalf at the Annual Meeting on Resolutions and Petitions (2 voting members and 1 alternate are to be designated by watershed organization)
- August 31** Delegates discuss and vote on resolutions at the **Annual Meeting on Resolutions and Petitions** hearing. Please be prepared to present and defend your resolution.
- October** The Legislative Committee will review existing and new resolutions and make a recommendation to the Minnesota Watersheds members for the 2026 legislative priorities.
- December** Minnesota Watersheds membership will vote on legislative priorities at the Annual Business Meeting. The Board of Directors will finalize the 2026 legislative platform.

NOTE: Resolutions passed by the membership will remain Minnesota Watersheds policy for five years after which they will sunset. If a member wishes to keep the resolution active, it must be resubmitted and passed again by the membership. Included with this memorandum are the **active resolutions** and **those that will sunset on 12/31/26**. Also included is the **Legislative Platform** that was adopted in 2025. If you have questions, Please feel free to contact co-chairs at [dpereira@vbwd.org](mailto:dpereira@vbwd.org) or 651-968-9788, [michelle.overholser@ymrwd.com](mailto:michelle.overholser@ymrwd.com) or 320-226-8223, or our executive director at [jvoit@mnwatersheds.com](mailto:jvoit@mnwatersheds.com) or 507-822-0921.

**THANK YOU FOR YOUR EFFORTS IN OUR POLICY DEVELOPMENT!**

# Background Information

## 2026 Minnesota Watersheds Resolution

---

Proposing Watershed: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Resolution Title: \_\_\_\_\_

**Background that led to the submission of this resolution:**

Describe the problem you wish to solve, provide background information to understand the factors that led to the issue, and explain why the issue is important now. If relevant, attach statutory or regulatory documents.

**Efforts to solve the problem:**

Document the efforts you have taken to try to solve the issue. For example: have you spoken to state agency staff, legislators, county commissioners, etc.? If so, what was their response?

**Is legislative action the best means of addressing the matter? If yes, what is the purpose or intent of your proposal? If not, what advocacy steps could be taken with state or local government officials?**

Describe potential solutions for the problem. Provide references to statutes or rules if applicable.

**Anticipated support or opposition:**

Who would be willing to partner with your watershed or Minnesota Watersheds on the issue? Who may be opposed to our efforts? (Ex. other local units of government, special interest groups, political parties, etc.)?

**This issue: (check all that apply)**

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

# Minnesota Watersheds

## 2025 Resolutions Hearings Results



### **Resolutions Adopted at the Annual Meeting on Resolutions and Petitions**

#### **Resolution #1 Supporting a Legislative Amendment to Expand the Wetland Conservation Act Exemption of Public Drainage System Repairs – Passed**

- Minnesota Watersheds supports the introduction of new legislation to amend Minnesota Statutes 103G.2241 and MN Rule 8420.0420 to expand the WCA exemption to include all public drainage system repairs and commits its staff to further discussion through the Drainage Work Group in 2025 to promote passage of such legislation in upcoming sessions.

#### **Resolution #2 Seeking Revision to MN Statute 383B.79 to Include Watershed Management Organizations – Passed**

- Minnesota Watersheds seeks a revision to Minnesota Statutes, section 383B.79, Subd. 1 to explicitly include “joint powers watershed management organizations entirely or partially located in Hennepin County” to the list of political subdivisions that can participate in the county’s multijurisdictional reinvestment programs.

#### **Resolution #3 Seeking Legislative Reform to Increase MDNR and MPCA Permit Efficiency and Define Permit Application Completeness – Passed**

- Minnesota Watersheds shall pursue legislation to amend Minnesota Statutes 15.99, 84.027, and 116.03 to:
  - separate permit completeness review from compliance standards review so that statutory deadlines for permit decisions are meaningfully triggered.
  - require MDNR and MPCA to develop and publish a list of practical, reasonable information and criteria that constitutes a complete permit application.
  - mandate that, once submitted by the applicant, the application is deemed complete and allows review timelines to begin.
  - require MDNR and MPCA to notify an applicant in writing, within 30 days of receiving a permit application, whether the application is complete or incomplete. If the agency determines the application is incomplete, specific provisions of applicable rules and statutes must be cited, an explanation of what additional information is needed must be provided, and the agency must advise the applicant how the deficiencies can be remedied. If action on the permit application is not completed within 150 days, the permit is deemed to be granted.

