



Minnesota Board of Water and Soil Resources.
Minutes.

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MINUTES OF AUGUST 24, 1988
OF THE
BOARD OF WATER AND SOIL RESOURCES

Appointed Members in Attendance

Donald Ogaard
John Williamson
John Boulton
Eugene Kalmes
Douglas Bade
Don Warner
Lowell Moen
Natalie Haas Steffen
John Brooks, Jr.
Howard Peterson
William Cofell
Loni Kemp
Loren Harste
James Hoese
Ken Schellack

Appointed Members Absent

Jack Graba

Others in Attendance

Laurel Reeves, Minnesota Department of Natural Resources
Bruce Gerbig, Minnesota Department of Natural Resources
Jim Nichols, Minnesota Department of Agriculture
Herb Halvorson, Minnesota Department of Agriculture
Paul Burns, Minnesota Department of Agriculture
Mick Finn, Minnesota Department of Health
Gary Nordstrom, Soil Conservation Service
Al Dornfeld, Minnesota Association of Watershed Districts
Warren Wallgren, Minnesota Association of Watershed Districts
Franklin Denn, Minnesota Association of Townships
Tom Halbach, U of M, Extension Service
Dr. Bill Larson, U of M, Extension Service
Don Dinndorf, Chairman, RIM Coalition
Judy Erickson, Minnesota Association of Soil & Water Conservation Districts

Staff in Attendance

Jim Birkholz
Mel Sinn
Wayne Edgerton
Dan Steward
Denice DeFrates
Kim Benson
Tom Wenzel
Mary Jo Anderson

Call Meeting to Order - Chairman Ogaard called the meeting to order at 9:05 a.m., in Conference Room A, Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, Minnesota

88-126 **Adopt Agenda** - Al Dornfeld, President, Minnesota Association of Watershed Districts, requested time on the agenda to address the Board. Moved by Boulton, seconded by Kalmes, to adopt the agenda as presented. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Schellack, Moen, Hoese, Haas Steffen, Brooks, Jr., Harste, Kemp, and Cofell. Opposed: None. Carried.

Howard Peterson entered the meeting at 9:10 a.m.

88-127 **Approval of Minutes of July 27, 1988** - Chairman Ogaard mentioned some changes that need to be made to the minutes. On page 2, regarding the Chairman's Report, he attended a meeting at the Holiday Inn in Shoreview, rather than St. Paul. Also on page 2, when Chairman Ogaard reported on the meeting and tour he attended on July 13-14, it was stated that "MPCA was amazed at", that should be struck, and it should read "He reported that MPCA representatives were impressed with" the capability of local governments wishing to pursue a lake project, replacing a bridge with a dam using multiple funding sources. Chairman Ogaard also stated that correction needs to be made on page 10, striking the fourth paragraph, and replacing it with "Eugene Kalmes asked how the Board members felt about keeping the four short-term, two-year soil and water conservation districts representatives on the Board beyond their termination date. Williamson supports these four members to be reappointed for an indefinite time. Cofell certainly valued the four people. This issue should be brought up before the legislature this session. Chairman Ogaard suggested the associations initiate this issue, as it would be more acceptable coming from the associations rather than the BWSR. This issue will be properly mentioned in the report to the Governor". Moved by Williamson, seconded by Warner, to approve the minutes of July 27, 1988, as corrected. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Hoese, Haas Steffen, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried.

Chairman's Report - Chairman Ogaard reported that the Dispute Resolution Committee had met earlier this morning and made a final decision on Winslow Holasek's appeal of a Coon Creek Watershed District repair levy on Anoka County Ditch No. 58. The Dispute Resolution Committee ruled in favor of Mr. Holasek. The Coon Creek Watershed District will, therefore, have to return all monies received to date on the 1987 assessment for the repair of Ditch No. 58. Chairman Ogaard reported that he attended the EQB meeting last month. The groundwater strategy is moving forward and has received considerable press. Chairman Ogaard said there has been good publicity statewide on the drought issue. He suggested that the Board make an effort in the future to provide a slide/tape presentation showing available water conservation technology. He felt that the Board could take the lead role on this and provide a good service. Chairman Ogaard suggested that Board members do an evaluation of the Board of Water and Soil Resources. He would like to see this done internally before the Board retreat in September. An evaluation form will be sent to Board members before the next meeting. Chairman Ogaard stated that the proposed increase in the number of managers of the Pelican River Watershed District will be the subject of a public meeting on Saturday, August 27, at 9:30 a.m. in Detroit Lakes. Chairman Ogaard asked for Board members to volunteer to attend this hearing, as Jack Graba had by-pass

surgery last week and is unable to attend as a representative of the Dispute Resolution Committee. Lowell Moen, John Brooks, Jr., Ken Schellack, and William Cofell will attend the hearing. A get-well card will be sent to Jack Graba from the Board.

Chairman Ogaard addressed the drainage law issue that the Board took action on at the July meeting. Chairman Ogaard proposed the following objectives for the "Metropolitan (Seven County) Drainage Law Review Panel":

- 1) Identify existing drainage law problems, i.e.: difficulty in administration.
- 2) Delineate workload in drainage ditch administration (county, W.D., Met Council, etc.), and concern for long-range planning and water management as an integral part of the process.
- 3) Evaluate the capability under Chapter 509 to address the drainage ditch issue as a part of, or solution to, identified concerns.
- 4) Suggest changes in Chapters 106A, 112, and 509 to provide expeditious solutions, outlined as problems or concerns.
- 5) Suggest a "plan of action" to facilitate changes envisioned.

Chairman Ogaard suggested the following five-member panel (with ex-officio member being the MBWSR Chair or a Board volunteer) and any other suggested by the Board:

- 1) Association of Counties (metro representative)
- 2) Metro Area Watershed Districts
- 3) Met Council
- 4) D.N.R. (name participant)
- 5) Non-affiliated interested citizen with legal expertise

Entities named have been or are being contacted to provide names of designated representatives (associations take time to reach). Natalie Haas Steffen suggested that the Metropolitan Inter-County Association (MICA) also be involved. She stated that the attorney she knows who volunteered to be on the panel will not be Chair, but will be involved on the panel. Chairman Ogaard will proceed with the general format on this.

Chairman Ogaard asked Board members to report on various happenings from their area of the state.

Bill Cofell reported that the ground is green in St. Joseph after they received rain and four inch hailstones. Unfortunately they received much hail damage to cars and roofs. His area is in need of another fifteen inches of rain to get a good crop next year. Bill has been involved in meetings with MPCA.

Loni Kemp reported that the southeastern part of the state has received some great rains. Although some fields look great, others look awful. Loni works with the Minnesota Project and they are getting much local experience in groundwater planning. Loni is chairperson of the Fillmore County Planning Committee for the comprehensive water plan. Loni has published information on farm chemicals and groundwater, after doing much research nationwide on non-profit organizations. Twelve non-profit groups will be coming to Minnesota regarding this effort.

Lowell Moen reported that crops in his area turned out excellent. Wheat and barley out-yielded last year's crop. The Norman County Soil and Water Conservation District purchased a computer for their district. A SWCD Manager was hired who has computer capabilities and feels another computer is needed. Lowell felt that this is good, the workload is there, and a good sign of the changing times.

James Hoese reported that he is involved with the Extension Committee and the Drought Board in his area. They toured the county and found that many farmers are looking for help. His area has had a good fourth cutting of hay this year. He felt that ditch systems seem to be a problem statewide. He has met with legislators on this groundwater concerns which will be a big issue this session.

Don Warner reported that they have received excessive rain in his area, even flooding problems. He has been working with Area 3 in planning for the BWSR meeting and tour in September.

Mick Finn reported that Department of Health is having problems with monitoring the water supply.

Doug Bade reported from his travels that the Foley and Pierz^{Carver County} areas were the worst hit by drought. His district is moving ahead on groundwater plans. The Food Security Act has kept the staff in Carver SWCD very busy.

Ken Schellack reported that they will be getting about 40% of a normal crop this year. He stated that it's been a very trying year. His goal on the BWSR is to continue his efforts to promote soil and water conservation. He mentioned an article in "The Forum" regarding how quickly we forget about tillage. How do you control weeds? What is the right answer? You're wrong if you do and you're wrong if you don't.

John Boulton reported that he recommends the partial payment request for the Minette-Kranz structure in Study Area II, which will be completed soon. John explained that he was involved in the haylift program and reported his experience with that program.

Paul Burns reported that he wasn't involved in the haylift, but the Department of Agriculture has put alot of time and effort into it so things would work out. Regarding the drought situation, his parents live in Watonwan County and they didn't have any water in their well.

Laurel Reeves reported that Ron Nargang, Director of Waters in DNR, has garnered much publicity from the drought issue for better drought contingency plans. She stated that a planning effort is needed to inventory groundwater sources rather than relying on information from irrigators. A metro area concern is that municipal contingency plans need to be in place, and long-range plans need to be evaluated.

Loren Harste reported that on September 10th, the Big Stone Lake/Whetsone River Control Works Project will be formally turned over to the local sponsor by the U.S. Army Corps of Engineers and dedicated. He invited Board members and everyone to attend. Invitations will be sent. He explained that this is a

clean water partnership type project with lakes in a restoration project. He stated that the lakes in his area are very low due to the drought situation. There is a lot of irrigation in his area which is a big concern for groundwater. He was disturbed after reading an article in the Minneapolis "Tribune" regarding tillage. He's disappointed that people aren't understanding soil and water conservation practices.

Eugene Kalmes reported that the first crop of hay was excellent, the second was dry, and the third was very dry. The oats are short and the corn looks tough. He mentioned two big projects in Winona County: the Garvin Brook Rural Clean Water Project and the Whitewater Project with the Fish and Wildlife Service. He attended an incinerator tour in Winona County, which is a big issue in his area. 85-90% of the waste is coming from the city, this incinerator meets all emission standards.

Natalie Haas Steffen reported that Anoka County is a disaster area due to the drought. She stated that a few of the problems in her area are: marijuana growing so strongly this year; several fires; a tire dump; and an incinerator problem that is trying to get rid of hospital and animal waste. There are three potential landfill sites. She has spent many days working with DNR, the Army Corp of Engineers, and Coon Creek.

Howard Peterson reported that he is a Riley-Purgatory-Bluff Creek Watershed District representative. He's been working on a project of re-evaluating last year's heavy rainfall. He felt that conservation needs to be expanded upon. His feelings are, "don't take care of one problem by creating another". His goal on the BWSR is to foster conservation.

John Brooks, Jr. reported that he was fortunate to have good crops this year. He attended a meeting on abandoned wells, and feels education is needed on this issue. He felt farmers in his area would not voluntarily identify the locations of abandoned out of fear that the state will force them to spend money to seal them.

John Williamson reported that Kandiyohi County is generally green. The Kandiyohi SWCD is running the AgNPS computer model for watersheds draining to several lakes in the county.

Chairman Ogaard called for a break in the meeting at 10:45 a.m. The meeting reconvened at 10:55 a.m.

Executive Director's Report - Jim Birkholz stated that part of the Board's computer order has arrived. A networking system will be built into the central office, with the RIM staff being the first step, the remaining central office being the second step, and the regional staff the third step. Eventually SWCD and other local offices will be able to access the system, which will tie the whole networking system together. Jim stated that the Board and staff have been working to get information out on soil conservation needs regarding the drought issue. A documentary was made by the McNeil/Lehr reporting staff. A ten-minute segment was on Minnesota, of which Jim was interviewed. He felt that it was a good report done on soil conservation, and soil moisture. They interviewed an excellent conservation farmer, Myron Tank, and Howard Moechnig, from the Soil Conservation Service in Washington County. A good report was

done, and this was an excellent opportunity of getting information out. There has been good coverage and follow-up done to that. Denice DeFrates has been doing press releases on the drought.

Jim Birkholz introduced Dr. Bill Larson, U of M/Extension Service, who wished to address the Board on conservation tillage and the residue/moisture problem. He felt that we're set up for a real problem with this next spring. He stated that the University of Minnesota/Extension Service would like to work with the Board on this issue. Tom Halbach, Extension Service, was also introduced. He was concerned with the issue of how can farmers recharge the moisture that we do get. Jim Birkholz mentioned that the University of Minnesota/Extension Service, Soil Conservation Service and others need to continue working together on this issue and to accelerate efforts to get the conservation message out.

Jim Birkholz reported on the Board's staffing situation. The Assistant Director's position is being advertised and applications will be accepted until August 29. Jim asked for assistance from the Board's Personnel Committee when conducting interviews. Two members of the Personnel Committee will assist with the interview process. Jim reported that Dan Steward will be filling the hydrologist position in Brainerd. Letters have been sent out regarding the hydrologist positions in New Ulm and the central office. Interviews will be held soon on those positions. Dennis Pond's position is in the process of being reclassified as Accounting Director for the Board. The RIM Realty Specialist has just been filled by an excellent candidate, Steve Miller. Mr. Miller will be starting on September 6. Jim was just informed that Kim Benson has resigned and will be taking a hydrologist position with the Department of Agriculture/Agronomy Services Division. Jim reported that the strategic planning issue is absent from the agenda today, as the budget and legislative issues are of main concern at the present time. The strategic planning effort will be brought before the Board at the September meeting.

EQB/Water Resources Committee Report - Loni Kemp reported the Water Resources Committee met on August 4 to finalize their recommendations on LCMR water proposals. Two special meetings were held prior to that day in an attempt to consolidate the proposals. The paired ranking system was utilized. Greg Larson and Loni ranked the proposals. Three categories were formed to rank the proposals: 1) those on the top of the list; 2) those in the middle; and 3) those on the bottom of the list. All those in the top category were proposed to LCMR, two of those being this Board's local water management and drainage handbook proposals. Martha Brandt, Chair, of the EQB/WRC, presented these proposals to LCMR last week. Loni explained that they will now wait to hear from LCMR on the proposals. She stated that the groundwater strategy has gone through necessary agency approvals. Local programs were proposed. The strategy proposals are packaged for a groundwater bill, components will be discussed at the September 1 meeting. Loni reported that the pesticide strategy is on a slower track, with EQB final approval scheduled for October 7. Loni stated that Mel Sinn has been working on the 1989-91 Priorities Report paper on local water planning. Loni reported that in the final federal appropriations bill implementation funding for section 319, nonpoint pollution control, was zeroed out.

