



Minnesota Board of Water and Soil Resources.  
Minutes.

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West Central Region  
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June 19, 1989

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

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

SUBJECT: June 28th BWSR Meeting

Enclosed is the preliminary agenda and informational material for the June 28th Board meeting. The meeting will start at 9:00 a.m. in Conference Room A of the Department of Agriculture Building, 90 W. Plato Boulevard, St. Paul, Minnesota. Please note the agenda sign-up sheet for your use in suggesting items for future meetings. Following is an explanation of the enclosed materials relevant to the agenda:

- **Renewal of Resolution Delegating Authorities to Chairman.** As you can see from the attached excerpt from the October, 1987, minutes the resolution expires June 30, 1989. Board action is needed to extend the authority of the Chairman to sign the appropriate documents.
- **Budget Overview/Implementation of New Legislation.** Attached is information for your review on the Board's budget which was approved, how the funds have been set up for fiscal year '90, and a summary of the results of the RIM policy bill and the comprehensive water legislation.
- **Soil and Water Conservation District Allocations.** The staff grants team has spent a significant amount of time developing the enclosed recommendations for FY90 grant allocations to Soil and Water Conservation Districts. Please review the attached information and come to the meeting prepared to make decisions on allocations. Also enclosed is the summary of project applications which were received but not recommended for funding at this time.
- **Preview of RIM Reserve Allocations.** Please review the attached sheet which makes recommendations for the basic direction of the RIM Reserve allocations for FY90. These allocations are scheduled to be made at the July BWSR meeting. Please bring any questions, comments, or input to the June meeting.

June 19, 1989

- Metropolitan Water Management Planning Guidelines. The enclosed memo from Bruce Sandstrom, Metro Water Plan Coordinator, suggests it would be important for the Board to reaffirm the 509 Plan Review Guidelines adopted by the Board on June 22, 1988. Specifically, the guideline to be dealt with relates to requiring the WMO or local governmental unit exercising planning and zoning authority to adopt a wetland ordinance as part of plan implementation. This requirement is an important focus of the staff's work to implement the intent of the Metropolitan Surface Water Management Act. This is a good opportunity to be sure that staff actions are consistent with Board policy in this important issue area.
- Association of Metropolitan Soil and Water Conservation Districts. Dr. William L. Downing, Chair of the Metro Association, will make a presentation on the functions and abilities of the seven Soil and Water Conservation Districts in Twin Cities metropolitan area. The enclosed information gives you some things to think about leading up to the meeting.
- Southeast Minnesota Water Planning Update. Pam Hunt the Coordinator of the nine county southeast Minnesota water planning group will brief the Board on the activities and accomplishments of counties in southeast Minnesota.
- Watershed Management Organization Plan Review. Enclosed are overview summaries of the Bassett Creek WMO Plan and the East Mississippi WMO Plan. Staff will overview these plans at the Board meeting. Please be prepared with your questions and comments.
- Area II Operation and Projects. This will be an update on the current activities and review of projects in the ten county Study Area II.

Also note the enclosed press release regarding statewide hearings regarding natural resources. These hearings are being sponsored by the Legislative Commission on Minnesota Resources (the 1989 legislature changed the Minnesota Future Resources Commission name back to the Legislative Commission on Minnesota Resources). I have also enclosed a copy of the Minnesota Environment and Natural Resources Trust Fund enabling statute which describes the role and composition of the advisory committee and what Environmental Trust Fund expenditures can cover. You will note that many of the items under Minnesota Statutes 116.P.08, 1-8, are relevant to the Board's mission. These hearings are an opportunity for Board members and others to have input into the policy making process of the Legislative Commission on Minnesota Resources as it relates to the Environmental Trust Fund.

If you have questions or comments about the agenda or require additional information please call myself or Chairman Ogaard. See you on the 28th!

JB:mja  
Enc.

BOARD OF WATER AND SOIL RESOURCES  
MINNESOTA DEPARTMENT OF AGRICULTURE BUILDING  
CONFERENCE ROOM A  
90 WEST PLATO BOULEVARD  
ST. PAUL, MINNESOTA 55107  
JUNE 28, 1989

PRELIMINARY AGENDA

|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9:00 a.m.  | Reports <ul style="list-style-type: none"><li>- Chairman's Report - Donald Ogaard</li><li>- Executive Director's Report - Jim Birkholz</li><li>- EQB/Water Resources Committee Report - Loni Kemp</li></ul> Board Member Agenda Requests <ul style="list-style-type: none"><li>• Making SCS an official non-voting Board member - Eugene Kalmes</li><li>• Investigation of 1987 Flood for Riley-Purgatory-Bluff Creek Watershed - Howard Peterson</li></ul> |
| 10:00 a.m. | Renewal of Resolution Delegating Authorities to Chairman<br>Budget Overview/Implementation of New Legislation - Jim Birkholz                                                                                                                                                                                                                                                                                                                                |
| 10:30 a.m. | Soil & Water Conservation District Grant Allocations - Greg Larson<br>Preview of RIM Reserve Proposed Allocations - Wayne Edgerton                                                                                                                                                                                                                                                                                                                          |
| 11:30 a.m. | Metropolitan Water Planning Guidelines - Bruce Sandstrom                                                                                                                                                                                                                                                                                                                                                                                                    |
| Noon       | Lunch                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 1:00 p.m.  | Association of Metropolitan Soil & Water Conservation Districts<br>Presentation - Bill Downing, Chair                                                                                                                                                                                                                                                                                                                                                       |
| 1:30 p.m.  | Southeast Minnesota Water Planning Update - Pam Hunt, Coordinator                                                                                                                                                                                                                                                                                                                                                                                           |
| 2:00 p.m.  | Watershed Management Organization Plan Review <ul style="list-style-type: none"><li>• Bassett Creek WMO Plan Overview - Doug Thomas</li><li>• East Mississippi WMO Plan Overview - Bruce Sandstrom</li><li>• Gun Club Lake WMO Plan Update</li><li>• Vermillion River WMO Plan Update</li><li>• Lower Mississippi Watershed WMO Plan Update</li></ul>                                                                                                       |
| 3:00 p.m.  | Area II Operation and Projects - John Boulton and Darrell Apelgrain                                                                                                                                                                                                                                                                                                                                                                                         |
| 3:30 p.m.  | Adjourn                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

maintenance fund, timely and sufficient; to direct staff to make all necessary arrangements for a contested case hearing on the appeal; and to direct staff to prepare and mail notice and order for hearing. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Schellack, Moen, Hoese, Brooks, Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Abstained: Haas-Steffen. Carried.

C. Resolution Delegating Authorities to Chairman - Ken Tow distributed a Delegation/Recision of Authority form for the Board's information. Mel Sinn briefed the Board on recommended delegations of authority to the Chair to sign Board notices, orders, and to grant time extensions for DNR/Waters Director's reports.

87-4

Moved by Cofell, seconded by Brooks, to approve the staff recommended resolution: "Be it resolved that the Board of Water and Soil Resources, in order to conduct the day-to-day business of the agency, delegates to the chairman, signature authority for the following:

- sign personnel transactions
- sign payroll transactions
- sign payroll rosters
- execute contracts
- sign payment batch cover sheets
- pick up payroll warrants
- sign purchasing documents, and submit biennial budget documents.

It is further understood that the chairman, may in turn, further delegate these authorities to officials and employees within the Board's staff and the Minnesota Department of Agriculture as he deems appropriate." Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Schellack, Moen, Hoese, Steffen, Brooks, Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

87-5

\* → Moved by Haas-Steffen, seconded by Graba, to amend the previous motion by adding a deadline date of June 30, 1989. Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Schellack, Moen, Hoese, Haas-Steffen, Brooks, Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

87-6

Moved by Jim Hoese, seconded by Moen, to authorize the Chairman to approve and sign Board notices of filing of petitions; notices of hearings; and to grant time extensions to the Director of the Division of Waters of the MDNR for submission of preliminary reports on watershed district nominating petitions under Minnesota Statutes, section 112.37, subdivision 3(3). Affirmative: Ogaard, Boulton, Williamson, Warner, Kalmes, Bade, Schellack, Moen, Hoese, Haas-Steffen, Brooks, Harste, Peterson, Graba, Kemp, and Cofell. Opposed: None. Carried.

