

# **NORTH DAKOTA WETLANDS TRUST**

## **1994-1997 STRATEGIC PLAN**

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**February 9, 1995**

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February 9, 1995

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## **MISSION STATEMENT**

North Dakota's wetlands are a national treasure. Among the most biologically productive places on earth, these wetlands sustain diverse and unusual plants, and are home to frogs, pelicans, and millions of waterfowl and other marsh creatures. Wetlands provide feed and water for cows and deer. They provide food and resting places for migrating and nesting birds. They offer year-round habitat for resident creatures--from muskrats to pheasants.

Wetlands also hold back water which reduce the chance of floods, recharge aquifers, and filter runoff. In general, wetlands help improve North Dakota's water quality. These benefits are not only for our state, but also for many other states affected by the quality and quantity of our water, and for the migratory birds our wetlands produce and sustain. Wetlands are at the center of the circle that embraces our state's agriculture and natural resources.

Wetland protection and drainage issues are filled with contradictory and emotionally charged opinions by those who represent public and private interests. About 90% of North Dakota's wetlands are privately owned, so if wetlands are going to be part of our state's future, a balance of landowner interests and values along with environmental and natural resource values has to be found.

Congress provided the opportunity to achieve this balance when it created a six-member North Dakota Wetlands Trust Board. The Trust is not part of government, it is a nonprofit, citizen-directed organization. Board members are citizens concerned about North Dakota's water and agriculture and representatives of state and national conservation organizations.

Congress directed this group to "preserve, restore, manage, and enhance wetlands and associated wildlife habitat in North Dakota." The United States government and the state of North Dakota gave the group a \$13.2 million trust fund through the 1986 Garrison Reformulation Act to do just that.

The Wetlands Trust's Board can be innovative and has many options. The Trust can acquire land. It can obtain conservation easements. It can look at wetland conservation techniques and try to improve them. It can work on cooperative projects with private landowners and conservation agencies. It can help both children and adults learn and understand why wetlands are so crucial. The Board believes that through cooperation, people will find ways to promote a better understanding of wetland values.

The Trust is working to prevent further loss of wetlands, to improve existing wetlands, and to help reduce conflicts over wetlands through improved communication about the need for wetland protection and management. The North Dakota Wetlands Trust is working hard to make sure North Dakota's wetland heritage will always be part of our future.

## **MANDATE**

The North Dakota Wetlands Trust (Trust) was born out of conflict over the Garrison Diversion project, wetland acquisition and protection, and wetland drainage and development. As part of the Garrison Diversion Reformulation Act of 1986 (PL 99-294), Congress created the Wetlands Trust. The Trust was created to "preserve, restore, manage, and enhance wetlands and associated upland habitat in North Dakota" (PL 99-294).

The Trust Board of Directors is mandated by Federal law to include six-members; three are appointed by the Governor of North Dakota, and one is appointed by the National Audubon Society, one by the National Wildlife Federation, and one by the North Dakota Chapter of The Wildlife Society. The North Dakota Wetlands Trust has appointed the North Dakota Game and Fish Department Director as an ex-officio director of the Trust. The Board is empowered to conduct all activities of the Trust and required to provide annual reports to the Secretary of Interior.

Public law 99-294 authorizes the Bureau of Reclamation to provide \$12 million for the Trust on a scheduled proportion of the annual Federal appropriation for the Garrison Diversion Unit. Federal law also required the Governor of North Dakota and the Secretary of the Interior to agree to a process for the State to contribute 10 percent (\$1.2 million) to the Trust. The Trust can use only the interest monies generated from the principal. The Trust is authorized by Federal law to acquire land from willing sellers with the approval of the Governor of North Dakota.

North Dakota's non-profit corporate farming law (N.D. C.C. 10-06-04.3.) also directs certain activities of the Trust. Passed by the State Legislature in 1983, and amended in 1993, the corporate farm law permits the purchase of land but restricts certain actions of the Trust. The law restricts the Trust's land acquisition to 12,000 acres and requires a review and public hearing by both the county commission and a non-profit acquisition committee composed of representatives of five state agencies, the North Dakota Farm Bureau, and the North Dakota Farmer's Union. The law prohibits the Trust from using any funds except those derived from its interest account for land acquisition and from transferring land to the Federal government. The law also requires approval of the Governor for acquisition. All land acquired must be managed to conserve wildlife habitat.

