

## MEMO

# Lower St. Croix Partnership – Draft Project Evaluation & Approval Process

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**To:** LSC Policy Committee **Date:** April 24, 2023  
**From:** LSC Planning Team; LSC Steering Committee  
**Subject:** Lower St. Croix Draft Project Evaluation and Approval Process

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### Meeting Purpose

At the January 23, 2023 Policy Committee meeting, Policy Committee members reviewed the draft Project Evaluation and Approval Process, which included:

- WBIF Project Process Graphic
- LSC Project Process Calendar
- LSC Draft Project Evaluation and Approval Process

Policy Committee members provided feedback, asking the Steering Committee to consider:

- Clarification on funding requests vs. total project costs (Project Review Schedule, Reviews #1, pg. 3)
- Re-consideration of item #3 and #4, under 'Step 2: Steering Committee Evaluation' (pg. 5)
- Clarification on partner responsibility to update the Steering Committee upon project completion (Step 6: Post Project Administrative Steps, pg. 6)
- Additional guidance on Non-Structural Projects, under 'Exceptions and Additional Requirements' (pg. 6)
- Addition of language exempting employment contracts (pg. 7)

These items we're discussed and addressed by the Lower St. Croix Planning Team and Steering Committee (Attachments 1 – 3). At the April 24, 2023 Policy Committee meeting, staff will provide a brief synopsis of the updated document and recent edits, before asking the Committee to accept the final Project Evaluation and Approval Process.

These documents are before the Policy Committee for review and final acceptance.

### Recommended Action

Proposed Motion: Committee Member \_\_\_\_\_ moves to accept the Lower St. Croix Project Evaluation and Approval Process as developed by Staff, the Planning Team, and Steering Committee. Seconded by Manager \_\_\_\_\_.

### Attached:

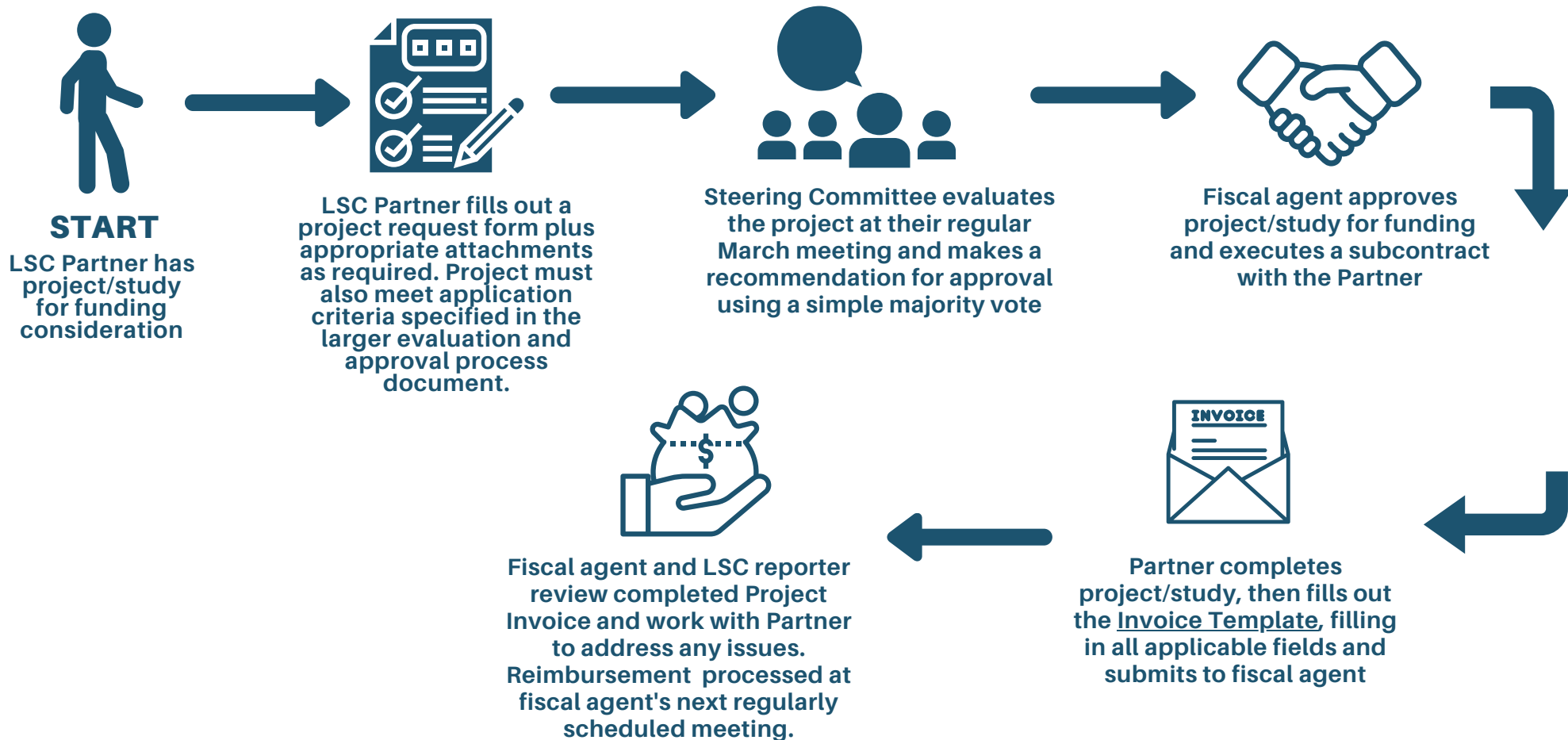
1. WBIF Project Process Graphic
2. LSC Project Process Calendar
3. LSC Draft Project Evaluation and Approval Process

