



Minnesota Board of Water and Soil Resources.
Minutes.

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BOARD OF WATER AND SOIL RESOURCES
Minnesota Department of Agriculture Building
90 W. Plato Boulevard, Conference Room A
St. Paul, Minnesota 55107
December 28, 1988

AGENDA

- 9:00 a.m. 1. Call to Order
 2. Adopt Agenda
 3. Approve Minutes of November 30, 1988
 4. Chairman's Report - Donald Ogaard
 5. Executive Director's Report - Jim Birkholz
 6. EQB/Water Resources Committee Report - Loni Kemp
 . December 1, 1988 Meeting
- 10:00 a.m. 7. Comprehensive Water Resources Protection Act of 1989
 (the BIG WATER BILL)
 . Overview
 . Title 3 - Local Water Resources Protection and
 Management
 - Language resulting from Nov. 30th BWSR Meeting
 - Coordination with shoreland management
 - Voting status of agencies
 . Discussion on other Titles
- 11:00 a.m. 8. Anoka Sand Plain Project Proposal - for information
 and discussion -
 9. Advisor Comments
- Noon Lunch
- 1:00 p.m. 10. Continuation of Legislation Discussion
 . Recodification - Mel Sinn
 . Reinvest in Minnesota Program - Jim Birkholz
 . Metropolitan Water Law - Mel Sinn
 11. Watershed District Reporting Guidelines
 12. State Cost-Share Program Rollover Allocations -
 For Board decision - Jim Birkholz
 13. Comprehensive Local Water Planning Update
 14. RIM Reserve Program - Jim Birkholz, Tom Wenzel
 . Harland Maland perpetual wetland restoration -
 Faribault County
 15. Winter Workshops - for discussion
- 4:00 p.m. Adjourn

Upcoming Meetings
Association of Minnesota Counties Annual Convention
January 22-24
Radisson Hotel, St. Paul

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

**MINUTES OF THE MEETING HELD
DECEMBER 28, 1988**

Appointed Members in Attendance

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

Appointed Member Absent

Loren Harste

Others in Attendance

Paul Burns, Minnesota Department of Agriculture
Ronald Nargang, Minnesota Department of Natural Resources
Mick Finn, Minnesota Department of Health
Dwain Otte, Minn. Assoc. of Soil and Water Conservation Districts
Al Dornfeld, Minnesota Assoc. of Watershed Districts, Inc.
Warren Wallgren, Ramsey-Washington Metro Watershed District
Paul Kalass, Minn. Association of Conservation District Employees
Marlyn Libbismeier, Minnesota Association of Townships
Bill Larson, Extension Service, University of Minnesota
Mary Peterson, Minn. Assoc. of Soil and Water Conservation Dist.
Pat Jensen, Deputy Commissioner, Department of Agriculture
John Wells, Minnesota State Planning Agency
Laurel Reeves, Division of Waters, Dept. of Natural Resources
Jerome Bechtold, Anoka Sand Plain Association of SWCDs
Joe Fitzgerald, Anoka Sand Plain Association of SWCDs

Staff Present

Jim Birkholz
Pat Bloomgren
Mel Sinn
Mark Nelson
Tom Wenzel
Karen Schultz

Meeting Called to Order - Chairman Ogaard called the meeting to order at 9:01 a.m. in Conference Room A of the Minnesota Department of Agriculture Building, 90 W. Plato Boulevard, St. Paul, Minnesota.

88-174

Adopt Agenda - John Williamson asked if there are any legal technicalities involved in temporarily changing the Board's meeting date, as was done for the November 1988 meeting - it was moved from November 23 to November 30. Jim Birkholz said it had been changed primarily because of the office relocation. The meeting date change had been published in the State Register, so it was a legal meeting. Moved by Kalmes, seconded by Cofell to adopt the agenda as presented. Affirmative: Boulton, Williamson, Warner, Bade, Schellack, Moen, Hoese, Haas Steffen, Brooks, Peterson, Graba, and Kemp. Opposed: None. Carried.

88-175

Approval of Minutes of November 30, 1988 - Chairman Ogaard suggested the wording be changed in the statement by Lowell Moen on the last page of the November 30th minutes to read: "Lowell Moen stated that free water testing will be done for those who have soil testing done by Central, a Division of Cenex." Moved by Kalmes, seconded by Cofell, to approve the minutes, as distributed, with the change in language. Affirmative: Boulton, Cofell, Williamson, Kalmes, Bade, Schellack, Moen, Hoese, Haas Steffen, Brooks, Peterson, Graba, and Kemp. Opposed: None. Carried.

Chairman's Report - Chairman Ogaard reported that both the annual meetings of the Watershed District Association and the Soil and Water Conservation District Association held in December set records for attendance this year. He attended both conventions and said that he and Jim Birkholz had conducted a seminar together at the MAWD convention in Rochester concerning the increased assistance the Board can give the Watershed Districts. Two things requested by the managers at the seminar were guidelines on writing annual reports, and also that the Board's area representatives meet with managers in their respective areas to develop a line of communication. Chairman Ogaard said both conventions were very supportive, and he feels the relationship with this state Board could never be better than it is today and both Associations are looking forward to a continued good working relationship with this Board into next year.

He said an interesting issue at the last EQB meeting was the proposed Winona Incinerator. It is a unique situation where the city broke off from the support of the Incinerator and now opposes it. This was appealed to the EQB and was heard at the last meeting. The vote was 6 to 4 - six agencies against allowing the city to prevail, and the four citizens wanting to prevail in the instance of allowing an additional 45-day review period before the final decision is made. Eight votes are required to pass anything on the EQB, so nothing was resolved. The PCA had voted favorably toward the Incinerator and the City came back to

say new evidence brought forward allowed them another solution to the problem - to haul their garbage to the ~~Eau Claire~~ ^{La Crosse} Incinerator, which puts out 10 times the undesirable emissions that the proposed Winona Incinerator would.

Chairman Ogaard noted that an article had been written in the Minneapolis Tribune about Natalie Haas Steffen. He congratulated Natalie on the article and the efforts she has put forward.

Executive Director's Report - Concerning the seminar in Rochester referred to by Chairman Ogaard, Jim Birkholz said he brought back three pages of suggestions from the managers that they want on interaction with our Board. Looking at some of those specifics gives the Board some good direction on planning specific staff activities that can help watershed districts be successful and therefore, help this Board be successful. Jim feels it was good for the Board staff to attend upbeat sessions like the Association conventions.

Jim stated that Dave Behm has started work as the Board's land use specialist.

Jim said the Board's new office space on Wabasha Street will be ready for the Board members to tour during the January meeting. The computer network should be up and running next month. The staff is getting ready for the upcoming legislative session and is primarily working on the "Big Water Bill". A number of interagency meetings have been held, both formal and informal, investing staff time to make sure that local government has the opportunity to implement water plans they are working on now. There will be a mailing this week to all local governments informing them of the Big Water Bill.

A staff meeting was held Dec. 15 to get water planning hydrologists Dan Steward, Chris Hughes, and Greg Larson and Board representatives together with Pat and Jim to discuss the 110B planning process, and also to discuss designing a structure for reviewing those plans. If everything goes according to people's most optimistic goals across the state, plans will be coming into our office for review in July. The staff is putting together a structure for working in concert with other agencies who must help in the review. More details will be brought to the Board in January on how the process is coming onto line because the staff will need some good policy direction from the Board on the review process, what Board members want to see in the way of detail in 110B plans, and what they don't want to see.

EQB/Water Resources Committee Report - Loni Kemp reported that the EQB/Water Resources Committee met December 1st. They had spent a few minutes talking about Senator DeCramer's recodification legislation. Senator DeCramer is proceeding with recodification using existing policy statements from different water

related agencies. The agencies at the meeting asked what was the point of it, the feeling being that there are conflicts in our complicated water legislation, but simple recodification isn't going to solve those conflicts. The agencies felt the conflicts should be clarified and the gaps filled in.

A lot of time was spent on the comprehensive water bill, which is a priority of both the Governor and the Legislature. The committee discussed many issues surrounding various topics covered in the bill, including BMPs, trends assessment, sensitive areas, delegation of authority, pre-emption of local fertilizer regulation, education, research, and the local role. The public is very supportive of the whole concept. The next meeting is January 5th when all the agencies will have the last chance to get the input on each others' sections of the bill. The final draft of the bill is scheduled to be jacketed on January 13th for introduction at the Legislature.

Chairman Ogaard asked Paul Burns to respond to the subject of controls and regulations on pesticides and fertilizers. Paul Burns said the department is aware of the concern over local control. The Department of Agriculture has met with environmental groups and farm groups concerning the regulations. The department currently regulates pesticide use and enforces federal and state label restrictions. The only regulations on fertilizers are on storage practices. The department is proposing the establishment of a task force to look at the issue of fertilizers and nutrients. Jack Graba said much more education needs to be done before regulations are increased. Chairman Ogaard stressed the need for a strong local-state partnership in addressing pesticides and fertilizers.

At this time Paul Burns introduced Pat Jensen, the new Deputy Commissioner in the Department of Agriculture.

Watershed District Reporting Guidelines - Chairman Ogaard distributed copies of a sample watershed district annual report that he and Mel Sinn had drawn up as guidelines for the districts to use in reporting their activities. There has never been a uniform method for watershed districts to report annually to the Board and the State Auditor. It is a requirement of the state that all the watershed districts make this report. Mel Sinn discussed each item in the sample report. A sample financial section of the report has not been completed yet. Natalie Haas Steffen said the Board should give the districts a reason for reporting, by responding with a summary report on all watershed district activity throughout the year. She further suggested that the guidelines ask districts to identify any difficulties they are having in working with various laws and programs to help the Board understand their problems and help find solutions.

88-176 A cover letter will be sent with the sample guidelines explaining the Board's intention. A reasonable due date for receipt of annual reports in the Board's office was discussed. Howard Peterson said it should be mailed as soon as possible to the Districts because they will be putting together their annual reports for 1988. Ron Nargang said the content of the summary data sheet is important so that the information is easily retrievable and comparable. Loni Kemp said the Board should make a commitment to doing a summary report so that the deadline for receipt of the report from the districts is for inclusion of their information in this summary report. Moved by Peterson, seconded by Kalmes, to adopt the program in the proposed form and send it out in that general form by January 31, 1989, along with a cover letter showing the intent of the Board and showing a timeframe for receipt of the annual report including the audit. Affirmative: Boulton, Williamson, Warner, Bade, Schellack, Moen, Hoese, Haas Steffen, Brooks, Graba, Kemp, and Cofell. Opposed: *Peterson* None. Carried.

Comprehensive Water Resources Protection Act of 1989 - John Wells from the State Planning Agency was present to discuss this item on the agenda. Jim Birkholz explained the history of the (Draft) Comprehensive Water Resources Protection Act of 1989, stating that the Act is the result of interagency efforts to implement ground water management strategies and the strategy for the wise use of pesticides and nutrients. There has also been significant input from various private and public entities. The overall coordination was done by the State Planning Agency. The EQB Water Resources Committee has been the forum for discussion between the agencies. There was discussion of the proposed funding and the large number of state agencies involved. John Wells said it is felt that the issues should be focused separately through respective agencies and coordinated through the EQB.