During the negotiations and legislative development of the Garrison Diversion Reformulation Act of 1986, the parties agreed that the Trust should consider innovative approaches to wetland protection. The "Statement of Principles to Support the Agreement for Reformulation of the Garrison Diversion Unit", signed April 14, 1986 by all major parties to the conflict, verified this understanding. The Trust is pursuing cooperation between the wildlife, agricultural, and water development interests. There is also an understanding that the Trust is to complement existing wetland programs.

## **NICHE AND STRATEGY OF THE TRUST**

The Wetlands Trust Board of Directors recognizes that even though the Trust is a small organization, it can play a critical role in wetland conservation in North Dakota. To do this, the Trust must expend most of its resources on wetland conservation. The Trust must form effective partnerships with other agencies, organizations and landowners which will sustain wetland conservation and management. The Trust must not do only what other agencies and organizations are doing--the need for wetland protection is too great.

Land acquisition is only one tool to achieve wetland protection. Rather than only acquiring and subsequently managing lands, the Trust can more effectively make a difference by restoring and enhancing wetlands on acquired property and then transferring long-term management to responsible agencies, organizations or individuals. This will ensure that the Trust's financial resources are not over encumbered by long-term management costs, but will be available for future preservation actions.

The Board of Directors believes the Wetlands Trust can act as a granting organization which fosters partnerships to improve the quality and quantity of wetlands. The Trust will also attempt to maximize the use of matching grants to extend its limited financial resources.

The Trust supports wetland education programs which encourage an understanding of wetland functions and values. In order to achieve our goals, effective communication must take place both within the Trust and between the Trust and those concerned about the future of wetlands.

## GOALS AND OBJECTIVES

### PROGRAM: IMPROVED WETLAND RESOURCE

**Strategic Goal:** The Trust will focus on increasing the quantity and quality of wetlands in North Dakota.

#### Goal for Protection of Threatened Wetland Resources:

- To restore, enhance and protect wetland complexes in watersheds where wetlands are threatened with degradation or loss.

#### Objectives:

In the course of the next five years, the Trust will participate in three project areas where wetlands are threatened with degradation and destruction. Each area must incorporate all or most of the following elements:

Developing partnerships with private and public entities

Restoring drained wetlands

Restoring and maintaining upland cover around existing and restored wetlands

Demonstrating management techniques that enhance wetlands and provide an economic alternative to a producer

Improving watershed management.

Maple River Drift Prairie Project - Continue to implement and monitor the Maple River Project and make a decision by January 1996 on continuation, changes needed, and implementing similar projects in other areas of the state.

Maintain flexibility to utilize other methods to protect threatened wetlands and their associated habitats.

#### Goal for Stewardship of Wetlands on Private Lands:

- To improve wetland quantity and quality by reversing the trend of wetland degradation and decline on private lands through incentives, demonstrations, and technical assistance.

#### Objectives:

Expend up to 25% of our annual income on short-term projects which have long-term educational and demonstration value.

Create-a-Wetland - Monitor and evaluate the Create-a-Wetland Program for benefits to agriculture and wildlife. If long-term wetland benefits are demonstrated, expand the Create-a-Wetland program into Wells, Ramsey, and Walsh counties and place an additional 2,000 acres of drained temporary and seasonal wetlands in the program.

Adopt-a-Pothole - Continue to fund the Adopt a Pothole program and consider increasing the funding for this program in 1997 if the project sponsors adequately demonstrate long-term benefits to wildlife and the wetlands resource.

State Waterbank - Continue to fund the State Waterbank Program and consider

increasing the funding for this program if the Agriculture Department adequately demonstrates long-term wetland benefits and encourages state funding. Request the term of the contract be increased to 10 years beginning with renewal of any contracts.