D. Designation of Advisors to Board - Ken Tow distributed a recommended listing of invited Advisors to the Board:

- U.S. Soil Conservation Service
- U.S. Agricultural Conservation and Stabilization Service
- MN Association of Soil & Water Conservation Districts
- MN Association of Watershed Districts
- MN Association of Counties
- U of M, Institute of Agriculture
- U of M, Extension

BOARD OF WATER AND SOIL RESOURCES

FISCAL 1990 BUDGET

Board complement 29

|                         |         |
|-------------------------|---------|
|                         | (\$000) |
| BWSR Administration     | 1,024   |
| BWSR RIM Administration | 150     |
| Subtotal                | 1,174   |

BWSR Grants:

SWCD

|                                                     |       |              |
|-----------------------------------------------------|-------|--------------|
| Cost Share - erosion and sediment control           | 1,501 |              |
| General service                                     | 978   |              |
| Streambank, lakeshore, roadside                     | 159   |              |
| Private Forest Management (\$120 transfer from DNR) |       |              |
| Reinvest In Minnesota - Reserve Program -           | 750   | general fund |
|                                                     | 1,500 | bond fund    |
| Subtotal                                            | 4,888 |              |

Other

|                                          |     |
|------------------------------------------|-----|
| Study Area II                            | 199 |
| The International Coalition              | 10  |
| Kanaranzi-Little Rock Watershed District | 50  |
| Subtotal                                 | 259 |

Local Water Resources:

|                                                         |       |
|---------------------------------------------------------|-------|
| Comprehensive local water planning technical assistance | 225   |
| Local Water Resource Protection and Mgmt. grant program | 610   |
| Environmental Agriculture Education                     | 200   |
| Well sealing cost share program                         | 65    |
| Metropolitan Water Management Task Force                | 25    |
| Subtotal                                                | 1,125 |

|                       |       |
|-----------------------|-------|
| Total Available Funds | 7,446 |
|-----------------------|-------|

Directs that Board shall give priority to acquiring easements on cropland in sensitive ground water areas. Increases complement of the board by 1 position to administer these projects, to be paid from this appropriation.

**S.F.895 - the RIM Policy Bill**

|                  |                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| no appropriation | Policy language changes of interest include transfer of program to BWSR, tie in to BWB on priority for RIM on sensitive ground water areas, adds eligible areas: cropland in sensitive ground water areas, adjacent to public waters, woodlot on ag land, abandoned building site on ag land, land on a hillside used for pasture. Also changes payment rate for wetland restorations to not to exceed \$300 per acre. |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**S.F. 262 - the Big Water Bill**

\$4,275,000 Complement is increased by 3 positions.

|             |                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| \$100,000   | \$50,000 each year for comprehensive local water management.                                                                                                                                                                                                                                                                                                                                                        |
| \$3,220,000 | \$610,000 for the first year and \$2,610,000 for the second year for grants to counties for local water planning and implementation. Money may be granted in first year to counties to do planning. Rules must then be done so we can grant money in second year to counties to do implementation. Planning grants are for a maximum of two years. All grants have a base level of funding which is noncompetitive. |
| \$400,000   | \$200,000 each year for an environmental education program. Leg. Com. on Water review proposals and we contract for the work to be done.                                                                                                                                                                                                                                                                            |
| \$530,000   | \$65,000 for the first year and \$465,000 for the second year for well sealing grants of up to \$2,000 per well or 75% of the cost of sealing (whichever is less) to counties. Money may also be used to seal wells for individuals who request board to do so but this money is recovered through liens on property or assessments on property taxes.                                                              |
| \$25,000    | Study and preparation of a report on metropolitan local water management problems. Task force membership is specified (25 members) and report is due in December, 1989.                                                                                                                                                                                                                                             |

**BOARD OF WATER AND SOIL RESOURCES  
1989 LEGISLATIVE FUNDING SOURCES**

**Chapter 350, H.F. No. 878 - the Ag Omnibus Bill**

**Sec. 19 [KANARANZI-LITTLE ROCK WATERSHED DISTRICT]**

|          |                                                                                                                                                                                                                                                                                                         |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| \$50,000 | \$50,000 is appropriated from the general fund to the board of water and soil resources for a grant to the Kanaranzi-Little Rock watershed district for purposes of implementing a federal conservation project in the district. This appropriation is available for the biennium ending June 30, 1991. |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Chapter 269, S.F. No. 1618 - ...Semi-States Bill**

**Sec. 9 BOARD OF WATER AND SOIL RESOURCES**

|           |                          |
|-----------|--------------------------|
| 9,896,000 | Approved Complement - 25 |
|-----------|--------------------------|

(FY90 4,948,000  
FY 91 4,948,000)

|          |                                                           |
|----------|-----------------------------------------------------------|
| \$20,000 | \$10,000 each year for the International Water Coalition. |
|----------|-----------------------------------------------------------|

|             |                                                                                                                                                                                      |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| \$1,956,000 | \$978,000 each year for general purpose grants to SWCDs. Upon approval of the board, expenditures may be made from these appropriations for supplies and services benefitting SWCDs. |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|           |                                                                                                                                    |
|-----------|------------------------------------------------------------------------------------------------------------------------------------|
| \$398,000 | \$199,000 each year for grants to watershed dists. and other local units of government in study area 2 for flood plain management. |
|-----------|------------------------------------------------------------------------------------------------------------------------------------|

|             |                                                                                              |
|-------------|----------------------------------------------------------------------------------------------|
| \$3,002,000 | \$1,501,000 each year for grants to SWCDs for cost-share on erosion control & water quality. |
|-------------|----------------------------------------------------------------------------------------------|

The appropriations for area 2 and for cost-share grants are available until expended.

|           |                                                                                                                                                                                                                              |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| \$318,000 | \$159,000 each year for grants-in-aid to SWCDs and local units of government for sediment & erosion control projects (requires 50% match). Priority is for SLR projects and to projects eligible for federal matching money. |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|             |                                                                                                                  |
|-------------|------------------------------------------------------------------------------------------------------------------|
| \$1,804,000 | \$902,000 each year for technical services & implementation of Rim-Reserve. \$750,000 each year must go to SWCDs |
|-------------|------------------------------------------------------------------------------------------------------------------|

**H.F. 46 - the Bonding Bill**

|             |                                             |
|-------------|---------------------------------------------|
| \$1,500,000 | Appropriation to the Board for Rim-Reserve. |
|-------------|---------------------------------------------|

1990 Budget  
Breakdown  
here

# Allocation of Funds Remaining from the Pilot SWCD Manager Program

## Background

Beginning in FY86, the Soil and Water Conservation Board committed \$87,200 to fund District Manager positions. The program was designed to be a three or four year effort, ceasing when state funding decreased to a 25 percent level. As indicated by the following summary, four SWCDs received final funding this year (FY89), with Kanabec and Traverse scheduled for last year funding in FY90.

| <u>SWCD</u>  | <u>1986</u>   | <u>1987</u>   | <u>1988</u>   | <u>1989</u>   | <u>1990 (proposed)</u> |
|--------------|---------------|---------------|---------------|---------------|------------------------|
| Mille Lacs   | 20,500        | 20,500        | 10,750**      | 5,400**       |                        |
| N. St. Louis | 23,175        | 23,175        | 4,850**       | 5,800**       |                        |
| Wadena       | 21,762.50     | 21,762.50     | 12,200**      | 6,100**       |                        |
| Mahnomen     | 21,612.50     | 21,612.50     | 12,220**      | 6,100**       |                        |
| Kanabec      | ---           | ---           | 16,850*       | 12,400*       | 6,200                  |
| Traverse     | ---           | ---           | 16,000*       | 12,000*       | 6,000                  |
| TOTALS       | <u>87.200</u> | <u>87.200</u> | <u>72.850</u> | <u>47.800</u> | <u>12,200</u>          |
| Funding %    | 100           | 100           | 67*<br>50**   | 50*<br>25**   | 25                     |

## Issue(s) for FY 90

After granting \$12,200 to Kanabec and Traverse, a balance of \$75,000 remains. Options for disbursement include:

- 1) allocating additional money to all SWCDs;
- 2) continuing a specialist program with a limited number of SWCDs by making grants similar to the manager program;
- 3) BWSR provide specialized assistance such as "accounting" to SWCDs by using the funds on behalf of SWCDs.

Item three (3) is now possible due to Legislative approval of rider language to the BWSR 1990-1991 biennial budget. (See attached budget language). The language was developed by BWSR and Department of Finance staff as a follow-up to action at the March BWSR meeting.

Staff recommends option 3) to be implemented as follows:

- Allocate available funding (about \$75,000) between two positions, an accountant/software specialist at New Ulm and a forester/inventory specialist at Duluth. The positions would be located at Board Representative offices and would assist SWCDs statewide through their roles as trainers and specialists.
- Appropriate memoranda of agreement would be completed with the Office of State Auditor and DNR, Forestry.
- It must be noted that these positions have been requested by SWCDs. The proposed locations of their employment correspond with geographic areas needing assistance.

36 Sec. 9. BOARD OF WATER AND SOIL

37 RESOURCES 4,948,000 4,948,000

38 Approved Complement - 25

39 \$10,000 the first year and \$10,000 the  
40 second year are for the International  
41 Water Coalition.

42 \$978,000 the first year and \$978,000  
43 the second year are for general purpose  
44 grants to soil and water conservation  
45 districts, including conservation  
46 tillage and review and comment on water  
47 permits. Upon approval of the board,  
48 expenditures may be made from these  
49 appropriations for supplies and  
50 services benefiting soil and water  
51 conservation districts.

52 \$199,000 the first year and \$199,000  
53 the second year are for grants to  
54 watershed districts and other local  
55 units of government in the southern  
56 Minnesota river basin study area 2 for  
57 flood plain management.

1 \$1,501,000 the first year and  
2 \$1,501,000 the second year are for  
3 grants to soil and water conservation  
4 districts for cost-sharing contracts  
5 for erosion control and water quality  
6 management.

7 The appropriations in this section for  
8 the southern Minnesota river basin  
9 study area 2 and for grants to soil and  
10 water districts for cost-sharing  
11 contracts for erosion control and water  
12 quality management are available until  
13 expended.