88-177 Jim gave an overview of Title 3, local water resource protection and management program. There was considerable discussion of eligibility for funding of surface water management activities in metropolitan counties that haven't completed all their 509 plans. Moved by Haas Steffen, seconded by Cofell, that those in the metro area who have not completed watershed management plans not be excluded from receiving funds that would be available under this proposal. Affirmative: Boulton, Haas Steffen, Peterson, Bade, Kemp, and Cofell. Opposed: Schellack, Williamson, Warner, Kalmes, Moen, Hoese, and Brooks. Abstaining: Graba. Motion defeated.

Pat Bloomgren explained the abandoned well sealing provisions of the bill that were added to Title 3. The law would mandate the property owner to properly seal a potentially hazardous well. A sunsetted grant program, to last six years, is a state cost-share program that can be used to pay up to 75%, not to exceed \$2,000, of the cost of sealing an abandoned well. It is assumed that by

that time, changes to the well code will have been enforced long enough that the cost-share grant program will no longer be necessary. Natalie Haas Steffen said there have been local water plans approved in the metro area without any mention of sealing abandoned wells. She asked if the state intends to allow those organizations to amend their plans in order to be eligible for this grant money. Jim Birkholz said counties would be allowed to amend their local comprehensive water plans if there hadn't been anything in the original plan. In the metropolitan area the program would be available in counties that develop ground water plans. Some Board members feel that most landowners would not volunteer to properly seal their abandoned wells if their share is 25% of the cost. Pat Bloomgren said that after the 1989 legislative session, property transfers will require identification, to the best of the ability of the landowners, of wells that need to be sealed. There was discussion of whose responsibility it should be to seal wells that were abandoned long ago, and also whether the cost-share program should continue longer than six years.

At 12:00 Noon the meeting was recessed for lunch. The meeting was reconvened at 1:10 p.m.

Natalie Haas Steffen was not present for the afternoon session of the Board meeting.

Anoka Sand Plain Project Proposal - Jerome Bechtold, Chairman of the Anoka Sand Plain Association of Soil and Water Conservation Districts, gave a presentation on the recent history of the Sand Plain. The area is increasingly facing land use conflicts between farmers and rural subdivisions. Irrigation in the Anoka Sand Plain (ASP) is also increasing, causing concern for water quality and water use.

The eleven SWCDs in the ASP are willing to devote resources to address the groundwater issues. District staff has been trained in entering well logs in the County Well Index System. Most SWCDs in the ASP are also working with their Counties on 110B plans or Chapter 473 county groundwater plans. This has fostered good working relationships between the SWCDs and other Federal, State, and local agencies responsible for groundwater.

One agency, the United States Geological Survey, has developed an important project proposal to compare land use with groundwater quality in a "township-signed" area in the ASP. The total project cost would be \$260,000 over four years and require a \$70,000 local match (assuming DNR participation). The ASP Association would like the Board to support them in a request for \$70,000 over a four-year period to provide their local 25% share of the study. There was discussion of the opportunity for local matching funds. Jerome Bechtold said he has been told by county commissioners that counties are not expected to be involved in

research, and that it is the obligation of other units of government. Don Ogaard asked if the Association had ever pursued a small local assessment in the form of a mill rate levy to have a local fund available? He said it is a matter of going before the Legislature as a united entity and asking to be allowed the assessment and asking for sunset legislation on it. It was felt that it is a good project in which to direct funds. It was the consensus that the Board wouldn't have any trouble in pursuit of support from the Legislature.

Comprehensive Water Resources Protection Act of 1989 - As Jim Birkholz reviewed the Act, there was considerable discussion by Board members on the best ways to protect water resources. It was felt that attempting to regulate the use of chemicals would not be as effective as education of the public would be, beginning in grade school, making people aware of their responsibilities in ground water protection.

Advisor Comments - Marlyn Libbismeier, Association of Townships, announced an educational short course including water and soil issues in March and April. Dwain Otte, MASWCDs, invited the Board members to attend a breakfast with legislators on January 24th to discuss pertinent issues. Al Dornfeld, MAWD, said the Association appreciates the Board's support in developing a uniform reporting system and looks forward to working with the Board in the legislative session. Paul Kalass, SWCD Employees Association, thanked the Board and staff for their help at the MASWCD convention. Bill Larson, University of Minnesota/Extension Service, said that with the new President, the University can be stronger.

Continuation of Legislation Discussion - Mel Sinn said all of Senator DeCramer's proposals for recodification of the water law have been sent to the Board for review, except for Chapter 112. There is significant restructuring of older portions of Chapter 40, and it is proposed that the portions of Chapter 40 dealing with soil loss limits and RIM be shifted out of the SWCD law and put into the chapter on protection of water resources. There is drastic restructuring in Chapter 105. Mel said a conversion chart will be necessary to follow all of the changes. In general, Mel said elements that should remain in the law, seemed to be there. Jim Birkholz said the staff is working closely with various Associations who are interested in particular parts of the law involved in the recodification.

Jim Birkholz reported that the Summary of Proposed RIM Reserve Legislation, which was mailed with the Board meeting notice is the best summary to date of all particular changes.

Mel Sinn said that the Metropolitan Drainage Panel had held one meeting since its inception. He said he had been directed to research the topic of using 509 as an alternative to the drainage code in working in the metro area. Mel said Senator Dahl has

suggested changes in the drainage law as it applies to the metro area. Chairman Ogaard suggested that the Panel look at those issues. There will be two main agenda items at the Panel's meeting on January 19, 1989 - to look at 509 as an alternative, and to look at Senator Dahl's issues, which include insufficient public input in drainage proceedings, excessive engineering and accounting expenditures, unfair allocation of costs on some projects, unnecessary complexity of drainage law, the old issue of improvements being done under the guise of repair proceedings, and the fact that there is taxing authority in watershed districts in the hands of appointed officials. Several, if not all of the issues, will be discussed by the Panel. Senator Dahl will be provided feedback or recommendations. Chairman Ogaard said Senator Dahl has agreed not to act on this until this Board reviews the issues and makes recommendations.

88-178 State Cost-Share Program Rollover Allocations - Jim Birkholz explained the program and asked the Board members to discuss the staff recommendation for funding. Moved by Williamson, seconded by Kalmes to approve the recommended funding. The Board members questioned the project in Cook County at the Lutsen golf course. After discussion of whether the Cook County project meets the requirements for funding, Williamson qualified his motion to incorporate into it the fact that Board staff will investigate the project to see if it meets the criteria for funding. Affirmative: Boulton, Warner, Bade, Schellack, Moen, Hoese, Brooks, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

Comprehensive Local Water Planning Update - Jim Birkholz said there had been no December project managers' meeting. At the January Board meeting, staff will bring the Board up-to-date on local plan review and get some policy direction from the Board on how many plans the Board will want to review itself and what part of the review will be delegated to the staff.

88-179 RIM Reserve Program Easement - Harland Maland Wetland Restoration - Jim Birkholz and Tom Wenzel reviewed the summary of the Harlan and Dorothy Maland RIM Reserve Easement. Jim said this is the first request to be released from the program that the Board has received. The Board members were asked to make the policy issue decision on whether to release the landowner from the easement. The Pheasants Forever Chapter in Faribault County has expressed a willingness to acquire that portion of Mr. Maland's land under that easement and manage it according to the requirements of the easement. The policy issue still remains about this Board's pleasure on proceeding with this. It would be a weakening of the easement process if the Board were lenient in this case. After discussion, Jim said the staff recommendation would be to hold Mr. Maland to the easement and keep the terms the same and not let him out of the program. If Pheasants Forever wants to step forward, that's Mr. and Mrs. Maland's decision. After discussion, it was moved by Boulton, seconded by Bade, to approve the staff

recommendation to deny any consideration for release. Affirmative: Williamson, Warner, Kalmes, Schellack, Moen, Hoese, Brooks, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

Winter Workshops - Jim Birkholz said last winter the Board held workshops for watershed districts and soil and water conservation districts to look at comprehensive local water planning. It was a significant step forward in communication among them. Jim said this year the Board could enlarge on that and invite county officials. It is proposed to hold a workshop in each of the Board's seven administrative regions. County officials and staff, watershed district officials and staff, and soil and water conservation district officials and staff would be invited. Discussion would be on the "Big Water Bill" progress in the Legislature and how all this deals with comprehensive local water planning. It would be an outstanding opportunity to share information and share perspectives. It is proposed to have Board members participate as panelists to discuss comprehensive local water planning implementation. The staff will prepare a general outline for the discussion. Loni Kemp suggested that legislators may want to attend.

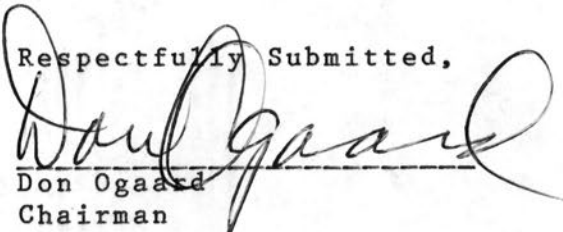
Additional Item - Ron Nargang thanked the Board, and in turn, the local entities, in particular, the county attorneys who helped the DNR last summer in the counties where the DNR suspended irrigation permits. Ron said it was absolutely critical to their ability to enforce that whole process. The support from SWCDs in weekly observational readings was a major contribution in their work. Ron asked if the Board would be interested in a status report on the effects of the drought. Jim Birkholz said it would be very helpful.

Howard Peterson asked if the Board members are expected to attend the AMC annual convention in January. Jim Birkholz said some of the convention would be relevant and if Board members would want to attend, they should talk with the Chairman or himself.

Don Warner would like to receive the minutes a week earlier. Jim said the normal schedule is to mail the minutes the Monday of the week preceding the Board meeting.

88-180 **Adjournment** - Moved by Warner, seconded by Kalmes to adjourn the meeting at 3:45 p.m. Affirmative: Boulton, Williamson, Bade, Schellack, Moen, Hoese, Brooks, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

Respectfully Submitted,


Don Ogaard
Chairman



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

December 20, 1988

TO: Board of Water and Soil Resources Members,
Staff, and Advisors

FROM: Jim Birkholz, Executive Director *J. Birkholz*

SUBJECT: December 28, 1988 BWSR Meeting

Attached is the preliminary agenda and informational material for the December 28th board meeting. The meeting will start at 9:00 a.m. in Conference Room A of the Minnesota Department of Agriculture Building, 90 W. Plato Boulevard, St. Paul, Minnesota. I would like to call your attention to the following items related to the agenda:

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

- Comprehensive Water Resources Protection Act of 1989. Enclosed is a copy of the original agency request relevant to the various parts of this bill, the recommended funding levels from the State Planning Agency and the Department of Finance, and a copy of the latest draft language for Title 3, the Local Water Resources Protection and Management Program. The board meeting will be an opportunity to overview the current status of the bill, deal specifically with Title 3 provisions which were discussed at the last board meeting, and solicit board comments on other titles in the act.
- Anoka Sand Plain Project Proposal. As you are aware, the Anoka Sand Plain soil and water conservation districts have been working to better address land use management and groundwater issues in this unique sand plain area. Representatives of the Anoka Sand Plain Association will be at the meeting to make a presentation on a groundwater protection study which the Anoka Sand Plain group is pursuing. This presentation is for information and discussion purposes. The group would like BWSR financial support in the future.
- Proposed Water Law Recodification. Senator DeCramer's office has sent the current drafts of recodified water law to the BWSR for review. Attached for your information is a chart showing the most recent proposed format for the water law recodification.