Maintain flexibility to participate in other stewardship programs that meet the Trust's goal.

Goal for Creative programming:

- To develop new and innovative programs with partners for protecting the wetland resource.

Objective:

Develop guidelines by January 1995 that encourage potential partners to bring forth creative and innovative programs for protecting and enhancing wetlands.

Goals for Management of existing Trust lands:

- To improve the wetland and wildlife habitat resource on existing Trust lands.
- To consider the transfer of title and/or management of appropriate properties.

Objectives:

Kenner Marsh - Complete our commitments as effectively and efficiently as possible.

Chase Lake - Consider the transfer of the property to the Game and Fish Department.

Dickey County tracts - Complete and implement management plans for Grueneich and McDonald tracts. Inspect the properties and make a decision on continued management of these properties by January 1996.

**PROGRAM: CONFLICT RESOLUTION**

**Strategic Goal: Reduce conflicts over wetland issues in order to enhance and strengthen opportunities for wetland preservation and restoration.**

Goal for Communication in Wetland Conflict Resolution:

- To communicate success stories of conflict resolution so others can undertake similar efforts to protect and manage wetlands and associated habitats on their own.

Objectives:

Existing publications - Expand, improve or merge the newsletter and aggressively pursue articles in existing communication avenues, such as N.D. Water, N.D. REC, and farm organization magazines.

Farmer and Ranchers - Determine and carry out the best means to communicate to those who will use programs and techniques to enhance wetlands.

Goal for Partnerships and Collaboration:

- To develop effective partnerships to sustain wetland conservation to stretch financial resources, and secure new partnerships.



Objective:

Establish 2 or 3 new partnerships in the next three years with entities that have not typically been involved in wetland conservation, such as agricultural interests and local political subdivisions.

Request the State Water Commission and the Cavalier County Water Resource District develop a detailed management and operation plan for Rush Lake and the surrounding watershed by July 1995. Decide after the plan is completed and presented to the Trust Board whether or not to move forward with a Rush Lake project.

Goal for Wetlands Education:

- Encourage development of wetland education programs which promote an understanding of wetland functions and values, help resolve wetland conflicts, and change public and landowner attitudes and behavior to better conserve wetlands.

Objectives:

Participate in wetland field days and tours which demonstrate cooperation and wetland compatibility with agricultural production.

Fund an assessment of wetland educational needs, target groups, and most effective educational methods for changing attitudes and behaviors toward conservation of wetlands.

**PROGRAM: STRENGTHENING THE WETLANDS TRUST**

**Strategic Goal:** To build an effective organization that is user friendly, creative, flexible and accountable.

Goal for Administration:

- To develop an effective organizational structure for the operation and management of the Wetlands Trust.

Objectives:

Fiscal - Accountant, with oversight by the Board of Directors, will develop a business accounting system by January 1995 which 1) tracks income and expenditures on a project by project basis, 2) tracks administrative costs, and 3) projects future income and obligations.

Staff - The Board of Directors will make a decision on staff needs by July 1995, including contract vs. full-time staff.

Board education - The Board of Directors will become familiar with issues, programs, and projects of the Trust.

Planning - The Board of Directors will complete the current strategic planning process by July 1995 and set up a biennial review and evaluation for revisions and refinement.

Legal constraints - The Trust's attorney will provide information to the Board of Directors on legal requirements of Board members and the Trust in general.

Communication with stakeholders - Determine how to improve public communication by staff and Board with stakeholders by December of 1995.

Internal Communication - The staff will communicate both verbally and in writing to all Directors to keep them informed of Trust projects and of staff actions.

Goal for Effective Decision Making:

- To develop user friendly guidelines, criteria, and evaluation procedures for the prioritization of existing and future projects.

Objectives:

Guidelines - Develop guidelines by January 1995 that establish general boundaries for both the Trust's internal decisions and its grant making decisions.

Criteria - Develop a flexible, yet focused set of scientific, economic, and social criteria by July 1995 to rate and judge the Trust's projects and requests for grants.

Evaluation procedures - By July 1995, develop a monitoring system for Trust projects that can also be used as guidelines for preparing grant recipient reports to the Trust.