14 \$159,000 the first year and \$159,000  
15 the second year are for grants-in-aid  
16 to soil and water conservation  
17 districts and local units of government  
18 to assist them in solving sediment and  
19 erosion control problems. Grants must  
20 not exceed 50 percent of total project  
21 costs or 50 percent of the local share  
22 if federal money is used. Priority  
23 must be given to projects designed to  
24 solve lakeshore, stream bank, and  
25 roadside erosion and to projects  
26 eligible for federal matching money.

27 \$175,000 the first year and \$175,000  
28 the second year are for comprehensive  
29 local water planning.

30 \$902,000 the first year and \$902,000  
31 the second year are for technical  
32 services and implementation of the  
33 conservation reserve program. Of this  
34 appropriation, \$750,000 the first year  
35 and \$750,000 the second year must be  
36 distributed to soil and water  
37 conservation districts.

Wayne has RIM  
Page

June 12, 1989

To: BWSR Board Members

From: Bruce Sandstrom,   
Metro Water Plan Coordinator

**Subject: Re-affirmation of "509" Plan Review Guideline**

During the May 24, 1989 Board meeting in Detroit Lakes, there was some discussion with regards to the intent the enabling legislation as it relates to our plan approval guidelines. There is one significant guideline which I would like to review with the Board to make certain that there is still concurrence.

The matter deals with the guideline which requires BWSR staff to review the WMO plan to see if the plan provides for a means for local units of government to regulate alterations of wetlands. The guideline was adopted by the Board on June 22, 1988. The specific guideline reads as follows:

"5. Determine whether the WMO: ...h. **Requires the WMO or local units** exercising planning and zoning authority to **adopt a wetland ordinance** that: prohibits drainage, grading, or filling of wetlands **without a permit**; that requires consideration of the affected wetlands' values for storm water runoff storage and detention, sediment and nutrient trapping and retention, fish and wildlife habitat, and the recreation and open space needs of the community before a permit is issued; and explains that state DNR or federal Corps of Engineers permits may be required for land disturbing activity in wetlands."

Some say this is the most significant guideline we review plans for. Some say that "509" planning does not mandate local regulations. I must be assured of the Board's position on this matter since it is the only guideline we have been following which requires regulatory activity as part of "509" planning. The purpose of the guideline is to further the purpose of the law which is:

"The purpose of the surface water management programs required by sections 473.875 to 473.883 is to **preserve and use natural water storage and retention systems** in order to (a) reduce to the greatest practical extent the public capital expenditures necessary to control excessive volumes and rate of runoff, (b) improve water quality, (c) prevent flooding and erosion from surface flows, (d) promote ground water recharge, (e) protect and enhance fish and wildlife habitat and water recreation facilities, and (f) secure the other benefits associated with the proper management of surface water." [MS 473.875]

cc Greg Larson

*Jim [unclear]* JUN 1 1989

# **ASSOCIATION of METROPOLITAN SOIL & WATER CONSERVATION DISTRICTS**

1834 Simpson Ave..  
Falcon Heights, Minnesota 55113  
(612) 644-9625  
May 21, 1989

*See attached  
information*

Mr. Don Ogaard, Chair,  
Minnesota Board of Water and Soil Resources,  
705 W. Fifth St.,  
Ada, Minnesota 56510

Last year, you attended a meeting of our informal Association, to discuss the functions of the (then) new Board. In the course of the conversation you asked how members of our Association of Metropolitan SWCDs viewed themselves, how they function in resource conservation. The question was complex enough to call for considerable thought on the part of the seven member Districts. At first it was thought that a written response would be most satisfactory, but upon consideration we felt that illustrations in the form of slides were needed, and it seemed logical to show these to your whole Board.

We therefore ask to be put on the agenda for the June, 1989, MBWSR meeting, to make a brief presentation (about 15-20 minutes) of our functions and abilities. We would like to have a projection screen and a carousel slide projector available, and would like the privilege of sending out a few pages with your agenda; information meant to accompany the oral and slide presentation at the meeting, but which the members may wish to look over beforehand.

By the end of the presentation, we hope the entire Board will have a clear idea of the way the seven metropolitan Soil and Water Conservation Districts function, both separately and together, in protection and enhancement of the soil and water natural resources of the metropolitan region.

Sincerely yours,  
William L. Downing, Chair.

*Bill Downing*

Copies to:

Mr. Douglas Bade, 104 Leno Lane, Chaska, Minnesota 55318.  
Mr. James Birkholz, Executive Director, Minnesota Board of Water and Soil Resources, 155 South Wabasha, Suite 104, St. Paul, MN 55107.

## ASSOCIATION OF METROPOLITAN SOIL AND WATER CONSERVATION DISTRICTS

### SIMILARITY FROM DISTRICT TO DISTRICT: ONE OF OUR STRENGTHS.

1. Formed via Chapter 40, all Soil and Water Conservation Districts have strong similarities to each other, in organization, function, and interests.
2. All metropolitan Districts have the same boundaries as the Counties in which they are situated, and cover the entire Counties. The Association of Metropolitan Soil and Water Conservation Districts, therefore, covers the entire metropolitan area, and is not restricted to parts of it.
3. All District Boards are made up of Supervisors who are nominated from nominating districts within their Counties, are elected by the citizens of the Counties, and are therefore representatives of the people.
4. The elected Boards of Supervisors are primarily involved with the formulation of soil and water conservation policy and other similar environmental matters.
5. All have trained technical staffs within their employ who are capable of working on many aspects of environmental planning, implementation and management.
6. All have direct access to staff of the U. S. Soil Conservation Service which means that engineering, soils, and soil management expertise and publications are available all the way from the local to the national level.
7. Districts have funding and help available from other Federal programs such as the Conservation Reserve Program, and the Agricultural Stabilization Conservation Program.
8. All of them are legally empowered to employ consultants from the private or public sectors at any time.
9. All can conduct research and surveys, acquire and own land, and own and operate equipment and structures.
10. All obtain State cost-sharing grants from the Board of Water and Soil Resources, including cost sharing and stream bank - lakeshore - roadside funding.
11. All have the MBWSR Board Representative for Area IV available for help, and through him, the resources of the MBWSR staff.
12. All have Comprehensive Plans and Annual Plans on file with MBWSR. All are required to keep books in similar manner, available for audit.
13. All have close working relationships with their counties, the counties depend on the districts for resource conservation, and the

counties are a major source of funds for the districts.

14. All offer low-cost conservation programs to the people of their counties, and for fifty years have been important environmental planners for the counties.
15. Local governments, developers, and private citizens naturally turn for help to the Soil and Water Conservation Districts, since in each county the District has had county-wide expertise in natural resource management.
16. The Association of Metropolitan Soil and Water Conservation Districts in the past has worked together in a Joint Powers Agreement on specific environmental matters, and is capable of forming such a Joint Powers Agreement to work on Chapter 509 or other mutual matters.

#### DIFFERENCES FROM DISTRICT TO DISTRICT WHERE CONDITIONS WARRANT IT: OUR OTHER STRENGTH.

1. In level of urbanization, the seven Districts range from almost completely urban (Ramsey) to almost entirely rural (Carver); and this makes for many differences in planning and implementation details, to adjust to local conditions.
2. In soil types, land forms, and drainage patterns the seven Districts are highly diverse, and these factors require differences in planning and implementation details.

#### CONCLUSION

The seven metropolitan Soil and Water Conservation Districts carry out county-wide planning, and coordinate standards and specifications for soil and water protection at the local level.

#### IMPLICATIONS REGARDING CHAPTER 509.

1. Chapter 509 specifically calls for the retention of authority at the local level. To retain control at the local County's District level is in keeping with the spirit of Chapter 509 watershed management.
2. To avoid confusion on the part of those being regulated, there is need for broad coordination in addressing natural resource issues. Minimum standards and practices at the District level, or at the Metropolitan Association level, can help alleviate the problem.

#### HERITAGE OF NETWORKING.

Every District was created as the center of a network, to lie between and coordinate activities State government, Federal government, and County government, with regard to soil and water natural resources. Other elements of the network have been added through the years, until the District has become the natural coordination center for natural resource management within its County.

## **Overview of the East Mississippi Watershed Management Organization Watershed Plan For the June 24, 1989 Board Meeting**

### **Introduction**

The East Mississippi Watershed Management Organisation (EMWMO) was formed by a joint powers agreement between the cities of Newport, St. Paul Park, and Maplewood. The local governments included in the EMWMO plan are Newport, St. Paul Park, Maplewood, Cottage Grove, Woodbury, and Grey Cloud Island Township. The land area of the WMO is 17.5 square miles, and includes all of Newport, St. Paul, Park, Grey Cloud Island, and portions of Woodbury, Maplewood, and Cottage Grove.

### **Watershed Description**

The EMWMO is located in southwestern Washington County and it is bounded on the west and the south by the Mississippi River. The topography of the EMWMO ranges from steep to rolling hills in the east to a flat plateau in the west and south. The plateau is considered to be Mississippi Valley outwash and alluvium, and the steep to rolling hills are considered to be bedrock overlain by glacial outwash and till.

The watershed drains into the Mississippi River, but there are no large streams that drain the watershed. There are eight protected waters or wetlands in the watershed, and a further 20 wetlands were identified in the plan. Grey Cloud Channel of the Mississippi River is a protected water.