# Review process for proposed WBIF projects under \$50,000

Please refer to the document "WBIF Proposed Project Evaluation and Approval Process for the Lower St. Croix Watershed Partnership" for additional details.



**Project Application Deadlines:** 2 weeks before the scheduled February, May and August Steering Committee meetings (specific deadline dates will be included in annual December call for projects)



# Review process for proposed WBIF projects $\geq$ \$50,000

Please refer to the document "WBIF Proposed Project Evaluation and Approval Process for the Lower St. Croix Watershed Partnership" for additional details.

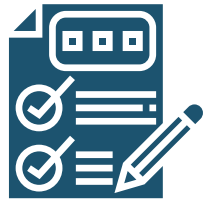


**Project Application Deadline:** 2 weeks before the scheduled March Steering Committee meeting (specific deadline date will be included in annual December call for projects)



## START

LSC Partner has project/study for funding consideration



LSC Partner fills out a project request form plus appropriate attachments as required. Project must also meet application criteria specified in the larger evaluation and approval process document.



Steering Committee evaluates the project at their regular March meeting and makes a recommendation for approval using a simple majority vote. If approved, written recommendation sent to Policy Committee for their review.\*



The Policy Committee reviews the project at their regular April meeting.\* Recommendation for approval needs a super majority vote (2/3 or 66%)



Fiscal agent and LSC reporter review completed Project Invoice and work with Partner to address any issues. Reimbursement processed at fiscal agent's next regularly scheduled meeting.



Partner completes project/study, then fills out the Invoice Template, filling in all applicable fields and submits to fiscal agent



Fiscal agent approves project/study for funding and executes a subcontract with the Partner.



\*See evaluation and process document for discussion around non-recommended projects.