Reinvest In Minnesota Reserve Program - Policy Recommendations - Jim Birkholz reported that the 1989 Departmental Legislative Initiatives are due to the

State Planning Agency by Friday, August 26. Staff presented the following initiatives:

- 1) Reinvest In Minnesota Reserve Program - This legislation would transfer the authority for the RIM Reserve Program to the Board of Water and Soil Resources (BWSR) from the Commissioner of Agriculture. The BWSR is the implementing agency through local soil and water conservation districts. This role was inherited from the former Soil and Water Conservation Board which was a division of the Department of Agriculture. The fate of the legislation which created the BWSR in 1987 was unknown at the time the RIM Reserve program was reauthorized that same year. This legislation brings the delivery system and authority for the program into the same agency. Continuing the existing dichotomy is inefficient and ineffective for program implementation.
- 2) Office Space for the Board of Water and Soil Resources - Amend MS Ch 110B.35 Subd. 6 to remove the requirement that the Department of Agriculture provide office space for the Board of Water and Soil Resources. This would allow the BWSR to seek adequate office space if needed. The office space currently provided to the Board in the Department of Agriculture Building is charged to the Board in the amount of \$36,000 per year. This office space is inadequate. Remodeling costs are estimated at between \$25,000 and \$50,000. The department has indicated that they cannot pay the costs of remodeling. The building is also full. The Board needs to seek office space adequate for its functions at a reasonable cost. Reasonable cost options may not be available at the Department of Agriculture.

Commissioner Nichols was present at the meeting and responded that he supports both of these legislative initiatives. He felt that it would be cumbersome if the RIM staff stayed and the BWSR staff left the Department. Another option for office space would be to put a fourth floor onto the building which is being discussed. If built, the Board would be welcome there. He explained his point of view on the drought issue and releasing RIM lands for grazing. He expressed concern that there was a desperate need for forage, and there is a need to address the real problems. The CRP program states that lands must be released if you have a drought. This is a reserve program, as is RIM. There is a need to convince people now more than ever that a strategic forage reserve is needed. He commented that a good working relationship is needed, if you don't have that you don't have anything. Cooperation is needed with farmers if you're going to win the battle. He hasn't gained financially (from hay on his CRP land), as reported by some. He donated his hay for the haylift program. He stated that you need to make a choice for the highest need and prepare for next year. Chairman Ogaard thanked Commissioner Nichols for coming before the Board today.

Jim Birkholz stated that a fact sheet will be put out regarding the haying and grazing on RIM land. Wayne Edgerton reported that 40 applications were received for grazing. Of those four were not approved. This involved a total of 1,456.2 acres in twenty-one counties. Wayne stated that many of the landowners who participated in the program did not and would not want it to be grazed or mowed. This story also needs to be told. Jim Birkholz stated that the Board needs to work with the Attorney General's office of have lead time to make sure all authorities are covered with any program transfer.

88-128

Chairman Ogaard stated that an element of fairness and cooperation needs to be considered. Moved by Peterson, seconded by Bade, that staff be directed to proceed on the RIM Reserve Program legislative initiative. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Schellack, Moen, Hoese, Haas Steffen, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried.

Chairman Ogaard recessed the meeting for lunch at 12:05 p.m. The meeting reconvened at 1:05 p.m.

88-129

BWSR 1989 Legislation - Jim Birkholz reported that another 1989 legislative initiative is the proposed Local Water Resources Protection and Management Program. It's major goal is to assist that local units of government exercise maximum initiative to protect water quality, including groundwater by using their planning, zoning, official controls, authorities, local knowledge, information and technical resources. MN Statutes Chapter 110B would be amended by adding new language for this program. The BWSR would implement the grant program. Local governments implementing water resource protection activities would continue to relate to the appropriate agency which has state responsibility for that activity. Loni Kemp suggested keeping this broad, which includes 509, and the summary needs to be clearer. Discussion followed. Moved by Schellack, seconded by Cofell, to proceed with the Local Water Resources Protection and Management Program legislative initiative. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: Haas Steffen. Carried.

88-130

Sealing Improperly Abandoned Wells - A cost-share program to properly seal high priority abandoned wells. This would be a cooperative program with the Department of Health. Cost-share funds would be provided through SWCDs by adding language to MS Ch 40. Technical oversight would be provided by the Department of Health through possible changes to MS Ch 156A. The Board of Water and Soil Resources would coordinate with the Department of Health in providing grant funds through SWCDs. Would require a local water plan to participate. Moved by Haas Steffen, seconded by Schellack, that this would be a cooperative effort for the Sealing of Improperly Abandoned Wells legislative initiative. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Hoese, Haas Steffen, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried.

Comprehensive Local Water Plan Updates - This initiative would amend the Comprehensive Local Water Management Act (Chapter 110B) and the Metropolitan Water Management Act (Sections 473.875-473.883) by adding language requiring comprehensive local water plans to be updated at least every five years. The current laws each contain an open-ended plan amendment provision that allows plans to extend to any future year that is evenly divisible by five. Discussion followed. It should be stated that this addresses both 110B and 509. Cofell suggested making a plea for funding. Loni Kemp asked if the Board can agree on a policy, funding by state, implementing by locals. Cofell questioned a mill levy. Natalie Haas Steffen didn't agree with that. She suggested that cost-sharing should be refined. She felt that a trigger mechanism is needed regarding plan updates. If staff utilizes a tickler file, and contacts locals once a year an assessment of plan updates can be done. Jim Birkholz suggested not submitting this as a legislative initiative.

James Hoes and Natalie Haas Steffen left the meeting at 1:55 p.m.

88-131 Excessive Soil Loss - The proposed amendments are initiated to update the state's soil erosion and sediment control program with technically sound, state of the art conservation specifications to control soil erosion and sedimentation in urban development and agricultural areas. The proposed amendments would apply to Minnesota Statutes, Chapter 40.19 to 40.28. Wording would accommodate the current efforts taking place in Metro area counties. Discussion followed. Jim committed himself to deal with both urban and agricultural issues in the draft language. Moved by Schellack, seconded by Kalmes, to broaden the scope on the Excessive Soil Loss legislative initiative. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried.

88-132 Compensation for Board of Water and Soil Resources Members - Minnesota Statutes Ch. 15.0575, subd. 3 would be amended to allow members of state boards (the BWSR) to be compensated at up to \$75 per day. Discussion followed. Moved by Cofell, seconded by Warner, to proceed on the Compensation for BWSR members legislative initiative. Chairman Ogaard suggested addressing an increased chairmanship compensation in the future. Amendment made to the previous motion: Moved by Brooks, Jr., seconded by Cofell, to amend the previous motion to include the chairmanship compensation be established by the Department of Employee Relations. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: 88-133 None. Carried. Retrocede to the previous motion: Moved by Cofell, seconded by Warner, to proceeding with the Compensation for BWSR members legislative initiative, including the amendment: Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried.

88-134 Office Space of the Board of Water and Soil Resources - Amend MS Ch. 110B.35 subd. 6, to remove the requirement that the Department of Agriculture provide office space for the Board of Water and Soil Resources. This would allow the BWSR to seek adequate office space as space is getting quite tight in the MDA building. Moved by Brooks, Jr., seconded by Bade, to proceed with the Office Space for the BWSR legislative initiative. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried. Jim Birkholz stated that staff will do an area office rent survey in case a move needs to be considered.

RIM Summary of Legislative Initiatives:

Expand Water Quality Emphasis - MN Statutes Section 40.43 Subd. 2(1) Expand eligibility for enrollment. This change will be provided for enrolling lands in the program which presently pose high risk for groundwater contamination as well as lands adjacent to high amenity waters. Enrolling these areas will protect the waters from agricultural fertilizers, pesticides, and sediments and provide valuable wildlife habitat. Discussion followed. It was agreed that riparian lands should also be included.

Eliminate Cropping Requirement for Wetland Restoration - MN Statutes Section 40.43 Subd. 2(5). Currently many drained or partially drained wetlands are not eligible for the program because they were not cropped at least two years

between 1981 and 1985. The value of restoring these wetlands is immense. This proposal would eliminate the cropping requirement for drained wetlands to be enrolled in the program. Drained wetlands without a cropping history would be eligible for a lower payment rate consistent with the state Waterbank Program payments (50% of EMV for cropland). Bruce Gerbig, DNR/Waters, stated that the waterbank program doesn't have cropping history.

Eliminate the 20% Enrollment Limit - MN Statutes Section 40.43 Subd. 2(5). Currently there are two enrollment limits - the 20% limit and the \$50,000 limit. The 20% limit has caused problems in restoring some wetlands because the 20% cap is less than the restorable wetland acreage in many cases. It is recommended that the 20% limit be removed but the \$50,000 limit be retained and further defined.

Redefine \$50,000 Payment Limit - MN Statutes Section 40.43 Subd. 6(5) Exclude payments for conservation practices from the \$50,000 limit. The \$50,000 limit would cover only easement payments, not supporting practices. This initiative is being supported by the RIM Coalition.

88-135

Strengthen Violation Provisions - MN Statutes Section 40.03 Subd. 5(5) Strengthen violation provisions. Presently the law gives no guidance for the penalties to be assessed for individual violations. Language is being developed with the assistance of the Attorney General staff. Moved by Bade, seconded by Cofell, to approve the above stated RIM summary of legislative initiatives, with the inclusion of riparian lands to Expand Water Quality Emphasis. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Brooks, Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried.

Moved by Williamson, seconded by Schellack, that RIM lands be released for haying and grazing in drought or emergency situations. Discussion followed. Jim Birkholz advised that people are really sensitive to this issue and the timing might be bad if we want to have a rational discussion of this issue. John Williamson asked that if the proper wordage and language could be developed to be used for legislation; can this situation be worked out? Jim Birkholz replied, that he will take this discussion to the RIM Coalition and see that it is discussed to see what wording can be worked out. John Williamson withdrew his motion, and Ken Schellack, withdrew his second.

88-136

Jim Birkholz reported to the Board that the University of Minnesota/Extension Service would like to be more involved with the Board of Water and Soil Resources activities, and they would like a person to represent them as a member of the Board. Discussion followed. Moved by Brooks, Jr., seconded by Williamson, that the BWSR supports the concept of adding a University of Minnesota/Extension Service non-voting representative to the Board. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried.

Al Dornfeld, President, Minnesota Association of Watershed Districts, reported on the recent tour of the \$5 million Project 1007 of the Valley Branch Watershed District. He reported that he was disappointed to read an article in the "Trout Unlimited" Newsletter in which they referred to wrong-doings in trout streams, but were misinformed regarding the watershed district's activities. He distributed a report for the Board's information regarding relationships between

the Watershed Districts and the BWSR. This report will be published in the next joint newsletter.

Gary Nordstrom, State Conservationist, Soil Conservation Service, reported that the National Endowment Award will be presented by the Governor on Friday at the State Fair. He stated that the CRP sign-up has been slow, the sign-up ends next week. SCS has fifteen soil scientists from out-of-state working on soil surveys and assisting on mapping in the northwestern part of the state. Gary reported that SCS will be moving to the Farm Credit Services Building sometime between December and February. He reported that a water quality specifications workshop will be held October 31-November 4 in Philadelphia. He invited a staff member from the Board to attend. On a more somber note, Gary reported that Don Ferren's wife suffered a heart attack last week, and has not gained consciousness, and the prognosis is not good.

Farmers Home Administration Conservation Easements - Tex Hawkins, U.S. Fish and Wildlife Service, stated that he is stationed in Winona County and working on a pilot project with Winona SWCD. During the past six months he has been working on reviewing of FmHA properties that will be resold. DNR will request partial title on some easements that are riparian or eroded woodland areas. He asked the BWSR, on behalf of the U.S. Fish and Wildlife Service, to consider a resolution on FmHA important resource areas. Jim Birkholz suggested that the Board can act as a facilitator on this. Cofell asked if there is a need for SWCDs to hold an easement. Jim stated that SWCDs have this authority if the Board feels it is a good idea. Moved by Kemp, seconded by Kalmes, to support the concept of SWCDs holding certain FmHA easement responsibilities at the local level and staff should provide assistance to SWCDs. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried.

88-137

FY90-91 Budget Proposal/Consideration of Change Level Requests - Jim Birkholz reported that the Board's draft budget narratives are due in the Department of Finance by Friday, August 26, for review. The final budget proposal is due September 30. Jim briefed the Board on the budget summary request (see attached). The Board requested Jim to proceed on this.

Partial Payment Request - Minette-Kranz Structure - Jim Birkholz explained that the Board's share is \$18,031.02. Moved by Boulton, seconded by Bade, to approve the Minette-Kranz partial payment request for \$18,031.02. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried.

88-138

Minnesota Forestry Improvement Program FY89 Allocations - Jim Birkholz explained that this is a financial assistance program to assist Soil and Water Conservation Districts and landowners to work together on forestry practices on private lands. The DNR Division of Forestry provides technical assistance to the program. The total dollars available have been reduced for the coming year because of internal budget cuts within DNR Division of Forestry. The total FY89 allocation for the 24 SWCDs that participate in the program is \$66,500. Moved by Schellack, seconded by Warner, to approve the FY89 Minnesota Forestry Improvement Program Allocation of \$66,500. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Brooks, Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried.