## PROJECT TYPES, GUIDELINES AND CRITERIA

**Project Types:** The means by which we will work to achieve our goals.

There are a variety of tools the Trust can use in wetland preservation, restoration, management, and enhancement. Most of the tools are not new; they have been used previously by agencies, organizations, and individuals. Acquisition of land, purchase of long-term conservation easements, short-term management agreements, and information and demonstration projects can all be used to safeguard wetland habitats. One tool, wetland legislation or regulation, is probably not available to the Trust because of restrictions in our corporate charter.

The Trust sees itself using the fore mentioned tools in three ways: grants, cooperative projects, and projects that are solely the Trust's.

### Grants

Grants will be used by the Trust to fund wetland projects developed by individuals, agencies, organizations, and cooperating groups. The Trust will provide full or partial funding. Project proponents will have the responsibility to plan, initiate, develop or construct, complete, evaluate, maintain, and report on the project to the Trust. The Trust may chose to define specific areas for grant proposals.

### Cooperative Projects

In cooperative projects, the Trust will be a partner with others, to complete a specific project, whether it is an acquisition, management agreement, educational project, or other effort. The Trust may initiate the project and seek partners, or the Trust may become involved at the request or invitation of the partners. In cooperative projects, the Trust will share in the responsibility for project planning, initiation, development, completion, and evaluation with the partners.

### Trust Projects

The Trust may see the need or the opportunity to complete wetland projects entirely on its own. In those cases, the Trust would plan, initiate, develop, evaluate, and report on the project. Depending on the project, the Trust may hire engineers, contractors, realtors, attorneys, facilitators, and educators as needed to complete a project.

**Project Guidelines:** Areas of interest.

All projects considered and reviewed by the Trust, whether grants, cooperative efforts, or self-managed, will be evaluated and ranked by the same guidelines: solution, cooperation, innovation, demonstration, education, continuation, evaluation, completion, and participation.

1. Solution: The proposed project should solve a problem or remove a threat.
2. Cooperation: Projects should demonstrate partnerships, especially ways for farmers and

wildlife conservationists to work together.

3. Innovation: Projects should have something innovative, not to be different, but to be more efficient, more acceptable, more successful than other approaches to similar projects or problems.
4. Demonstrations: Proposals must provide appropriate biological data, literature reviews, engineering data, and public support to show the project can be completed and have its desired effect. Permit requirements and other agreements should be obtained or clear plans to obtain them must be described.
5. Education: Projects must improve the understanding of wetlands and educate individuals about the value of wetlands and their long-term benefits.
6. Continuation: The proponents must describe how the project will be maintained for the project duration and how benefits will continue in the future.
7. Evaluation: Proponents must demonstrate how they will evaluate the success or effect of a project during its development as well as after completion. Proponents must identify who and how the project will be monitored or evaluated, and who will be responsible to the Trust for the evaluation.
8. Completion: At the completion of the project, proponents must notify the Trust and report units of accomplishment, final expenditure of Trust funds, any follow up work needed, and recommendations about the project or potential similar projects for the future.
9. Participation: In programs that seek to use Trust resources as matches for certain federal, state or private grants, the Trust will give additional consideration to applicants who put at least 25 percent of their own resources into the program.

### **Project Criteria**

The following are standards by which a determination can be made for Trust projects. They are to be used to identify and prioritize significant projects which will preserve, restore, manage, and enhance wetlands and associated wildlife habitat in North Dakota. These criteria will be used to ensure that an objective, scientific, and thorough assessment is prepared for all proposals presented to the Trust.

The Trust recognizes that we have limited resources and are not able to fund every project that is proposed. The Trust will chose projects which most effectively and efficiently invest our resources in wetland conservation. The test of the effectiveness of the Trust shall be whether or not its efforts increase and enhance the wetland base in North Dakota.

The criteria address the following:

- a) Prioritization.
- b) Types of projects the Trust will not fund.
- c) Monitoring and evaluation of Trust projects.