# 2023 LSC Project Process Calendar

Policy Committee meets quarterly (4<sup>th</sup> Monday of the month)

Steering Committee meets monthly (4<sup>th</sup> Wednesday of the month)

Planning Team meets monthly (2<sup>nd</sup> Wednesday of the month)

Advisory Committee meets as needed

*This calendar only shows meetings which pertain to the proposed project approval process. Additional meetings are held at the frequencies described above.*

<p style="text-align: center;"><u>January</u></p>	<p style="text-align: center;"><u>February</u></p> <p><b>2/8 Deadline:</b> project requests &lt;\$50K submitted to meeting facilitator (2 weeks before SC meeting)</p> <p><b>2/22 Steering Committee:</b> at regular monthly meeting consider project requests &lt;\$50K</p> <p><b>2/28 Deadline:</b> project requests ≥\$50K submitted to meeting facilitator</p>	<p style="text-align: center;"><u>March</u></p> <p><b>3/24 Deadline:</b> LSC partner staff will send out call for projects reminder to all partners 2 months in advance of the May application deadline</p> <p><b>3/22 Steering Committee:</b> at regular monthly meeting review project requests ≥\$50K that are due to come to PC in April</p>
<p style="text-align: center;"><u>April</u></p> <p><b>4/17 Deadline:</b> Policy Committee meeting packet posted, including project requests ≥\$50K</p> <p><b>4/24 Policy Committee:</b> at regular quarterly meeting consider project requests ≥\$50K once per year</p>	<p style="text-align: center;"><u>May</u></p> <p><b>5/10 Deadline:</b> project requests &lt;\$50K submitted to meeting facilitator (2 weeks before SC meeting)</p> <p><b>5/24 Steering Committee:</b> at regular monthly meeting consider project requests &lt;\$50,000</p>	<p style="text-align: center;"><u>June</u></p> <p><b>6/23 Deadline:</b> LSC partner staff will send out call for projects reminder to all partners 2 months in advance of the August application deadline</p>
<p style="text-align: center;"><u>July</u></p>	<p style="text-align: center;"><u>August</u></p> <p><b>8/9 Deadline:</b> project requests &lt;\$50K submitted to meeting facilitator (2 weeks before SC meeting)</p> <p><b>8/23 Steering Committee:</b> at regular monthly meeting consider project requests &lt;\$50,000</p>	<p style="text-align: center;"><u>September</u></p>
<p style="text-align: center;"><u>October</u></p>	<p style="text-align: center;"><u>November</u></p>	<p style="text-align: center;"><u>December</u></p> <p><b>12/22 Deadline:</b> LSC partner staff will send out call for projects reminder to all partners 2 months in advance of the February application deadlines (dual notice this month – projects less than and greater than \$50K)</p>



# **WBIF Proposed Project Evaluation and Approval Process for the Lower St. Croix Watershed Partnership**

Updated February 1, 2023

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## Purpose

This document provides a detailed overview of the evaluation and approval of projects proposing to use Lower St. Croix Watershed Partnership (LSCP) Watershed-Based Implementation Funds (WBIF). This document is intended to be reviewed each December to evaluate its effectiveness in relation to Comprehensive Plan implementation, and determine what modifications to improve process, address gaps, or to better align with other policies or procedures should be made.

The process described in this document is an aggregation of the following sources:

- Appendix to the 2022 Annual Plan of Work: Lower St. Croix Project Approval Process Policy
- Appendix to the 2022-23 Annual Plan of Work: Lower St. Croix Fast Track Project Policy
- September 26, 2022 – Lower St. Croix Watershed Partnership Policy Committee Meeting Minutes
- Review process graphics for proposed WBIF projects

## WBIF Funding Applicability

To apply for WBIF-funding, eligible entities/applicants are limited to the 15 local government unit (LGU) partners that signed on to the joint power's agreement for implementation of the Lower St. Croix Comprehensive Watershed Management Plan. Non-included entities/individuals can work with one of the 15 partners to submit an application.

Partners include: Chisago County, Isanti County, Pine County, Washington County, Anoka Conservation District, Chisago Soil and Water Conservation District, Isanti Soil and Water Conservation District, Pine Soil and Water Conservation District, Washington Conservation District, Brown's Creek Watershed District, Carnelian-Marine-St. Croix Watershed District, Comfort Lake Forest Lake Watershed District, South Washington Watershed District, Valley Branch Watershed District, and Middle St. Croix Watershed Management Organization.

