

MEMORANDUM

DATE: July 1, 2022
TO: MAWD Members
FROM: Sherry Davis White, Resolutions Committee Chair
RE: **2022 REQUEST FOR MAWD RESOLUTIONS**



It is that time of year for MAWD 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:

- July / August** Members write, discuss, and approve resolutions at your WD/WMO meetings. The more detail you can provide, the easier it will be for the committee to make a recommendation.
- September 1** Administrators submit resolutions and background information documents to the MAWD office at emily@mnwatershed.org by September 1. If more time is needed, please contact the MAWD office so the MAWD Resolutions Committee is aware that another resolution may be submitted. The latest possible date to submit a resolution is **60 days before** the annual meeting (October 4). We ask that resolutions be submitted according to the described timeframe to ensure distribution to members for discussion by your boards in November.
- NOTE: If all the requested information is not included, the Resolution will NOT be accepted.**
- September / October** The MAWD Resolutions 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, discuss and make recommendations on their passage to the membership.
- October 31** Resolutions (with committee feedback) will be emailed to each organization by Oct 31.
- NOTE: If at all possible, please hold a regional meeting to discuss the Resolutions BEFORE the annual conference.**
- November** Members should discuss the resolutions at their November meetings and decide who will be voting on their behalf at the annual meeting (2 voting members and 1 alternate are to be designated per watershed organization)
- December 3** Delegates discuss and vote on resolutions at the annual resolutions hearing. Please be prepared to present and defend your resolution.
- December** Legislative Committee will review existing and new resolutions and make a recommendation to the MAWD Board of Directors for the 2023 legislative platform.
- December 2022** MAWD Board of Directors will finalize the 2023 legislative platform.
- January 2023** Legislature returns for the 93rd Legislature, 2023-2024.

NOTE: Resolutions passed by the membership will remain MAWD 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. Enclosed with this memorandum are the active resolutions and those that will sunset 12/31/22. Please feel free to contact me at sherrywhite@mediacommb.net or (952) 215-6963 or our Executive Director Emily Javens if you have any questions at emily@mnwatershed.org or (651) 440-9407.

THANK YOU FOR YOUR EFFORTS IN OUR POLICY DEVELOPMENT!

Background Information

2022 MAWD Resolution

Proposing District: _____

Contact Name: _____

Phone Number: _____

Email Address: _____

Resolution Title: _____

Please attach a signed and dated copy of the resolution to this submittal form. Thank you!

Background that led to the submission of this resolution:

Describe the problem you wish to solve and provide enough background information to understand the factors that led to the issue. Attach statutory or regulatory documents that may be helpful.

Ideas for how this issue could be solved:

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

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?

Anticipated support or opposition:

Who would be willing to partner with us 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)

- | | |
|---------------------------------------------------------|---------------------------------------------------------|
| <input type="checkbox"/> 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 MAWD bylaws or MOPP |
- (MOPP = Manual of Policies and Procedures)*



Active MAWD Resolutions

July 1, 2022

FINANCE ISSUES

2021-01A: Support SWCD Capacity Fund Sources

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

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

MAWD Supports Clean Water Funds being used for implementation and not for capacity.

2021-02: Support Capacity Funding for Watershed Districts

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

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

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

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

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

2018-02 Increase the \$250k General Fund Tax Levy Limit

MAWD supports legislation to increase or remove the \$250,000 general fund ad valorem tax levy limit set in MN statute 103D.905 Subd. 3. If the limit is raised to a new dollar amount, MAWD supports an inflationary adjustment be added to statute.

2019-08: Heron Lake Watershed District General Operating Levy Adjustment

MAWD supports an increase in Heron Lake Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-09: Shell Rock River Watershed District General Operating Levy Adjustment

MAWD supports an increase in Shell Rock River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-10: Pelican River Watershed District General Operating Levy Adjustment

MAWD supports an increase in Pelican River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-11: Buffalo Red River Watershed District General Operating Levy Adjustment

MAWD supports an increase in Buffalo Red River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2017-05 Middle Fork Crow River Watershed District General Operating Levy Adjustment

MAWD supports the efforts of Middle Fork Crow River Watershed District to draft and advance special legislation affecting a change in its general fund levy cap.

2017-06 Obtain Stable Funding for the Flood Damage Reduction Program

MAWD supports stable funding (as opposed to the current even year bonding process) for the DNR's Flood Damage Reduction Program. A suggested sustainable level of funding is \$25 million per year for the next 10 years.