And that:

- the Board of Water and Soil Resources establish a formal process to distribute, on an annual basis, an accurate and complete list identifying Calcareous Fens to all watershed districts, watershed management organizations, and soil and water conservation districts.
- pre-application meetings shall be required upon request by a qualified local agency with a project identified in state-approved plans, Watershed Restoration and Protection Strategies, or other recognized water quality studies. Such meetings shall be scheduled within four weeks of the request.
- local agencies requesting such meetings must provide 10% - 20% design-level plans with sufficient specificity to identify natural resource concerns and constraints.
- failure of either MDNR or MPCA to attend a requested pre-application meeting shall be construed as satisfaction of relevant permitting standards, allowing the project to proceed toward final design and permitting.

## **Resolutions Adopted at the Annual Business Meeting**

### **Resolution #4 Seeking Revision to MS 471.617 to Include Watershed Districts and Watershed Management Organizations - Passed**

- Minnesota Watersheds seeks revision to Minnesota Statute 471.617, Subdivisions 1 and 2 to explicitly include “Watershed Districts and Watershed Management Organizations” on the list of political subdivisions allowed to self-insure for employee health benefits.

### **Resolution #5 Improving Mitigation Under the Minnesota Endangered Species Act – Passed**

- Minnesota Watersheds should pursue legislation that addresses the need to improve threatened and endangered species mitigation by addressing past gaps and future challenges arising from approved water quality restoration projects, and
  - that Minnesota Statute 84.0895 should be amended to require the Commissioner of Natural Resources to develop and implement recovery plans for the conservation and survival of state listed endangered and threatened species, and
  - that the Commissioner shall cooperate to the maximum extent practicable with local land and water management authorities. Such cooperation in implementing the endangered species act shall allow the Commissioner to:
    - Enter into management agreements with any local land managing unit of government for the administration and management of an area established for the conservation of endangered or threatened species.
    - Enter into cooperative agreements which establishes and maintains an adequate and active program for the conservation of endangered and threatened species.
    - Conduct periodic review of locally administered programs at no greater frequency than annual intervals.
  - that Minnesota Statutes 84.0895 Subd 7, which outlines general exceptions, should be amended by adding (f) the commissioner must give approval under this subdivision to water management projects that are part of a state approved:
    - Comprehensive Watershed Management Plans and capital improvement plans under MS 103B or MS 103D;
    - Watershed Restoration and Protection Strategies (WRAPS);
    - Load reduction studies,
    - Impairment monitoring and other studies, particularly studies involving impairments for fish and aquatic life.
- that Minnesota Statutes 84.0895 should be amended to provide for “conservation banking” defined by a site or suite of sites that provide the ecological functions and services expressed as credits that are conserved and managed in perpetuity for a species and used expressly to offset impacts occurring elsewhere to the same species.

### **Resolution #6 Supporting a Legislative Amendment to Clarify the Deadline for Watershed Districts to Certify Levies – Passed**

- Minnesota Watersheds supports the introduction of legislation to amend Minnesota Statutes §§103D.911 and 103D.915 to specify a levy certification deadline of September 30.

# Active Minnesota Watersheds Resolutions

December 5, 2025



## FINANCE

### Capacity

#### 2025-02: Seeking Revision to MN Statute 383B.79 to Include Watershed Management Organizations

Minnesota Watersheds seeks a revision to Minnesota Statutes, Section 383B.79, Subd. 1 to explicitly include “joint powers watershed management organizations entirely or partially located in Hennepin County” to the list of political subdivisions that can participate in the county’s multijurisdictional reinvestment programs.