## Project Review Schedule

### Request for Projects and Submission Deadlines

- The Lower St. Croix Watershed Partnership staff will send out requests for projects to all partners 60 days in advance of a scheduled Steering or Policy Committee meeting in which projects will be reviewed by an appointed individual of a partner. <sup>1</sup>
- Submission deadlines are 2 weeks prior to the applicable Steering or Policy Committee meeting to provide adequate time to assemble meeting packets.
- The 2023 submission deadlines and meeting schedule is shown in **2023 LSC Project Process Calendar** (Attachment 1).

### Reviews

The projects reviewed and considered by the Steering and/or Policy Committee will fall into one of two broad categories.

1. Projects equal to and exceeding \$50,000<sup>2</sup>
2. Projects less than \$50,000

The primary difference in these categories is the review schedule/frequency, and the review audience. Both categories will generally follow the same core process. The primary differences between the project types are outlined below.

- Projects equal to and exceeding \$50,000
  - Schedule:
    - Reviewed one time annually (March by the Steering Committee; April by the Policy Committee).
  - Audience:
    - Projects must be reviewed by the Steering Committee, who provides a recommendation for approval/denial to the Policy Committee.
    - Projects must be reviewed by the Policy Committee, who provides a recommendation for approval/denial to the fiscal agent.<sup>3</sup>

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<sup>1</sup> Each December calls for proposals will be sent for both categories of projects (less \$50,000 - reviewed in February; and, equal to or exceeding \$50,000 - reviewed in March).

<sup>2</sup> Amounts above, equal to, or below \$50,000 refers to the grant fund request amount, not total project cost.

<sup>3</sup> Projects do not require approval by the Lower St. Croix Watershed local partner boards unless the project requires a grant agreement amendment or work plan revision equal to or exceeding \$50,000.

- Projects less than \$50,000
  - Schedule:
    - Reviewed three times annually in February, May, and August
  - Audience:
    - Projects must be reviewed by the Steering Committee, who provides a recommendation for approval/denial to the fiscal agent.

## Evaluation Process

### Step 1: Application

An eligible applicant fills out a project request form plus appropriate attachments (see attachments listed on project request form) and self-evaluates the project.

***Application Criteria:*** The following are **required** for a project to qualify for WBIF funds.

1. The eligible applicant has investigated potential match funding options from other sources.
2. The eligible applicant has submitted a [Funding Request Form](#) and any necessary attachments/self-evaluation forms at least two weeks in advance of the Steering Committee meeting to the Lower St. Croix Watershed Partnership meeting facilitator.
3. The project is indicated as a priority in the Lower St. Croix 10-year Comprehensive Watershed Management Plan.
4. The project is in alignment with the Lower St. Croix Watershed Partnership WBIF grant work plan.<sup>4</sup>
5. The project meets all of the [Gatekeeper Criteria](#) (see page 95).

### Step 2: Steering Committee Evaluation

The Steering Committee evaluates the project. Projects meeting these criteria will be weighted higher than those that do not.

1. How project scores (the forms linked below are viewable on the [LSCP website](#)):
  - a. [CWMP Scoring Matrix](#)
  - b. [Wetland Restoration](#)
  - c. [Internal Loading Analyses](#)
  - d. [Targeting Analyses](#)

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<sup>4</sup> If a partner is proposing a project that is not in alignment with the Lower St. Croix Watershed Partnership (LSCP) WBIF grant work plan, the partner must first request and receive a work plan amendment prior to submitting an application for LSCP WBIF funding consideration.



2. The applicant is in good standing with the LSC (e.g., has delivered and/or closed previous projects in a timely fashion).
3. The project will take place in the current grant cycle.
4. The project will utilize funds on the cusp of expiration.