88-139

88-140

Bill Cofell suggested that SWCDs look at replanting of trees, as this is a critical issue due to the drought. Discussion followed. Moved by Warner, seconded by Cofell, that a resolution be sent to DNR/Division of Forestry, requesting prioritization for future funding. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Moen, Brooks, Jr., Harste, Peterson, Kemp, and Cofell. Opposed: None. Carried.

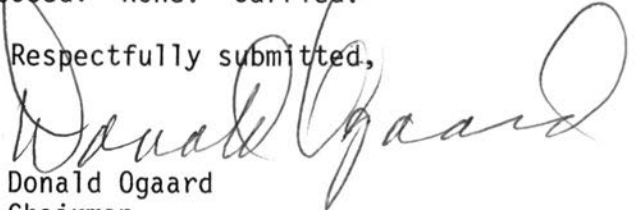
Loni Kemp left the meeting at 4:10 p.m.

September 28-29 Retreat - Jim Birkholz stated that staff would like Board members to return their reservation sheets to Mary Jo as soon as possible, so reservations can be made in Cloquet. Staff will then let Board members know as far in advance as possible regarding the final arrangements for the meeting.

88-141

Moved by Kalmes, seconded by Warner, to adjourn the meeting at 4:18 p.m. Affirmative: Ogaard, Williamson, Boulton, Warner, Kalmes, Bade, Schellack, Brooks, Jr., Harste, Peterson, and Cofell. Opposed: None. Carried.

Respectfully submitted,


Donald Ogaard
Chairman

BOARD OF WATER AND SOIL RESOURCES FY90-91 BUDGET REQUEST SUMMARY

Category	Appropriated		Request	
	FY88	FY89	FY90	FY91
	(\$3,789,500)	(\$3,787,300)		
1. <u>Operations</u> - All staff salaries, Board per diem, supplies, equipment, telephone, mail, and other administrative expense.	954,800 Suppl. 43,000 997,800	952,600 Suppl. 172,000 1,124,600	pending	pending
<u>FY90-91 Change Level Requests</u>				
<u>Water Planning and Management</u>				
• 110B water planning support (1 data mgmt. specialist and budget)			\$ 45,000	\$ 47,000
• Support for WMO implementation (1 engineer & budget)			\$ 55,000	\$ 55,000
<u>Implementing Minnesota's Groundwater Protection Strategies</u>				
• Local Water Resources Protection & Management Program (requires new legislation, see grants section)			\$ 50,000	\$ 160,000
• Well Abandonment Cost-Share Program (requires new legislation, completion of MDH Task Force) (see also grants section)			\$ 65,000	\$ 65,000
• Develop Local User Information Service (pilot program is proposed, see also grants section)			\$ 40,000	\$ 50,000
• Water Quality Demonstration Farms (see also grants section)			\$ 50,000	\$ 52,000
Education Specialist (1 staff and budget)			\$ 50,000	\$ 52,000
• to carry out BWSR responsibilities under Ch. 110B and groundwater strategies				
<u>Administration</u>				
• Increase per diem for BWSR members to \$75			\$ 25,000	\$ 25,000
• Increase clerical support for field staff			\$ 30,000	\$ 32,000
• Office remodeling			\$ 50,000	-0-
• RIM implementation			\$ 313,000	\$ 313,000
<u>Grants</u>				
<u>Existing</u>	<u>FY88</u>	<u>FY89</u>		
2. General Purpose Grants-in-aid to soil and water conservation districts	814,200	814,200		
<u>Change Level</u>				
Increase \$455,000/yr			\$1,269,200	\$1,269,200
• Increase in workload due to FSA				
• Respond to requests for water planning assistance				

	<u>Category</u>	<u>Appropriated</u>		<u>FY90</u>	<u>Request</u> <u>FY91</u>
		<u>FY88</u>	<u>FY89</u>		
3.	Grants to districts (SWCDs) for technical assistance, education and demonstrations of conservation tillage (TED). Change Level Increase \$100,000/yr •Wind erosion resulting from drought has emphasized the need to promote innovative tillage techniques	152,300	152,300	\$252,300	\$252,300
4.	Grants to Watershed Districts and other local units of government in the southern Minnesota river basin study area 2 for floodplain management. (available until expended) Increase \$51,500/yr	198,500	198,500	\$250,000	\$250,000
5.	Grants to Soil and Water Conservation Districts for cost-sharing contracts for erosion control and water quality management. (available until expended) Increase \$499,000/yr •Respond to FSA implementation of conservation practices workload	1,501,000	1,501,000	2,000,000	2,000,000
6.	Grants-in-aid to soil and water conservation districts and local units of government to solve sediment and erosion control problems (SLR's) Increase \$341,300/yr •Respond to implementation of local water plans •Increase needed to match available local funds	158,700	158,700	500,000	500,000
7.	SWCD participation in water permit review, groundwater monitoring and raingauge observation network Increase \$87,600/yr	12,400	12,400	100,000	100,000

<u>Category</u>	<u>Appropriated</u> <u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>Request</u> <u>FY91</u>
8. RIM Reserve Programs			938,000	938,000
•Implementation grants to SWCDs	750,000	750,000		
•Easements			6,000,000	6,000,000
•Conservation Practices			250,000	250,000
Proposed New Grants for Water Protection Strategies				
Local Water Resources Protection & Management Program			-0-	2,000,000
•financial assistance to local government to maintain technical expertise (50:50 matching grant)				
9. Grants for Water Quality Demonstration Farms			200,000	200,000
•coordinate with U of M activities, MDA sustainable agriculture and pesticide program				
10. Develop Local User Information Service			52,500	52,500
•pilot program in seven local offices in priority groundwater protection areas				
11. Coordinated Inter-Agency Water Quality Monitoring			91,000	91,000
•grants to SWCDs to increase data collection				
12. Cost-Share Grants to Seal Abandoned Wells			pending	pending



90 W. Plato Blvd.
St. Paul, Minnesota 55107
(612) 296-3767

August 18, 1988

TO: Board of Water and Soil Resources Members
and Advisors

FROM: Jim Birkholz, Executive Director

SUBJECT: August 24, 1988 Board Meeting

Regional Offices

Northwest Region
1819 Bemidji Ave.
Bemidji, MN 56601
218-755-3963

Northeast Region
Government Service Center
320 W. 2nd Street
Room 603
Duluth, MN 55802
218-723-4752

West Central Region
611 Iowa Avenue
Staples, MN 56479
218-894-1692

South Central Region
Box 756
New Ulm, MN 56073
507-354-2196

Southeast Region
Friedell Bldg., Room 100
1200 S. Broadway
Rochester, MN 55904
507-285-7458

Southwest Region
Box 111
1400 E. Lyon Street
Marshall, MN 56258
507-537-7260

East Central Region
90 W. Plato Blvd.
St. Paul, MN 55107
612-296-3767

Enclosed is the preliminary agenda and informational material for the August 24th Board meeting. The meeting will start as usual at 9:00 a.m. in Conference Room A of the Department of Agriculture Building, 90 West Plato Blvd., St. Paul.

Following are some details on agenda items to help you prepare for the meeting:

- Reinvest In Minnesota Reserve Program - Policy Recommendations. The Board requested staff to develop policy recommendations to ensure effective on-going implementation of this program. Staff will present these recommendations at the Board meeting. Board action will be required to give direction to the RIM Reserve budget process and legislative recommendations.
- Continuation of Strategic Planning Discussion. We will continue the small group break-out sessions which were started at the last meeting to flesh out the strategic planning components of the Board. The results of this second round of break-out sessions will be used to formulate the background information for completion of the strategic plan at the September 28-29 meeting.
- FY90-91 Biennial Budget Proposal. Staff is currently preparing the background documents for the biennial budget. Board action is needed on change level requests. Staff will present specific numbers at the meeting related to change levels proposed for the administrative and grants areas. There will be ample time at the meeting to discuss the particulars of each request.

August 18, 1988

- BWSR 1989 Legislation. The first agency deadline for preliminary legislative proposals is August 26. Please review the minutes from the last meeting and be prepared to indicate any changes, additions, or deletions, from the legislative proposals which were discussed. Based on Board direction given at the meeting, staff will submit the necessary forms to the State Planning Agency regarding our anticipated legislative agenda for the coming session.
- Minnesota Forestry Improvement Program FY89 Allocations. Enclosed is background information for the allocations. This program is a financial assistance program to assist Soil and Water Conservation Districts and landowners to work together on forestry practices. The DNR Division of Forestry provides technical assistance to the program. The total dollars available have been reduced for the coming year because of internal budget cuts within DNR Division of Forestry. Board action is required on these allocations.
- Farmers Home Administration Conservation Easements. Attached is an article sent to me by Loni Kemp discussing the Farmers Home Administration conservation easement process which is done in cooperation with the U.S. Fish and Wildlife Service. The article discusses some success stories in Iowa. The FmHA office in St. Paul is working with the U.S. Fish and Wildlife Service to convey easements in Minnesota. Soil and Water Conservation Districts have been approached to assume operation and maintenance responsibility for the easements. This Board can provide some good statewide direction on how such a process should be implemented. We will hopefully have staff from the U.S. Fish and Wildlife Service at the meeting to explain how the process works.

Also enclosed is information and a check list for the September 28-29 retreat. For staff to make arrangements for Board members, we need to know whether you are able to attend the retreat and what lodging accommodations you would prefer. Please review the information enclosed and complete the checklist to indicate your preferences. Please bring this information to the meeting or send it directly to Mary Jo in this office.

If you have any additional agenda items or require more information, please call the Board office or Chairman Ogaard. Please travel safely, looking forward to seeing you on the 24th.

JB:mja
Enc.
#027

BOARD OF WATER AND SOIL RESOURCES
90 West Plato Blvd.
Conference Room A
St. Paul, Minnesota 55107
August 24, 1988

PRELIMINARY AGENDA

- | | |
|------------|--|
| 9:00 a.m. | 1. Call to Order |
| | 2. Adopt Agenda |
| | 3. Approve Minutes of July 27, 1988 |
| | 4. Chairman's Report - Donald Ogaard |
| | 5. Executive Director's Report - Jim Birkholz |
| | 6. EQB/Water Resource Committee Report - Loni Kemp |
| | 7. Reinvest In Minnesota Reserve Program - Policy Recommendations |
| 10:30 a.m. | 8. Continuation of Strategic Planning Discussion |
| | 9. FY90-91 Budget Proposal
Consideration of change level requests |
| Noon | Lunch |
| | 10. Continue budget discussion |
| | 11. BWSR 1989 Legislation |
| | 12. Minnesota Forestry Improvement Program FY89 Allocations |
| | 13. Partial Payment Request - Minette-Kranz Structure |
| | 14. Farmers Home Administration Conservation Easements |
| | 15. Discussion of September 28-29 Retreat |
| | Adjourn |

**MINUTES OF JULY 27, 1988
OF THE
BOARD OF WATER AND SOIL RESOURCES**

Appointed Members in Attendance

Donald Ogaard
John Williamson
John Boulton
Eugene Kalmes
Douglas Bade
Don Warner
Lowell Moen
Natalie Haas Steffen
John Brooks, Jr.
Howard Peterson
William Cofell
Loni Kemp
Jack Graba
Loren Harste

Appointed Members Absent

James Hoese
Ken Schellack

Others in Attendance

Allen Dornfeld, Minnesota Association of Watershed Districts
Warren Wallgren, Minnesota Association of Watershed Districts
Mary Peterson, Minnesota Association of Soil & Water Conservation Districts
Paul Burns, Minnesota Department of Agriculture
Gary Nordstrom, Soil Conservation Service
Laurel Reeves, Department of Natural Resources
Wayne Anderson, Minnesota Pollution Control Agency

Staff in Attendance

Jim Birkholz
Mel Sinn
Greg Larson
Dan Steward
Denice DeFrates
Mark Nelson
Wayne Edgerton
Mary Jo Anderson

Call Meeting to Order - Chairman Ogaard called the meeting to order at 9:05 a.m., in Conference Room A, Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, Minnesota.

88-111 **Adopt Agenda** - John Brooks, Jr., requested that an additional item be added to the agenda regarding the starting time of the Board meeting. Loren Harste requested that the drought issue be addressed at the meeting today. Moved by Williamson, seconded by Kalmes, to adopt the agenda as presented. Affirmative: Ogaard, Williamson, Warner, Kalmes, Bade, Moen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

88-112 **Approval of Minutes of June 22, 1988** - Loni Kemp reported that a correction needs to be made on page 3, regarding the EQB/Water Resources Committee Report. The sentence should read "The WRC sent a letter to EPA on the pesticide strategy", rather than "The WRC received a letter from EPA on the Durenberger bill". Moved by Cofell, seconded by Brooks, Jr., to approve the minutes of June 22, 1988, as corrected. Affirmative: Ogaard, Williamson, Warner, Kalmes, Bade, Moen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

Natalie Haas Steffen entered the meeting at 9:10 a.m.

Chairman's Report - Chairman Ogaard reported - on a personal note - that he was just diagnosed as having Lyme's Disease. It was successfully treated. He also had an unfortunate incident happen to him - he cut off the tip of his finger. Chairman Ogaard attended the Minnesota Association of Watershed Districts summer tour and meeting on June 24-25. The meeting was held at the Holiday Inn in St. Paul. It was very well planned and a good opportunity to coordinate and cooperate with various groups. The tour and meeting was very well attended. On June 28, Chairman Ogaard attended a joint meeting with the Soil and Water Conservation Districts and the Watershed Districts at McGuire's. A very good discussion took place. He felt that the good cooperation/coordination has become a fact for the future. Chairman Ogaard attended a meeting with the Bois de Sioux Watershed District Board of Managers with Bill Cofell on the morning of July 21. Chairman Ogaard went through a complete senario of office operations with them, and they went on a tour in the afternoon. On July 8, Chairman Ogaard acted as a facilitator/coordinator with Minnesota and North Dakota officials for the development of a floodway.