## URBAN STORMWATER

### Stormwater Quality Treatment

#### 2022-02 Limited Liability for Certified Commercial Salt Applicators

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

### Water Reuse

#### 2022-01 Creation of a Stormwater Reuse Task Force

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

## WATER QUANTITY

### Drainage

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

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

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

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

### **2025-01: Supporting a Legislative Amendment to Expand the Wetland Conservation Act Exemption of Public Drainage System Repairs**

Minnesota Watersheds supports the introduction of new legislation to amend Minnesota Statutes 103G.2241 and MN Rule 8420.0420 to expand the WCA exemption to include all public drainage system repairs and commits its staff to further discussion through the Drainage Work Group in 2025 to promote passage of such legislation in upcoming sessions.

## **Funding**

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

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

## **Flood Control**

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

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

## **Policy**

### **2024-04: Seeking the Ability to Allow Resale of Acquisition Buyout Property**

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

---

## **WATER QUALITY**

---

## **Lakes**

### **2022-06: Limit Wake Boat Activities**

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

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

## **Policy**

### **2024-01: Regulatory Approaches to Reducing Chloride Contamination**

Minnesota Watersheds supports development, adoption, and implementation of regulatory approaches to reducing chloride contamination in waters of the state.

---

## WATERSHED MANAGEMENT AND OPERATIONS

---

### Duties

#### 2025-06: Support a Legislative Amendment to Clarify the Deadline for Watershed Districts to Certify Levies

Minnesota Watersheds supports the introduction of legislation to amend Minnesota Statutes §§103D.911 and 103D.915 to specify a levy certification deadline of September 30.

#### 2023-05: Support Increased Flexibility in Open Meeting Law

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

#### 2024-02: Alternative Notice of Watershed District Proceedings by Publication on the District's website

Minnesota Watersheds supports amending Watershed Law to provide for publication on a watershed district's website as an alternative to publication in a legal newspaper.

### Watershed Planning

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

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

### Human Resources

#### 2025-04 Revision to Minnesota Statute 471.617 to Include Watershed Districts and Watershed Management Organizations

Minnesota Watersheds seeks revision to Minnesota Statute 471.617, Subdivisions 1 and 2 to explicitly include "Watershed Districts and Watershed Management Organizations" on the list of political subdivisions allowed to self-insure for employee health benefits.

---

## AGENCY RELATIONS

---

### Regulation

#### 2023-01 Require Watershed District Permits for all State Agencies

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

#### 2024-13 Request New Legislation to Set Permit Review Time Limits upon the DNR

Minnesota Watersheds supports amending Minnesota Statutes to implement a 60-day permit review limit following a negative declaration on an EAW.

#### 2025-03 Seeking Legislative Reform to Increase MDNR and MPCA Permit Efficiency and Define Permit Application Completeness

Minnesota Watersheds shall pursue legislation to amend Minnesota Statutes 15.99, 84.027, and 116.03 to:

- Separate permit completeness review from compliance standards review so that statutory deadlines for permit decisions are meaningfully triggered.
  - Require MDNR and MPCA to develop and publish a list of practical, reasonable information and criteria that constitutes a complete permit application.
-

- Mandate that, once submitted by the applicant, the application is deemed complete and allows review timelines to begin.
- Require MDNR and MPCA to notify an applicant in writing, within 30 days of receiving a permit application, whether the application is complete or incomplete. If the agency determines the application is incomplete, specific provisions of applicable rules and statutes must be cited, an explanation of what additional information is needed must be provided, and the agency must advise the applicant how the deficiencies can be remedied. If action on the permit application is not completed within 150 days, the permit is deemed to be granted; and that
- The Board of Water and Soil Resources establish a formal process to distribute, on an annual basis, an accurate and complete list identifying Calcareous Fens to all watershed districts, watershed management organizations, and soil and water conservation districts.
- Pre-application meetings shall be required upon request by a qualified local agency with a project identified in state-approved plans, Watershed Restoration and Protection Strategies, or other recognized water quality studies. Such meetings shall be scheduled within four weeks of the request.
- Local agencies requesting such meetings must provide 10% - 20% design-level plans with sufficient specificity to identify natural resource concerns and constraints.
- Failure of either MDNR or MPCA to attend a requested pre-application meeting shall be construed as satisfaction of relevant permitting standards, allowing the project to proceed toward final design and permitting.

