

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of the review of the Comprehensive Watershed Management Plan for the Rum River Watershed, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801.

**APPROVING
COMPREHENSIVE
WATERSHED
MANAGEMENT PLAN**

ORDER

Whereas the Policy Committee of the Rum River Watershed Partnership submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on March 11, 2022 pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Decision #18-14, and;

Whereas the Board has completed its review of the Plan.

Now Therefore the Board hereby makes the following Findings of Fact, Conclusions, and Order:

FINDINGS OF FACT

- 1. Partnership Establishment.** The Rum River Watershed Partnership was established on March 28, 2019 through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Aitkin County, Aitkin SWCD, Anoka Conservation District, Benton County, Benton SWCD, Crow Wing County, Crow Wing SWCD, Isanti County, Isanti SWCD, Kanabec County, Kanabec SWCD, Mille Lacs County, Mille Lacs SWCD, Morrison County, Morrison SWCD, Sherburne County, Sherburne SWCD, Lower Rum River WMO, and Upper Rum River WMO. The Mille Lacs Band of the Ojibwe participated in the advisory committee but did not sign the MOA as a member of the Policy Committee.
- 2. Authority to Plan.** Minnesota Statutes, Sections 103B.101, Subdivision 14 allows the Board to adopt resolutions, policies or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan. Minnesota Statutes, Sections 103B.801 established the Comprehensive Watershed Management Planning Program; also known as One Watershed, One Plan. On March 28, 2018, through Board Decision #18-14, the Board adopted Version 2.0 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- 3. Nature of the Watershed.** The Rum River Watershed planning area is in east central Minnesota, encompassing portions of Aitkin, Crow Wing, Mille Lacs, Morrison, Kanabec, Benton, Isanti, Sherburne, and Anoka Counties. The Mille Lacs Band of the Ojibwe Reservation lies in the region south of Mille Lacs Lake. The 1,584 square miles of this watershed features the Rum River which flows from Mille Lacs Lake in the north and to the Mississippi River in the City of Anoka. As the River meanders through the watershed, it passes through a diverse landscape ranging from forests to agricultural areas to high density urban areas.
- 4. Plan Development.** The Plan was developed as a single, concise, coordinated approach to watershed management. The Plan consolidates policies, programs, and implementation strategies from existing data, studies, and plans, and incorporates input from multiple planning partners and stakeholders to provide a single

plan for management of the watershed. The Plan focuses on prioritized, targeted, and measurable implementation efforts and lays out specific actions to provide outreach and education, protect and restore surface and groundwater water quality, upland and aquatic habitat, and manage surface water quantity and invasive species in the watershed.

5. **Plan Review.** On March 11, 2022, the Board received the Plan, a record of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Board Decision #18-14. State agency representatives attended and provided input at advisory committee meetings during development of the Plan. The following state review comments were received during the comment period.

- A. Minnesota Department of Agriculture: was pleased with the overall process of developing the Plan. Note that responses to MDA's 60-day comments were only recently provided due to an unintentional staff error. MDA recognized that their 60-day comments were minor so has no objection for the Plan to move forward.
- B. Minnesota Department of Health: thanks the partnership for the opportunity to assist in the planning process and is excited to work with the partnership during implementation. MDH acknowledges that the Partnership is committed to protecting groundwater in the Rum River Watershed and feels that they have clearly addressed their comments. The agency encourages the partnership to use MDH as a technical resource and to make use of agency grants such as the Accelerated Implementation Grant and the Drinking Water subgrant to achieve plan goals.
- C. Minnesota Department of Natural Resources: recommends approval of the Draft Rum River Comprehensive Watershed Management Plan. They appreciated the opportunity to be part of the planning process and recognize the efforts of all those involved. However, the DNR is disappointed with the recent addition of language specific to the "Note: Dams" in Appendix C, pg. C14 of the plan, as it is misleading and open to interpretation. Before the plan is finalized, they request the following clarifying language be added to Appendix C, pC14:

"The Minnesota Department of Natural Resources acknowledges the ownership of the Anoka Dam by the City of Anoka, and the importance of the dam to the community as well as their rights and responsibilities. The Minnesota DNR retains our regulatory jurisdiction and authority with respect to dams and public waters as laid out in existing rule and statute. We support a spirit of collaboration, fostering partnerships with local entities, and working together toward the protection and improvement of watershed resources. In addition, we will continue in our role to study, comment, and make recommendations for the management of our natural resources, including the Anoka Dam."

The DNR regrets the manner and the timing of the requested changes, though the inclusion of these changes will help clarify their role and intent as a state agency. They thanked the Partnership for including DNR in this collaborative effort to develop a comprehensive watershed management plan and appreciated the consideration of their request to include these comments in the Plan. DNR looks forward to continuing their participation and support in implementing the Plan.