URBAN STORMWATER

2017-04 Limited Liability for Certified Commercial Salt Applicators

MAWD supports passage and enactment of state law that provides a limited liability exemption to commercial salt applicators and property owners using salt applicators who are certified through the established salt applicator certification program who follow best management practices.

2017-07 Creation of a Stormwater Reuse Task Force

MAWD supports legislation requiring creation of a Stormwater Reuse Task Force with membership from Watershed Districts, Cities, Counties, State Agencies and other Stormwater Reuse implementers; and that the Stormwater Reuse Task Force should be charged with developing recommendations that further clarify and/or replace the information in the Water Reuse Report that relates to stormwater reuse best management practices.

PUBLIC DRAINAGE LAW

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

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

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

MAWD supports legislation to achieve one or both of the following:

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

2018-08 Reinforce Existing Rights to Maintain/Repair 103E Drainage Systems

MAWD supports legislation modeled after House File 2687 and Senate File 2419 of the ninetieth legislature (2017-2018) reinforcing that the DNR cannot restrict existing rights to maintain and repair 103E public drainage systems.

LAKES AND WETLANDS

2020-01 Appealing Public Water Designations

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

2020-02 Limiting Negative Impacts from Wake Boats

MAWD supports:

- a) limiting wake boating to areas of lakes sufficiently distanced from shorelines to allow boat generated waves to adequately dissipate and lessen energy before coming into impact with lake shorelines;
- b) banning wake boats wakes in shallow lake areas where waves created by wake boats detrimentally impact sediment, aquatic vegetation, and aquatic habitat; and
- c) requiring new and existing wake boats to be able to completely drain and decontaminate their ballast tanks.

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

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

2019-07 Chinese Mystery Snail Designation Change and Research Needs

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

2017-02 Temporary Lake Quarantine Authorization to Control the Spread of AIS

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

WATERSHED MANAGEMENT AND OPERATIONS

2021-03: Support Increased Flexibility in Open Meeting Law

- MAWD 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, up to three times in a calendar year per manager.
- MAWD supports 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.
- MAWD supports changes to the Open Meeting Law requiring watershed districts to prepare and publish procedures for conducting public meetings using interactive technology.

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

MAWD 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 WBIF for Approves 103B Plans Only

MAWD supports BWSR distribution of metro WBIF among the 23 WMOs 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).

2020-03 Soil Health Goal for Metropolitan Watershed Management Plans

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

2019-01 Streamline the DNR permitting process

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

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

MAWD supports efforts to manage the flow of water in the Minnesota River Basin and the Minnesota River Congress in its efforts to increase water storage on the landscape; and

MAWD supports the Minnesota River Congress in its efforts to secure state and federal programs targeted specifically to increase surface water storage in the Minnesota River Watershed.

2019-05 Watershed District Membership on Wetland Technical Evaluation Panels

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

2018-03 Require Timely Appointments to the BWSR Board

MAWD supports legislation that requires the Governor to make BWSR board appointments within 90 days of a vacancy or board member term expiration.

2018-04 Require Watershed District Permits for the DNR

MAWD supports an amendment to the MN Statute § 103D.315, Subd. 5, to include the MN Department of Natural Resources as a state agency required to get permits from watershed districts when applicable.

2018-06 Ensure Timely Updates to Wildlife Management Area (WMA) Plans

MAWD supports that WMA operation and maintenance plans and/or management plans are either drafted or brought current in a timely fashion, with input from local governmental entities, to ensure their consideration in future One Watershed, One Plan efforts.

2018-09 Clean Water Council Appointments

MAWD may ask the representative of the Clean Water Council to resign when they lose their direct association to a watershed district; and that MAWD will recommend to the Governor's office that managers and/or administrators in good standing with MAWD be appointed to the Clean Water Council.

Resolutions to Sunset

Effective December 31, 2022

In accordance with MAWD's Sunset Policy, the following resolutions will be archived at the end of 2022 and will no longer be considered for future legislative and administrative platforms. The Sunset Policy says that resolutions older than five years old shall be removed from the books. If your watershed feels any of these issues should continue to be actively pursued with MAWD resources, then your watershed board needs to submit the resolution and the issue will need to be voted on and renewed by the membership at the annual meeting in December 2022. Please see previous sections for language associated with the following resolutions set to expire.

2017-02 Temporary Lake Quarantine Authorization to Control the Spread of AIS

2017-04 Limited Liability for Certified Commercial Salt Applicators

2017-05 Middle Fork Crow River Watershed District General Operating Levy Adjustment

2017-06 Obtain Stable Funding for the Flood Damage Reduction Program

2017-07 Creation of a Stormwater Reuse Task Force