### Priorities

- Projects which protect unique or high quality wetlands and wetland complexes that are at risk of being destroyed or degraded. An adequate management plan that includes the costs must be prepared for all Trust fee title areas prior to the Board approving acquisition.
- Projects which restore or protect uplands or watersheds around unique or high quality wetlands and complexes at risk from drainage or degradation.
- Long-term restoration of unique or high quality wetlands and complexes alone or in partnership with other individuals or organizations.
- Long-term enhancement of unique or high quality wetlands or wetland complexes alone or in partnership.
- Grants to individuals or organizations for stewardship of wetlands and wetland complexes on a long-term easement basis. The Trust wants its programs to be flexible to provide options ranging from perpetual to less than perpetual for landowners and organizations.
- Grants to individuals or organizations for stewardship of wetlands and wetland complexes on a temporary basis (five years or less) for educational or demonstration purposes. The Trust prefers such temporary programs become self-sustaining within five years.
- Grants to individuals or organizations for wetland education programs. Wetland education programs must have measurable results such as the number of wetland acres protected, number of people reached, attendance at workshops or programs, and reaction or support for protecting the state's wetland base.
- Grants for new and innovative programs for protecting the North Dakota wetland base. The Trust prefers long-term protection programs over temporary ones for these new and innovative approaches.

The Trust will expend its resources on these priorities both on an annual and cumulative basis. It is cumbersome to assign a percentage of Trust expenditures to each priority. The Trust should continuously track its disbursements to assure those expenditures fulfill the mission of conserving the wetland base in North Dakota.

### Programs Not Funded by the Trust

1. The Trust will not fund research.
2. The Trust will not allow its resources and wetland restoration acres on future projects to be used for Swampbuster mitigation.
3. In mitigation, outside Swampbuster, the Trust shall make the decision on whether its restoration acres can or cannot be used for mitigation on a case-by-case basis.

### **Monitoring and Evaluation**

The Trust will adopt an evaluation system that measures the impact of its efforts. It will quantify the outcomes of the projects it funds over a given period, and compare them to a standard agreed upon by the Board. The standard shall be the fulfillment of the Trust's goals and objectives. Measuring progress towards achieving the goals and objectives of the Trust is challenging, but it must be done. Information gained from monitoring and evaluation will measure progress toward accomplishing our goals and objectives.

The first step in evaluation is requiring the applicants to do an evaluation worksheet prior to submitting proposals to the Trust. It should be impartial and the Trust will provide applicants a standard model for types of proposals.

For education and new programs, the recipients have the responsibility to provide an annual letter of accomplishment. The Trust will tailor this responsibility to the specific program funded and the needs of the recipients on an individual basis.

## HUMAN RESOURCE PLAN

The Directors and staff each have distinct and separate responsibilities. The Strategic Plan will be implemented by the staff of the Trust, with direction setting, review, and oversight by the Board.

### Directors Responsibilities

- Communicate with stakeholders they represent
- Plan and set direction
- Employ and direct staff
- Provide fiscal oversight and accountability
- Ensure that programs fit with goals and objectives
- Set policy
- Be aware of liabilities, individual and collective described by Trust's attorney

### Staff Responsibilities

- Conduct day-to-day business of the Trust, to include:
  - Board meeting management
  - Mail, phones, correspondence, etc.
  - Records retention
  - Insurance needs
  - Reports to Bureau of Reclamation
  - Receive, code and transmit invoices
- Manage land acquisitions and coordinate approval process
- Communicate Trust activities with Board of Directors, project partners and other stakeholders
- Assist with new Board member training
- Coordinate Trust needs with accountant, Trust fund manager, and legal advisor
- Propose and initiate, with Board approval, programs and projects that meet Trust goals and objectives
- Manage and coordinate proposals received from potential project partners
- Manage Trust projects from planning to implementation
- Manage Trust needs for partner projects: agreements, reporting, evaluation
- Manage lands owned by the Trust that are not given to an agency or organization to manage:
  - Draft management plans for Board approval
  - Identify lessees and contractors to carry out goals and objectives
  - Oversee all lessee and contractor activities
- Oversee management of Trust lands that are managed by another managing organization
- Assist with strategic planning:
  - Coordinate logistics and staff needs
  - Gather and present information
  - Followup as requested
- Provide background information to Board for policy decisions
- Draft grant proposals for Board approval

- Track legislation that affects the Trust at the North Dakota Legislature

#### Board Communication and Training

It is apparent that the Trust's Directors cannot remain knowledgeable of the Trust's activities by meeting only twice annually. The Directors may have to begin meeting quarterly and/or develop a system of Director Committees to meet more frequently in order to complete reviews or evaluations of proposals on accepted projects and make recommendations to the full Board for action.