#### Step 3: Steering Committee Recommendations

The Steering Committee makes a recommendation. Recommendations require a simple majority vote, (50% plus one of partners attending the meeting). Only a single representative from each entity may cast a vote. If the recommendation is for approval, [Step 4](#) is followed for project requests equal or exceeding \$50,000. Skip to Step 5 for project requests less than \$50,000.

- If the project was not selected for funding, a Partner may pursue an [Appeal](#). The Fiscal Agent and a designated member of the Steering Committee will keep an ongoing list of projects that have been approved/recommended.
- If a project is not selected for funding, an applicant may resubmit the same project at a future date for consideration. Re-submitted projects will be evaluated as described in [Step 2](#).

#### Step 4: Policy Committee

The Policy Committee considers the project.

- Prior to making any recommendations, the Policy Committee will review the [Conflict of Interest Policy](#), as part of the agenda, requesting members to disclose any actual, potential, or perceived conflicts.
- The Policy Committee will make a decision on projects rankings, based on merit, either choosing to uphold Steering Committee recommendations or modifying the Steering Committee's recommendations based on its own analysis.
- Recommendations of approval from the Policy Committee require a super majority vote of the members attending the meeting (2/3 or 66%).
- A recommendation for approval advances the project to [Step 5](#).

#### Step 5: Fiscal Agent.

The fiscal agent will take action on the project request for funding. If approved, the fiscal agent executes a subcontract with the partner sponsor who submitted the application.

#### Step 6: Post Project Administrative Steps

- Upon completion of the project, the partner fills out the [Invoice Template](#), and submits it to the fiscal agent.<sup>5</sup>
- The fiscal agent and the Lower St. Croix Watershed Partnership Progress Reporter review the project invoice and work through any remaining items with the project partner.
- Upon project completion, partners are required to provide an update to the Steering Committee, who will subsequently review and accept final documentation.
- When all reimbursement documentation has been determined to be complete and approved by the Steering Committee, the project payment is processed at the fiscal agent's next regularly scheduled meeting.

#### Appeals

An eligible partner who submitted an application that was not recommended for funding or full funding by the Steering Committee may appeal directly to the Policy Committee. The partner requesting the appeal will be expected to:

- At least one week prior to the Policy Committee meeting, submit a written memo, quantitative demonstration of the value or merit of the project.
- Attend the Policy Committee meeting in which the appeal will be considered.

#### Exceptions and Additional Requirements

*Non-structural Projects:* These projects are not subject to review by the Steering Committee at pre-determined evaluation meetings (February, May, August).

- Projects will be eligible for funding already allocated to each soil and water conservation district. Projects will be reviewed against [prioritization criteria](#) listed in the non-structural agricultural practices policy (See the [CWMP](#), pg. 40), and a decision will be made by a committee of:
  - The agronomy outreach specialist;
  - The Lower St. Croix Watershed Partner(s); and,
  - Applicable soil and water conservation district.

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<sup>5</sup> If a partner wishes to receive partial payments for a particular project, the partner must execute a project assurance that is acceptable to both the fiscal agent and the Board of Water and Soil Resources (BWSR).

*Urban Non-structural Street Sweeping:* These projects are not subject to review by the Steering Committee at pre-determined evaluation meetings (February, May, August). Incentive funding will only be available to communities with enhanced street sweeping plans approved by the LSCP.

- For projects (including studies), the project proposer is required to bring an information item to the Steering Committee, notifying the Committee of the project's completion, and any related reports or data.

*Contracts:* Contracts dealing with the employment or continued funding of Lower St. Croix Partnership staff are not subject to the Project Evaluation and Approval Process outlined in this document. Contracts will be handled between the Fiscal Agent and the contracting party independently.

*Interim Applications:* Partners may submit a written request to the LSCP Progress Reporter that their projects be reviewed at the next scheduled monthly Steering Committee meeting. The partner must demonstrate that the project review cannot wait until the next scheduled review meeting, in accordance with the [LSCP's Fast-Track Project Policy, adopted April 25, 2022](#). The Progress Reporter will forward the request to the Planning Team, who will review the request, either in a special meeting, or through other communications, and determine if the project warrants a fast-track designation and should advance to the Steering Committee.