John Boulton entered the meeting at 9:20 a.m.

On July 13-14, Chairman Ogaard attended a meeting and tour with the Beltrami Soil and Water Conservation District and the Red Lake Watershed District. The Red Lake Watershed District had a dedication ceremony for a pool/dike structure. Chairman Ogaard felt it was a very worthwhile event. Chairman Ogaard stated that state agencies need to work together and become aware of local concerns. He reported that MPCA was amazed at the capability of local governments wishing to pursue a lake project, replacing a bridge with a dam using multiple funding sources. Chairman Ogaard felt that this was a major break-through meeting. Working together is very important.

Executive Director's Report - Jim Birkholz reported that a groundbreaking ceremony is being held today for the Pickwick Project. This is a special project near the historic mill on Trout Brook in Winona County. This has been a good cooperative project, staff will keep the Board posted on this. Jim reported

on the Board's staffing positions. A total of 26 staff, with six positions open, which creates a workload crunch. The Assistant Director position will be advertised until August 29. There are two hydrologist positions for Comprehensive Local Water Management. One of the positions will be located in Brainerd, and the other located in New Ulm. A new eligible list should be available in two weeks. The Hydrologist III position is also a new listing and interviews will be held in August. The Grants Analyst position which Dennis Pond held is in the process of being reclassified to Accounting Director. The Department of Transportation has a listing for the RIM Realty Specialist position and candidates will be interviewed soon. Jim reported that 35 new SWCD employees attended an orientation session in St. Cloud on July 21-22. He noticed that the new employees are a younger group of people. The session was small groups and classroom style. He felt it was a very good session. Jim stated that he attended the NACD Regional Leadership Conference in Peoria, Illinois, on July 17-20. He reported that Senator Durenberger got a \$25 million amendment for Sec. 319, nonpoint money approved. Jim suggested that the Board send a letter of support, hopefully Minnesota will receive some of that funding. Moved by Cofell, seconded by Warner, to authorize sending a letter of support regarding Sec. 319 to appropriate participant conferees of the House and Senate. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Haas Steffen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

88-113

Natalie Haas Steffen would like an agenda item added regarding using a task force for the metro law relative to drainage systems. Chairman Ogaard stated that it would be added to the agenda.

Starting Time Change for BWSR Meetings - John Brooks, Jr., would like to have the Board meetings start at 8:00 a.m. rather than at 9:00 a.m. Moved by Brooks, Jr., seconded by Graba, to start the BWSR meeting at 8:00 a.m., and adjourn the meetings one hour earlier. Affirmative: Brooks, Jr., and Graba. Opposed: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Haas Steffen, Harste, Peterson, Kemp, and Cofell. Motion defeated.

88-114

EQB/Water Resources Committee Report - Loni Kemp reported that the EQB/Water Resources Committee met on July 7 and also had a special meeting on July 21 regarding LCMR proposals. Loni stated that the Water Resources Committee was assigned to consolidate and coordinate the LCMR proposals, and also rank them. She reported that of the 227 proposals received, 98 of them are water related. Loni commended Greg Larson for the great job he has done on working on this process. 20% of the submitted proposals were combined. Six of the seven BWSR proposals that were approved at the June BWSR meeting were water related and will be coordinated with other proposals. The paired ranking process is the next step to the process and is due on August 1st. Loni reported that local entities can submit proposals on their own this year rather than having a state agency submit them as in previous years. Loni, Jim Birkholz, and Greg Larson will be working on the paired ranking process for the proposals. Loni reported that the Water Resources Committee on July 7 discussed the drought situation, watering bans, and drawing down lakes. It was felt that local drought contingency plans are much more important than the state. The State Planning Agency and the Water Resources Committee will encourage local units of government to include this element in their local water plans. The Water Resources Committee strongly wants staff support for a ten-year agenda. Greg Larson will participate in the Department of Health's groundwater and well code task force. Loni reported that the groundwater strategy has been presented to the MPCA Board, it will then go

88-115

to the EQB and Governor on August 4, to review the final draft of these strategies. Loni stated that the EQB has issued a news release on the 1988 Minnesota Environmental Congress meeting schedule. Issues such as: groundwater pollution, air pollution, protecting human health, protecting wildlife habitat, water protection plans, and financing environmental protection will be addressed at the second Minnesota Environmental Congress. State environmental officials will travel to five Minnesota cities in September and October to discuss these issues with interested citizens. Day-long sessions will be held in Mankato, Alexandria, Duluth, Bemidji, and St. Paul. Loni reported that staff has drafted a resolution from the Board to the State Planning Agency for their leadership role in coordinating efforts on comprehensive local water planning. Moved by Brooks, Jr., seconded by Peterson, that the BWSR adopt the following resolution:

WHEREAS, the Minnesota State Planning Agency (SPA) has vigorously supported the development and implementation of the Comprehensive Local Water Planning Act (Ch. 110B), and

WHEREAS, SPA has successfully implemented the LCMR project which has resulted in the initiation of comprehensive local water plans in 54 counties, and

WHEREAS, SPA has further assisted local water planning efforts by facilitating regular meetings of local water plan project managers and involved agencies for the purpose of informing and coordinating planning participants, and

WHEREAS, SPA prepared "The Handbook for Comprehensive Local Water Planning" as a reference document for plan preparation;

THEREFORE, BE IT RESOLVED, that the Minnesota Board of Water and Soil Resources extend its appreciation and commendation to the staff of the State Planning Agency for their outstanding work on implementing comprehensive local water planning.

BE IT FURTHER RESOLVED, that the Board request the SPA to remain involved in the local water planning process as the Board assumes its statutorial mandate under Ch. 110B.

Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Haas Steffen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

Urban Erosion and Sediment Control Slide Show - Mark Nelson, Board Representative, and Denise DeFrates, Communications Manager, showed a slide-tape presentation and explained that the slide show has been jointly produced by the BWSR and the Association of Metropolitan Soil and Water Conservation Districts. Significant additional funding was provided by the Minnesota Pollution Control Agency and the Legislative Commission on Minnesota Resources. A proposed marketing strategy for the show is as follows: 1) The BWSR will send a memo to all Watershed Districts, counties and major cities in Minnesota announcing the slide show; 2) SWCDs in the Metropolitan area will have a copy of the show on hand to organize showings to interested parties; 3) For greater Minnesota, BWSR Regional Board Representatives will have a copy and SWCDs or Watershed Districts can work through the Board Representative to arrange showings; and 4) Other agencies such as DNR, MPCA, Metropolitan Council, and SCS will have available copies. The Erosion and Sediment Control Planning Handbook is in final draft and will be ready for major distribution to compliment the show. The handbook was also produced by the BWSR and Association of Metropolitan SWCDs. The "Minnesota Construction Site Erosion and Sediment Control Planning Handbook" includes 14 general criteria will be part of the Minnesota Pollution Control Agency's best management practices (BMP) handbook. The slide show will be available from the BWSR office and SWCD offices. It was suggested that the slide show should be presented to construction crews, local contractors, and ordnancing authorities. It needs to be presented to local units in the metro area. The handbook should be made available to plan-

- 88-116 ning and zoning boards also. The Board felt that this is a very good slide show. The handbooks should be available in September. Moved by Peterson, seconded by Bade, that the BWSR endorse the Erosion and Sediment Control Slide Show and proceed to develop and enhance it. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

Chairman Ogaard called for a break in the meeting at 10:50 a.m. The meeting reconvened at 11:00 a.m.

509 Plan Reviews

- 88-117 Coon Creek WMO Plan - Dan Steward introduced representatives of the watershed district: Mel Schulte, Al Sannerud, Harold Israelson, and Ed Mathiesen. Staff recommends approval of the Coon Creek WMO Plan. Natalie Haas Steffen stated that a date needs to be included in the blank space at the bottom of the first page, item #3, on the Order Approving the Watershed Management Plan. Dan Steward replied that the date should be August 25, 1988. Moved by Haas Steffen, seconded by Boulton, to approve the Coon Creek WMO Plan. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Haas Steffen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

- 88-118 Six Cities WMO Plan - Dan Steward introduced Fred Salisbury and John Flora, representatives of the Six Cities watershed district. Dan stated that this is a joint powers agreement in Anoka County. Staff recommends approval of the Six Cities WMO Plan. The Six Cities WMO representatives commended the staff for all the work they have done on this plan. Moved by Cofell, seconded by Warner, to approve the Six Cities WMO Plan. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Haas Steffen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

- 88-119 **Use of a Task Force for the Metro Law Relative to Drainage Systems** - Haas Steffen suggested that the Board consider reviewing the statutes governing metropolitan drainage to see if changes are needed. An attorney she knows is willing to volunteer his services to chair a committee on this topic. She felt that the Minnesota Association of Counties and the Metropolitan Inter-County Association should be involved. Discussion followed. It was felt that many people may like to be involved in reviewing the committee's report, including the Met Council. The Chairman thought the ideal committee size would be would five people. Moved by Peterson, seconded by Haas Steffen, to empower Chairman Ogaard to outline the objectives and appoint the Metro Drainage Law Research Committee, with recommended changes in laws to be reported back to the full Board. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Haas Steffen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

Reinvest In Minnesota Reserve Program

1988 Payment Rates - Wayne Edgerton stated that staff is in the process of finalizing easements from the last sign-up. A two-week sign-up period has been scheduled for August 15-29. Regarding the 1988 payment rates, staff has been in contact with the Department of Revenue, State Planning Agency, and the University of Minnesota/Extension Service, as they are using the annual rental rates from last year to use as a format for easement estimated market value, this process lags two years on the payment rates. The print-out reflects land values that had a reduction at a time when land values are going up. Wayne stated that three options are available: 1) send out rates showing declines (this option is not recommended by staff); 2) delay sign-up until better data is received;

88-120

or 3) use last year's payment rates to average out the increase and decline of land values (staff recommends this option, as it is the best option available at the present time). Discussion followed. Moved by Moen, seconded by Williamson, to use the 1987 (last year's) established payment rates for RIM. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Haas Steffen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

Loren Harste stated that a seminar has been scheduled for August 19 in St. Cloud on what effect RIM and CRP have on land values, for the Board's information.

Status of Grazing - Wayne Edgerton explained that grazing is allowed only in counties that have been declared as emergency drought counties. Twenty-nine resolutions have been received, of those four have been denied, and four are pending. 1,000 landowners could have applied. Approximately 1300 acres have applied for grazing out of 20,000 acres. Discussion followed. Loni Kemp suggested that the Board needs to develop a policy. The staff will be meeting with the new Assistant Commissioner Herb Halvorson tomorrow to discuss RIM issues.

Haas Steffen left the meeting at 12:05 p.m.

Chairman Ogaard adjourned the meeting for lunch at 12:05 p.m. The meeting reconvened at 1:10 p.m.

Don Warner distributed information on the September meeting in Cloquet, for the Board's information.

Bill Cofell distributed a draft on the BWSR's educational function for the Board's information.

88-121

Study Area II Minett-Krantz Partial Payment Request - Greg Larson explained that the Board's share (75% of the total) is \$22,027.01. Moved by Boulton, seconded by Warner, to approve the partial payment request for Study Area II on the Minett-Krantz Project for \$22,027.01. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

Plan Review Guidelines Policy Discussion - Jim Birkholz explained the Board's responsibilities for reviewing the following local plans:

Soil and Water Conservation District comprehensive plans: 91 biennial; 91 annual.

Watershed District overall plans: 41; with approximately 20 that need updates.

WMO plans: 46; with 40 yet to review.

County comprehensive local water plans: 54 being developed; with 26 additional plans possible.

Staff proposed that they work to update, improve, and prepare guidelines for all plans and do routine review and approval at the staff level. Where plans do not meet the guidelines, staff would bring unresolved issues to the Board. The Board concurred to the staff proposal. Staff will proceed.

Pelican River Watershed District Request for Change in Number of Managers - Mel Sinn explained that the Pelican River Watershed District is located in Becker

88-122 County. The district has a history of focusing their work on management of lakes. Mel distributed copies of two letters he received from representatives of the Pelican River Watershed District. The watershed district and Becker County petitioned the BWSR to increase the board of managers from five to seven members. The district feels that by increasing the board of managers to seven there would be fairer representation by hydrological areas. Mel and Chairman Ogaard recommended that the BWSR conduct a public hearing on the petition. Moved by Kalmes, seconded by Harste, that the Dispute Resolution Committee conduct a public hearing in Detroit Lakes regarding the Pelican River Watershed District increase in managers petition and report back to the full Board. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

88-123 **Winona Nomination District Boundaries** - Jim Birkholz explained to the Board that at the May meeting, the Board acted on a Nomination Districts Resolution for the Winona County Soil and Water Conservation District. Since that time staff learned that an error in the resolution form placed one township in two nomination district boundaries. A new nomination districts resolution form corrects that error. Moved by Warner, seconded by Kalmes, to correct the previous error and accept the new Nomination District Boundaries for the Winona County SWCD. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

1989 Legislative Session Overview and Discussion - Jim Birkholz reported that the deadline for the Board's budget and legislation is September 30. Jim stated that Board members have received informational material on legislative concepts relating to the groundwater strategy. Jim reviewed this information with the Board.

- Local Water Resources Protection and Management Program - The 1986 Nonpoint Source Pollution Issues Team Report contained as Recommendation C, a program to provide financial assistance to local units of government to carry out local water quality management activities. Such a program is also an essential part of local government taking an active role in groundwater protection efforts. It would show a commitment on the part of the state to assist local government, would assure maximum acceptance of delegated authorities for water resource protection by local government and would ensure coordination by using comprehensive local water plans. This program would not be strictly limited to groundwater, but groundwater protection could be an important component. \$1,900,000 would be the total state share for 87 counties.