The watershed is a rapidly growing area. The water management problems are primarily minor flooding due to inadequate drainage for landlocked basins, and major flooding due to the Mississippi River.

### **Staff Review**

Currently the staff have met on one occasion with the WMO Engineer. The policies, objectives, and content of the plan are good, but every proposal in the plan was optional. The plan lacks clear guidance for the member communities and a schedule for achieving compliance. Due to the nature of the JPA, no capital improvements are proposed. Further negotiations will hopefully be able to resolve most of the plan's deficiencies. Agency staff are planning to attend the 6/28/89 Board meeting and provide comment.

ATTENDANCE SHEET

BOARD OF WATER AND SOIL RESOURCES MEETING AND TOUR  
SEPTEMBER 26 - 27, 1989  
HOLIDAY INN  
WINONA, MINNESOTA

Name: \_\_\_\_\_

|                                | <u>YES</u> | <u>NO</u> |
|--------------------------------|------------|-----------|
| September 25 Lodging?          | _____      | _____     |
| September 26 Tour?             | _____      | _____     |
| September 26 Lodging?          | _____      | _____     |
| September 27 BWSR Meeting?     | _____      | _____     |
| September 27 Lodging?          | _____      | _____     |
| Will your spouse be attending? | _____      | _____     |



# MASWCD

Minnesota Association of Soil and Water Conservation Districts

JUN 6 1989

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1-218-574-2740

Executive Director  
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Redwood Falls, MN 56283  
1-507-644-3337

June 5, 1989

To: All SWCD's  
From: Mary M. Peterson, Executive Director  
Subject: Regional Natural Resource Forums

Enclosed please find a press release and draft agenda (of the June 13 meeting) regarding meetings to be held around the state by the Citizens Advisory Committee to the \*\*Legislative Commission on Minnesota Resources. The MASWCD Board of Directors strongly urges SWCD supervisors and employees to attend these meetings.

If you have any questions, please call Jackie Olenick at (612)296-2668 (see bottom of press release).

**\*\*NOTE:** In the State Departments bill passed this session the Minnesota Future Resources Commission (MFRC) was changed back to the Legislative Commission on Minnesota Resources (LCMR).

*This also in June mailing?* *(yes)*

*M. Peterson*

MAY 23 1989 *jm*

# Minnesota Future Resources Commission

100 CONSTITUTION AVENUE / ROOM 65 / STATE OFFICE BUILDING • ST. PAUL, MINNESOTA 55155 • (612) 296-2406

JOHN R. VELIN  
Director

PRESS RELEASE

5/12/89



FOR IMMEDIATE RELEASE - RUN 5/15/89 - 8/27/89

Contact: Jackie Olenick  
MN Future Resources Commission  
65 State Office Building  
St. Paul, MN 55155  
(612) 296-2668

## LEGISLATORS TO HEAR CITIZEN CONCERNS REGARDING NATURAL RESOURCES THROUGHOUT STATE

Senator Purfeerst, Chair of the Minnesota Future Resources Commission (MFRC) announced a series of regional natural resource forums. Robert Dunn of Princeton, Minnesota is the Chair of the Citizens Advisory Committee, the group which will advise the Commission. The members of the Advisory Committee will help conduct the forums.

The dates and sites of the regional forums are as follows: The meetings will all be from 6-9:00 PM.

|              |                                                                 |
|--------------|-----------------------------------------------------------------|
| Marshall     | June 13, Southwest State University                             |
| Rochester    | June 27, Radisson Center Plaza                                  |
| Fergus Falls | July 11, Holiday Inn                                            |
| Bemidji      | July 25, Holiday Inn Convention Center                          |
| Metro        | August 15, College of St. Thomas, St. Paul<br>Murray Hall       |
| St. Cloud    | August 17, St. Cloud State University<br>Student Union Ballroom |
| Duluth       | August 29, Radisson Duluth                                      |

The Commission is comprised of 8 state Senators and 8 Representatives. They will be traveling to these sites and surrounding communities. The Commission's task is to allocate the funds that will be generated from the Environmental Trust Fund. On these trips, the goal of the Commission is to hear the concerns of the citizens regarding issues dealing with natural resources. The Minnesota Future Resources Commission will then develop a Strategic Natural Resources plan which will guide the Trust Fund expenditures.

The forums will be structured so that individuals will have a chance to voice their concerns via discussions in small groups. Later in the meeting, there will be a summary of these issues. There will be an opportunity for questions and answers.

For further information regarding the forum contact:  
Jackie Olenick, 65 State Office Building, St. Paul, MN  
55155, phone (612) 296-2668.  
press.gen

--30--

# *Minnesota Future Resources Commission*

100 CONSTITUTION AVENUE / ROOM 65 / STATE OFFICE BUILDING • ST. PAUL, MINNESOTA 55155 • (612) 296-3406

JOHN R. VELIN  
Director



DRAFT

LCMR Regional Resources Forum  
SW State University  
Marshall, Minnesota

June 13, 1989

## AGENDA

- |           |                                                                                  |
|-----------|----------------------------------------------------------------------------------|
| 6:00-6:15 | Welcome and Introduction<br>LCMR Chair                                           |
| 6:15-6:30 | Introduction by C. Merle Anderson<br>Citizens Advisory Council                   |
| 6:30-7:15 | Regional Natural Resources Overview<br>Otto Schmidt, Gene Hippiie, Rick Jacobson |
| 7:15-8:00 | Small group interaction on issues<br>identification                              |
| 8:00-8:45 | Summation with full group of small group<br>discussions                          |
| 8:45-9:00 | Final comments and wrap-up<br>C. Merle Anderson                                  |
| 9:00      | Adjourn meeting                                                                  |

# Minnesota Future Resources Commission

100 CONSTITUTION AVENUE / ROOM 65 / STATE OFFICE BUILDING • ST. PAUL, MINNESOTA 55155 • (612) 296-2406

JOHN R. VELIN  
Director

PRESS RELEASE

5/12/89

FOR IMMEDIATE RELEASE - RUN 5/15/89 - 8/27/89

Contact: Jackie Olenick  
MN Future Resources Commission  
65 State Office Building  
St. Paul, MN 55155  
(612) 296-2668

*COPY of ETF  
Statute is  
attached*

## LEGISLATORS TO HEAR CITIZEN CONCERNS REGARDING NATURAL RESOURCES THROUGHOUT STATE

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For further information regarding the forum contact:  
Jackie Olenick, 65 State Office Building, St. Paul, MN  
55155, phone (612) 296-2668.  
press.gen



JUN 6 1989

## CHAPTER 116P

MINNESOTA ENVIRONMENT AND NATURAL  
RESOURCES TRUST FUND

|                                                      |                                                     |
|------------------------------------------------------|-----------------------------------------------------|
| 116P.01 Findings.                                    | 116P.08 Trust fund expenditures; exceptions; plans. |
| 116P.02 Definitions.                                 | 116P.09 Administration.                             |
| 116P.03 Trust fund not to supplant existing funding. | 116P.10 Royalties, copyrights, patents.             |
| 116P.04 Trust fund account.                          | 116P.11 Availability of funds for disbursement.     |
| 116P.05 Minnesota future resources commission.       | 116P.12 Water system improvement loan program.      |
| 116P.06 Advisory committee.                          | 116P.13 Minnesota future resources account.         |
| 116P.07 Resources congress.                          |                                                     |

NOTE: This chapter is effective the day following approval by the voters of the constitutional amendment proposed by Laws 1988, chapter 690, article 1, section 1.

## 116P.01 FINDINGS.

The legislature finds that all Minnesotans share the responsibility to ensure wise stewardship of the state's environment and natural resources for the benefit of current citizens and future generations. Proper management of the state's environment and natural resources includes and requires foresight, planning, and long-term activities that allow the state to preserve its high quality environment and provides for wise use of its natural resources. The legislature also finds that to undertake such activities properly, a long-term, consistent, and stable source of funding must be provided.

History: 1988 c 690 art 1 s 5

## 116P.02 DEFINITIONS.

Subdivision 1. **Applicability.** The definitions in this section apply to sections 116P.01 to 116P.13.

Subd. 2. **Advisory committee.** "Advisory committee" means the advisory committee created in section 116P.06.

Subd. 3. **Board.** "Board" means the state board of investment.

Subd. 4. **Commission.** "Commission" means the Minnesota future resources commission.

Subd. 5. **Natural resources.** "Natural resources" includes the outdoor recreation system under section 86A.04 and regional recreation open space systems as defined under section 473.351, subdivision 1.

Subd. 6. **Trust fund.** "Trust fund" means the Minnesota environment and natural resources trust fund established under Minnesota Constitution, article XI, section 14.

History: 1988 c 690 art 1 s 6

## 116P.03 TRUST FUND NOT TO SUPPLANT EXISTING FUNDING.

(a) The trust fund may not be used as a substitute for traditional sources of funding environmental and natural resources activities, but the trust fund shall supplement the traditional sources, including those sources used to support the criteria in section 116P.08, subdivision 1. The trust fund must be used primarily to support activities whose benefits become available only over an extended period of time.

(b) The commission must determine the amount of the state budget spent from traditional sources to fund environmental and natural resources activities before and after the trust fund is established and include a comparison of the amount in the report under section 116P.09, subdivision 7.

