



# MEMORANDUM

Comfort Lake-Forest Lake Watershed District

Date: January 13, 2023  
To: CLFLWD Board of Managers  
From: Mike Kinney, District Administrator  
Subject: Potential Watershed Management Plan Amendment



### Background/Discussion

This item was last discussed at the January 12, 2023 regular board meeting. Staff provided a summary memo and email from the District's Board of Water and Soil Resources (BWSR) Board Conservationist explaining BWSR's stance on why a Watershed Management Plan (WMP) would be appropriate in order to align the WMP with the newly approved Lake Association Grant Program. The Board requested another memo summarizing options related to the WMP.

The decision on how to proceed is ultimately up to the Board. The following memo is informational.

### Reasoning Why a WMP Amendment is Appropriate

The over-arching question whether an amendment is necessary boils down to whether the proposed program is in alignment with 1) the goals in the WMP and 2) the program descriptions in the WMP.

As written, the Lake Association Grant Program is not in alignment with the goals and program descriptions in the WMP. The crux of the matter is that the WMP does not include goals nor program descriptions that fit the treatment of AIS for recreational purposes. There could be an argument for treating certain AIS for the purpose of improving native plant habitat, but projects should demonstrate how that improvement was made.

WATERSHED MGMT PLAN REFERENCE	EXPLANATION
<p>3004 Non-Point Source Pollution Abatement Program</p> <p>3004D Commercial/Community Grant Description (summarized)</p> <p>Projects that:</p> <ul style="list-style-type: none"> <li>- improve water quality and/or</li> <li>- decrease stormwater runoff and/or</li> <li>- preserve native plant and wildlife communities affected by lakes, rivers and wetlands.</li> </ul>	<p>The WMP's goals and descriptions for the Non-Point Source Pollution Abatement Program focus mainly on stormwater management (i.e., non-point source pollution abatement) and also mention projects that preserve native plant and wildlife communities.</p> <p>In order to be in alignment with the WMP, as written, projects should prioritize non-point source pollution abatement/stormwater management. Some</p>



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<p>Potential projects include shoreline and streambank restoration/stabilization, pervious parking lots, raingardens, infiltration facilities, biofiltration facilities, and other <u>stormwater management</u> practices.</p>	<p>stormwater management practices also result in wildlife improvements (such as shoreline restoration projects).</p> <p>The District could make an argument that, even if a project isn't a nonpoint source pollution abatement project, it can still result in preserving native plant and wildlife communities. The AIS management project should demonstrate how it improves native plant and wildlife communities (e.g., pre- and post-treatment point intercept survey).</p>
<p style="text-align: center;"><b>3004 Non-Point Source Pollution Abatement Program</b></p> <p style="text-align: center;">Goals</p> <ul style="list-style-type: none"> <li>• Goal 1: Implement program to achieve shoreline and streambank restoration and maintenance goals under sections 5200 Lakes and 5300 Streams.</li> <li>• Goal 2: Reach out to 100% of high priority agricultural landowners identified in District diagnostic studies.</li> <li>• Goal 3: Establish a farmer-led council to inform and influence agricultural land management practices.</li> <li>• Goal 4: Annually coordinate with District communities on potential Municipal Stormwater Remediation project partnerships.</li> </ul>	<p>The goals under section 3004 do not include aquatic invasive species management. Rather, they focus on activities that will abate non-point source pollution (e.g., stormwater runoff, agricultural runoff).</p>
<p style="text-align: center;"><b>3011 AIS Program</b></p> <p style="text-align: center;"><b>3011G AIS Management Program Description (summarized)</b></p> <p>The District will holistically manage aquatic invasive species in District lakes with a view toward the overall health of the water body. Policies and goals in the CLFLWD Watershed Management Plan are designed around the ecological integrity of water resources within the District. Accordingly, the District's involvement in the long-term management of AIS present will be based on the benefit to ecological systems.</p>	<p>The AIS Management Program description focuses on ecological integrity. In order to be in alignment with the WMP, the District's AIS treatment actions should prioritize ecological integrity, such as native plant communities. As such, work under this program would be advised by technical experts who would give a recommendation that is based on the benefit to native plants and the lake wildlife community.</p>



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<p style="text-align: center;">3011 AIS Program</p> <p style="text-align: center;">Goals</p> <ul style="list-style-type: none"> <li>• Goal 1: Continue use and refinement of the District's prevention and early detection &amp; rapid response initiatives to reduce the risk of new invasive species introductions to District waterbodies and prevent the spread of existing infestations to other waterbodies.</li> <li>• Goal 2: Manage existing populations of AIS to reduce phosphorus loading.</li> <li>• Goal 3: Manage existing populations of AIS to improve native plant diversity by managing AIS populations that pose a risk to native plant health.</li> <li>• Goal 4: Ensure ecological integrity is protected by providing guidance and technical support to other organizations and residents who manage AIS for recreational benefits.</li> </ul>	<p>The AIS Program goals focus on water quality (i.e., phosphorus loading), improving native plant diversity, and protecting ecological integrity.</p> <p>Recreational benefits are mentioned in Goal 4 which indicates the District's role is to provide guidance and technical support to others who do manage AIS for recreational benefits.</p>
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### WMP Options

There are five options concerning how the Board may treat the new grant program with respect to its Watershed Management Plan. BWSR staff recommends going through at least the minor WMP amendment process. District staff recommends the same. The Board may decide how it would like to proceed.

1. Major Amendment (approximately 6 months completion time, estimated \$3,000 in staff time): This process requires more public interaction than a minor amendment or non-amendment (includes 60-day review period, public hearing, 90-day review by BWSR board). BWSR staff has indicated that the grant program appears to deviate enough from the WMP that a major plan amendment would be appropriate but is not necessarily required.
2. Minor Amendment (approximately 3 months completion time, estimated \$2,000 in staff time): This process includes less public interaction than a major amendment (includes 30-day review period, and public meeting). BWSR staff recommends this process at a minimum in order to invite outside comments on the proposed grant program.
3. Non-Amendment (approximately 1 month completion time, estimated \$750 in staff time): This process can be used if the proposed changes entail formatting/reorganizing the plan, clarifying goals/policies, expanding public process, etc. The Board may choose this option if it feels the new program falls within this description.



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4. No Revision (no edits to WMP involved, no additional staff time associated with WMP): This is another option the Board may choose to consider.
5. Revise the Lake Association Grant Program to align with the WMP as the WMP is currently written. The Board may consider the previously presented program description from August 2021. ([August 12, 2021 regular board meeting](#))