- Expanded RIM Reserve Program to Protect Susceptible Groundwater Areas - Many areas currently used for agricultural crop production are also areas where groundwater is susceptible to contamination from various chemicals associated with farming practices. In some settings the most effective way to deal with this dilemma is to retire the land from agricultural crop production and plant it to long term vegetation. The types of land which commonly have this problem are karst areas where sinkholes are prevalent or where fractured bedrock occurs close to the surface and areas of coarse textured soils overlying shallow aquifers such as are found in many sandplain areas of the state. DNR is developing costs of preparing information to guide the program. \$2,000,000 would retire approximately 4,000 acres of polluting cropland with priority given to perpetual easements.

- Sealing Abandoned Wells - Hundreds of thousands of unsealed or improperly abandoned wells pose a threat to the state's groundwater by providing a direct

avenue for pollutants to enter the groundwater. A program is needed for landowners to voluntarily come forward and indicate where such wells. Once located, a state cost-sharing approach would ensure that wells are properly sealed. Grants to share the cost of sealing wells would be \$100,000 per year per county. Jim would appreciate receiving comments and/or wording changes from Board members on this.

- Proposed Legislation Relating to the Metropolitan Water Management Act - Mel Sinn reviewed with Board members the following three amendments to the Metropolitan Water Management Act are proposed for the 1989 session and are consistent with the draft EQB/WRC "Local Water Planning and Management" 1989-91 Priorities: 1) Plan Amendments: The act does not prescribe any specific time period for reviewing and updating metro watershed plans. To provide clear and uniform direction to WMOs it is proposed that the act be amended to require plans to be reviewed and updated at least every five years. 2) Minimum Erosion and Sediment Control - One of the act's stated purposes is to control erosion and sedimentation, but it contains no specific plan requirements regarding this issue. A local bill enacted in the 1988 legislative session (Chapter 497) requires WMOs in Ramsey County to adopt erosion and sediment control programs to be developed by the Ramsey SWCD. To ensure uniformity across the metro area regarding local erosion and sediment control minimum regulations, it is proposed that the act be amended to require WMOs to adopt the minimum erosion and sediment control criteria to be promulgated by the BWSR in cooperation with affected parties. 3) Planning Responsibility - The act made county government responsible for watershed planning in instances where cities and towns failed to develop joint powers watershed management organizations. The act, however, is silent as to who is responsible for continued planning and implementation if a joint powers WMO disbands. It is proposed that the Act be amended to make it clear that county government is ultimately responsible to ensure that the act is carried out should a joint powers watershed agreement fail.

- Proposed RIM Reserve Policy Legislation - Jim Birkholz explained the following: 1) Make Susceptible Groundwater Areas Eligible for the Program - This would provide for enrolling lands in the program which presently pose high risk of groundwater contamination due to land use practices provided that enhancement of fish and wildlife habitat, soil conservation and water quality priorities are met. Typical lands to be eligible would be fractured limestone or karst topography in southeast Minnesota with shallow soils over fractured bedrock. Open sinkholes are a common feature in this area. Also eligible would be certain areas of coarse or sandy soils over shallow aquifers. When actively farmed, groundwaters in these areas are susceptible to contamination from commonly used agricultural chemicals. 2) Make Riparian Lands Eligible for the Program - Lands adjacent to rivers, streams, and lakes are extremely valuable for fish and wildlife habitat needs. Maintaining these buffer areas provides habitat and protects water quality by filtering out sediment. These lands are very fragile and usually the first to be disturbed whether for agricultural or other development activities. This proposed addition would allow riparian lands to be enrolled in the program. Easements obtained would exclude agricultural crop production and other activities deleterious to fish and wildlife. A cropping history would not be a requirement for land to be eligible. 3) Eliminate Cropping Requirements for Wetland Restorations - Currently many drained or partially drained wetlands are not eligible for the program because they were not cropped at least two years between 1981 and 1985. The value of restoring these wetlands is immense. This proposal would eliminate the cropping requirement for drained wetlands to be enrolled in the program. Drained wetlands without a cropping history would be eligible for a lower payment rate consistent with the state Waterbank Program payments (50% of EMV for

cropland). 4) Omit the 20% Enrollment Limit - The enrollment limit should be based on the payment limit as a cap for landowners. The 20% limit has caused problems in restoring some wetlands because the 20% cap is less than the restorable wetland acreage in many cases. 5) Amend Non-Cropland Conversion Requirement to 20 Year Limit - RIM Reserve contains a requirement that no non-cropland owned by the easement holder can be converted to cropland for the duration of the easement. This proposal would change that requirement to 20 years. The perpetual conversion requirement is virtually impossible to police and is dissuading applicants from participating in the program. Twenty years is the equivalent of a generation of farming and is manageable from an administration standpoint. 6) Strengthen Violations Process - Attorney General staff is developing language to expedite dealing with violations of terms of the easements which may occur. 7) Increase Individual Landowner Payment Limit from \$50,000 to \$100,000 - Presently, at least one landowner who would like to enroll land in a perpetual easement is ineligible due to having received close to the \$50,000 limit on his first RIM Reserve easement. This proposed change would maintain a reasonable cap on payments, yet allow high amenity sites to have easements conveyed on them. Additional Initiatives would be: A) Property Tax on RIM Reserve Lands - Landowners conveying easements to the state must still pay property taxes on those lands. County assessors in many cases will not revalue these lands at a non-cropland rate. This has limited participation in the program. The BWSR is addressing this issue to the State Planning Agency and the Department of Revenue to resolve policy matters relating to tax codes. Coalition support to resolve this issue would enhance the program. B) Conservation Practices on Streambanks and Lakeshores and Adjacent Uplands - Many of these areas are seriously eroding, yielding tons of destructive sediment directly into receiving waters. Minnesota has 25,000 miles of streams and rivers and over 12,000 lakes which need protection. This proposal would accelerate efforts to restore eroding lands along streams and lakes by matching state and local funds to construct conservation practices. Practices would include innovative streambank protection practices. Practices would include innovative streambank protection measures such as the Palmiteer Method, rock rip rap, gully control, vegetative measures and other approaches. Administration would be through normal soil and water conservation district channels.

- Soil Loss Limits - Jim Birkholz explained the changes to Chapter 40 regarding Urban Soil Erosion and Sediment Control: 1) Requires persons engaged in a development activity to develop a sediment control plan and time schedule. 2) Remove any reference to "excessive soil loss." 3) Change the definition of development activity, remove the road construction exemption, add exemptions for home gardens, public services, etc. 4) Require the sediment control plan and time schedule to follow the criteria developed by BWSR rules. Use as a basis the criteria from the Virginia program, but do not limit to only those criteria. 5) Require the conservation best management practices (both agriculture and urban) to be approved by the BWSR. 6) Recommend to counties/cities that SWCDs review the sediment control plan and time schedule. 7) Require counties/cities to notify the SWCDs and WMOs that they have received and are reviewing a sedimentation control plan.

Drought Discussion - Loren Harste suggested that "bulletins" or news releases be sent out. We're in a condition now that's just waiting for a disaster to happen. The people need to be educated. Remind the county agents, farmers, local districts that the dry conditions need to be stopped. It was suggested that a news conference be held with the media regarding the dry conditions, blowing, and soil loss. A press briefing is needed to deal with this issue.

88-124

Loni Kemp asked staff to research the soil loss limits, local comprehensive water plan, chapter 40 changes. Eugene Kalmes suggested an article in the ASCS news releases. The Board felt that this would be a good opportunity for the BWSR to get noticed. Moved by Cofell, seconded by Harste, that a resolution be put together to take immediate action to initiate and publicize the drought concerns as soon as possible. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Brooks, Jr., Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried. It was suggested that the BWSR coordinate with ASCS publications on the drought.

FY90-91 Budget - Jim Birkholz reported that the estimated based budget for the BWSR is \$4,016,040.00. The budget process goes to Finance and then to the Governor's office. A composite of various agency budgets will be out in mid-January.

October 15 Report to the Governor and Legislature - Jim Birkholz stated that the regional staff will also be working on this.

Eugene Kalmes asked how the Board members felt about keeping the four agency interim members on the Board. Williamson supports these four members to be reappointed for an indefinite time. Cofell certainly valued the four agency people. This issue should be brought up before the legislature this session. Chairman Ogaard suggested the associations initiate this issue, as it would more acceptable coming from the associations rather than the BWSR. This will be properly mentioned in the report to the Governor.

Chairman Ogaard called for a break in the meeting at 3:00 p.m. The meeting reconvened at 3:10 p.m.

Strategic Planning Discussion Small Group Break-Outs were held.

88-125

Moved by Boulton, seconded by Kalmes, to adjourn the meeting at 4:10. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Moen, Brooks, Jr., Harste, Graba, Peterson, Kemp, and Cofell. Opposed: None. Carried.

Respectfully submitted,

Donald Ogaard
Chairman

FY 1989
Minnesota Forestry Improvement Program (MFIP)
Allocations

<u>SWCD</u>	<u>Allocation</u>
Beltrami	\$ 2,566
Clearwater	2,566
Hubbard	2,234
Clay	1,500
Crow Wing	1,901
Morrison	1,901
Wadena	2,899
Carlton	4,222
Itasca	3,896
Lake	1,569
North St. Louis	3,896
South St. Louis	5,402
Fillmore	2,899
Goodhue	2,566
Root River (Houston)	4,500
Wabasha	3,231
Winona	5,402
Pine	1,901
Aitkin	3,896
Koochiching	1,579
Roseau	1,901
Chisago	1,579
Isanti	1,247
Mille Lacs	1,247
TOTAL	\$66,500

Funding Summary

Transferred from	\$70,000
BWSR administration	3,500
SWCD allocation	66,500

SUMMARY
BOARD OF WATER AND SOIL RESOURCES
GRANT PROGRAMS

MINNESOTA FORESTRY IMPROVEMENT PROGRAM (MFIP)

<u>Year funded</u>	1984
<u>Purpose</u>	To encourage proper forest management and complement USDA-ASCS forestry programs.
<u>Current funding</u>	\$70,000 per year transferred by DNR Division of Forestry to BWSR
<u>Eligible practices</u>	Selected forest management practices not cost-shared by USDA-ASCS forestry programs
<u>Principal clientele</u>	Private, non-industrial forest land owners
<u>Cost-share rate</u>	75 percent
<u>Local administration</u>	Grant made to SWCDs selected by DNR, Division of Forestry; tech. assistance from DNR. There are 24 SWCDs currently participating.
<u>Other</u>	This program began in the late 70's as an LCMR funded demonstration program in southeastern Minnesota.

Jim Birkholz:

Jim - more on conservation easements...

Louie

AUG 16 1988

IOWA NATURAL HERITAGE
SPRING 1988

RESOURCEFUL FARMING

Farmers Home Grants Seven Conservation Easements

About 1,140 acres in Iowa of scenic palisades, timber, streambanks, and cropland have now been permanently protected through the use of conservation easements by the Farmers Home Administration.

Such easements were authorized in the Food Security Act of 1985. Since then the Foundation's Resourceful Farming Project, with the financial support of the Joyce Foundation, has worked to publicize this easement opportunity nationwide and to assist with its implementation in Iowa.

The Iowa FmHA office was the first in the nation to grant conservation easements on lands which have come into their possession through default on loans. Since then, seven additional easements have been granted to county conservation boards.

The most dramatic of these easements protects a portion of the palisades and blufflands along the Upper Iowa River in Winneshiek County. Others protect portions of the banks of the Shell Rock and Little Sioux Rivers. In order to provide permanent protection of these natural areas certain uses of these lands are specifically prohibited for all future land-owners.

Recent easements also protect timber tracts and erodible cropland on seven farms through the use of forest management and soil conservation plans. On such areas, it is more practical to require a suitable management plan than to prohibit or permit specific uses long into the future. For example, on timber areas such activities as clearing, cutting, and grazing are prohibited unless allowed under a management plan approved by the Forestry Bureau of the Iowa Department of Natural Resources. On cropland, rather than specifying management practices, the

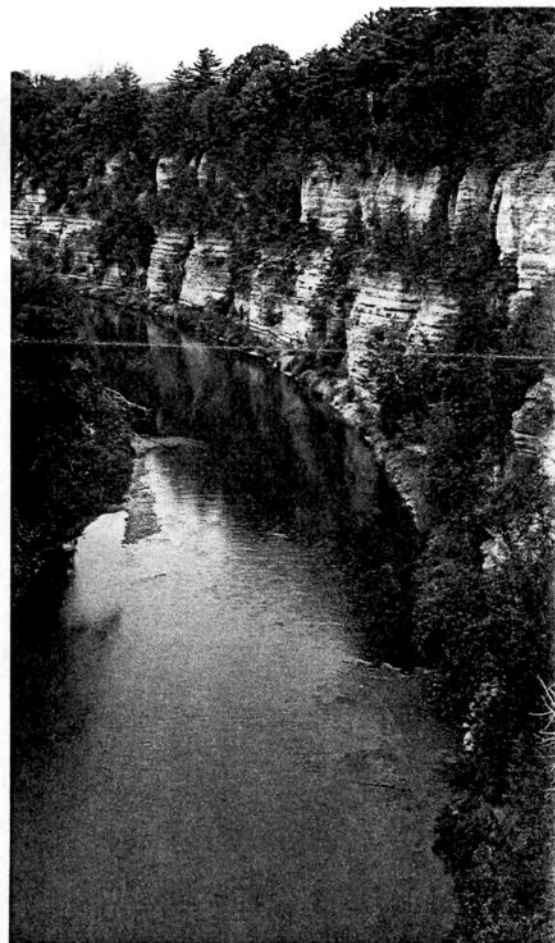
operator is required to farm the land in accordance with a conservation plan approved by the U.S. Soil Conservation Service. (FmHA is also requiring SCS plans to protect other highly erodible land when it is sold.) In this way easement documents are flexible long into the future, and resources are adequately protected.

