

**Minnehaha Creek Watershed District  
Land & Water Partnership Initiative  
Technical Advisory Committee**

Meeting #2  
November 10, 2022  
1:00 – 3:00 PM

MCWD Office – 15320 Minnetonka Blvd, Minnetonka  
Board Room - Lower Level

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**Agenda**

- 1:00-1:10     **Welcome and Recap of Meeting 1**
- 1:10-1:50     **Land & Water Partnership (LWP) Program Scope**  
Overview of eligibility, services, and evaluation criteria  
Breakout group discussion
- 1:50-2:00     **Break**
- 2:00-2:40     **LWP Program Process**  
Overview of schedule and submittal requirements  
Breakout group discussion
- 2:40-3:00     **Wrap-up and Next Steps**  
Report out of key takeaways from group discussions  
Meeting 3 agenda
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**Attachments:**

- Meeting 2 Pre-Read Memo and Attachments
- Meeting 1 Summary and Slides



**Title:** TAC Meeting 2 Pre-Read: Land & Water Partnership Program

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**Meeting Purpose:**

The Technical Advisory Committee (TAC) will review, discuss, and provide feedback on the proposed Land & Water Partnership (LWP) program at Meeting 2. TAC feedback will be used as Minnehaha Creek Watershed District (MCWD) staff continue to refine the LWP program prior to formal adoption of the program in 2023.

**Background:**

The [Land & Water Partnership Initiative](#) is focused on strengthening partnerships that support MCWD's emphasis on impactful, collaborative projects that benefit the watershed and our communities. As covered at TAC Meeting 1, MCWD, and our partners, have seen how greater community outcomes and mutual benefits can be achieved through partnership and integrated planning. It is also recognized that working in a more collaborative way to develop and implement multi-benefit projects requires effort from both MCWD and our partners. Therefore, MCWD staff want to work with the TAC to help shape how we build better systems to support integrated planning and partnership.

One challenge MCWD is seeking to address with our partners is how to create a better system to respond to land use changes that present windows of opportunity for water resource improvement across the watershed. By defining a process for how we identify, evaluate, and respond to land use change opportunities, we can continue to improve integration of land use and water planning, and provide increasing levels of stacked benefits for our communities. MCWD staff explored how we could create a clear, efficient, and effective process to identify and advance public and private partnership opportunities across the watershed. The outcome of this work is the proposed LWP program, which is currently operating in a pilot phase.

MCWD's proposed LWP program provides technical and financial resources to support partner-led projects that provide significant, regional water resource benefit. The goals of this program are to:

- Increase early coordination and integration of land use and water planning
- Leverage opportunities created through land use change to improve water resources
- Provide service and value to communities across the watershed

**TAC Meeting Description:**

At the November 10, 2022 TAC Meeting, we will build from our previous meeting's introduction to the LWP program. MCWD staff will have a focused presentation on MCWD's proposed approach and rationale in designing key program elements and provide space for a robust discussion to seek feedback from TAC members to ensure we are building a program that works for our public partners.

***Section 1. Program Scope: Eligibility, Services, and Evaluation Criteria***

**Objectives:**

In addition to the three goals defined above, MCWD staff considered the following objectives in designing the program scope:

- Focus on high-impact projects:
  - Maintain focus on projects that produce significant, measurable water resource benefit and provide sufficient return on investment.

- Leverage capable partners:
  - Increase the number of water resource improvement projects by leveraging and providing support to capable partners that have the capacity to lead project implementation.
- Provide a transparent evaluation process:
  - Create a clear framework for evaluating projects to determine the type and level of support MCWD will provide.
- Maintain flexibility and creativity:
  - Provide structure and transparency while retaining flexibility to develop creative partnerships.

Proposed Approach:

MCWD is proposing the following approach to define the types of projects and partners eligible under this program and the scope of services available:

- **Eligibility:** The LWP program seeks to leverage partner-led projects, such as private development, park or open space improvements, or public infrastructure projects, to make measurable water resource improvements. LWP program eligibility includes:
  - Partners: Public partners (e.g., state, regional, or local agency, local government unit) and/or large-scale private developers/landowners that have the capacity to lead project implementation
  - Projects: structural projects that provide measurable water quality and/or flood storage benefit
- **Services:** The LWP program is designed to support a project’s development from the initial concept development through construction. Qualifying projects can receive technical support and/or financial support (up to 75% for project elements focused on water resource benefit) for activities including:
  - Watershed assessments
  - Concept development
  - Feasibility studies
  - Design/construction
- **Criteria and Evaluation:** The program will utilize criteria to evaluate eligible projects on a point-based system to allow for comparison across projects and inform the level of MCWD support (see Attachment 1). The intent is to provide clarity on the criteria being considered and the level of importance of each while retaining flexibility by avoiding being too prescriptive. The proposed criteria categories are:
  - Resource Need and Value
  - Project Benefits and Cost Effectiveness
  - Capacity and Coordination

TAC Questions:

- Is there a project example (past or future) from your city/organization for which you would consider leveraging this program? Why or why not?
- Is it clear what types of projects and partners are eligible under the program? Are there suggestions to improve clarity?
- Do the evaluation criteria strike the right balance between transparency and flexibility? Are there suggestions to improve clarity or effectiveness of the proposed criteria?