December 20, 1988

- State Cost-Share Rollover Allocations. Enclosed is a handout titled, "State Cost-Share Program Funding Opportunities" which describes the rollover reallocation process and historical board policy with respect to these funds. Total rollover funding requests equalled \$481,055. Total available funds as of December 16th, are \$268,701. Staff has contacted each soil and water conservation district which made application for the funds and negotiated a funding amount consistent with the funds available. The recommended funding levels in the handout described those negotiated amounts. Staff recommendation at this point is to approve the recommended funding levels which have been negotiated with the individual districts.
- Comprehensive Local Water Planning Update. Attached is a memo from Greg Larson which updates board members on the Comprehensive Local Water Planning Process. There will not be a project manager presentation at the December meeting. There will be a presentation at the January 25th board meeting.
- RIM Reserve Program. Attached is a memo from Wayne Edgerton providing details on the perpetual wetland restoration easement conveyed on the Harland Maland property in Faribault County. Mr. Maland has indicated that he wishes to withdraw from the program. It is timely for the board to review this case and recommend policy direction.

As always, please contact myself or let Chairman Ogaard know if you require any additional information or have any additional agenda items. I look forward to seeing you on December 28th. Please travel safely. Have a very Merry Christmas!

JB:mja
Enc.

BOARD OF WATER AND SOIL RESOURCES
Minnesota Department of Agriculture Building
90 W. Plato Boulevard, Conference Room A
St. Paul, Minnesota 55107

PRELIMINARY AGENDA

- | | |
|------------|--|
| 9:00 a.m. | <ol style="list-style-type: none">1. Call to Order2. Adopt Agenda3. Approve Minutes of November 30, 19884. Chairman's Report - Donald Ogaard5. Executive Director's Report - Jim Birkholz6. EQB/Water Resources Committee Report - Loni Kemp<ul style="list-style-type: none">* December 1, 1988 meeting |
| 10:00 a.m. | <ol style="list-style-type: none">7. Comprehensive Water Resources Protection Act of 1989 (the BIG WATER BILL)<ul style="list-style-type: none">* Overview* Title 3 - Local Water Resources Protection and Management<ul style="list-style-type: none">- language resulting from November 30th BWSR meeting- coordination with shoreland management- voting status of agencies* Discussion on other Titles |
| 11:00 a.m. | <ol style="list-style-type: none">8. Anoka Sand Plain Project Proposal - for information and discussion9. Advisor Comments |
| Noon | Lunch |
| 1:00 p.m. | <ol style="list-style-type: none">10. Continuation of Legislation Discussion<ul style="list-style-type: none">* Recodification* Reinvest In Minnesota Program* Metropolitan Water Law11. State Cost-Share Program Rollover Allocations - for Board discussion12. Comprehensive Local Water Planning update13. RIM Reserve Program<ul style="list-style-type: none">* Harland Maland perpetual wetland restoration - Faribault County14. Winter Workshops |
| 4:00 p.m. | Adjourn |

Upcoming Meetings

Association of Minnesota Counties
Annual Convention
January 22-24
Radisson Hotel, St. Paul

Summary of Harlan and Dorothy Maland
RIM Reserve Easement
Wetland Restoration
(#22-03-87-1)

On November 12, 1988 Mr. Maland sent Gary Wehrenberg, SWCD Manager, Faribault SWCD, a letter stating he wants to "forget about the whole project." He has also offered to refund the easement payment that has been paid to him (\$17,447.95) with interest.

Chronology of Easement:

September, 1987:	Mr. Maland discussed program with Gary Wehrenberg and indicated land was free of all encumbrances.
October 15, 1987:	Application signed
October 26, 1987:	Approved by Faribault SWCD
March 9, 1988:	Easement documents received from SWCD
April 7, 1988:	Easement signed by Mr. and Mrs. Maland
June 16, 1988:	Consent signed by Wells FSLA
June 28, 1988:	Received Title Insurance Commitment
July 7, 1988:	Received Attorney General Review - Problem with Exhibit A, needed correction.
August 2, 1988:	Easement signed by Commissioner of Agriculture
September 12, 1988:	Received from Commissioner of Finance
September 19, 1988:	Recorded on land title in Faribault County
October 4, 1988:	Received verification of recording at BWSR office
October 5, 1988:	Easement payment authorized
October 11, 1988:	Easement check was cashed by the Maland's
November 12, 1988:	Mr. Maland sent letter to Gary Wehrenberg asking to cancel
November 23, 1988:	We received letter from Gary Wehrenberg asking for guidance concerning the request to cancel
December 6, 1988:	Wayne discussed with Gary at MASWCD Convention
December 16, 1988:	Wayne called Mr. Maland to discuss situation

Mr. Maland is very unhappy with the time delays and wishes to be released from all obligations or "he'll meet us in court". All agreed to time commitments were met in the easement process. To date he has approximately \$2200 of his own money invested in trees and pipe.

This is the only formal request received to date to cancel an easement. The BWSR must develop a policy concerning requests for cancellation of existing easements.

July 2nd /88 Site was surveyed ~~for~~ by Tom Wenzel, RIM Engineer, ~~for~~ to determine feasibility of ~~a wetland restoration~~ restoring the drained wetland.

Oct 7th /88 SWCD staff performed follow-up survey on the site.

~~For~~ The restoration project is feasible. It will be approximately 5 acres in size and have an average depth from 1' to 1.5'. Materials needed for the construction of the project are all available within the easement area and access is available from an adjacent County Road. T.W.



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

(612) 296-3767

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

December 20, 1988

TO: Board Members
FROM: Greg Larson, Program Specialist
SUBJECT: Comprehensive Local Water Planning

This is to inform you of an agenda item for the January BWSR meeting.

Project managers have requested BWSR staff and representatives of other agencies to prepare review guidelines for comprehensive local water plans. Although the law and rules address minimum requirements and are the absolute basis for plan review, they are vague in terms of those items which would transform a minimum plan to a great plan. As an example, it would be useful if plans included action items to enforce seeding requirements of drainage ditches. This is one of a number of points project managers are requesting from BWSR and other agency staff prior to writing their plans, beginning in February.

In addition, agency review people are beginning to discuss a framework for plan review. This is necessary if we are to accommodate the review and approval of over 50 plans within a few month time span, beginning in July of 1989.

Prior to the January meeting, BWSR staff will have a number of meetings with agency representatives to discuss these items and prepare a proposal for your consideration.

Questions and comments can be addressed at the board meeting on December 28th.

GL:mja

Summary of Harlan and Dorothy Maland
RIM Reserve Easement
Wetland Restoration
(#22-03-87-1)

On November 12, 1988 Mr. Maland sent Gary Wehrenberg, SWCD Manager, Faribault SWCD, a letter stating he wants to "forget about the whole project." He has also offered to refund the easement payment that has been paid to him (\$17,447.95) with interest.

Chronology of Easement:

September, 1987:	Mr. Maland discussed program with Gary Wehrenberg and indicated land was free of all encumbrances.
October 15, 1987:	Application signed
October 26, 1987:	Approved by Faribault SWCD
March 9, 1988:	Easement documents received from SWCD
April 7, 1988:	Easement signed by Mr. and Mrs. Maland
June 16, 1988:	Consent signed by Wells FSLA
June 28, 1988:	Received Title Insurance Commitment
July 7, 1988:	Received Attorney General Review - Problem with Exhibit A, needed correction.
August 2, 1988:	Easement signed by Commissioner of Agriculture
September 12, 1988:	Received from Commissioner of Finance
September 19, 1988:	Recorded on land title in Faribault County
October 4, 1988:	Received verification of recording at BWSR office
October 5, 1988:	Easement payment authorized
October 11, 1988:	Easement check was cashed by the Maland's
November 12, 1988:	Mr. Maland sent letter to Gary Wehrenberg asking to cancel
November 23, 1988:	We received letter from Gary Wehrenberg asking for guidance concerning the request to cancel
December 6, 1988:	Wayne discussed with Gary at MASWCD Convention
December 16, 1988:	Wayne called Mr. Maland to discuss situation

Mr. Maland is very unhappy with the time delays and wishes to be released from all obligations or "he'll meet us in court". All agreed to time commitments were met in the easement process. To date he has approximately \$2200 of his own money invested in trees and pipe.

This is the only formal request received to date to cancel an easement. The BWSR must develop a policy concerning requests for cancellation of existing easements.

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December 13, 1988

TITLE 3
LOCAL WATER RESOURCES PROTECTION AND MANAGEMENT

Section 1. [STATE POLICY.]

It is the policy of the state that local units of government shall fully exercise their authorities to protect water from degradation and shall provide technical assistance to manage water and related land resources. Comprehensive local water plans shall serve as the focal point for communicating local government's preferred role in water resources protection and the need for state financial and technical assistance. The grant program established herein shall promote or enhance statutory program authorities.

Sec. 2. [COMPREHENSIVE LOCAL WATER PLANS.] After July 1, 1991, new or expanded state programs of water-related financial assistance to local units of government must be directed exclusively to those local units whose requests are consistent with a comprehensive local water plan prepared pursuant to M.S. Chapters 110B, 112, or 473.875 to 473.882.

All state water-related financial and technical assistance programs must give priority to local requests that are part of, or responsive to, a comprehensive local water plan. This requirement does not apply to financial assistance required to meet federal regulations, statutory mandates, or to address emergency public health or safety needs.

Sec. 3. [SHORT TITLE.] Sections 3 through 8 may be cited as the "local water resources protection and management program."

Sec. 4. [PURPOSE.] The purpose of the local water resources protection and management program is to provide state financial assistance to local units of government for local programs to protect and manage water resources.

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Sec. 5. [DEFINITIONS.]

Subdivision 1. For the purposes of sections 1 through 8 the terms defined in this section have the meanings ascribed to them.

Subd. 2. [BOARD] "Board" means the board of water and soil resources.

Subd. 3. [LOCAL UNIT OF GOVERNMENT.] "Local unit of government" means a statutory or home rule charter city, town, county, or soil and water conservation district, watershed district, an organization formed for the joint exercise of powers under section 471.59, a local health board, or other special purpose district or authority with local jurisdiction in water and related land resources management.