The following summaries show how conservation easements were used to protect a variety of resources.

Hamilton County

Located north of Stratford and just south of Homer, this 160-acre parcel contains over 80 acres of very good timber. Residential, commercial and industrial development is prohibited in this timber, which will also be managed according to a forest management plan. With proper care the walnut trees in this timber will show a substantial economic return to the owner in 30 or 40 years. Dumping is prohibited on the entire parcel, and garbage and unsightly materials currently in the gullies and ravines will be removed. The cropland will be farmed according to a soil conservation plan.

This property is included in the state's proposed Boone Forks Wildlife Management Area, and is targeted for eventual acquisition by the Department of Natural Resources. Also a portion of Prairie Creek, an important tributary to the Boone River, runs through this property. Prairie Creek is a significant stream for fisheries reproduction, and the Boone River is one of the state's pilot projects in the Protected Waters Plan. This conservation easement will help protect the creek and ultimately the river from sedimentation and pollution, as it protects the natural features of the land.



Upper Iowa River, Winneshiek County

Winneshiek County

The Upper Iowa River is well known for its scenic beauty enjoyed by hundreds of canoeists each year: it is the only river in the state eligible for National Scenic River designation. The rugged blufflands have also protected some rare, endangered and unusual plant and animal species. A one-half-mile section (23 acres) of these beautiful blufflands just northwest of Bluffton is now protected by an easement.

Since development or misuse of these spectacular bluffs could permanently damage the scenic beauty of the area, this is the most restrictive of the easements granted. A long list of specified uses are prohibited, including: commercial, residential and industrial development; billboards; dumping; excavation; cultivation; cutting of timber within sight of the river; and any other act which is detrimental to the scenic beauty, erosion control, fish and wildlife habitat, and archaeological resources of the area.

Buena Vista County

This 372-acre property just northeast of Linn Grove contains about 260 acres of timber which will be managed according to a forest management plan. Grazing is prohibited in order to protect the banks of the Little Sioux River where it runs through the property. In addition, construction, development, dumping, excavation, and any other actions detrimental to the scenic beauty of the land are prohibited, since it is a popular area for canoeing.

Guthrie County

This 240-acre property 5 miles southeast of Guthrie Center contains a mixture of timber, pasture, and erodible cropland. The easement requires adherence to both a forest management plan and a soil conservation plan; commercial, residential and industrial development is also prohibited. Such management will control soil erosion on about 80 acres of tillable ground, and enhance wildlife habitat and forest resources on the remaining acres.

Harrison County

This parcel about three miles southeast of Pisgah contains about 98 acres of oak, hickory, and ash timberland worthy of protection. The easement restricts any activity harmful to this timber unless it is a part of an approved Forest Management Plan. The easement also prohibits commercial, industrial, or residential development; dumping of garbage or unsightly materials; excavation such as mining or quarrying; and any other activity which would be detrimental to the scenic beauty of the area. Crop production on the remaining 142 acres must be conducted according to a SCS-approved conservation plan.



© P. Michael Whye

This easement is especially important since the property lies along the east boundary of the proposed Loess Hill Pioneer State Forest. About 3,000 acres have already been purchased for the state forest, and the protection of the land adjoining the proposed purchase area will be an asset long into the future.

Jackson County

This property lies just southeast of the town of Green Island and adjacent to the state-owned Green Island Wildlife Area. About 100 acres of mature timber on this property will be managed according to a forest management plan; the remaining 300 acres will be farmed according to a soil conservation plan. This careful management will enhance the beauty and wildlife habitat of the area, and limit soil erosion.

Floyd County

The Shell Rock River winds through this property located halfway between Rockford and Nora Springs. An easement restricts usage of the land 100 feet on either side of the centerline of the river. An 8-acre parcel is protected from development: livestock feedlots, and livestock

grazing in the spring or summer; crop production except for hay or forestry as approved in a forest management plan; dumping of any material; excavation; and construction or filling of the bank. By leaving this strip in its natural state, wildlife habitat will be enhanced.

Cooperation Was the Key

The protection of these properties was achieved through an intensive cooperative effort involving FmHA, the Foundation, numerous county conservation boards, and the Iowa Department of Natural Resources. With many other states watching this cooperative effort and its successes with great interest, the use of conservation easements may spread more quickly throughout the nation.

The Foundation commends the staff of the Farmers Home Administration for their continued leadership in the use of conservation easements on inventory property. Likewise, the county conservation boards in each of these seven counties have shown leadership and commitment by their willingness to accept, monitor, and enforce these easements now and into the future.

These easement requests were coordinated by the Iowa Natural Heritage Foundation through the efforts of nine part-time assistants and the financial support of the Ford Foundation. Our thanks to Don Brazelton, Steve Finegan, Brian Holt, Jim Liechty, Milt Owen, Mark Peterson, Jim Rudisill, Rick Samples, and Tim Sproul for their efforts on this project.

Through initiative and cooperation, these special lands across the state can be a permanent legacy . . . for those who follow.

AUG 3 1988



90 W. Plato Blvd.
St. Paul, Minnesota 55107
(612) 296-3767

August 8, 1988

TO: Jim Birkholz - Director, B.W.S.R.

FROM: Darrell Apelgrain - Area II Engineer

D.9.

SUBJECT: August Estimate, Minnett-Krantz Reservoir,
State Share-\$18,031.02

Regional Offices

Northwest Region
1819 Bemidji Ave.
Bemidji, MN 56601
218-755-3963

Northeast Region
Government Service Center
320 W. 2nd Street
Room 603
Duluth, MN 55802
218-723-4752

West Central Region
611 Iowa Avenue
Staples, MN 56479
218-894-1692

South Central Region
Box 756
New Ulm, MN 56073
507-354-2196

Southeast Region
Friedell Bldg., Room 100
1200 S. Broadway
Rochester, MN 55904
507-285-7458

Southwest Region
Box 111
1400 E. Lyon Street
Marshall, MN 56258
507-537-7260

East Central Region
90 W. Plato Blvd.
St. Paul, MN 55107
612-296-3767

Enclosed find two Copies of Partial Estimate #3 for the Minnett Krantz Reservoir. This is the first estimate since construction began. The Contractor, Bill Schmidt Construction Company from Redwood Falls, returned to the site on July 25, and has removed the foundation and core trench material from the dam sand has backfilled it back to ground level. The soil under the dam was what we expected and all the poor material was removed before we backfilled it. I inspected the principal spillway pipe in South Beloit, Illinois on Friday, July 29 and it conformed with the plans and specifications. The state share of this estimate is \$18,031.02 and the County share is \$6,010.35. Please remit this amount to the Pipestone County Auditor when the payment is processed. The Contractor has used 10.1% of the contract time and has completed 40.3% of the monetary value of the work.

Enclosure:

CONTRACT PAYMENT ESTIMATE

Sheet 1 of 2

Contract No.	Project Name	Estimate No. 2
104-113	Minett-Krantz Reservoir	Date Aug.1.1988
Sponsors Pipestone County Board of Commissioners, Pipestone, Mn.		

Total Amount Earned	This Period	\$25,306.70	To Date	\$56,221.80
Retained Percent(5%)		\$1,265.34		\$2,811.09
Previous Payments		\$0.00		\$29,369.34
Other Payments (return of retainage)		\$0.00		\$0.00

	AMOUNT PAID THIS MONTH	AMOUNT PAID TO DATE
	\$24,041.37	\$53,410.71
STATE	\$18,031.02	\$40,058.02
COUNTY	\$6,010.35	\$13,352.69

TOTAL PAID THIS ESTIMATE	\$24,041.37
ORIGINAL AMOUNT OF CONTRACT	\$132,438.70
ADDITIONS DUE TO REVISIONS	\$165.00
ADDITIONS WITHIN 25%	\$0.00
TOTAL VALUE OF CONTRACT TO DATE	\$132,603.70

Percent of work Completed 40.3%

Percent of Time Used 10.1%

I hereby certify that the above work has been completed according to the plans and Specifications to the best of my knowledge and that none of the work shown as done this month has been paid for previously.

Darrell Apelgren
Signature

Project Engineer. August 1, 1988
Date

Contract Payment Estimate

Contract No. 104-113			Estimate No. 2.		Date Aug. 1.1988		Sheet 2 of 2	
Item No	Plan Quantity		Done this Month From May 26 thru July 29, 1988			Completed to Date From May 26 thru July 29, 1988		
	Quant.	Unit	Quant.	Unit Price	Amount	Tot. Quant.	Tot. Amt	
1.	1.0	L.S.	0.1	\$950.00	\$95.00	1.0	\$950.00	
4.	1.0	L.S.	0.2	4,500.00	900.00	0.8	3,600.00	
6.	1.0	L.S.	0.3	2,500.00	750.00	0.8	2,000.00	
7.	7,681	C.Y	6,000	1.20	7,200.00	6,000	7,200.00	
8.	8,318	C.Y.	00	1.00	00.00	8,318	8,318.00	
9.	28,848	C.Y.	4,193	.90	3,773.70	6,000	5,400.00	
11.	23,543	S.Y.	5,000	.35	1,750.00	15,000	5,250.00	
14.	158	L.F.	125	70.00	8,750.00	125	8,750.00	
15.	1.0	L.S.	0.5	4,176.00	2,088.00	0.5	2,088.00	
16.	124	L.F.	0	21.70	00.00	124	2,690.00	
16A*	22	L.F.	0	7.50	00.00	22	165.00*	
18.	495	C.Y.	0	19.00	00.00	5	95.00	
26.	1,500	L.F.	0	6.70	00.00	1,450	9,715.00	
TOTALS					\$25,306.70		\$56,221.80	

*Modification # 1 22 LINEAL FT AT \$7.50 L.F. = \$165.00



August 24, 1988

90 W. Plato Blvd.
St. Paul, Minnesota 55107

(612) 296-3767

Mr. Tony P. Trimble
Attorney at Law
Old Bank Building, Suite 207
2006 First Avenue N.
Anoka, Mn. 55303

Re: Ditch 58/Holasek Appeal
Your Letter dated 8/10/88

Regional Offices

Northwest Region
1819 Bemidji Ave.
Bemidji, MN 56601
218-755-3963

Northeast Region
Government Service Center
320 W. 2nd Street
Room 603
Duluth, MN 55802
218-723-4752

West Central Region
611 Iowa Avenue
Staples, MN 56479
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South Central Region
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507-285-7458

Southwest Region
Box 111
1400 E. Lyon Street
Marshall, MN 56258
507-537-7260

East Central Region
90 W. Plato Blvd.
St. Paul, MN 55107
612-296-3767

Dear Mr. Trimble:

The "Dispute Resolution Committee" of the Minnesota Board of Water and Soil Resources at a special meeting on August 24, 1988 decided in favor of Mr. Holasek on his appeal.

The Coon Creek Watershed District will therefore, return all monies received to date on the 1988 assessment for repair of Ditch No. 58 and cause further collections to cease.

All costs to date of Anoka County and the District relative to this assessment will, therefore, have to be paid for out of future assessments on the ditch No. 58 system. Also any and all costs incidental or directly related to any proceedings directly involving the ditch No. 58 system can and should be charged to that system and paid for from future assessments.

Drainage law pertinent to this issue is clear and certainly not recognized as negotiable by this Board.

The negotiation effort put forward by this committee was in the best interest of all concerned relative to financial savings, future proceedings of the District, and the best public interest.

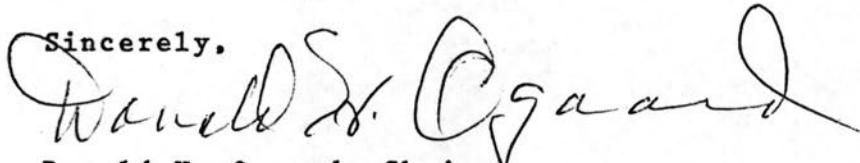
Mr. Tony Trimble
Attorney at Law

August 24, 1988
Page Two

Suggestions for additional provisions to the proposed settlement as outlined in your letter are considered to be improper and certainly outside the scope of the committee's function in this matter.

I trust that the District will be able to properly handle the financial burden placed on the ditch No. 58 system and proceed in a proper manner to levy assessments on the benefitted area to cover all associated costs and future documented repairs as needed.

Sincerely,

A handwritten signature in dark ink, appearing to read "Donald H. Ogaard". The signature is fluid and cursive, with a large, stylized initial "D" and "O".

Donald H. Ogaard, Chairman
Dispute Resolution Committee
of the Minnesota Board of
Water and Soil Resources

METROPOLITAN (SEVEN COUNTY) DRAINAGE LAW REVIEW PANEL

Objectives:

1. Identify existing drainage law problems, ei: difficulty in administration.
2. Delineate work load in drainage ditch administration (county, W.D., Met Council, etc.), concern for long-range planning and water management as a integral part of the process.
3. Evaluate the capability under Chapter 509 to address the drainage ditch issue as a part of, or solution, identified concerns.
4. Suggest changes in Chapter #106A, #112, and #509 to provide expeditious solutions, outlined as problems or concerns.
5. Suggest a "plan of action" to facilitate changes envisioned.

Suggested five member panel with ex-officio member being the MBWSR Chair or a Board volunteer.

1. Association of Counties (metro representative)
2. Metro Area Watershed Districts
3. Met Council
4. D.N.R. (name participant)
5. Non-affiliated interested citizen with legal expertise
6. Others suggested by Board

Entities named have been or are being contacted to provide names of designated representatives (Associations take time to react).