- D. Minnesota Pollution Control Agency: reviewed the draft Plan and appreciates the opportunity to participate and provide input throughout the 1W1P development process. MPCA states that the Plan is very well written, concise, and thorough and recommend it for approval.
- E. Minnesota Environmental Quality Board did not provide comments.
- F. Minnesota Board of Water and Soil Resources: During the 60-day review period BWSR staff submitted a total of 41 comments. Staff comments ranged from simple editorial comments and clarification on some of the technical aspects, to requesting changes to the Plan to ensure consistency throughout the Plan and ensure Plan Content Requirements were met. All the comments related to plan content requirements were satisfactorily answered. The partnership provided clarification in many areas for how the plan would be implemented and improved their language to ensure the submitted plan meets the required Plan Content Requirements.
- G. The Metropolitan Council had no additional comments at this time and will not be submitting formal comments.

6. **Plan Summary and Highlights.** The highlights of the plan include:
- The policy and advisory committees received extensive input during the early stages of the planning process including five priority concern letters, citizen comments from three public kick-off meetings, and numerous reports on the conditions and trends within the watershed.
 - The advisory committee identified 37 original resource concerns, which were narrowed down to nine including:
 - Outreach and Engagement
 - Surface Water – Restore
 - Surface Water – Protect
 - Surface Water – Quantity
 - Groundwater and Drinking Water – Quality
 - Natural Resources – Protection, Management, and Restoration of Upland Habitats
 - Natural Resources – Restore Degraded and Protect High Quality Aquatic Habitat around Lakes, Streams, Rivers, and Wetlands
 - Groundwater – Knowledge and Data Regarding Groundwater
 - Natural Resources – Invasive Species
- The plan identifies three Priority Levels for implementation. The Level A (highest) Priorities for implementation were identified as Outreach and Engagement, Surface Water – Restore, and Surface Water – Protect.
- There are eight geographic management areas within the watershed and each management area was assessed for how that area can best be managed to achieve the objectives for each resource concern. Within each management area, there are targeted and prioritized areas for implementation as well a unique implementation schedule that identifies the activity, the priority area, a measurable outcome, the timeframe for implementation, and the estimated cost for implementing the activities.
 - Separate targeted implementation tables were created for each priority issue.
 - For the ten-year duration of the plan, the estimated total cost is \$34,947,325.
7. **Central Regional Committee.** On May 5, 2022, the Central Regional Committee met to review and discuss the Plan. Those in attendance from the Board’s Committee were Joe Collins, Jill Crafton, Jayne Hager Dee, Melissa Lewis, Steve Robertson, and Grant Wilson. Board staff in attendance were Central Regional Manager Marcey Westrick, Board Conservationists Jason Weirnerman, Michelle Jordan, and Darren Mayers, and Clean Water Specialist Barb Peichel. The representatives from the Partnership were Jamie Schurbon (Anoka Conservation District), Tiffany Determan (Isanti SWCD), Lisa Fobbe (Sherburne County) and Jake Janski (Mille Lacs SWCD). Board regional staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee’s decision was to present a recommendation of approval of the Plan to the full Board.
8. This Plan will be in effect for a ten-year period until May 25, 2032.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Comprehensive Watershed Management Plan for the Rum River Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.
3. The Rum River Comprehensive Watershed Management Plan attached to this Order states priority water and natural resource issues within the planning area and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.

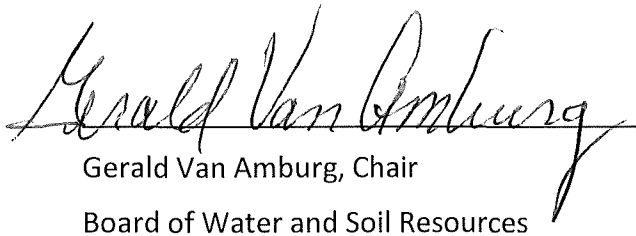
5. The attached plan has been amended to add comments by the Minnesota Department of Agriculture to Table 6.3 and to include language suggested by the Minnesota Department of Natural Resources to page C14 in Appendix C.
6. The attached plan when adopted through local resolution by the members of the Partnership will serve as a replacement for the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan.
7. With exception to #6 above, the attached Plan, when adopted through local resolution by the members of the Partnership within the Metropolitan area as defined in Minnesota Statutes Section 103B.205, Subd. 8 or a Metropolitan county as defined in Minnesota Statutes 473.121 Subd. 4 is not required to, but may, serve as a replacement for the comprehensive plan, local water management plan, watershed management plan, or county groundwater plan developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D for the geographic area of the Plan.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Rum River Watershed Partnership, dated April 29, 2022.

Dated at Saint Paul, Minnesota, this twenty-fifth of May 2022

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: 5/25/2022