Subd. 4. [COMPREHENSIVE LOCAL WATER PLAN.] "Comprehensive local water plan" means a county water plan authorized under section 110B.04, a watershed management plan required under section 473.878, an overall plan required under section 112.46, a county ground water plan authorized under section 473.8785, a local water management plan required under section 473.879.

Sec. 6. [LOCAL WATER RESOURCES PROTECTION AND MANAGEMENT PROGRAM.]

Subdivision 1. [ESTABLISHMENT.] A local water resources protection and management program is established as provided in sections 3 through 8. The board shall provide financial assistance to counties for local government activities that protect or improve water quality. These activities may include, but are not limited to, planning, zoning, official controls, and other activities to implement comprehensive local water plans.

Subd. 2. [COUNTY SPONSORSHIP.] Funding requests must be submitted to the board by a county. A county must coordinate and submit requests on behalf of other units of government within its jurisdiction. A county may contract with other appropriate local units of government to implement programs conducted pursuant to sections 3 to 8. An explanation of the program responsibilities proposed to be contracted with other local units of government must accompany grant requests. A county that contracts with other local units of government is responsible for ensuring that state

funds are properly expended and for providing an annual report to the board describing expenditures of funds and program accomplishments.

Subd. 3. [FINANCIAL ASSISTANCE.] The board shall award grants to counties only to carry out water resource protection programs identified as priorities in comprehensive local water plans. Grants may be used to employ persons and to obtain and use information necessary to implement the following activities:

(a) develop comprehensive local water plans for counties which have not received state funding for water resources planning as provided for in Minnesota Laws 1987, Chapter 404, Section 30, Subdivision 5(a);

(b) implement local water plans;

(c) adopt, administer, and enforce (optional) delegated or mandated state programs;

(d) adopt, administer, and enforce environmental protection ordinances or regulations where allowed;

(e) inventory and inspect pollution sources;

(f) develop water quality or quantity data collection programs;

(g) identify and protect susceptible ground water areas; and

(h) conduct information and education programs.

Subd. 4. [LIMITATIONS.] Grants provided to carry out mandated or delegated state programs shall be reviewed by the agency having statutory program authorities to assure compliance with minimum state standards. At the request of the agency commissioner, the board shall revoke that portion of the grant used to support the non-compliant program.

Grants provided for the purpose of developing comprehensive local water plans shall not be awarded for greater than a two-year time period.

Subd. 5. [RULES.] The board shall adopt rules that:

(a) establish performance criteria for grant administration for local implementation of state delegated or mandated programs that recognize regional variations in program needs and priorities;

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(b) recognize the unique nature of state delegated or mandated programs;

(c) specify that program activities contracted by a county to another local unit of government are eligible for funding and;

(d) require that grants from the board shall not exceed the amount matched by participating local units of government.

Subd. 6. [ELIGIBILITY.] A county requesting funds must have a comprehensive local water plan completed or under development.

Subd. 7. [PRIORITIES.] The board must consider requests for funding according to the following (listed in decreasing order of priority):

(a) completion of comprehensive local water plans;

(b) adoption, administration and enforcement of local controls;

(c) indicate the participation of several local units of government, including multi-county efforts;

(d) complement efforts of federal, state, local units of government; and

(e) demonstrate long-term commitments to effective water protection programs.

Sec. 7. [COORDINATED REVIEW.]

Subdivision 1. [REVIEW TEAM.] The board shall coordinate the program with appropriate agencies and organize a review team consisting of a representative of the pollution control agency, department of natural resources, department of health, department of agriculture, state planning agency, Minnesota extension service, USDA agricultural stabilization and conservation service, USDA soil conservation service, metropolitan council, Minnesota association of soil and water conservation districts, Minnesota association of watershed districts, association of Minnesota counties, league of Minnesota cities, and the Minnesota association of townships. Other agencies or groups may be included as deemed appropriate.

Subd. 2. [DUTIES.] The review team shall advise the board in the preparation of rules, evaluation of grant requests, and recommend to the board those requests that meet the requirements

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of section 6. The team shall review and coordinate project activities with other state and federal resource management programs.

Subd. 3. [SHORELAND GRANT] Grants specified for shoreland management shall be allocated according to priorities established by the department of natural resources.

Sec. 8. [BOARD VOTING MEMBERSHIP]

Subdivision 1. [STATE AGENCY VOTES]. Minnesota Statutes Chapter 110B.35 Subd. 2(a) is amended as follows:

(5) representatives of the following agencies:

- (i) department of agriculture
- (ii) department of health
- (iii) department of natural resources; and
- (iv) pollution control agency.
- (v) The University of Minnesota and Minnesota

Extension Service shall share one member.

Minnesota Statutes Chapter 110B.35 Subd. 3 is deleted.

ORIGINAL CHANGE LEVEL REQUESTS

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SUBJECT TO REVISION

November 29, 1988

OUTLINE

COMPREHENSIVE WATER RESOURCES PROTECTION ACT OF 1989

Title I. Protection of Ground Water

Chapter 1. Prevention and Remediation of Ground Water Pollution

- Section 1. Definitions
- Section 2. Prevention of ground water pollution
- Section 3. Duty to prevent pollution
- Section 4. Best Management Practices
- Section 5. Ground water pollution limits
 - Subd. 1. Relationship to protection goal
 - Subd. 2. Prohibition
 - Subd. 3. Agency list of pollution limits
- Section 6. Protection of sensitive Areas
 - Subd. 1. Identification of sensitive areas
 - Subd. 2. Special protective measures
- Section 7. Effect on other law - Reference to MERA (citizen suits)

Chapter 2. Control of pollution sources

- Section 1. Evaluation of Program Effectiveness
- Section 2. Delegation of Programs to Local Government
- Section 3. Enforcement

Chapter 3. Water Appropriation Priority Framework Revisions (to Address Consumptive vs. Non-consumptive Use)

Change-Level Requests Related to Title 1.

<u>MPCA:</u>	Ground Water Protection Program	\$883,000 (8)
	Ground Water Review of Wastewater Treatment Systems	\$220,000 (2)
	<u>Clean Water Partnership</u>	<u>\$1,710,000 (2)</u>
	Totals:	\$2,813,000 (12)

Title II. Education, Research, and Information Management

Chapter 1. Education and Public Awareness

- Section 1. Policy, Needs, Components
- Section 2. Water Information and Education Committee
 - Subd. 1. Purpose
 - Subd. 2. Established Through MEEB
 - Subd. 3. Membership
- Section 3. Curriculum Development, Grades K - 12
- Section 4. State Agency Information Development
- Section 5. Training for Specific Audiences

Chapter 2. Coordination of Water Quality and Quantity Monitoring

- Section 1. Coordination Required
- Section 2. State Monitoring Plan

Chapter 3. Long Term Research

- Section 1. Definitions
- Section 2. Establishment of Research Advisory Committee
- Section 3. Water Research Program Recommendations

Chapter 4. Information Management

- Section 1. Needs, Goals, Components
- Section 2. Automation, Integration and Maintenance of Water Data
- Section 3. Creation of Water Data Clearinghouse
- Section 4. Data Compatibility Requirements

Change-Level Requests Related to Title 2.

<u>MPCA:</u>	Redesign of Ambient Ground Water Quality Monitoring Network	\$196,000 (2) [LCMR]
<u>MEEB:</u>	Water Information Communication	\$1,000,000 (5)
<u>SPA:</u>	Ground Water Data Integration	\$ 443,400 (1)
	Accel. Water Resources Coordination	\$ 130,600 (2)
<u>DNR:</u>	Statewide Ground Water Management	\$1,500,000 (10)
	Improved Surface Water Data Capability	\$ 650,000 (3)
	Ground Water Sensitivity	\$ 724,000 (3) [LCMR]
Totals:		\$ 920,000 (5) [LCMR] \$3,724,000 (21)

Title III: Local Water Resources Protection and Management

Chapter 1. Comprehensive Water Plans Required for State Assistance

Chapter 2. Local Protection and Management Program

Section 1. Short title

Section 2. Purpose

Section 3. Definitions

Section 4. Local Water Resources Protection and Management Program

Section 5. Coordination

Change-Level Requests Related to Title 3.

<u>BWSR:</u>	Comprehensive Local Water Management	\$200,000	(2)
	Local Water Resources Protection	\$2,695,000	(1)
	Ground Water Quality Monitoring Grants	\$182,000	
<u>DNR:</u>	Shoreland Management Grants	\$2,000,000	(3)
<u>MPCA:</u>	Local Water Assistance	\$869,000	(6)
	Totals:	\$5,946,000	(12)

Title IV. Drinking Water Protection

Chapter 1. Community Water Supply Surveillance and Monitoring

Chapter 2. Regulation of Water Wells and Exploratory Borings

Section 1. Enforcement Authorities

Section 2. Well Permits and Fees

Section 3. Well Management (Advisories and Wellhead Protection)

Section 4. County Well Code Enforcement

Chapter 3. Sealing of Abandoned Wells

Change-Level Requests Related to Title 4.

<u>MDH:</u>	Public Water Supply Surveillance and Monitoring	\$3,687,000	(15)	[Fees]
	Water Well Management Program	\$2,973,000	(36)	[Fees]
<u>BWSR:</u>	Abandoned Well Sealing Cost-Sharing	\$ 630,000	(1)	
	Totals:	\$6,660,000	(51)	[Fees]
		\$ 630,000	(1)	

Title V. Pesticide and Nutrient Management

Chapter 1. Promotion of Wise Use of Pesticides and Nutrients

- Section 1. Federal Activities
- Section 2. State Government Activities and Policy
 - Subd. 1. Land Stewardship Approach
 - Subd. 2. Integrated Pest Management
 - Subd. 3. Sustainable Agriculture Committee/Efforts

Chapter 2. Pesticide Control Law Amendments

- Section 1. Definitions
- Section 2. Education and Training
- Section 3. Certification and Licensing
- Section 4. State Pesticide Management Plan

Chapter 3. Pesticide and Fertilizer Revolving Loan Fund

Chapter 4. Pesticide and Fertilizer Incident Response Act

Chapter 5. Fertilizer, Soil Amendment and Plant Amendment Law Amendments

- Section 1. Licensing and Permitting
- Section 2. Application Review; Substantiation of Claims
- Section 3. Fertilizer Practices and Prohibited Activities
- Section 3. Chemigation
- Section 4. Inspections, Enforcement Actions, and Penalties

Chapter 6. Waste Pesticide Collection

- Section 1. Waste Pesticide Collection Program
- Section 2. Pesticide Returnable Container Program
- Section 3. Pilot Container Pickup

Chapter 7. Resource Evaluation, Monitoring and Research

- Section 1. Pesticide Use Survey
- Section 2. Monitoring
- Section 3. Research - Guided by Research Committee
 - Subd. 1. Requirement for water quality impact assessment on state funded research
 - Subd. 2. Practice evaluation and development

Chapter 8. Information, Education and Incentives

- Section 1. Local User Information System
- Section 2. Demonstration Projects
- Section 3. Incentives and Cost-Share Efforts

Change-Level Requests Related to Title 5.