The Upper Minnesota River Watershed District

Ortonville, Minnesota 56278

MAY 13 1988

May 11, 1988

Don Ogaard, Chairman
MN Board of Water and Soil Resources
705 5th Street W.
Ada, MN 56510

— MANAGERS —
Mr. Everard Berdan
Ortonville, Minn. 56278
Mr. C. A. Hundebj
Beardsley, Minn. 56211
Mr. James W. Metz
Browns Valley, Minn. 56219
Mr. Loren Harste
Appleton, Minn. 56208
Wilfred C. Hansen
Ortonville, Minn. 56278

Dear Don,

On September 10, 1988 the Big Stone Lake/Whetstone River Control Works Project will be formally turned over to the local sponsor by the U.S. Army Corps of Engineers and dedicated. The Upper Minnesota River Watershed District is the local sponsor. We cordially invite the MN Board of Water and Soil Resources to meet in our community for their regular Board meeting on September 9, and to participate in the dedication celebration on September 10.

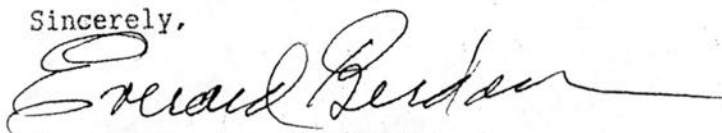
The Project to be dedicated is the final phase of a \$13,021,000 project which includes the Big Stone Wildlife Refuge. Primary benefits are water quality, flood control and wildlife. We will be happy to arrange a tour and explain this project and our current Big Stone Lake Restoration Project.

There are many fine accommodations in this area. We will be happy to assist your group with lodging, meeting space and meals. Many beautiful sightseeing opportunities are available to family members of your board and staff.

A noon meal will be served in Ortonville Lakeside Park prior to the dedication. We invite your group to join other special guests as our guests for that meal.

I look forward to hearing from you at your earliest convenience. Personal greetings!

Sincerely,



Everard Berdan, Chairman
Upper Minnesota River Watershed District

cc: Jim Birkholz (MN BWSR)

1989 DEPARTMENTAL LEGISLATIVE INITIATIVE

DEADLINE: AUGUST 26, 1988

DRAFT

DESCRIPTIVE TITLE:

Reinvest In Minnesota Reserve Program

SUMMARY: (Be as specific as possible; cite statute to be amended, attach language already prepared, etc.)

This legislation transfers the authority for the RIM Reserve Program to the Board of Water and Soil Resources (BWSR) from the Commissioner of Agriculture. The BWSR is the implementing agency through local soil and water conservation districts.

REGULATORY PROVISIONS:YES _____ NO X (If yes, provide justification.)BACKGROUND: (Include need for action in 1988 as well as any recent attempts to deal with the issue.)

The Board of Water and Soil Resources is the implementing agency for the RIM Reserve program through its delivery mechanism, the soil and water conservation districts. This role was inherited from the old Soil and Water Conservation Board which was a division of the Department of Agriculture. The fate of the legislation which created the BWSR in 1987 was unknown at the time the RIM Reserve program was reauthorized that same year. This legislation brings the delivery system and authority for the program into the same agency. Continuing the existing dichotomy is inefficient and ineffective for program implementation.

FISCAL IMPACT: (Provide as much detail as possible.)

None

AGENCY IMPACT: Does this initiative affect other agencies or governmental units?YES X NO _____ (If yes, list them and detail potential impact.)

Takes away authority for the RIM Reserve program from the Commissioner of Agriculture.

POSSIBLE CONTROVERSIES: (Specify source of potential controversy; specific legislators, interest groups, government agencies, etc.)SUBMITTING AGENCY Board of water and Soil ResourcesCONTACT James Birkholz PHONE # 296-3767

[Please do not write on the back of this form. Attach separate sheet if space is insufficient for thorough response.]

Deliver to: Cass McLaughlin
State Planning Agency
300 Centennial Office Bldg.
Phone: 297-3280

1989 DEPARTMENTAL LEGISLATIVE INITIATIVE

DEADLINE: AUGUST 26, 1988

DRAFT

DESCRIPTIVE TITLE:

Local Water Resources Protection and Management Program

SUMMARY: (Be as specific as possible; cite statute to be amended, attach language already prepared, etc.)

Major Goal: Ensure that local units of government exercise maximum initiative to protect water quality, including groundwater by using their planning, zoning, official controls, authorities, local knowledge, information and technical resources.

MN Statutes Chapter 110B would be amended by adding new language for this program. Draft language is attached. The BWSR would implement the grant program. Local governments implementing water resource protection activities would continue to relate to the appropriate agency which has state responsibility for that activity.

REGULATORY PROVISIONS:YES _____ NO X (If yes, provide justification.)BACKGROUND: (Include need for action in 1988 as well as any recent attempts to deal with the issue.)

The 1986 Nonpoint Source Pollution Issues Team Report contained as Recommendation C (attached) a program to provide financial assistance to local units of government to carry out local water quality management activities. Such a program is an essential part of local government taking an active role in surface and groundwater protection efforts. It would show a commitment on the part of the state to assist local government, would assure maximum acceptance of delegated authorities for water resource protection by local government and would ensure coordination by using comprehensive local water plans. Comprehensive local water plans will not be effectively implemented without some financial contribution from the state.

FISCAL IMPACT: (Provide as much detail as possible.)

FY 90 \$50,000 To write rules and establish program

FY 91 \$2,000,000 Grants to local government
160,000 BWSR Administration

(Budget detail is attached)

AGENCY IMPACT: Does this initiative affect other agencies or governmental units?YES X NO _____ (If yes, list them and detail potential impact.)

MPCA, DNR, possibly MDH - provides funds to allow local government to assume delegated programs. These agencies support efforts to increase local government program activity.

POSSIBLE CONTROVERSIES: (Specify source of potential controversy; specific legislators, interest groups, government agencies, etc.)

Local government associations may be concerned about ability to generate local matching funds.

SUBMITTING AGENCY Board of Water and Soil ResourcesCONTACT James Birkholz PHONE # 296-3767

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1989 DEPARTMENTAL LEGISLATIVE INITIATIVE

DEADLINE: AUGUST 26, 1988

DRAFT

DESCRIPTIVE TITLE:

Sealing Improperly Abandoned Wells

SUMMARY: (Be as specific as possible; cite statute to be amended, attach language already prepared, etc.)

A cost-share program to properly seal high priority abandoned wells. This would be a cooperative program with the Department of Health. Cost-share funds would be provided through SWCDs by adding language to MS Ch 40. Technical oversight would be provided by the Department of Health through possible changes to MS Ch 156A. The Board of Water and Soil Resources would coordinate with the Department of Health in providing grant funds through SWCDs. Would require a local water plan to participate.

REGULATORY PROVISIONS:YES _____ NO X (If yes, provide justification.)BACKGROUND: (Include need for action in 1988 as well as any recent attempts to deal with the issue.)

There exist between 100,000 and 800,000 abandoned wells in Minnesota. This proposal is part of a larger emerging strategy to deal with groundwater protection in general and abandoned wells in particular. The MDH Task Force is currently developing recommendations to deal with this issue. SF2318 from the 1988 session dealt with this issue. Specifics of this proposal must await the conclusion of MDH task force.

FISCAL IMPACT: (Provide as much detail as possible.)

Pending

AGENCY IMPACT: Does this initiative affect other agencies or governmental units?

YES X NO _____ (If yes, list them and detail potential impact.)
 Department of Health - program must be coordinated with agency authority in well code. Soil and Water Conservation Districts - would administer new cost-share program. Community Health Services - need cooperation from them on local level. Counties - program should be designed to help them implement comprehensive local water plans.

POSSIBLE CONTROVERSIES: (Specify source of potential controversy; specific legislators, interest groups, government agencies, etc.)SUBMITTING AGENCY Board of Water and Soil ResourcesCONTACT James Birkholz PHONE # 296-3767

[Please do not write on the back of this form. Attach separate sheet if space is insufficient for thorough response.]

Deliver to: Cass McLaughlin
 State Planning Agency
 300 Centennial Office Bldg.
 Phone: 297-3280

1989 DEPARTMENTAL LEGISLATIVE INITIATIVE

DEADLINE: AUGUST 26, 1988

DESCRIPTIVE TITLE:

Comprehensive Local Water Plan Updates

SUMMARY: (Be as specific as possible; cite statute to be amended, attach language already prepared, etc.)

This initiative would amend the Comprehensive Local Water Management Act (Chapter 110B) and the Metropolitan Water Management Act (Sections 473.875-473.883) by adding language requiring comprehensive local water plans to be updated at least every five years. The current laws each contain an open-ended plan amendment provision that allows plans to extend to any future year that is evenly divisible by five.

REGULATORY PROVISIONS:YES _____ NO X (If yes, provide justification.)BACKGROUND: (Include need for action in 1988 as well as any recent attempts to deal with the issue.)

These two Acts establish the framework for comprehensive local water planning and management in Minnesota. Local water plans must be routinely re-evaluated to effectively secure their purpose of guiding local water management policy and communicating that policy to the state level. Amendments should be made in 1989 to put local units on notice of the need for future plan revisions.

FISCAL IMPACT: (Provide as much detail as possible.)
Costs to local governmental units would be primarily dependent on their use of outside technical consultants and the scope of plan revisions. The MBWSR will encourage local units to work closely with other local units and state agency staff to minimize local expenses. The MBWSR is responsible for coordinating state agency assistance to local units. Costs are estimated in the range of \$1,000 to \$10,000 per plan revision.

AGENCY IMPACT: Does this initiative affect other agencies or governmental units?

YES X NO _____ (If yes, list them and detail potential impact.)

Metropolitan watershed management organizations, and counties in great Minnesota planning under Chapter 110B, would need to periodically review and update their water plans. State resource management agencies would comment on the revisions, and the MBWSR would give final approval.

POSSIBLE CONTROVERSIES: (Specify source of potential controversy; specific legislators, interest groups, government agencies, etc.)

Local units generally recognize the need for periodic updates of policy plans to maintain their relevance and usefulness. A few individual local units might object to the five-year period and recommend a review cycle of ten years or longer.

SUBMITTING AGENCY Board of Water and Soil ResourcesCONTACT Mel Sinn PHONE # 297-2622

[Please do not write on the back of this form. Attach separate sheet if space is insufficient for thorough response.]

Deliver to: Cass McLaughlin
State Planning Agency
300 Centennial Office Bldg.
Phone: 297-3280

1989 DEPARTMENTAL LEGISLATIVE INITIATIVE

DEADLINE: AUGUST 26, 1988

DESCRIPTIVE TITLE:

Excessive Soil Loss

SUMMARY: (Be as specific as possible; cite statute to be amended, attach language already prepared, etc.)

The proposed amendments are initiated to update the state's soil erosion and sediment control program with technically sound, state of the art conservation specifications to control soil erosion and sedimentation in urban development and agricultural areas. The proposed amendments would apply to Minnesota Statutes, Chapter 40.19 to 40.28.

REGULATORY PROVISIONS:YES _____ NO X (If yes, provide justification.)

The existing legislation is voluntary for local government adoption and implementation. The proposed amendments do not change this voluntary implementation.

BACKGROUND: (Include need for action in 1988 as well as any recent attempts to deal with the issue.)

With the large amount of urban development occurring within the seven-county metropolitan region and the state, the need for a unified approach and procedures for soil erosion and sedimentation control exists. Currently, counties and municipalities, water management organizations, and soil and water conservation districts are emphasizing the use of unified erosion controls through the Metropolitan Water Management Act and Comprehensive Local Water Management Act.

FISCAL IMPACT: (Provide as much detail as possible.)

None

AGENCY IMPACT: Does this initiative affect other agencies or governmental units?YES X NO _____ (If yes, list them and detail potential impact.)
Counties, cities, townships, water management organizations, watershed districts, and soil and water conservation districts. The existing legislation requires that these organizations be involved with the development of rules, guidelines, and model ordinances.POSSIBLE CONTROVERSIES: (Specify source of potential controversy; specific legislators, interest groups, government agencies, etc.)

A potential controversy could arise with private developers and local units of government. The existing legislation requires that these organizations be notified and allowed to comment on the rules, guidelines, and model ordinances.

SUBMITTING AGENCY Board of Water and Soil ResourcesCONTACT James Birkholz PHONE # 296-3767

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Deliver to: Cass McLaughlin
State Planning Agency
300 Centennial Office Bldg.
Phone: 297-3280

1989 DEPARTMENTAL LEGISLATIVE INITIATIVE

DEADLINE: AUGUST 26, 1988

DESCRIPTIVE TITLE:

Compensation for Board of Water and Soil Resources members

SUMMARY: (Be as specific as possible; cite statute to be amended, attach language already prepared, etc.)

Minnesota Statutes Ch. 15.0575, sub. 3 would be amended to allow members of state boards (the BWSR) to be compensated at up to \$75 per day.

REGULATORY PROVISIONS:YES _____ NO X (If yes, provide justification.)BACKGROUND: (Include need for action in 1988 as well as any recent attempts to deal with the issue.)

Formulation of sound state policy on water and soil management requires informed board members with a broad range of knowledge, expertise and insight. The time commitment to be an effective member of the Board of Water and Soil Resources is significant. The current \$35 per day per diem is inadequate and out of date. It requires too large a financial sacrifice on the part of board members. \$75 is more reasonable token compensation.

FISCAL IMPACT: (Provide as much detail as possible.)

Pending

AGENCY IMPACT: Does this initiative affect other agencies or governmental units?

YES _____ NO _____ (If yes, list them and detail potential impact.)

?

POSSIBLE CONTROVERSIES: (Specify source of potential controversy; specific legislators, interest groups, government agencies, etc.)SUBMITTING AGENCY Board of Water and Soil ResourcesCONTACT James Birkholz PHONE # 296-3767

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Phone: 297-3280

1989 DEPARTMENTAL LEGISLATIVE INITIATIVE

DEADLINE: AUGUST 26, 1988

DRAFT

DESCRIPTIVE TITLE:

Office space for the Board of Water and Soil Resources

SUMMARY: (Be as specific as possible; cite statute to be amended, attach language already prepared, etc.)