**Section 2. Program Process: Schedule and Requirements**

Objectives:

The MCWD’s 2017 Watershed Management Plan (WMP) includes “opportunity-driven” projects in each subwatershed aimed at reducing stormwater runoff volume and nutrient loading to impaired waters. The proposed LWP program provides a process for partner-led projects to be integrated into MCWD’s Capital Improvement Plan (CIP), either under one of these existing “opportunity-driven” projects, or through a minor plan amendment. In addition to the three goals listed above, the following objectives were used to guide the development of the proposed program’s schedule and submittal requirements:

- Align schedule with MCWD’s CIP and budget process:
  - Allow the MCWD to evaluate projects as part of its annual CIP and budget development process, leverage outside grants where feasible, and allocate funds accordingly for the following year.
- Allow for efficient program administration:
  - Ensure MCWD has the time and information needed to review and act on project requests in a streamlined and efficient manner.
- Provide clarity and certainty to partners:
  - Utilize a structured process and schedule for project evaluation to provide partners predictability and certainty on decisions about project funding and technical support.
- Ensure reasonableness of requirements and schedule:
  - Find the right balance for submittal requirements and deadlines that meet MCWD’s needs while managing burden on partners.

Proposed Approach:

Based on these objectives, and integrating lessons learned from the pilot program, MCWD is proposing a schedule and submittal requirements that work together to align CIPs, streamline the budget process, provide MCWD confidence in the project’s estimated benefits, and provide the partner confidence in the level of funding support within 4-5 months of the request.

- **Schedule:** The program has two proposed key milestones to ensure a transparent and orderly evaluation process for all projects requesting financial and technical support (see below table). This allows for early coordination to provide technical support and integration into MCWD’s CIP for financial support. Potential projects will be evaluated annually following the submittal deadlines. There is no funding cap for the program, instead MCWD will review projects as part of its budget development process and funding may vary year-to-year based on the opportunities presented.
- **Requirements:** At each milestone, a partner will need to submit a “Notice of Interest” to MCWD staff. Submittals will include information to support project evaluation. Refer to Attachment 2 for a summary table of submittal requirements.

<b>Project Concept (Year 1)</b>
Partner can submit a <i>Notice of Interest</i> requesting technical and/or financial assistance with feasibility work
➤ <b>Submittal deadline of April 1</b>
MCWD Board decision on funding/technical support for feasibility work (July)
Approval of agreements/contracts, if needed (July-August)
<b>Project Feasibility (Year 2)</b>
Partner can submit a <i>Notice of Interest</i> , with a completed feasibility study, requesting financial support for project implementation (design/construction costs)
➤ <b>Submittal deadline of February 1</b>
MCWD Board decision on funding recommendations for implementation, pending public hearing/ordering (June)
Adoption of MCWD’s CIP and budget, public hearing/project ordering, approval of funding agreement (Aug-Oct)
<b>Project Implementation (Year 3+)</b>
Project costs are reimbursed as outlined in funding agreement after project completion

TAC Questions:

- How might MCWD and public partners utilize this program’s process to identify projects to partner on together?
- How does the proposed schedule align with your budget and project planning processes?
- From your project planning perspective, are the required LWP program submittals reasonable and attainable?

**Attachments:**

- Attachment 1: Draft Criteria and Evaluation Summary Table
- Attachment 2: Draft Submittal Requirements Checklist

## Attachment 1

### LWP Program Criteria and Evaluation Summary Table

Below is the draft summary table to outline MCWD scoring considerations to select level of technical and financial support. This table will be reviewed and discussed with the TAC for additional refinement.