<u>MDA:</u>	Low Input/Sustainable Agriculture	\$173,000	(2)	
	State Pesticide Management Plan, User Education, Certification, Enforcement and Container Project	\$1,700,000	(15)	[Fees?]
	Increased Authority in Fertilizers	\$396,400	(6)	[Fees?]
	Incident Response/Revolving Loans	\$14,500,000	(14)	[Fees?]
	Biological Pest Control	\$140,000	(1)	
		\$500,000		[LCMR]
	Pesticide Use Survey	\$90,000		[LCMR]
<u>MDH:</u>	Breakdown Products	\$330,000		[LCMR]
<u>BWSR:</u>	Chemical User Information Service	\$212,000	(1)	
	Demonstration Farms	\$502,000	(1)	
<u>MnExt:</u>	Water Quality	\$612,000		[UM]
	Sustainable/Alternative Ag	\$425,000		[UM]
<u>PCA:</u>	Waste Pesticide Collection			
	Totals:	\$16,596,400	(35)	[Fees]
		\$920,000		[LCMR]
		\$1,037,000		[UM]
		\$1,027,000	(5)	

Title VI. Joint Legislative Commission on Water

Chapter 1. Establishment

- Section 1. Purpose of Commission
- Section 2. Establishment of Committees
 - Subd. 1. Ground water committee
 - Subd. 2. Surface water committee
- Section 3. Powers and Duties

Chapter 2. EQB Report to Commission

Change-Level Requests Related to Title 6.

[None developed to date.]

Title VII: Source of Secure, Stable Funding

- Chapter 1. Fees and/or taxes on polluting substances
- Chapter 2. Special fees

- Section 1. Water use fee to support Title 4, Section 1
- Section 2. Permit and license fees to support Title 4, Section 2

Title VIII: Appropriations and Complement

1.	Title I	\$2,813,000	(12)	
2.	Title II	\$3,724,000	(21)	
		\$920,000	(2)	[LCMR]
3.	Title III	\$5,946,000	(12)	
4.	Title IV	\$630,000	(1)	
		\$6,660,000	(51)	[Fees]
5.	Title V	\$1,027,000	(5)	
		\$16,596,400	(35)	[Fees]
		\$920,000		[LCMR]
		\$1,037,000		[UM]
TOTAL (minus LCMR and UM):				
	Fees	\$23,256,400	(86)	
	Other Unspecified	\$14,140,000	(51)	
	Total	\$37,396,400	(137)	

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SUBJECT TO REVISION

COMPREHENSIVE WATER RESOURCES PROTECTION ACT OF 1989

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Program Fund
Specific Fee-Based
Total

\$13.0 Million
\$11.1 Million
\$24.1 Million

Process: The initiative implements key recommendations of the "Minnesota Ground Water Protection Strategy" and the "Strategy for the Wise Use of Pesticides and Nutrients." These strategies were developed by the Pollution Control Agency and Environmental Quality Board (EQB) over a two year period, with the advice of citizens and interest groups.

Purpose: To establish the policy framework for protection of Minnesota's water resources by focusing on preventing pollution, understanding and managing areas where ground water may be more sensitive to contamination, and by establishing a new state commitment to land stewardship and the wise use of pesticides and nutrients.

\$3.5 Million -- Improve coordination and understanding of ground water.

- 0 Accelerate research and monitoring needed to define location of ground water, how it is recharged, and how it is contaminated by land use.
- 0 Establish data compatibility requirements and require a state plan for coordinating monitoring of water resources.

\$5.6 Million -- Build a partnership with local government.

- 0 Provide grants to counties to help develop comprehensive water plans and to carry out environmental protection priorities of these plans.

\$7.7 Million -- Protect drinking water supplies.

- 0 Revamp state well construction code to make it enforceable.
- 0 Expand monitoring of public water supplies.
- 0 Establish a program for sealing abandoned water wells.

Recommended by State Planning Agency / Finance

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\$5.7 Million -- Better control sources of pollution.

- 0 **Direct MPCA to establish numerical limits for contaminants.**
- 0 **Prepare a state pesticide management plan and added pesticide and fertilizer control efforts.**
- 0 **Establish a statewide waste pesticide pick-up program.**

\$1.7 Million -- Begin a joint agency communication effort.

- 0 **Water information communication through MEEB.**
- 0 **MDA to lead low-input agriculture focus with Minnesota Extension to accelerate integrated pest management activities.**

Lead Agency: State Planning Agency/Environmental Quality Board.

Unresolved Issues:

Department of Agriculture is proposing a pesticide and fertilizer incident fund and a revolving loan fund for construction of storage and handling facility safeguards. Substantial start-up funding would be required.

Legislative Strategy:

Development of the "Comprehensive Water Resources Protection Act of 1989" is being coordinated through the State Planning Agency and the Environmental Quality Board. This bill covers ten legislative initiatives proposed by state agencies.

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COMPREHENSIVE WATER RESOURCES PROTECTION ACT OF 1989

RECOMMENDED CHANGE-LEVEL REQUESTS

1. Improve coordination and understanding of Minnesota's waters.

- 0 Accelerate the research and monitoring needed to better define where our ground waters are, how they are recharged, and how land use activities contaminate water resources.
- 0 Ensure information is accessible and coordinated, data automation is accelerated and data compatibility requirements are established.

<u>SPA:</u>	Ground Water Data Integration	367,400 (1)
	Accelerated Water Coordination	130,600 (2)
<u>DNR:</u>	State Ground Water Management	1,200,000 (6)
	Improved Surface Water Data	430,000 (2)
<u>MDA:</u>	Water Quality Monitoring	536,000 (4)
<u>DNR/MGS:</u>	Regional Ground Water Assessment	790,000

Total 3,454,400 (15)

2. Emphasize a partnership with local government.

- 0 Provide grants to counties to help develop comprehensive water plans and to assist in carrying out effective environmental programs identified as priorities.

		2/2
<u>BWSR/DNR:</u>	Local Water Resources Protection	3,741,000 (4)
<u>MPCA:</u>	Clean Water Partnership Program	1,200,000 (1)
	Local Water Assistance	619,000 (3)

Total 5,560,000 (8)

3. Protect drinking water supplies.

- 0 Provide for better enforcement of the Well Code, including more effective enforcement tools for the Department of Health, and a state program for sealing wells that are serious pollution hazards.
- 0 Provide a program for accelerated monitoring of public water supplies.

<u>MDH:</u>	Public Water Supply Monitoring	3,687,000 (15)	[Fees]
	Water Well Management Program	3,388,000 (26)	[Fees]
<u>BWSR:</u>	Abandoned Well Sealing	630,000 (1)	

Totals 630,000 (1)
7,075,000 (41) [Fees]

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4. Control of pollution sources.

- 0 Direct the Pollution Control Agency to establish numerical limits for contaminants.
- 0 Require the Department of Agriculture to adopt a state pesticide management plan in cooperation with the Environmental Quality Board, and to accelerate pesticide and fertilizer control efforts.
- 0 Evaluate state regulatory programs through the Environmental Quality Board to ensure that they adequately protect ground water.

<u>MPCA:</u>	Ground Water Protection	1,543,000 (12)	
	Ground Water & Wastewater Treat.	220,000 (2)	[Fees]
	Waste Pesticide Collection	1,660,000 (4)	[Fees]
<u>MDH:</u>	Risk Assessment	160,000 (2)	
<u>MDA:</u>	State Pesticide Management	1,700,000 (12)	[Fees]
	Increased Reg. of Fertilizers	396,400 (6)	[Fees]

Totals	1,703,000 (14)	
	3,976,400 (24)	[Fees]

5. Initiate joint agency water communication efforts.

- 0 Citizens need to understand the effects of land use activities on ground and surface water resources.

<u>MEEB:</u>	Water Information Communication	550,000 (2)	
<u>MDA/EXT:</u>	Integrated Pest Management	930,000	
<u>MDA:</u>	Low Input/Sustainable Ag	173,000 (1)	

Total	1,653,000 (3)	
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Overall Totals:

Program Fund	\$13,000,000 (41)
Specific Fee Based	\$11,051,400 (65)

Land Use and Water Quality in the Anoka Sand Plain
Aquifer, East Central Minnesota

A Project Proposal
by the
Minnesota District
U.S. Geological Survey
August 1988

BACKGROUND AND PROBLEM

About 20 percent of Minnesota is underlain by surficial glacial deposits of sand and gravel (locally termed sand plains) that constitute productive and extensively used aquifers. Water-table conditions generally prevail in the aquifers and depths to water generally range from 0 to 20 feet. Although the surficial aquifers commonly are less than 100 feet thick, they are highly transmissive because of high hydraulic conductivity and are in good hydraulic connection with lakes and streams. The aquifers can yield as much as 2,000 gallons per minute to individual wells, and are used extensively for municipal, industrial, agricultural, and domestic supplies. Use of water for crop irrigation has increased greatly since the mid-1970's.

Much of the Anoka sand-plain aquifer (fig. 1), one of the largest surficial aquifers in the state, overlies confined-drift aquifers and major bedrock aquifers from which drinking-water supplies have been developed for several cities, including many of the suburbs of Minneapolis and St. Paul. Because of rapid percolation rates, the sand-plain aquifer is highly susceptible to contamination from land-surface activities that could degrade the quality of water in the underlying aquifers.

Representatives from Soil and Water Conservation Districts included in the Anoka sand-plain area have formed a steering committee to work on improving and protecting ground-water quality in the Anoka sand-plain aquifer. Anoka, Benton, Chisago, Hennepin, Isanti, Mille Lacs, Ramsey, Sherburne, Stearns, Washington, and Wright Counties are represented by this committee. The Minnesota Department of Natural Resources (MDNR) is interested in quantifying recharge to the Anoka sand-plain aquifer to manage allocations of ground water for the various common uses.

Regional studies of water quality in the Anoka sand plain have shown elevated concentrations of nitrate and selected inorganic constituents related to various land uses such as agriculture, feed lots, and rural residential development. However, specific mechanisms that produce spatial and temporal variations in water quality can not be addressed adequately with regional-scale analysis. The University of Minnesota and USGS currently are conducting research on the effects of agricultural practices on surficial aquifers at controlled experimental-farm plots in Minnesota.

More information is needed on (1) the quality of water in surficial aquifers to address contamination by selected organic and inorganic compounds, and (2) the relation between the distribution of water quality and various land use. A study conducted at a scale smaller than what has been done in regional analysis, but larger than site-specific analysis would improve the ability to evaluate the fate and transport of contaminants in aquifers from various practices at land surface.

OBJECTIVES

- 1.) Define local ground-water-flow paths in a selected part of the Anoka sand plain that is representative of the hydrology and land use of the region.
- 2.) Describe the distribution of common inorganic constituents and pesticides in relation to local and regional ground-water-flow paths.
- 3.) Relate water quality in the Anoka sand-plain aquifer to the timing and location of major land uses, including agriculture, residential development, industry, and natural/undisturbed lands.