### **2025-05 Improving Mitigation Under the Minnesota Endangered Species Act**

Minnesota Watersheds should pursue legislation that addresses the need to improve threatened and endangered species mitigation by addressing past gaps and future challenges arising from approved water quality restoration projects, and

- that Minnesota Statute 84.0895 should be amended to require the Commissioner of Natural Resources to develop and implement recovery plans for the conservation and survival of state listed endangered and threatened species, and
- the Commissioner shall cooperate to the maximum extent practicable with local land and water management authorities. Such cooperation in implementing the endangered species act shall allow the Commissioner to:
  - Enter into management agreements with any local land managing unit of government for the administration and management of an area established for the conservation of endangered or threatened species.
  - Enter into cooperative agreements which establishes and maintains an adequate and active program for the conservation of endangered and threatened species.
  - Conduct periodic review of locally administered programs at no greater frequency than annual intervals.
- Minnesota Statutes 84.0895 Subd 7, which outlines general exceptions, should be amended by adding (f) the commissioner must give approval under this subdivision to water management projects that are part of a state approved:
  - Comprehensive Watershed Management Plans and capital improvement plans under MS 103B or MS 103D;
  - Watershed Restoration and Protection Strategies (WRAPS);
  - Load reduction studies,
  - Impairment monitoring and other studies, particularly studies involving impairments for fish and aquatic life.
- Minnesota Statutes 84.0895 should be amended to provide for “conservation banking” defined by a site or suite of sites that provide the ecological functions and services expressed as credits that are conserved and managed in perpetuity for a species and used expressly to offset impacts occurring elsewhere to the same species.

---

## REGULATIONS

---

### **2024-03: Provide for Watershed Management Organization Representation on Wetland Technical Evaluation Panels**

Minnesota Watersheds supports amendment of Minnesota Statutes 103G.2242, subdivision 2 to include a watershed management organization representative on TEPs that are convened in cases where the organization is not the WCA LGU.

---

## NATURAL RESOURCES

---

### **Policy**

#### **2024-5: Seeking the DNR to Establish a “Comprehensive Guideline for Calcareous Fen Management”**

Minnesota Watersheds supports DNR establishing a “Comprehensive Guideline for Calcareous Fen Management” as a tool for project proposers to analyze a project’s feasibility or cost effectiveness.

#### **2024-7: Seeking the DNR to Adopt a Program to Incentivize Calcareous Fen Management on Private Lands**

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

#### **2024-10: Seeking a Formal Process to Distribute a Complete List of Calcareous Fens Annually**

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

#### **2024-12: Seeking the Development of a Calcareous Fen Work Group**

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

## Resolutions to Sunset

Effective December 31, 2026

---

---

All resolutions cease to be active at the end of the fifth year following the resolution’s adoption.

#### **2021-01A: Support SWCD Capacity Fund Sources**

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

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

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

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

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

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

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

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

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



# MINNESOTA WATERSHEDS

*Connecting People. Protecting Water.*

## 2025-2026 LEGISLATIVE PLATFORM

### Abstract

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

Adopted December 5, 2025

## Contents

Purpose .....	3
Emerging Issues.....	3
Finance .....	3
1. Capacity.....	3
2. Grant Funding .....	4
Urban Stormwater .....	4
1. Stormwater Quality Treatment .....	4
2. Water Reuse .....	4
Water Quantity .....	4
1. Drainage .....	5
2. Funding .....	5
3. Flood Control .....	5
4. Regulation .....	5
5. Policy .....	6
Water Quality .....	6
1. Lakes.....	6
2. Wetlands .....	6
3. Rivers and Streams.....	6
4. Policy .....	6
Watershed Management and Operations .....	6
1. Watershed Powers .....	7
2. Watershed Duties.....	7
3. Watershed Planning.....	7
4. Human Resources .....	7
Agency Relations .....	7
1. Advocacy .....	7
2. Representation.....	8
3. Regulation .....	8
Regulations.....	8
Natural Resources .....	8
1. Planning .....	8
2. Policy .....	8