Amend MS Ch 110B.35 Sub. 6 to remove the requirement that the department of agriculture provide office space for the Board of Water and Soil Resources. This would allow the BWSR to seek adequate office space.

REGULATORY PROVISIONS:YES _____ NO X (If yes, provide justification.)BACKGROUND: (Include need for action in 1988 as well as any recent attempts to deal with the issue.)

The office space currently provided to the Board in the department of agriculture building is charged to the Board in the amount of \$32,000 per year. This office space is inadequate. Remodeling costs are estimated at between \$25,000 and \$50,000. The department has indicated that they will not pay the costs of remodeling. The building is full. The Board needs to seek office space adequate for its functions at a reasonable costs. Reasonable cost options are not available at the department of agriculture.

FISCAL IMPACT: (Provide as much detail as possible.)

The costs of remodeling (\$25,000 - \$50,000) can be avoided.

AGENCY IMPACT: Does this initiative affect other agencies or governmental units?YES X NO _____ (If yes, list them and detail potential impact.)

Department of Agriculture

POSSIBLE CONTROVERSIES: (Specify source of potential controversy; specific legislators, interest groups, government agencies, etc.)SUBMITTING AGENCY Board of Water and Soil ResourcesCONTACT James Birkholz PHONE # 296-3767

[Please do not write on the back of this form. Attach separate sheet if space is insufficient for thorough response.]

Deliver to: Cass McLaughlin
State Planning Agency
300 Centennial Office Bldg.
Phone: 297-3280

**PROPOSED RIM RESERVE POLICY LEGISLATION
FOR 1989 LEGISLATIVE SESSION**

Expand Water Quality Emphasis - MN Statutes Section 40.43 Subd. 2(1) Expand eligibility for enrollment. This change will be provide for enrolling lands in the program which presently pose high risk for groundwater contamination as well as lands adjacent to high amenity waters. Enrolling these areas will protect the waters from agricultural fertilizers, pesticides, and sediments and provide valuable wildlife habitat. *w/ riparian lands included.*

Eliminate Cropping Requirement for Wetland Restoration - MN Statutes Section 40.43 Subd. 2(5). Eliminate cropping requirement for wetland restoration. Currently many drained or partially drained wetlands are not eligible for the program because they were not cropped at least two years between 1981 and 1985. The value of restoring these wetlands is immense. This proposal would eliminate the cropping requirement for drained wetlands to be enrolled in the program. Drained wetlands without a cropping history would be eligible for a lower payment rate consistent with the state Waterbank Program payments (50% of EMV for cropland). *Waterbank program doesn't have cropping history - Enbig stated.*

Eliminate the 20% Enrollment Limit - MN Statutes Section 40.43 Subd. 2(5) Eliminate the 20% enrollment limit. The enrollment limit should be based on the payment limit as a cap for landowners. The 20% limit has caused problems in restoring some wetlands because the 20% cap is less than the restorable wetland acreage in many cases.

Redefine \$50,000 Limit - MN Statutes Section 40.43 Subd. 6(5) Exclude payments for conservation practices from the \$50,000 limit. This initiative is being supported by the RIM Coalition.

Strengthen Violation Provisions - MN Statutes Section 40.03 Subd. 5(5) Strengthen violation provisions. Presently the law gives no guidance for the penalties to be assessed for individual violations. Language is being developed with the assistance of the Attorney General staff.

A form A will be completed for each approved item.

THE MINNESOTA BOARD OF WATER AND SOIL RESOURCES
RELATIONSHIP
WITH WATERSHED DISTRICTS

By Al Dornfeld

The following is a summary of my report to the MBWSR on ^{Aug. 24}~~July 27~~, 1988.

Education is the first area of concern and I look to the MBWSR to take the lead in educating the public regarding the water and soil resources in our state. This lead should be so great, that when the public has questions or problems in this area, they automatically turn to the MBWSR for direction or information. The Board can then direct them to the proper agency.

The brochure presently being put together by MBWSR is an excellent move. What better way to tell the story of MBWSR, Soil and Water Conservation Districts, and Watershed Districts. A State Fair Booth or any other gathering of many people might be another good way to disseminate information using brochures, slides, etc.

A film or slide presentation by MBWSR depicting the activities of Watershed Districts and Soil and Water Conservation Districts would be desirable. This could be used by Watershed Districts and Soil and Water Conservation Districts to educate the various town boards, city councils, county commissioners, and others.

I am sure the two Associations - Soil and Water Conservation Districts, and Watershed Districts - would support these efforts in one way or another.

The other area of education has to do with the managers of the various Watershed Districts. I believe MAWD and MBWSR should work together on seminars which stress the following six items:

1. A manager's motivation to serve should lie in the area of protecting and enhancing our water and soil resources.
2. Duties and responsibilities of a manager and his District.
3. General operations guideline so that Districts function smoothly and effectively.
4. Proper budgeting and finance as set forth in the statute.
5. Accounting procedure.
6. Annual Reports - so they are complete and informative, with easy to read financial statements.

The second area of concern lies in legislation and the changes to existing statutes plus new statutes. The MBWSR could issue an annual summary report of legislation passed that directly or indirectly affects Soil and Water Conservation Districts and Watershed Districts. This report should follow each legislative session. The MBWSR should continue to attend Association meetings to get input from various people and areas of the state on proposed legislation or legislative changes.

The third area of concern is our relation to MBWSR staff. What are the duties of the various staff persons? In what ways can they assist us? How do we avail ourselves of their talents?

The Watershed Association supported the creation of this new board and we feel it can be a very effective body in preserving and enhancing soil and water resources.

August 24, 1988



AUG 3 1988

August 8, 1988

90 W. Plato Blvd.
St. Paul, Minnesota 55107
(612) 296-3767

TO: Jim Birkholz - Director, B.W.S.R.

FROM: Darrell Apelgrain - Area II Engineer *D.A.*

SUBJECT: August Estimate, Minnett-Krantz Reservoir,
State Share-\$18,031.02

Regional Offices

Northwest Region
1819 Bemidji Ave.
Bemidji, MN 56601
218-755-3963

Northeast Region
Government Service Center
320 W. 2nd Street
Room 603
Duluth, MN 55802
218-723-4752

West Central Region
611 Iowa Avenue
Staples, MN 56479
218-894-1692

South Central Region
Box 756
New Ulm, MN 56073
507-354-2196

Southeast Region
Friedell Bldg., Room 100
1200 S. Broadway
Rochester, MN 55904
507-285-7458

Southwest Region
Box 111
1400 E. Lyon Street
Marshall, MN 56258
507-537-7260

East Central Region
90 W. Plato Blvd.
St. Paul, MN 55107
612-296-3767

Enclosed find two Copies of Partial Estimate #3 for the Minnett Krantz Reservoir. This is the first estimate since construction began. The Contractor, Bill Schmidt Construction Company from Redwood Falls, returned to the site on July 25, and has removed the foundation and core trench material from the dam sand has backfilled it back to ground level. The soil under the dam was what we expected and all the poor material was removed before we backfilled it. I inspected the principal spillway pipe in South Beloit, Illinois on Friday, July 29 and it conformed with the plans and specifications. The state share of this estimate is \$18,031.02 and the County share is \$6,010.35. Please remit this amount to the Pipestone County Auditor when the payment is processed. The Contractor has used 10.1% of the contract time and has completed 40.3% of the monetary value of the work.

Enclosure:

CONTRACT PAYMENT ESTIMATE

Sheet 1 of 2

Contract No.	Project Name	Estimate No. 2
104-113	Minett-Krantz Reservoir	Date Aug.1.1988
Sponsors Pipestone County Board of Commissioners, Pipestone, Mn.		

Total Amount Earned	This Period	\$25,306.70	To Date	\$56,221.80
Retained Percent(5%)		\$1,265.34		\$2,811.09
Previous Payments		\$0.00		\$29,369.34
Other Payments (return of retainage)		\$0.00		\$0.00

	AMOUNT PAID THIS MONTH	AMOUNT PAID TO DATE
	\$24,041.37	\$53,410.71
STATE	\$18,031.02	\$40,058.02
COUNTY	\$6,010.35	\$13,352.69

TOTAL PAID THIS ESTIMATE \$24,041.37

ORIGINAL AMOUNT OF CONTRACT \$132,438.70

ADDITIONS DUE TO REVISIONS \$165.00

ADDITIONS WITHIN 25% \$0.00

TOTAL VALUE OF CONTRACT TO DATE \$132,603.70

Percent of work Completed 40.3%

Percent of Time Used 10.1%

I hereby certify that the above work has been completed according to the plans and Specifications to the best of my knowledge and that none of the work shown as done this month has been paid for previously.

Darrell Appelgren
Signature

Project Engineer.

August 1, 1988

Date

Contract Payment Estimate

Contract No. 104-113			Estimate No. 2.		Date Aug. 1.1988	Sheet 2 of 2	
Item No	Plan Quantity		Done this Month From May 26 thru July 29, 1988			Completed to Date From May 26 thru July 29, 1988	
	Quant.	Unit	Quant.	Unit Price	Amount	Tot. Quant.	Tot. Amt
1.	1.0	L.S.	0.1	\$950.00	\$95.00	1.0	\$950.00
4.	1.0	L.S.	0.2	4,500.00	900.00	0.8	3,600.00
6.	1.0	L.S.	0.3	2,500.00	750.00	0.8	2,000.00
7.	7,681	C.Y	6,000	1.20	7,200.00	6,000	7,200.00
8.	8,318	C.Y.	00	1.00	00.00	8,318	8,318.00
9.	28,848	C.Y.	4,193	.90	3,773.70	6,000	5,400.00
11.	23,543	S.Y.	5,000	.35	1,750.00	15,000	5,250.00
14.	158	L.F.	125	70.00	8,750.00	125	8,750.00
15.	1.0	L.S.	0.5	4,176.00	2,088.00	0.5	2,088.00
16.	124	L.F.	0	21.70	00.00	124	2,690.00
16A*	22	L.F.	0	7.50	00.00	22	165.00*
18.	495	C.Y.	0	19.00	00.00	5	95.00
26.	1,500	L.F.	0	6.70	00.00	1,450	9,715.00
TOTALS					\$25,306.70	\$56,221.80	

*Modification # 1 22 LINEAL FT AT \$7.50 L.F. = \$165.00

FARM BILL EXCEPTIONS

8/17/88 St. Paul Pioneer Press/Dispatch

Stop holes in dam

Bending the rules, even in an emergency, can be like eating a handful of buttered popcorn: Once you get a taste, it's difficult to quit.

The same principle holds true for the 1985 farm bill: Once you change a few rules in response to the drought, it's difficult to hold the line.

Earlier this summer, Agriculture Secretary Richard Lyng allowed drought-ravaged livestock farmers to make hay and temporarily graze their cattle on land enrolled in the federal conservation reserve program. Considering the situation, the rule-bending made humanitarian sense.

Monday morning, we got a telephone call from a farmer in Morton, Minn. He has 46 acres of oats standing on land enrolled in the federal conservation reserve program. Under the rules, he must soon plow under the crop even though the United States will have to import upwards of 150 million bushels of oats this year to meet demand. Wouldn't it make sense, he wondered, to allow grain farmers to harvest their oats, just like it made sense to allow livestock farmers to use forage crops on diverted acres?

On the surface, the farmer's argument makes sense. Why import something when we've got it standing ripe in our fields?

But see the danger lying underneath? Bend one rule and there's pressure to bend another. Bend too many too often and soon farmers will begin planning for the exceptions.

In what way? Well, we've heard that a few Nebraska sugar beet farmers are discussing the wisdom of carrying expensive multi-peril crop insurance only on odd-numbered years. Such coverage is not needed in election years, they argue, because Congress eventually will cover any potential crop losses.

That's precisely why Mr. Lyng should refuse permission to harvest those 46 acres of oats standing in a field near Morton.

From Mps. Trib

8-4-88

Drought cuts into low-tillage farming

By Bill McAuliffe
Southern Minnesota Correspondent

Rochester, Minn.

This year's drought has been brutal to crops, but it also has blindsided some progressive soil management techniques.

Crops have done poorly when planted on land where reduced tillage or no-tillage practices were used, particularly when compared to crops grown on land that was plowed by more traditional methods, said Gyles Randall, soil scientist at the University of Minnesota-Waseca.

"It's been stated that this dry spell has set back reduced-tillage systems throughout the corn belt five years," Randall said.

He said that at the Waseca experiment station, reduced or no-tillage plots have produced some of the poorest corn seen in 18 years of ex-

periments, while corn grown in adjacent plots that were prepared with deep-digging moldboard plowing has done relatively well.

Randall offered two ideas why reduced tillage might have hampered crops during the drought.

One is that, without soaking rains, what rain has fallen has remained near the surface and been absorbed by vegetation left on the field, instead of by new plants, or it simply evaporated. The other is that reduced tillage allows deeper soil to remain compacted, restricting root growth and a deeper flow of moisture. The irony behind both notions is that while reduced tillage is supposed to conserve soil moisture, in drought it might have squandered it.

Until Tuesday, when 1.81 inches of rain fell on Waseca, the area had not received an inch of rain in any 24-hour period since Aug. 9, 1987. May,

June and July was the driest three-month period on record at Waseca, and had an average temperature higher than the same period in 1936, a summer of record-setting heat.

In Fillmore County, where the state's first soil erosion ordinance was enacted in 1982, Soil Conservation Service district conservationist Ken Rismeyer said plowing methods alone have not hurt crops so much as a simultaneous and drought-induced herbicide failure.

Most farmers who chose a no-till preparation for their fields for soil and water conservation rely on herbicides to kill a previous crop and weeds. But many herbicides are water-activated, or at least require an already vigorous growth. Farmers hurt most in that scenario, Rismeyer said, are those who used a no-till approach on a field they were trying to rotate from hay to row crops.