APPROACH

A four-year study is proposed. A representative study area will be selected and a computerized data base that includes historical data for that area will be started during the first year. During the second and third years, data on ground water, water quality, and land use will be mapped and evaluated to plan for and collect additional data. All data will be analyzed and interpreted to determine the relation between land use and ground-water quality. An interpretive report that summarizes the results will be started. Interpretation of results and the final report will be completed in the fourth year of the proposed study.

Selection of a study area within the Anoka sand plain will be critical to meeting the stated objectives. Characterization and selection of areas for intensive investigation would be done during the first year of the study. Characteristics of an ideal sites should include (1) relatively simple aquifer stratigraphy with few interbedded layers of till that is underlain by strata of relatively low hydraulic conductivity, (2) well-defined areas of major land use, (3) a complete flow system defined by ground-water divides and local and

I.O. location

regional discharge areas (streams and lakes), and (4) a manageable size (20 to 40 square miles) in which historical land use can be documented and an evaluation of water quality along flow paths can be accomplished over a 3-year period.

The Anoka Sand Plain Steering Committee (ASPC) has compiled historical data on water quality, geology, soils, and land use for the area and has reviewed previous studies, and conducted preliminary analysis of water-quality trends that will be helpful in selecting a study site. All of this information will be reviewed to select a small area (20 to 40 square miles) within the Anoka sand plain that can be studied to meet the objectives of this project. Once the representative site is selected, the historical data compiled for that area will be entered into a Geographical Information System (GIS) data base. This GIS will be developed further with data collected for this study and will be a flexible tool for reproducing maps that can relate the distribution of water quality to ground-water flow, soils, geology, and land use.

The methods for accomplishing each objective are described below:

Define Ground-Water Flow Paths

The direction and rate of ground-water flow must be defined to develop a relation between ground-water chemistry and potential sources of contamination from land surface. Preliminary maps of the water table will be prepared from available water level data to establish the general horizontal direction of ground-water flow. Water wells will be inventoried to verify locations in the field and to enhance the current data base of well sites. Monitoring wells will be installed with the USGS auger drill to complete the areal coverage as needed to define flow beneath selected land uses (within, upgradient, and

downgradient). Monitoring wells also will be installed in clusters to establish vertical components of flow through the full thickness of the unconfined aquifer especially in areas of ground-water divides and streams.

Aquifer tests will be conducted at a few sites to determine hydraulic conductivity and specific yield of the unconfined aquifer. Water-level recorders will be installed on 4 to 8 wells to measure changes in aquifer storage over a one-year period. The water-level hydrographs together with rainfall records and hydraulic properties of the aquifer will be analyzed to estimate annual and seasonal rates of infiltration and recharge under various soil and hydrogeologic conditions. Synoptic measurements of water levels in many wells will be made to evaluate general changes in flow direction related to seasonal changes in recharge and withdrawal by irrigation.

Residence times of water in the aquifer will be estimated from simple hydraulic models that compute average steady-state seepage velocities from reasonable estimates of porosity. The analytical-element model (O. D. L. Strack, University of Minnesota) will be used to test concepts of local and regional flow in the unconfined aquifer.

Characterize Water Quality Along Flow Paths

Location of sampling points of available chemical analyses for ground water will be reviewed and samples will be collected at additional locations to establish a preliminary estimate of the distribution of common inorganics across the study area and especially along selected ground-water flow paths. The common ions and other constituents to be analyzed shall include those listed in Table 1. Specific conductance, temperature, pH, alkalinity, and water level

will be measured in the field. The more commonly used and mobile pesticides such as the triazines (atrazine) will be screened with immunoassay test kits at the time other samples are collected. Sites indicating a significant presence of pesticide by the screening will be sampled and analyzed by gas chromatography in the laboratory to identify the pesticide quantity and its concentration. This screening process should reduce laboratory analytical costs significantly. Flow and water samples will be collected from major streams at base flow conditions (autumn) to determine the quality of water leaving the ground-water basin.

The water quality data compiled and collected for the area will be analyzed to determine if trends in chemical distributions can be established along ground-water-flow paths from recharge areas (ground-water divides) to discharge areas (lakes and rivers).

Ground-water residence time may be verified by limited sampling and analysis for tritium in those areas of the ground-water-flow system that may have an age of 0-40 years as estimated by the hydraulic analysis.

Relate Water Quality to Land-Use Activities

The land-use categories to be considered as ¹possibility affecting ground-water quality include (1) rural residential development (with septic systems), (2) irrigated cropland, (3) non-irrigated cropland, (3) feed lots, and (4) unfarmed (forest, pasture, wetlands). ^{light industrial} Present-day land use will be mapped from data on record with the State Planning Information Center (PIC). Aerial photographs will be reviewed to modify the PIC data as needed. Light-industrial areas also may be classified if the study area selected contains a significant area of that category. Residents will be interviewed and old

aerial photograph will be reviewed to determine major changes in land use practices over the past 50 years (or the maximum ground-water residence time determined in objective (1)). In addition to the major land-use categories, specific practices within each category that could affect concentrations of nitrate and pesticides in ground water will be inventoried. These subcategories would include application of organic and inorganic fertilizer, pre-and post-emergent pesticides and the presence of nitrogen-producing vegetation (such as legumes).

Water quality data from historical records and from preliminary sampling for this study will be related in general terms to the major land use categories in the context of the ground-water-flow paths determined under objective (1). Constituents in table 1 and selected pesticides that seemed to be correlated to the land-use categories will be identified for continued monitoring. A network of wells will be established, including new wells to be drilled, that can be used to sample ground water upgradient from, beneath, and down gradient from each major category of land use. An estimated 8 to 15 wells that tap the upper part of the aquifer will be needed for each category of land use. The wells will be sampled during at least four recharge periods (natural and irrigation) as identified on water-level hydrographs. These samples will be analyzed for indicator constituents such as nitrate, inorganic constituents, and specific pesticides. These data will be analyzed to determine local and short-term fluctuations in the indicator constituents.

Water samples also will be collected less frequently from wells tapping the lower part of the aquifer that are located down gradient from single or multiple land-use settings. This data will be evaluated to determine downward

movement of contaminants beneath specific land-surface practices and to estimate cumulative water quality down gradient from several land uses.

The information and analysis from an intensive study across a relatively small area and over a two-year period will be interpreted critically in terms of local and regional ground-water flow to determine common factors and processes where land practices affect ground-water quality. Cross sections and GIS overlays will be used to evaluate how land practices, representative of the Anoka sand plain, relate to the distribution of specific chemical constituents in the ground water.

Table 1.--Water-quality parameters

Calcium
Magnesium
Potassium
Sodium
Alkalinity
Chloride
Fluoride
Sulfate
Hardness
Boron
Iron
Manganese
Silica
Nitrite + Nitrate, as nitrogen
Ammonia nitrogen
Organic nitrogen
Dissolved organic carbon
Solids, dissolved
pH
Specific conductance

REPORT PLANS

A Water Resources Investigations Report that describes the objectives, approach, and significant findings of this study will be prepared in the fourth year. Reports of significant progress on the study will be prepared quarterly.

COST BASIS

The estimated costs for this study have been summarized in the following table by federal-fiscal year (October 1 through September 30). The costs of the project will be shared between the U. S. Geological Survey, the Anoka Sand-Plain Committee, and the Minnesota Department of Natural Resources.

PERSONNEL

A hydrologist will be needed full time for 24 months, and a hydrologic technician and GIS computer specialist will be needed part time for this project. All of these people are available from the current District staff.

ESTIMATED PROJECT COSTS

Fiscal Year:	<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>	
Salary and benefits (Hydrologist, Tech., Computer Specialist)	\$ 9,500	\$ 41,900	\$ 38,700	\$ 11,000	
Water-Quality analyses	---	11,000	6,600	---	
Travel and per diem	---	1,800	1,600	---	
Vehicle	600	1,900	1,200	---	
Drilling, supplies (40 wells)	---	5,800	---	---	
Supplies and materials	50	2,850	390	60	
Computer services	850	1,000	800	100	
Report preparation	---	---	---	500	
District support	7,000	43,750	32,550	7,700	
Headqtrs support	2,000	15,000	11,160	2,640	
					<u>Totals</u>
Totals:	\$ 20,000	\$125,000	\$ 93,000	\$ 22,000	\$ 260,000
U.S.G.S. share	10,000	62,500	46,500	11,000	\$ 130,000
ASPC share	10,000	31,250	23,250	5,500	\$ 70,000
MDNR share	---	31,250	23,250	5,500	\$ 60,000

PROJECT ACTIVITIES WORK PLAN

Fiscal Year:	1989	1990	1991	1992
Month:	ONDJFMAMJJAS	ONDJFMAMJJAS	ONDJFMAMJJAS	ONDJFMAMJJAS
Activity				
Review reports, data, and select study site	xxx			
Design and build GIS data base	xxxxxxxx	x x x x x x	x x x x x	
Collect hydrologic data				
Inventory wells	xx	xx		
Install wells		xxx	xxx	
Aquifer tests			xxx	
Water-level recorders		x	xxxx	xxxxxxxxxxxx
Synoptic water levels		x	x	x
Map land use (GIS)		xxxxxxxx		
Collect water-quality data				
Canvass area		xxx		
Seasonal recharge			x x	x x x
Deeper flow system			x x	x
Analyze data				
Map flow paths		xxx	xxx	
Distribution of chemical constituents (GIS)		xx	xxxx	
Relate water quality to land use			xxxxxxxx	x
Report preparation				
Outline	xx			
Report writing		x	x x	x xxxxxxx
Colleague review				xxx
Region/Director's appr.				xx
Drafting/printing				xx