History: 1988 c 690 art 1 s 7

## 116P.04 TRUST FUND ACCOUNT.

Subdivision 1. **Establishment of account and investment.** A Minnesota environment and natural resources trust fund, under article XI, section 14, of the Minnesota Constitution, is established as an account in the state treasury. The commissioner of finance shall credit to the trust fund the amounts authorized under this section and section 116P.10. The state board of investment shall ensure that trust fund money is invested under section 11A.24. All money earned by the trust fund must be credited to the trust fund. The principal of the trust fund and any unexpended earnings must be invested and reinvested by the state board of investment.

Subd. 2. **Lottery proceeds.** Through the first five full fiscal years, during which proceeds from the lottery are received, the commissioner of finance shall credit one-half of the net lottery proceeds from the state-operated lottery to the trust fund. Thereafter, the commissioner shall credit up to one-half, as determined by law each biennium, of the net proceeds from the state-operated lottery to the trust fund.

Subd. 3. **Revenue.** Revenue collected in accordance with subdivision 2 must be deposited monthly in the trust fund account. Nothing in sections 116P.01 to 116P.12 limits the source of contributions to the trust fund.

Subd. 4. **Gifts and donations.** Gifts and donations, including land or interests in land, may be made to the trust fund. Noncash gifts and donations must be disposed of for cash as soon as the board prudently can maximize the value of the gift or donation. Gifts and donations of marketable securities may be held or be disposed of for cash at the option of the board. The cash receipts of gifts and donations of cash or capital assets and marketable securities disposed of for cash must be credited immediately to the principal of the trust fund. The value of marketable securities at the time the gift or donation is made must be credited to the principal of the trust fund and any earnings from the marketable securities are earnings of the trust fund.

Subd. 5. **Audits required.** (a) The commission shall select a certified public accountant annually to audit the trust fund. The audit must be given to the governor and the legislature and be available to the public.

(b) The legislative auditor shall audit trust fund expenditures to ensure that the money is spent for the purposes provided in the commission's budget plan.

History: 1988 c 690 art 1 s 8

1989 changed back to LCMR

## 116P.05 MINNESOTA FUTURE RESOURCES COMMISSION.

(a) A Minnesota future resources commission of 16 members is created, consisting of the chairs of the house and senate committees on environment and natural resources, the chairs of the house appropriations and senate finance committees, six members of the senate appointed by the subcommittee on committees of the committee on rules and administration, and six members of the house appointed by the speaker. The commission shall develop a budget plan for expenditures from the trust fund and shall adopt a strategic plan as provided in section 116P.08.

(b) The commission shall recommend expenditures to the legislature from the Minnesota future resources account under section 116P.13. At least two members from the senate and two members from the house must be from the minority caucus. Members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the commission.

(c) Members shall appoint a chair who shall preside and convene meetings as often as necessary to conduct duties prescribed by this chapter.

(d) Members shall serve on the commission until their successors are appointed.

(e) Vacancies occurring on the commission shall not affect the authority of the remaining members of the commission to carry out their duties, and vacancies shall be filled in the same manner under paragraph (a).

(f) The commission may adopt bylaws and operating procedures to fulfill their duties under sections 116P.01 to 116P.13.

History: 1988 c 690 art 1 s 9

**116P.06 ADVISORY COMMITTEE.**

(a) An advisory committee of 11 citizen members shall be appointed by the governor to advise the Minnesota future resources commission on project proposals to receive funding from the trust fund and the development of budget and strategic plans. The governor shall appoint at least one member from each congressional district. The governor shall appoint the chair.

(b) The governor's appointees must be confirmed with the advice and consent of the senate. The membership terms, compensation, removal, and filling of vacancies for citizen members of the advisory committee are governed by section 15.0575.

**History:** 1988 c 690 art 1 s 10

**116P.07 RESOURCES CONGRESS.**

The commission must convene a resources congress at least once every biennium. The congress must be open to all interested individuals. The purpose of the congress is to collect public input necessary to allow the commission, with the advice of the advisory committee, to develop a strategic plan to guide expenditures from the trust fund. The congress also may be convened to receive and review reports on trust fund projects.

**History:** 1988 c 690 art 1 s 11

**116P.08 TRUST FUND EXPENDITURES; EXCEPTIONS; PLANS.**

Subdivision 1. **Expenditures.** Money in the trust fund may be spent only for:

- (1) the reinvest in Minnesota program as provided in section 84.95, subdivision 2;
- (2) research that contributes to increasing the effectiveness of protecting or managing the state's environment or natural resources;
- (3) collection and analysis of information that assists in developing the state's environmental and natural resources policies;
- (4) enhancement of public education, awareness, and understanding necessary for the protection, conservation, restoration, and enhancement of air, land, water, forests, fish, wildlife, and other natural resources;
- (5) capital projects for the preservation and protection of unique natural resources;
- (6) activities that preserve or enhance fish, wildlife, and other natural resources that otherwise may be substantially impaired or destroyed in any area of the state;
- (7) administrative and investment expenses incurred by the state board of investment in investing deposits to the trust fund; and
- (8) administrative expenses subject to the limits in section 116P.09.

Subd. 2. **Exceptions.** Money from the trust fund may not be spent for:

- (1) purposes of environmental compensation and liability under chapter 115B and response actions under chapter 115C;
- (2) purposes of municipal water pollution control under the authority of chapters 115 and 116, including combined sewer overflow under section 116.162;
- (3) costs associated with the decommissioning of nuclear power plants;
- (4) hazardous waste disposal facilities;
- (5) solid waste disposal facilities; or
- (6) projects or purposes inconsistent with the strategic plan.

Subd. 3. **Strategic plan required.** (a) The commission shall adopt a strategic plan for making expenditures from the trust fund, including identifying the priority areas for funding for the next six years. The reinvest in Minnesota program must be reviewed by the advisory committee, resources congress, and commission during the development of the strategic plan. The strategic plan must be updated every two years. The plan is advisory only. The commission shall submit the plan, as a recommendation, to the house of representatives appropriations and senate finance committees by January 1 of each odd-numbered year.

(b) The advisory committee shall work with the resources congress to develop a draft strategic plan to be submitted to the commission for approval. The commission shall develop the procedures for the resources congress.

(c) The commission may accept or modify the draft of the strategic plan submitted to it by the advisory committee before voting on the plan's adoption.

Subd. 4. **Budget plan.** (a) Funding may be provided only for those projects that meet the categories established in subdivision 1.

(b) Projects submitted to the commission for funding may be referred to the advisory committee for recommendation, except that research proposals first must be reviewed by the peer review panel. The advisory committee may review all project proposals for funding and may make recommendations to the commission on whether:

- (1) the projects meet the standards and funding categories set forth in sections 116P.01 to 116P.12;
- (2) the projects duplicate existing federal, state, or local projects being conducted within the state; and
- (3) the projects are consistent with the most recent strategic plan adopted by the commission.

(c) The commission must adopt a budget plan to make expenditures from the trust fund for the purposes provided in subdivision 1. The budget plan must be submitted to the governor for inclusion in the biennial budget and supplemental budget submitted to the legislature.

(d) Money in the trust fund may not be spent except under an appropriation by law.

Subd. 5. **Public meetings.** All advisory committee and commission meetings must be open to the public. The commission shall attempt to meet at least once in each of the state's congressional districts during each biennium.

Subd. 6. **Peer review.** (a) Research proposals must include a stated purpose, timeline, potential outcomes, and an explanation of the need for the research. All research proposals must be reviewed by a peer review panel before receiving an appropriation from the trust fund.

(b) In conducting research proposal reviews, the peer review panel shall:

- (1) comment on the methodology proposed and whether it can be expected to yield appropriate and useful information and data;
- (2) comment on the need for the research and about similar existing information available, if any;
- (3) comment on whether the research proposed meets the categories of subdivision 1; and
- (4) report to the commission and advisory committee on clauses (1) to (3).

(c) The peer review panel also must review completed research proposals that have received an appropriation from the trust fund and comment and report upon whether the project reached the intended goals.

Subd. 7. **Peer review panel membership.** (a) The peer review panel must consist of at least five but not more than 11 members who are knowledgeable in general research methods, including but not limited to the areas of air quality research, water research, forest research, fish and wildlife management research, environmental health research, and soil conservation research. Not more than two members of the panel may be employees of state agencies.

(b) Members of the peer review panel shall be selected by the commission and serve four-year staggered terms according to section 15.059. The commission may select additional temporary members for any research proposal deemed to be too technical for adequate peer review by the panel in paragraph (a). Members of the peer review panel shall elect a chair every two years who shall be responsible for convening meetings of the panel as often as is necessary to fulfill its duties as prescribed in this section. Compensation of panel members is governed by section 15.059, subdivision 3.

**History:** 1988 c 690 art 1 s 12

**116P.09 ADMINISTRATION.**

**Subdivision 1. Administrative authority.** The commission may appoint legal and other personnel and consultants necessary to carry out functions and duties of the commission. Permanent employees shall be in the unclassified service. In addition, the commission may request staff assistance and data from any other agency of state government as needed for the execution of the responsibilities of the commission and advisory committee and an agency must promptly furnish it.