Individual Directors may have to meet more frequently with their respective constituency or appointing entity, and Directors may want other Directors to accompany them to some of the meetings.

The Directors also need better internal communication, perhaps by set-frequency telephone conference calls. A frequent, more personal contact will help improve the flow of information and enthusiasm better than written correspondence. The Trust should re-evaluate the Trust's newsletter to see if it meets a need of the Trust.

It would be valuable for all Directors to become better versed in wetland and agricultural programs, wetland ecology, farm management and economics, wetland facts and figures, state and federal programs, regulations, and land holdings. Perhaps at each quarterly meeting, the Board could have presentations on topics such as the Section 404 program, Swampbuster, the Wetland Reserve Program, U.S. Fish and Wildlife Service Acquisition Program, a farmer's views, and a farm organization's views. The Directors could suggest topics and the Manager could coordinate and schedule on the meeting agenda.

In addition, from time to time, agency coordinated activities and field trips can provide insight into better understanding of wetland related issues. The North Dakota Game and Fish Department, U.S. Fish and Wildlife Service, and other agencies are encouraged to include invitations to members of the Board when these activities permit.



## **FINANCIAL PLANS**

The Trust has three main responsibilities for financial planning and accountability: planning and approving budgets, accounting for expenditures, and managing the Trust's funds. These responsibilities are tied to the Strategic Plan through goals and objectives.

To effectively carry out the mission of the Trust, Board members must have useful and timely information about the Trust's financial obligations, assets, anticipated revenues, and liabilities. The Board is responsible for the Trust's fiscal well-being and the annual budgeting process. The Board will oversee work of the staff, accountant, and trust fund manager in preparing budgets for the work described in the strategic plan, and establishing an accounting system tied to the budget and goals, for presentation at the annual meeting. The Directors will also make decisions on management of the interest income accumulated over the past years.

### **Budgeting**

Budgets will be developed by staff, and revised and approved by the Directors on an annual basis. In addition, budgets will be estimated for the two years following. The budget will include estimated costs of anticipated program management or activities, based on the strategic plan (goals and objectives), and estimated revenues by fund (accumulated interest income, annual interest revenue, grant revenue, and other revenue).

### **Accounting**

Expenditures will be tracked on a program (project) basis by line item. Special projects that receive outside grants will be tracked separately. A quarterly financial statement by revenue and expense (for each program and cumulative) will be sent to the Board by the accountant. A monthly statement will be sent to the staff and the Secretary/Treasurer by the accountant.

### **Fund Management**

The Trusts funds will be tracked and managed separately, to include:

- Government Deposit Fund (principal)
- Accumulated Income Fund
- Annual Interest Income
- Grants

## **MONITORING, CONTINGENCIES, AND EVALUATION**

The Trust Board will review accomplishments toward the goals and objectives laid out in this strategic plan at their annual board meeting. The Board will review the strategic plan biennially and make changes as needed.

## **SUPPORTING MATERIAL ON FILE**

### *A. Plan Development Materials:*

1. Situation and Problem statements
2. Stakeholders
3. Trends
4. Strengths, Weaknesses, Opportunities, Threats
5. Strategic Issues

### *B. Legal Documentation*

1. Public Law 99-294, Section 5
2. North Dakota Century Codes 10-06-04.3
3. Contractual Agreement with Bureau of Reclamation
4. Contract with Secretary of Interior and State of North Dakota

### *C. Supporting Materials*

1. Cash Flow Projections for 1994-1998
2. Proposal application