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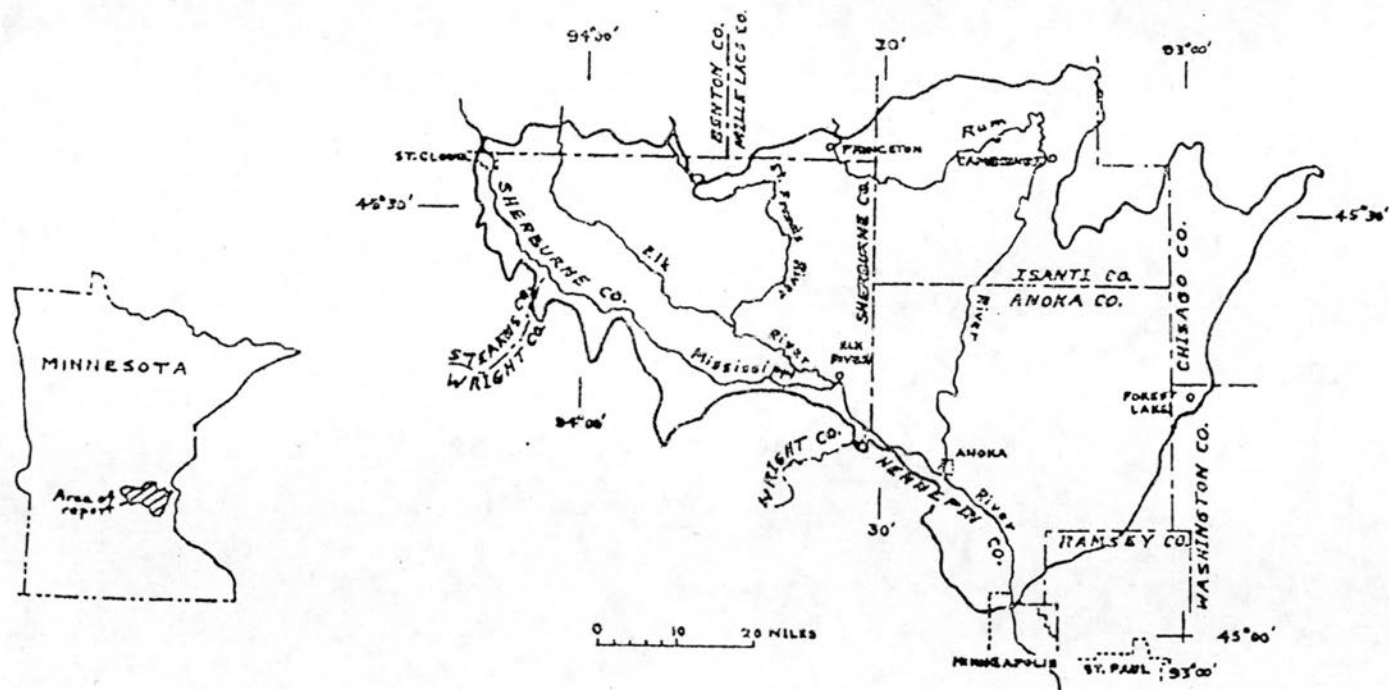


Figure 1. - Location and extent of the Anoka sand plain.

Brief Description of the Anoka Sand Plain Project

The Anoka Sand Plain Association of Soil and Water Conservation Districts consists of 11 counties. They are Anoka, Benton, Chisago, Hennepin, Isanti, Mille Lacs, Ramsey, Sherburne, Stearns, Washington, and Wright SWCDs. They have been organized since December, 1986.

The SWCDs have formalized their working together by producing and signing a joint powers agreement. The group holds official meetings once every two months.

One of the long range goals of the SWCDs is to determine how land use affects groundwater quality so that this information can be relayed to local policymakers. To reach this goal several requisite steps must be taken.

The SWCDs are currently assembling existing groundwater data so that it can be made useable. This data includes well logs, parent material maps, and existing water quality information. A graduate student, Perry Jones, has been hired through an internship program at the University of Minnesota to give technical training and assistance to the SWCD employees. The above mentioned information is also needed for county water planning.

To reach its goal, the group has contacted the United States Geological Survey to assess their interest in a groundwater quality land use project in the Anoka Sand Plain. The survey is interested in a study conducted at a scale smaller than what has been done in regional analysis, but larger than site-specific analysis. This will improve the ability to evaluate the fate and transport of contaminants in aquifers from various practices at land surfaces.

The ASP Districts anticipate that the Minnesota DNR will also be interested in cooperating in this proposed project. The DNR is interested in quantifying recharge to the Anoka sand plain aquifer to manage allocations of groundwater.

This proposed project will utilize the information and experience the SWCDs have gathered the past two years. It will be one of the logical next steps for the ASP group in reaching their goal.

One other logical next step is county groundwater planning. Currently Benton, Stearns, Hennepin, and Washington counties are embarking on groundwater plans.

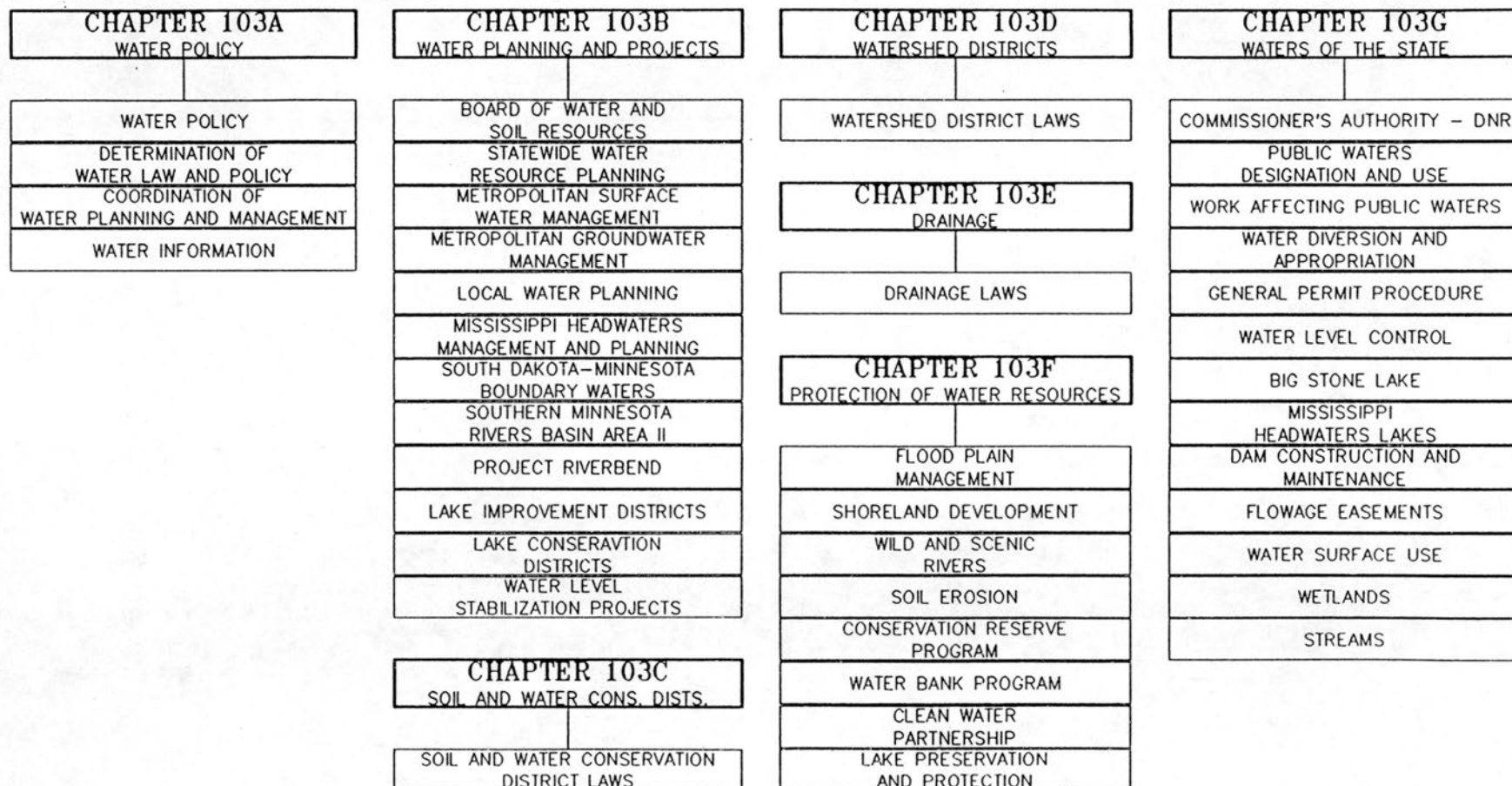
Herein lies the dilemma. The counties in the ASP can fund a limited number of environmental activities. Water planning is currently the highest priority so a project such as this, even though excellent, cannot be funded.

Is the BWSR willing to financially assist the ASP group in this project? The need is \$70,000 over 4 years assuming a \$60,000 DNR match and \$130,000 from the USGS. The next page contains a detailed budget.

ESTIMATED PROJECT COSTS

Fiscal Year:	<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>	
Salary and benefits (Hydrologist, Tech., Computer Specialist)	\$ 9,500	\$ 41,900	\$ 38,700	\$ 11,000	
Water-Quality analyses	---	11,000	6,600	---	
Travel and per diem	---	1,800	1,600	---	
Vehicle	600	1,900	1,200	---	
Drilling, supplies (40 wells)	---	5,800	---	---	
Supplies and materials	50	2,850	390	60	
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District support	7,000	43,750	32,550	7,700	
Headqtrs support	2,000	15,000	11,160	2,640	
	-----	-----	-----	-----	<u>Totals</u>
Totals:	\$ 20,000	\$125,000	\$ 93,000	\$ 22,000	\$ 260,000
U.S.G.S. share	10,000	62,500	46,500	11,000	\$ 130,000
ASPC share	10,000	31,250	23,250	5,500	\$ 70,000
MDNR share	---	31,250	23,250	5,500	\$ 60,000

PROPOSED WATER LAW RECODIFICATION



SOURCE: SENATE RESEARCH
12-07-88

December 1988

State Cost-Share Program Funding Opportunities

Since 1984, state cost-share appropriations remain available until spent. That legislative authorization created an opportunity for the state board to reallocate funds.

The MBWSR reallocation process is structured as follows:

December of each year: Reallocation of "rollover" money is made to selected SWCDs based on the readiness of the SWCD to implement projects and the percentage of an SWCD's annual allocation that is encumbered. The funding source consists of previously issued cost-share project funds returned by SWCDs between July and December.

Funds returned from December to June are combined with "new" fiscal year money and disbursed as part of the annual allocation. Ten percent of the annual allocation is designated for special projects. Grants for special projects are made to selected SWCDs based on the readiness of the SWCD to implement projects and the innovative nature of the proposal.

Generally, rollover funding is provided to SWCDs for cost-share projects that would have been locally funded if sufficient funds had been available. Typical projects are erosion control structures, terrace systems, animal waste control systems, critical area stabilization, and grass waterways. Special projects represent unique or innovative efforts that are beyond the scope of the local SWCD program in terms of complexity or cost. Projects funded by the MBWSR include lake aeration techniques to control ice jacking and subsequent lakeshore erosion and critical area stabilization on very steep slopes using a combination of structural and vegetative measures. Promotion and non-project activities are ineligible for rollover or special project funding. Although, streambank, lakeshore and roadside (SLR) projects may be addressed with rollover or special project funds, they are generally funded by the SLR program.

Districts are authorized to use up to twenty percent of new money for their technical and administrative expenses. Rollover and special project grants may not be used for SWCD technical and administrative expenses.