**Subd. 2. Liaison officers.** The commission shall request each department or agency head of all state agencies with a direct interest and responsibility in any phase of environment and natural resources to appoint, and the latter shall appoint for the agency, a liaison officer who shall work closely with the commission and its staff. The designated liaison officer shall attend all meetings of the advisory committee to provide assistance and information to committee members when necessary.

**Subd. 3. Appraisal and evaluation.** The commission shall obtain and appraise information available through private organizations and groups, utilizing to the fullest extent possible studies, data, and reports previously prepared or currently in progress by public agencies, private organizations, groups, and others, concerning future trends in the protection, conservation, preservation, and enhancement of the state's air, water, land, forests, fish, wildlife, native vegetation, and other natural resources. Any data compiled by the commission shall be made available to any standing or interim committee of the legislature upon the request of the chair of the respective committee.

**Subd. 4. Personnel.** Persons who are employed by a state agency to work on a project and are paid by an appropriation from the trust fund or Minnesota future resources account are in the unclassified civil service, and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been spent, their positions must be canceled and the approved complement of the agency reduced accordingly. Part-time employment of persons for a project is authorized.

**Subd. 5. Administrative expense.** (a) The administrative expenses of the commission and advisory committee shall be paid from the Minnesota future resources account until June 30, 1995.

(b) After June 30, 1995, the expenses of the commission and advisory committee combined may not exceed an amount equal to two percent of the total earnings of the trust fund in the preceding fiscal year.

(c) The commission and the advisory committee must include a reasonable amount for their administrative expense in the budget plan for the trust fund.

**Subd. 6. Conflict of interest.** A commission member, advisory committee member, peer review panelist, or an employee of the commission may not participate in or vote on a decision of the commission, advisory committee, or peer review panel relating to an organization in which the member, panelist, or employee has either a direct or indirect personal financial interest. While serving on the legislative commission, advisory committee, or peer review panel, or being an employee of the commission, a person shall avoid any potential conflict of interest.

**Subd. 7. Report required.** The commission shall, by July 1 of each even-numbered year, submit a report to the governor, the chairs of the house appropriations and senate finance committees, and the chairs of the house and senate committees on environment and natural resources. Copies of the report must be available to the public. The report must include:

- (1) a copy of the current strategic plan;
- (2) a description of each project receiving money from the trust fund and Minnesota future resources account during the preceding two years;
- (3) a summary of any research project completed in the preceding two years;
- (4) recommendations to implement successful projects and programs into a state agency's standard operations;

(5) to the extent known by the commission, descriptions of the projects anticipated to be supported by the trust fund and Minnesota future resources account during the next two years;

(6) the source and amount of all revenues collected and distributed by the commission, including all administrative and other expenses;

(7) a description of the trust fund's assets and liabilities;

(8) any findings or recommendations that are deemed proper to assist the legislature in formulating legislation;

(9) a list of all gifts and donations with a value over \$1,000;

(10) a comparison of the amounts spent by the state for environment and natural resources activities through the most recent fiscal year; and

(11) a copy of the most recent certified financial and compliance audit.

**History:** 1988 c 690 art 1 s 13

**116P.10 ROYALTIES, COPYRIGHTS, PATENTS.**

The trust fund owns and shall take title to the percentage of a royalty, copyright, or patent resulting from a project supported by the trust fund equal to the percentage of the project's total funding provided by the trust fund. Cash receipts resulting from a royalty, copyright, or patent, or the sale of the trust fund's rights to a royalty, copyright, or patent, must be credited immediately to the principal of the trust fund. Before a project is included in the budget plan, the commission may vote to relinquish the ownership or rights to a royalty, copyright, or patent resulting from a project supported by the trust fund to the project's proposer when the amount of the original grant or loan, plus interest, has been repaid to the trust fund.

**History:** 1988 c 690 art 1 s 14

**116P.11 AVAILABILITY OF FUNDS FOR DISBURSEMENT.**

(a) The amount biennially available from the trust fund for the budget plan developed by the commission consists of the interest earnings from the trust fund generated in the preceding two fiscal years ending on the even-numbered year.

(b) For funding projects through fiscal year 1997, the following additional amounts are available from the trust fund for the budget plans developed by the commission:

(1) for the 1991-1993 biennium, up to 25 percent of the revenue deposited in the trust fund in fiscal years 1989 and 1990;

(2) for the 1993-1995 biennium, up to 20 percent of the revenue deposited in the trust fund in fiscal year 1991 and up to 15 percent of the revenue deposited in the fund in fiscal year 1992; and

(3) for the 1995-1997 biennium, up to ten percent of the revenue deposited in the fund in fiscal year 1993 and up to five percent of the revenue deposited in the fund in fiscal year 1994.

(c) Any appropriated funds not encumbered in the biennium in which they are appropriated cancel and must be credited to the principal of the trust fund.

**History:** 1988 c 690 art 1 s 15

**116P.12 WATER SYSTEM IMPROVEMENT LOAN PROGRAM.**

**Subdivision 1. Loans authorized.** (a) If the principal of the trust fund equals or exceeds \$200,000,000, the commission may vote to set aside up to five percent of the principal of the trust fund for water system improvement loans. The purpose of water system improvement loans is to offer below market rate interest loans to local units of government for the purposes of water system improvements.

(b) The interest on a loan shall be calculated on the declining balance at a rate four percentage points below the secondary market yield of one-year United States treasury bills calculated according to section 549.09, subdivision 1, paragraph (c).

(c) An eligible project must prove that existing federal or state loans or grants have not been adequate.

(d) Payments on the principal and interest of loans under this section must be credited to the trust fund.

(e) Repayment of loans made under this section must be completed within 20 years.

(f) The Minnesota public facilities authority must report to the commission each year on the loan program under this section.

**Subd. 2. Application and administration.** (a) The commission must adopt a procedure for the issuance of the water system improvement loans by the public facilities authority.

(b) The commission also must ensure that the loans are administered according to its fiduciary standards and requirements.

**History:** 1988 c 690 art 1 s 16

#### **116P.13 MINNESOTA FUTURE RESOURCES ACCOUNT.**

**Subdivision 1. Revenue sources.** The money in the Minnesota future resources account consists of revenue credited under section 297.13, subdivision 1, clause (1).

**Subd. 2. Interest.** The interest attributable to the investment of the Minnesota future resources account must be credited to the account.

**Subd. 3. Revenue purposes.** Revenue in the Minnesota future resources account may be spent for purposes of natural resources acceleration and outdoor recreation, including but not limited to the development, maintenance, and operation of the state outdoor recreation system under chapter 86A and regional recreation open space systems as defined under section 473.351, subdivision 1.

**History:** 1988 c 690 art 1 s 17

BOARD OF WATER AND SOIL RESOURCES  
MINNESOTA DEPARTMENT OF AGRICULTURE BUILDING  
CONFERENCE ROOM A, 90 WEST PLATO BOULEVARD  
ST. PAUL, MINNESOTA 55107  
JUNE 28, 1989

AGENDA

|            |                                                                                                       |
|------------|-------------------------------------------------------------------------------------------------------|
| 9:00 a.m.  | Call to Order                                                                                         |
|            | Adopt Agenda                                                                                          |
|            | Approve Minutes of May 24, 1989                                                                       |
|            | Reports                                                                                               |
|            | • Chairman's Report - Donald Ogaard                                                                   |
|            | • Executive Director's Report - Jim Birkholz                                                          |
|            | • EQB/Water Resources Committee Report - Loni Kemp                                                    |
|            | Board Member Agenda Requests                                                                          |
|            | • Making SCS an official non-voting Board member - Eugene Kalmes                                      |
|            | • Investigation of 1987 Flood for Riley-Purgatory-<br>Bluff Creek Watershed - Howard Peterson         |
| 10:00 a.m. | Renewal of Resolution Delegating Authorities to Chairman                                              |
|            | Budget Overview/Implementation of New Legislation - Jim Birkholz                                      |
| 10:30 a.m. | Soil & Water Conservation District Grant Allocations - Greg Larson                                    |
|            | Preview of Minnesota Forestry Improvement Program - Greg Larson                                       |
|            | RIM Reserve Program - Wayne Edgerton                                                                  |
|            | • Preview of RIM Reserve Proposed Allocations                                                         |
|            | • Request for RIM Easement Conversion                                                                 |
|            | • Memo with U.S. Fish & Wildlife Service                                                              |
|            | • Rules Resolution                                                                                    |
| 11:30 a.m. | Metropolitan Water Planning Guidelines - Bruce Sandstrom                                              |
|            | Advisor Comments                                                                                      |
| Noon       | Lunch                                                                                                 |
| 1:00 p.m.  | Association of Metropolitan Soil & Water Conservation Districts<br>Presentation - Bill Downing, Chair |
| 1:30 p.m.  | Southeast Minnesota Water Planning Update - Pam Hunt, Coordinator                                     |
| 2:00 p.m.  | Watershed Management Organization Plan Review                                                         |
|            | • Bassett Creek WMO Plan Overview - Doug Thomas                                                       |
|            | • East Mississippi WMO Plan Overview - Bruce Sandstrom                                                |
|            | • Gun Club Lake WMO Plan Update                                                                       |
|            | • Vermillion River WMO Plan Update                                                                    |
|            | • Lower Mississippi Watershed WMO Plan Update                                                         |
| 2:30 p.m.  | Area II Operation and Projects - John Boulton and Darrell Apelgrain                                   |
| 3:00 p.m.  | Adjourn                                                                                               |