If the Steering Committee reviews the interim application outside of the approved calendar, the review process will be identical to the process outlined for other project reviews.

### Lower St. Croix Fast-Track Project Policy

“Beginning on July 1, 2022, the Lower St. Croix Watershed Partnership will use a stream-lined approach to review and recommend projects for funding. Projects submitted by participating entities will be ranked and reviewed two to three times per year in spring, summer, and fall.

On occasion, however, the Partnership recognizes that high value projects may arise that are well-aligned with the goals of our Comprehensive Watershed Management Plan but require more timely review in order to be completed within the calendar year. For time-sensitive projects such as these, local partners may request that their project be reviewed at the next scheduled monthly steering committee meeting.

All projects that are recommended for funding by the Lower St. Croix Watershed Partnership will be required to follow the same process, regardless of the timing for their review. This includes: completing a project request form and self-evaluation; submitting the project for steering committee and/or policy committee review; executing a contract for funding with the fiscal agent; and filling out and submitting an invoice template to the fiscal agent upon project completion.

Projects will only be fast-tracked if they cannot wait until the next scheduled review meeting and their benefit would significantly outweigh that of future projects that will be considered.

This policy should not be construed to include “emergency projects”, as defined by Minnesota Statute 103D.615. The term “emergency project” is strictly applicable to watershed districts and counties during a declared State of Emergency. The Lower St. Croix Watershed Partnership does not have authority under Minnesota Statute to declare a State of Emergency nor complete “emergency projects.””

## Conflict of Interest Policy

This policy follows, supports, and expands upon items outlined in the Lower St. Croix Comprehensive Watershed Management Plan Policy Committee Bylaws, adopted January 25, 2021 (Article II, Subsection 3).

### Definition

A conflict of interest, whether actual, potential, or perceived occurs “when a person has actual or apparent duty or loyalty to more than one organization and the competing duties or loyalties may result in actions which are adverse to one or both parties. A conflict of interest exists even if no unethical, improper or illegal act results from it.” (Office of Grants Management, Policy 08-01).

According to the Office of Grants Management Policy 08-01:

- **ACTUAL CONFLICT OF INTEREST:** An actual conflict of interest occurs when a decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict.
- **POTENTIAL CONFLICT OF INTEREST:** A potential conflict of interest may exist if a grant reviewer has a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests.
- **PERCEIVED CONFLICT OF INTEREST:** A perceived conflict of interest is any situation in which a reasonable third party would conclude that conflicting duties or loyalties exist.

### Application

No LSC member or representative shall participate personally through decisions, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, award, cooperative agreement, claim, controversy, or other particular matter in which award funds (including program income or other funds generated by federally-funded activities) are used, where to his/her knowledge, he/she or his/her immediate families, partners, organization other than a public agency in which he/she is serving as an officer, director, trustee, partner, or employee, or any person or organization with whom he/she is negotiating or has any arrangement concerning prospective employment has a financial interest of less than an arms-length transaction.

In the use of agency project funds, personnel and other officials shall avoid any action which might result in, or create the appearance of:

- Using his or her official position for private gain.
- Giving preferential treatment to any person.
- Losing complete independence or impartiality.
- Making an official decision outside of official channels.
- Affecting adversely the confidence of the public in the integrity of the government or the program.

#### Implementation

During a Policy Committee meeting, and prior to the Policy Committee's review or discussion of any items that involves a grant or funding decision/recommendation, an agenda item will be included to identify and/or disclose actual or perceived conflicts of interest. During this agenda item, the Policy Committee Chair will review the *Definition* of a Conflict of Interest, and request that meeting participants disclose any actual, potential, or perceived conflicts. It is the participant's obligation to be familiar with the LSC's Conflict of Interest Policy, and to disclose any conflicts of interest. A disclosure does not automatically result in a participant being removed from the meeting or process, only that the conflict has been identified.