December 1988

Cost-Share Program Rollover Funding Requests

Available Funds: \$268,701.40

<u>District</u>	<u>Description of Request</u>	<u>Amount of Request (\$)</u>	<u>Recommended Funding</u>	<u>Notes</u>
Aitkin	Critical area stabilization near water	3,000	3,000	
Blue Earth	Erosion control practices	18,635	15,500	(1)
Carlton	Critical area stabilization near water	7,500	7,500	
Chisago	Streambank stabilization	20,000	0	(2)
Clay	Outlet structure on a county ditch	34,100	30,000	(3)
Cook	City of Grand Marais stormwater control system	76,500	11,250	(4)
Cook	Critical area stabilization at Lutsen golf course	92,663	80,000	(5)
Fillmore	Erosion control practices	51,375	18,750	(6)
Goodhue	Erosion control practices	12,000	10,000	(7)
Isanti	Erosion control practices	13,010	7,135	(8)
Mille Lacs	Roadside stabilization	10,000	0	(9)
Mower	Erosion control practices	9,054	9,054	
Pennington	Erosion control practices	3,000	3,000	
Ramsey	Streambank stabilization	30,000	0	(10)
Stevens	Erosion control structure	39,718	24,012	(11)
Wabasha	Erosion control structure	20,000	20,000	
Waseca	Erosion control practices	5,000	3,500	(12)
Washington	Erosion control practices	15,500	6,000	(13)
Yellow	Critical area plantings	20,000	20,000	
Medicine				
TOTALS		481,055	268,701	

Explanatory Notes

The following comments are based on discussions with SWCD or SCS staff or board representatives:

- (1) The top 8 (of 10) high priority practices are recommended to receive funding.
- (2) Is an SLR project that is deferred to the SLR program.
- (3) Channel improvement was removed from the total project cost; consequently, requested funding was reduced.
- (4) Most of the request was part of a large capital project involving stormwater control and channel improvement. Funding is recommended for a large sedimentation basin which would reduce sedimentation to Lake Superior.
- (5) The largest project cost was hydromulching. After follow-up with local staff, a larger portion of this component was assumed by the local sponsor. Consequently, requested funding was reduced.
- (6) The top 3 (of 6) high priority practices are recommended to receive funding.
- (7) The top 2 (of 3) high priority projects are recommended to receive funding.
- (8) Ten (of 19) high priority practices are recommended for funding.
- (9) Is an SLR project that is deferred to the SLR program.
- (10) Is an SLR project that is deferred to the SLR program.
- (11) The first phase of a large two-phase project is recommended for funding.
- (12) The highest priority (of 2) erosion control practices is recommended for funding.
- (13) The highest priority (of 3) erosion control practices is recommended for funding.



The District Leader

DEC 19 1988

Jim

An update on issues of concern to leaders of Soil & Water Conservation Districts.

December 14, 1988

NACD
Comments
on New
Conservation
Legislation

NACD has submitted written comments on S 2898, The Farm Conservation and Water Protection Act of 1988, introduced during the closing days of the 100th Congress by Georgia Senator Wyche Fowler. The bill carries conservation-related programs much further than the current farm bill and is receiving mixed reviews. Major provisions include the establishment of a program to encourage low-input agriculture, a CRP-like program to promote restoration of wetlands and so-called "treebuster" and "wellbuster" programs.

NACD lauded the approach to low-input farming, especially the requirement that management plans be approved by the local district, but cautioned that supportive funding must come with the new assignment. To encourage low-input methods, NACD supports the use of long-term agreements, as used in current cost-share programs, and suggested the possible use of some type of one-time commodity bonus.

NACD strongly endorsed the wetlands restoration program and encouraged some mechanism that would tie USDA programs to any existing state program--such as the Minnesota RIM Program.

Some concerns were expressed about the "treebuster" concept. NACD feels tree clearing as a management practice should not be outlawed, but should be done under a conservation plan with compliance restrictions.

The Senator's "wellbuster" provision is seriously flawed and should be rethought. The proposal would deny USDA program benefits to any farmer who has found pesticides in well water (from whatever source).

NACD has pledged its help to work with the Senator and his staff in refining this legislation, which is setting the stage for the 1990 farm bill.

* * *

Federal
Budget:
What
Lies
Ahead?

Attempts to guess what future federal budgets will do to various programs continues in Washington, although (as you can guess) very little is known about what will actually transpire as administrations change and a new Congress is seated. Agencies are finalizing their budgets that will be part of the FY 1990 budget--the last that will be sent to Congress by President Reagan. It's anticipated it will be delivered to Congress around January 9.

What George Bush will do when he becomes President is still uncertain. Indications are that early on he will send Congress a blueprint of his budget priorities, in general terms. It will be very difficult for the new administration to give a program-by-program look at the budget, including the agricultural programs. Secretary of Agriculture Dick Lyng has said that efforts should be made to trim \$3 billion from the USDA budget. NACD observers will follow future budget deliberations very carefully.

NACD
Endorses
EPA's
NPS Agenda

In September of this year, EPA released the draft, "Nonpoint Sources: Agenda for the Future," (National NPS Agenda) which is to guide the agency's implementation of Section 319 of the Water Quality Act of 1987. With state NPS management programs as the cornerstone of the National NPS Program, EPA proposed five action items designed to help states carry out their roles.

In commenting on the National NPS Agenda, NACD strongly endorsed EPA's recognition of the leadership role assigned to states. Further, NACD pointed out that states are well ahead of the federal government in addressing NPS problems. NACD encouraged EPA to take advantage of their program experience and delivery system in developing an implementation strategy for the National NPS Agenda.

The most critical element in the agenda, in NACD's view, involves "Financial Forces and Incentives." EPA states that the agency will "provide financial incentives that encourage people to install pollution control practices, or to change land management practices." NACD believes that this will be one of the keys to implementing successful NPS management programs. Although EPA has maintained that federal grant funds under Section 319 cannot be used for cost-sharing purposes, experience has shown that cost-share programs are an effective method for controlling nonpoint pollution problems. At present, some 30 states provide cost-share funds for conservation practices--many targeted at ag water quality. These programs, operating under the state soil and water conservation agency and carried out through conservation districts, have been immensely successful in addressing both ag and urban nonpoint problems. NACD hopes that the successful experience of the states in carrying out cost-share programs will encourage EPA to rethink its position with respect to allowing cost-sharing under Section 319 grants.

* * *

EPA's
Groundwater
Strategy
Coming
Slowly

Several months ago, EPA announced that it was evaluating comments it received on its proposed strategic plan to control groundwater contamination. NACD and many others had submitted their comments on this important plan which suggested that environmental goals should be based on maximum contamination levels, that prevention programs should be designed and implemented by states, and that an adequate response program should be developed to handle major water supplies identified as having contamination.

Their final report is still not out. NACD will continue to watch and encourage the agency to finalize their plan.

* * *

National
Conservation
Program
Update

NACD has learned that the final draft of USDA's National Conservation Program (NCP) is currently being reviewed by the Office of Management and Budget for approval before it can be released. The NCP will provide policy guidance and direction for all of USDA's conservation programs through 1997. USDA reports that the final NCP should be released by the end of the year. NACD will provide details on the final program after its release.

Second Phase
of SCS
Public
Information
Campaign
Under Way

The second phase of SCS's "We Owe It To Our Children" campaign is underway. The new radio and TV spots, titled "The Monuments," and the related material have been sent to all state SCS public affairs specialists.

The first phase, "The National Treasure," launched the first-ever SCS national campaign that will encompass yet a third phase. The campaign is being coordinated at the state level by the state SCS public affairs specialist; conservation district officials are encouraged to support local efforts to get the material placed. The campaign material asks interested persons to call 1-800-THE-SOIL for more information. Those who request it are sent a mailer that outlines how they can get involved by contacting the local conservation office.

* * *

CTIC
Gets New
Water Quality
Specialist

Lyn Kirschner has been named water quality specialist at the Conservation Technology Information Center (CTIC) in West Lafayette, Indiana. Kirschner will begin work in this newly established position on January 17. The position is jointly funded by the Soil Conservation Service and EPA's Region V office in Chicago. CTIC, a special project of NACD, is a clearinghouse for information on soil conservation, water conservation and water quality practices on cropland. With its expanded mission, it was felt CTIC could effectively use someone who could work specifically on water quality issues.

Kirschner obtained a bachelors degree in geological sciences from Purdue University in 1980. As a student, he worked at the Laboratory for Application of Remote Sensing; as an SCS employee, he has served as a soil conservationist in Louisiana and most recently as district conservationist in Bluffton, Indiana.

* * *

Insurance
Company
Farmland
Ownership
Jumps

Major insurance companies now hold 5.2 million acres of U.S. farmland, according to a recent report by the Center for Urban and Regional Affairs at the University of Minnesota and the nonprofit Land Stewardship Project. The report, an update from a similar report last year, reveals a 27 percent increase in farmland acreage owned by insurance companies above the year-end 1986 figure of 4.1 million acres.

While the report makes no comment on the implications of the increased ownership on farmland by insurance companies, some farmers and other rural advocates have expressed concerns about the impact large-scale absentee ownership can have on land and water resources.

We encourage district and state officials to look for opportunities to help insurance companies and their managers develop sound conservation plans on the land they now have stewardship over. NACD has met with some of the larger companies and has found them to be very interested in doing their part for conservation.

Rural Revitalization Under Way

While many American cities are trying to limit growth, there are rural communities desperately seeking economic development. SCS, under a cooperative agreement with Extension, is funding training projects in Alabama and Florida to help minority leaders become more effective in achieving economic growth and environmental protection. Alabama A&M University and Florida A&M University are conducting pilot projects which may later be adapted nationwide.

Florida A&M has developed and printed a brochure aimed at minority and limited-resource farmers to help them understand the Food Security Act and what it means to them. The step-by-step approach clearly explains the provisions of the law and how they can obtain a conservation plan.

* * *

National Conservation Award Winners Announced

Three farm and ranch families will be honored at White House ceremonies this month as national winners of the sixth annual conservation awards program sponsored by the National Endowment for Soil and Water Conservation and funded by the DuPont Company.

The 1988 winners, selected from among 50 state winners, are: Pierre and Susan Carr, Sutter, California; Eugene and Sue Shapland, Dighton, Kansas; and Kevin and Steve Craun, Bridgewater, Virginia.

The winners--recognized for their innovative and cost-effective soil and water conservation work--will receive \$1,000 cash awards at a dinner in their honor and attend a ceremony in the White House to receive an awards certificate. The group will meet with Senators and Congressmen, USDA officials and others in the three days of events.

For information on how to nominate someone from your area for the award, contact the National Endowment for Soil and Water Conservation at 318 Fourth St., N.E., Washington, DC 20002.

* * *

Increase Expected for '89 Crop Year

USDA's outlook experts anticipate an increase in many major U.S. crops in 1989, as idling requirements decline. The 1989 Feed Grain Program features a 10 percent Acreage Reduction Program and no Paid Land Diversion. This compares with a 20 percent Acreage Reduction and 15 percent Paid Land Diversion in 1988. These program changes could add 8 to 10 million acres of corn plantings in 1989. If the weather cooperates next year, yields of 120 bushels per acre are possible. The 1989 crop could be between 7.7 and 8.3 billion bushels.

This year's harvest of the four feed grains is 141.7 million metric tons, down 34 percent from last year's production and is the lowest since the drought and the PIK program reduced the crop of 1983.

* * *

WE ENCOURAGE YOU TO MAKE THIS PUBLICATION AVAILABLE TO ALL
MEMBERS OF YOUR BOARD.