**MINUTES OF JUNE 28, 1989**  
**OF THE**  
**BOARD OF WATER AND SOIL RESOURCES**

**Appointed Members in Attendance**

Donald Ogaard  
John Boulton  
Don Warner  
Eugene Kalmes  
Jack Graba  
John Brooks, Jr.  
Loren Harste  
Howard Peterson  
Lowell Moen  
William Cofell  
Ken Schellack  
James Hoese

**Appointed Members Absent**

Natalie Haas Steffen  
Loni Kemp  
Doug Bade  
John Williamson

**Others in Attendance**

Dwain Otte and D'Wayne DeZiel, Minnesota Association of Soil and Water Conservation Districts  
Al Dornfeld, Minnesota Association of Watershed Districts  
Ron Harnack and Laurel Reeves, Minnesota Department of Natural Resources  
Jon DeGroot and Dave Benner, Soil Conservation Service  
Franklin Denn, Minnesota Association of Townships  
Pam Hunt, Southeast Minnesota Water Planning Coordinator  
Larry Johnson, Pat Rudolph, Tom Peterson, and Tim Kelly, Association of Metropolitan Soil and Water Conservation Districts  
Nels Nelson, Barr Engineering  
Mark Obermyer, East Mississippi WMO

**Staff in Attendance**

Jim Birkholz  
Pat Bloomgren  
Greg Larson  
Wayne Edgerton  
Steve Miller  
Bruce Sandstrom  
Doug Thomas  
Mark Nelson  
D. Kidder  
Darrell Apelgrain  
Mary Jo Anderson

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

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89-41 **Adopt Agenda** - Moved by Cofell, seconded by Boulton, to adopt the agenda as presented. Affirmative: Ogaard, Boulton, Warner, Kalmes, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell. Opposed: None.

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89-42 **Approval of Minutes of May 24, 1989** - Howard Peterson reported that a change needs to be made in the first paragraph on page 4. It should read "Howard Peterson requested approval to arrange an informational meeting with the Hennepin County Commissioners and two BWSR members to discuss water issues in Hennepin County." Moved by Peterson, seconded by Warner, to approve the minutes of May 24, 1989 as corrected. Affirmative: Ogaard, Boulton, Warner, Kalmes, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell. Opposed: None. Carried.

**Chairman's Report** - Chairman Ogaard thanked everyone again for going to northwestern Minnesota for the May BWSR meeting. He reported that he is featured in an article in the "The Sugarbeet Grower" Magazine. He stated that the grasshopper issue in northwestern Minnesota is very severe, with up to 1,000 grasshoppers per square yard. Don Warner reported that army worms are a big problem in northeastern Minnesota.

Chairman Ogaard reported that the 1989 legislature established a Metropolitan Local Water Management Task Force under Article 9 of the 1989 Groundwater Protection Act. The Task Force is charged with preparing a report for the Governor and Legislature by December 15, 1989 on specific issues regarding local water management in the metropolitan area. Chairman Ogaard has been assigned to appoint eleven of the twenty-two members on the Task Force. The first meeting has been scheduled for July 20th. Chairman Ogaard asked Howard Peterson and Natalie Haas Steffen to join him as the Board's representatives on the task force. A chairman of the Task Force will be appointed at the first meeting.

Chairman Ogaard appointed a Media Awards Committee for the BWSR. That committee is Jack Graba, Loni Kemp, and Bill Cofell.

Chairman Ogaard reported that \$200,000 has been allocated to the BWSR for Environmental Agricultural Education. He is looking for volunteers for a committee to develop suggestions for this program to share with the new Legislative Water Commission.

Chairman Ogaard reported that he attended the Minnesota Association of Watershed Districts summer tour and meeting in Detroit Lakes.

**Executive Director's Report** - Jim Birkholz reported that BWSR management staff met with the management staff of SCS on May 31. He also met with Jim Mulder and Dave Wierens of AMC to discuss cooperation with counties on implementation of the big water bill.

Jim reported that the BWSR staff held a staff retreat on June 13-15, 1989, in Bemidji. The staff worked on developing a work plan for the coming year. The next draft of the strategic plan will be brought before the BWSR at the July meeting. Jim reported that the fiscal year ends June 30, and the budget will be spent down to zero. Jim asked BWSR members to submit their expense claims as soon as possible, as they need to be in MDA/Accounting by July 7. Expense claims for FY89 cannot be paid after July 21.

Jim Birkholz introduced D. Kidder who is temporarily filling Denise DeFrates, Communications Manager, position. Denise is on a leave of absence until September 15. Jim reported that Hal Anderson, Board Representative in Brainerd, will be retiring on July 20. That position will be advertised shortly.

Dwain Otte, President, Minnesota Association of Soil and Water Conservation Districts, reported that Mary Peterson has resigned as Executive Director effective June 30, 1989. Dwain introduced D'Wayne DeZiel who has been hired to fill that position effective July 10, 1989.

Eugene Kalmes reported that the September meeting and tour will be held in Winona. The tour will be on Tuesday, September 26, and the BWSR meeting will be on Wednesday, September 27, at the Holiday Inn, Winona. A tour of Mystery Cave is being arranged for Monday evening, the 25th, departing from the Holiday Inn at 6:00 p.m. Those interested in touring the cave should note that on their attendance sheet when sending them in.

**Making SCS an Official Non-Voting BWSR Member** - Eugene Kalmes stated that he felt SCS should be an official non-voting BWSR member. He stated that the legislature added four state agencies and he would like to see SCS in this capacity also. He felt that this should be pursued at the next legislative session. Chairman Ogaard suggested that members think about this during the next month and it will be brought before the BWSR again at the July meeting.

**Investigation of 1987 Flood for Riley-Purgatory-Bluff Creek Watershed** - Howard Peterson reported that the Riley-Purgatory-Bluff Creek Watershed did just what it had planned for in the 1987 flood in which 16 inches of rain fell in 24 hours. Fortunately, this watershed did quite well in responding to the catastrophic rainfall. He circulated a copy of the flood investigation report.

**Renewal of Resolution Delegating Authorities to Chairman** - Chairman Ogaard reported that action is needed to extend the authority of the Chairman to sign the appropriate documents. This resolution was approved at the October, 1987 meeting and expired June 30, 1989. Chairman Ogaard reported that his term expires next year. Moved by Cofell, seconded by Graba, that authorities are granted to the Chairman until the end of his term. Affirmative: Ogaard, Boulton, Warner, Kalmes, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell. Opposed: None. Carried.

**Budget Overview/Implementation of New Legislation** - Jim Birkholz reported on the fiscal year 1990 budget as distributed for the Board's information. The total available funds for 1990 is \$7,446,000.00. Jim also reported on the implementation of new legislative issues. The issue of well sealing was discussed. Chairman Ogaard asked the Board if a subcommittee is necessary to deal with the environmental agriculture education issue. This subcommittee would make suggestions and recommendations to the full BWSR to pass along to the Legislative Water Commission on how to direct the \$200,000 allocation. Moved by Warner, seconded by Cofell, that the Chairman appoint a committee of four to be on the BWSR's environmental education committee. Affirmative: Ogaard, Boulton, Warner, Kalmes, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell. Opposed: None. Carried. Chairman Ogaard asked for volunteers. Eugene Kalmes, Don Warner, Loren Harste, and Bill Cofell volunteered to be on this committee.

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89-44

Chairman Ogaard called for a break in the meeting at 10:20 a.m., the meeting reconvened at 10:35 a.m.

Jon DeGroot, Soil Conservation Service, introduced David Benner, the newly appointed Deputy State Conservationist. Mr. Benner replaces Duane Johnson who took the State Conservationist position in Wisconsin.

**Soil and Water Conservation District Grant Allocations** - Greg Larson reviewed the FY90 grant allocations as presented to the BWSR. He stated that the General Services grant is combined this year with the TED grant and the Water Permit grant, at the same combined level of funding. Moved by Boulton, seconded by Warner, to approve the FY90 General Services grant; Cost-Share grant; Streambank, Lakeshore & Roadside grant; and Special Projects grant. Affirmative: Ogaard, Boulton, Warner, Kalmes, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell. Opposed: None. Opposed. Carried.

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89-45

Greg Larson reported that after allocating the recommended \$38,705 for statewide services to SWCDs, and \$3,270 for Accountant training, a balance of \$64,413 remains in the general services account. Staff suggested the following options for disbursement: 1) allocating additional money to all SWCDs; 2) continuing a specialist program with a limited number of SWCDs by making grants similar to the manager program; 3) BWSR provide specialized assistance such as "accounting" to SWCDs by using the funds to establish specialist positions on behalf of all SWCDs. Discussion followed. The consensus of the BWSR was that option #3 would provide the most assistance to SWCDs. Staff then recommended that an accounting position be established in New Ulm and a forestry position in Duluth. Lowell Moen and John Brooks, Jr., questioned if two accounting positions should be available rather than just one, also that computer assistance is needed. Jim Birkholz stated that the Business Manager position is very close to becoming a reality, that position would also assist SWCDs. Also, one of the new staff hired will be required to have computer expertise. Moved

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89-46

- correction -

(see attachment #A)

by Schellack, seconded by Boulton, to approve option #3/- BWSR provide specialized assistance in accounting and forestry to SWCDs by using the funds on behalf of the SWCDs, with two positions. Affirmative: Ogaard, Boulton, Warner, Kalmes, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell. Opposed: None. Carried. An informational letter will be sent to SWCDs regarding the assistance that will be provided to them.