3. Habitat .....	9
Results .....	9
Water Quantity.....	9
Drainage (2024).....	9
Watershed Management and Operations .....	9
Watershed Duties (2025) .....	9
Watershed Planning (2024).....	10

## Purpose

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

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

When a resolution sunsets at the end of five years, it is removed from our Active Resolutions but remains as a policy in the Legislative Platform.

## Emerging Issues

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

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

## Finance

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

### 1. Capacity

- a. Support Clean Water Funds for implementation, not capacity (Resolution 2021-01A and B)
- b. Support capacity funding for watershed districts (Resolution 2021-02)
- c. Seek Revision to MN Statute 383B.79 to Include Watershed Management Organizations (Resolution 2025-02)
- d. Support General Fund repayment of Soil and Water Conservation District capacity funds to the Clean Water Fund

## 2. Grant Funding

- a. Support metro watershed-based implementation funding for approved 103B plans only (Resolution 2021-07)
- b. Support a more equitable formula for watershed-based implementation funding in the metro
- c. Lobby for watershed-specific grant funding
- d. Lobby for the flood hazard mitigation grant program

## Urban Stormwater

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

### 1. Stormwater Quality Treatment

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

### 2. Water Reuse

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

## Water Quantity

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

## 1. Drainage

- a. Support the current statutory requirements for notification and coordination in the development of petitioned repairs, drainage improvement projects, and new drainage systems
- b. Support the addition of a classification for public drainage systems that are artificial watercourses
- c. Seek increased support for and participation in the Drainage Work Group (Resolution 2022-03)
- d. Oppose the drainage registry information portal
- e. Oppose incorporating increased environmental, land use, and multipurpose water management criteria (M.S. 103E.015 requirements)
- f. Support new legislation modeled after HF2687 and SF2419 (2018) regarding Department of Natural Resources regulatory authority over public drainage maintenance and repairs (Resolution 2023-03)
- g. Support a Legislative Amendment to Expand the Wetland Conservation Act Exemption of Public Drainage System Reports (Resolution 2025-01)
- h. Oppose mandatory Environmental Assessment Worksheets for drainage projects
- i. Investigate ways of maintaining water flow during periods of drought and explore opportunities for aquifer recharge
- j. Support increased state funding for planning and implementation of multipurpose drainage projects
- k. Oppose state rulemaking to regulate agricultural drainage
- l. Clarify that MPCA and DNR coordinate their activities, wherever appropriate, with the activities of watershed organizations and give deference to local government units implementing approved watershed management plans, comprehensive watershed management plans adopted under section 103B.801, total maximum daily load studies, and watershed restoration and protection strategies

## 2. Funding

- a. Obtain stable funding for flood damage reduction and natural resources enhancement projects (Resolution 2022-05)
- b. Clarify county financing obligations and/or authorize watershed district general obligation bonding for public drainage projects

## 3. Flood Control

- a. Support crop insurance to include crop losses within impoundment areas (Resolution 2021-05)
- b. Seek action for streamlining the Department of Natural Resources Flood Hazard Mitigation Grant Program (Resolution 2023-04)

## 4. Regulation

- a. Support temporary water storage on Department of Natural Resources wetlands during major flood events
- b. Support managing water flows in the Minnesota River Basin (statewide) through increased water storage and other strategies and practices

- c. Work with Minnesota Department of Transportation to support flood control and how to handle increased water volume issues along state and federal highway systems (example from Bemidji district of the Minnesota Department of Transportation)