<b>Criteria and Evaluation Summary Table</b> Land & Water Partnership Program		
Evaluation Criteria	Possible Points	Summary of Scoring Standards
<b>A: Water Resource Need &amp; Priority</b>		
A.1	15	<b>Demonstrated water resource issue(s)</b> <ul style="list-style-type: none"> <li>• Water quality: considers nutrient impairments and TMDLs, water quality trends</li> <li>• Water quantity: considers known flooding issues and scale and severity of flood risk</li> </ul>
A.2	10	<b>Priority level</b> <ul style="list-style-type: none"> <li>• Public value of the benefiting water resource: considers public access, scale of use, ranking on Met Council Priority Waters List</li> <li>• Prioritization: considers prioritization in MCWD Watershed Management Plan and Local Surface Water Management Plans</li> </ul>
<i>Total</i>	<i>25</i>	
<b>B: Project Benefits &amp; Cost Effectiveness</b>		
B.1	30	<b>Primary benefits</b> <ul style="list-style-type: none"> <li>• Water quality: considers scale of total phosphorus (TP) reduction, progress toward TMDL goals, confidence in data/benefits</li> <li>• Water quantity: considers scale of runoff volume reduction/flood storage and scale of benefit (neighborhood, community, inter-community), confidence in data/benefits</li> </ul>
B.2	10	<b>Secondary benefits</b> <ul style="list-style-type: none"> <li>• Water quality improvements beyond nutrients (e.g., chloride, <i>E. coli</i>)</li> <li>• Habitat and ecological health benefits</li> <li>• Community benefits</li> </ul>
B.3	10	<b>Project effectiveness</b> <ul style="list-style-type: none"> <li>• Cost-effectiveness (based on 25-year lifecycle cost/benefit)</li> <li>• Supported by system understanding of issues and opportunities (e.g., diagnostic study, subwatershed assessment)</li> </ul>
<i>Total</i>	<i>50</i>	
<b>C: Partner Capacity &amp; Coordination</b>		
C.1	15	<b>Early and effective coordination</b> <ul style="list-style-type: none"> <li>• Early and effective coordination that supports improving how land use and water planning are integrated (e.g. engagement at concept stage)</li> </ul>
C.2	10	<b>Partner capacity and commitment to advance project</b> <ul style="list-style-type: none"> <li>• Demonstration that partner is committed to advance project:                             <ul style="list-style-type: none"> <li>○ Capacity of staff and/or financial resources to deliver a successful project</li> <li>○ Project incorporated into a public partner's CIP</li> </ul> </li> <li>• Management of project risks, including technical risks, permitting, land rights, and community support</li> </ul>
<i>Total</i>	<i>25</i>	
<b>Total Points</b>	<b>100</b>	

## Attachment 2

### LWP Program Submittal Requirements Checklist

Below is the draft summary table to outline submittal requirements for the two program deadlines, as well as items needed for MCWD permit review and final approval. This table will be reviewed and discussed with the TAC for additional refinement. Additional guidance will be developed detailing how to prepare and provide submittals.

<b>Notice of Interest Submittal Requirement Checklist</b> Land & Water Partnership Program			
<b>Submittal Requirements</b>	<b>Project Concept (Year 1)</b>	<b>Project Feasibility (Year 2)</b>	<b>Permit Review <sup>a</sup></b>
Statement of Intent (1-page description of concept or project)	Required	Required	N/A
Site Map must include: parcels, land rights, storm sewer, contours, proposed improvement location	Required	Required	N/A
Drainage Map	Required	Required	N/A
Identification of proposed water resource improvement(s)	Required	Required	N/A
O&M Statement	Required	Required	N/A
Hydraulic & Hydrologic (H&H) modeling to confirm hydraulic feasibility of proposed project	As Available	Required	N/A
Water quality modeling to estimate TP load (influent and removals), and annual volume to be treated	As Available	Required	N/A
Quantification of volume abstraction, if proposed	As Available	Required	Required
Soils information (groundwater, infiltration capacity, contamination)	As Available	Required	N/A
Wetland identification (desktop or delineation; delineation is preferred)	As Available	Required	N/A
Project schedule	As Available	Required	Required
Permitting Requirements and Status	As Available	Required	Required
O&M needs and costs	As Available	Required	Required
Cost analysis (capital cost, 25-year lifecycle cost, and lifecycle cost-benefit)	As Available	Required	Required
100-yr high water level (HWL) and ordinary high-water level (OHW) of any adjacent or on-site waterbodies, and preliminary modeling, as applicable, to show that the 100-yr HWL will not increase as a result of the project	As Available	As Available	Required
Identification of any utilities (including culverts and outlet structures) proposed to contact the bed or bank of a waterbody	As Available	As Available	Required
Anticipated changes to peak runoff rates and peak water levels of upstream and downstream waterbodies & wetlands during the 2-, 10-, and 100-year events	As Available	As Available	Required
Identification of site size, % of site to be disturbed, disturbance area, % increase or decrease in impervious area, existing impervious area, proposed impervious area	As Available	As Available	Required
Identification of if project will dredge in the beds, banks, or shores of any public water or public water wetland	As Available	As Available	Required
Identification of desired path forward through Wetland Conservation Act (WCA), as applicable	As Available	As Available	Required

<sup>a</sup> Additional items that will be required for District permit review, during project design.