## 5. Policy

- a. Support funding for watershed-based climate resiliency projects and studies
- b. Support funding for best management practices that protect and enhance groundwater supply
- c. Seek the ability to allow resale of acquisition buyout property (Resolution 2024-04)

## Water Quality

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

### 1. Lakes

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

### 2. Wetlands

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

### 3. Rivers and Streams

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

### 4. Policy

- a. Support funding for watershed-based climate resiliency projects and studies
- b. Support funding for best management practices that protect groundwater quality
- c. Support development, adoption, and implementation of regulatory approaches to reducing chloride contamination in waters of the state (Resolution 2024-01)

## Watershed Management and Operations

Protecting, enhancing, defending, and supporting existing Watershed statutory powers, duties, and planning responsibilities is necessary for effective and efficient watershed management and operations.

Specific Watershed powers, duties, and planning responsibilities are contained in Minnesota Statutes [Chapter 103B](#) and [Chapter 103D](#).

### 1. Watershed Powers

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

### 2. Watershed Duties

- a. Support a Watershed's duty to initiate projects
- b. Support a Watershed's duty to maintain and operate existing projects
- c. Allow alternative notice of watershed district proceedings by publication on the district's website (Resolution 2024-02)
- d. Support a Legislative Amendment to Clarify the Deadline for Watershed Districts to Certify Levies (Resolution 2025-06)

### 3. Watershed Planning

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

### 4. Human Resources

- a. Seek revision to Minnesota Statute 471.617 to Include Watershed Districts and Watershed Management Organizations (Resolution 2025-04)

## Agency Relations

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

### 1. Advocacy

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

## 2. Representation

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

## 3. Regulation

- a. Streamline the Department of Natural Resources permitting process by increasing responsiveness, decreasing the amount of time it takes to approve permits, providing a detailed fee schedule prior to application, and conducting water level management practices that result in their reaction more quickly to serious, changing climate conditions
- b. Require watershed district permits for all state agencies (Resolution 2023-01)
- c. Oppose mandatory Environmental Assessment Worksheets for drainage projects
- d. Request support to request new legislation to set permit review time limits upon the Department of Natural Resources (Resolution 2024-13)
- e. Seek Legislative Reform to Increase MDNR and MPCA Permit Efficiency and Define Permit Application Completeness (Resolution 2025-03)
- f. Improve Mitigation Under the Minnesota Endangered Species Act (Resolution 2025-05)

## Regulations

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

- a. Oppose legislation that forces spending on political boundaries
- b. Support the ability to appeal public water designations
- c. Seek Watershed membership on Wetland Technical Evaluation Panels (Resolution 2024-03)

## Natural Resources

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

### 1. Planning

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

### 2. Policy

- a. Support funding for climate resiliency
- b. Seek clarification in the statutory language regarding funding for and updating the public waters inventory ([Minnesota Laws 2024, Chapter 116, Article 3, section 47](#))
- c. Seek the Department of Natural Resources to establish a "Comprehensive Guideline for Calcareous Fen Management" (Resolution 2024-05)

- d. Seek the Department of Natural Resources to adopt a program to incentivize calcareous fen management on private lands (Resolution 2024-07)
- e. Seek a formal process to distribute a complete list of calcareous fens annually (Resolution 2024-10)
- f. Seek the development of a calcareous fen work group (Resolution 2024-12)

### 3. Habitat

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

## Results

This section will document when an issue is resolved.

### Water Quantity

#### Drainage (2024)

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

### Watershed Management and Operations

#### Watershed Duties (2025)

- Support increased flexibility in the open meeting law
  - During the 2025 legislative session, the Open Meeting Law was amended to remove some of the requirements for remote meeting participation using interactive technology. Watershed boards and other local government bodies may conduct their meetings using interactive technology so long as:
    - all members of the body participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;
    - members of the public present at the regular meeting location of the body can hear and see all discussion and testimony and all votes of members of the body;
    - at least one member of the body is physically present at the regular meeting location; and
    - all votes are conducted by roll call so each member's vote on each issue can be identified and recorded.

## Watershed Planning (2024)

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