Preview of Minnesota Forestry Improvement Program - Greg Larson reported that a transfer of \$120,000 from the Department of Natural Resources to the BWSR will be allocated to SWCDs for private land forestry improvement practices under the MFIP program. The proposal from DNR Forestry is to redirect all the funds to six to ten counties in drought stricken parts of the state to subsidize and insure the replanting of trees on CRP lands which were killed due to drought. Staff will meet with DNR Forestry to discuss this proposal which will be brought before the BWSR again at the July meeting.

Don Warner left the meeting at 11:50 a.m.

RIM Reserve Program - Wayne Edgerton gave a preview of the RIM Reserve Proposed Allocation Strategy for the BWSR's information.

Wayne reviewed the proposed Dewaine Olson RIM Reserve Easement Acreage Exchange for the BWSR's information. The proposal is to exchange the north 6.6 acres now enrolled for the 6.6 acres adjoining the RIM enrolled acres to the south. The exchange is recommended by the Sibley SWCD and DNR Area Wildlife Manager. Staff recommended that all costs of the exchange, such as title costs, seeding, recording, etc., are to be borne by the landowner. The new land enrolled must meet all RIM Reserve eligibility requirements. Lands other than the 6.6 acres now enrolled in RIM cannot be converted to cropland. The exchange does not become effective until the 1990 cropping season or until the exchange is recorded on the land title, whichever is later. Moved by Graba, seconded by Kalmes, to approve this RIM Easement Conversion. Affirmative: Ogaard, Boulton, Kalmes, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell. Opposed: None. Carried.

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89-47

Wayne Edgerton reported on a memo with the U.S. Fish and Wildlife Service. Some changes were recommended. Moved by Cofell, seconded by Kalmes, to pursue this memo with the U.S. Fish and Wildlife Service further as a desirable item for action at the July meeting. Affirmative: Ogaard, Boulton, Kalmes, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell. Opposed: None. Carried.

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89-48

Wayne Edgerton distributed a RIM Rules Resolution authorizing the Executive Director to sign certain documents for the BWSR's review, and Chairman's signature. Moved by Brooks, Jr., seconded by Peterson, to approve the RIM Rules Resolution, with Chairman Ogaard to sign. Affirmative: Ogaard, Boulton, Kalmes, Schellack, Moen,

\*\*  
89-49

P.4-5

The motion should read:

"Moved by Schellack, seconded by Boulton, to approve option #3 - The staff recommends the allocations to SWCDs for the statewide services, accountant training and BWSR provide specialized assistance in accounting and forestry to SWCDs by using the funds on behalf of the SWCDs, with two positions. Affirmative: Ogaard, Boulton, Warner, Kalmes, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell. Opposed: None. Carried."

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Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell.  
Opposed: None. Carried.

Chairman Ogaard adjourned the meeting for lunch at 12:05 p.m. The meeting reconvened at 1:00 p.m.

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89-50

**Metropolitan Water Planning Guidelines** - Bruce Sandstrom asked the BWSR for a reaffirmation or clarification of the intent of a 509 plan review guideline adopted by the BWSR on June 22, 1988, which requires wetland protection ordinances. The staff suggested three options. Discussion followed. Moved by Cofell, seconded by Peterson, to approve option #3 to "Determine if the WMO plan requires adoption of a local ordinance which provides for the protection of natural storage and retention systems, including wetlands. If there is no provision for a ordinance, then staff shall instruct the WMO to clearly demonstrate that such protection can be achieved by other means through their adopted policies and mangement program, (eg. purchase of flowage rights, covenants placed on plats, requirements to maintain specific amounts of stormwater storage, etc.)". Affirmative: Ogaard, Boulton, Kalmes, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell. Opposed: None. Carried.

**Association of Metropolitan Soil and Water Conservation Districts Presentation** - Larry Johnson, supervisor from Carver SWCD, gave a slide presentation for the BWSR's information on the Metro Association. The presentation covered differences and similarities of the seven metro districts and how they interface with watershed management organizations.

**Southeast Minnesota Water Planning Update** - Pam Hunt, Director of the Nine County Water Planning Group, briefed the BWSR on the plans in southeastern Minnesota. She stated that they have had very good participation and involvement from the people in the area. Increased communication is necessary and special tax assessments and special tax levies have been considered. She reported that the "Water Billboard" was a wonderful asset and she thanked Pat Bloomgren for all her efforts and assistance on that. She also thanked Jim Birkholz, Greg Larson, and Doug Thomas for the support they have given.

Chairman Ogaard called for a break in the meeting at 2:40 p.m. The meeting reconvened at 2:50 p.m.

John Brooks, Jr., reported that he and Lowell Moen, attended the Area I tour and resolutions meeting on June 27th. They had excellent attendance and a very good tour.

*Howard Peterson*

**Watershed Management Organization Plan Review**

-Bassett Creek WMO Plan Overview - Doug Thomas stated that if negotiations go as planned, the Bassett Creek Water Management Plan will be presented to the BWSR for approval at the July meeting.

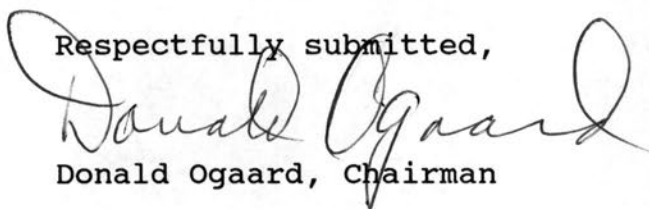
Bruce Sandstrom gave a brief overview on the following:

- East Mississippi WMO Plan
- Gun Club Lake WMO Plan - the revisions agreed to should be submitted by July 11 if they are on schedule, with anticipated plan approval at the July BWSR meeting.
- Vermillion River WMO Plan - The VRWMO met on 6/26/89 and allegedly agreed to all plan revisions, anticipated plan approval at the July BWSR meeting.
- Lower Mississippi Watershed WMO Plan - Bruce met with the LMWMO Board on 6/22/89, anticipated plan approval at the July BWSR meeting.
- Rice Creek WMO Plan - scheduled for initial presentation to the BWSR at the July meeting.
- Black Dog Lake WMO Plan - scheduled for initial presentation to the BWSR at the July meeting.
- Forest Lake WMO Plan - Notice of filing to be published next week. Scheduled for initial presentation to BWSR at the August meeting.
- Sunrise River - Notice of filing to be published next week. Scheduled for initial presentation to BWSR at the August meeting.

Study Area II Operation and Projects - John Boulton asked that this item be brought before the BWSR at the July meeting.

**\*\***  
**89-51** Moved by Cofell, seconded by Peterson, to adjourn the meeting at 3:25 p.m. Affirmative: Ogaard, Boulton, Kalmes, Schellack, Moen, Hoese, Brooks, Jr., Harste, Peterson, Graba, and Cofell. Opposed: None. Carried.

Respectfully submitted,

  
Donald Ogaard, Chairman

June 27, 1989

To: BWSR Board Members

From: Bruce Sandstrom,  
Metro Water Plan Coordinator

Subject: Reaffirmation / Clarification of "509" Wetland Ordinance Policy

The purpose of this agenda item is to ask the Board for a reaffirmation or clarification of the intent of a "509" plan review guideline adopted by the Board on June 22, 1988. A brief history of past Board actions related to this issue is on page 3. The specific guideline directs staff to ...

"Determine whether the WMO plan requires the WMO or local units exercising planning and zoning authority to adopt a wetland ordinance that: prohibits drainage, grading, or filling of wetlands without a permit; that requires consideration of the affected wetlands' values for stormwater runoff storage and detention, fish and wildlife habitat, and the recreation and open space needs of the community before a permit is issued; and explains that state DNR or federal Corps of Engineers permits may be required for land disturbing activity in wetlands." (Item 5,h of 6/21/88 policy)

#### **Purpose of Minnesota Statutes 473.875**

"The purpose of the surface water management programs required by sections 473.875 to 473.883 is to **preserve and use natural water storage and retention systems** in order to:

- (a) reduce to the greatest practical extent the public capital expenditures necessary to control excessive volumes and rates of runoff,
- (b) improve water quality,
- (c) prevent flooding and erosion from surface flows,
- (d) promote ground water recharge,
- (e) protect and enhance fish and wildlife habitat and water recreational facilities, and
- (f) secure the other benefits associated with the proper management to surface water."

**Issue:** - Our current guidelines require staff to review each plan to see if it requires cities to adopt a wetland protection ordinance. Does this mean that staff should not recommend approval of a plan if the WMO plan does not provide for inclusion of a wetland ordinance in local plans?

If the answer is yes, then no further direction is needed.

If the answer is no, then further direction to staff is needed by clarifying the policy adopted by the BWSR during the June, 1988 meeting.

Why is this an issue? Staff feel that the intent of the legislation is to **provide protection to all natural storage and retention systems, including wetlands**. There are few simple, effective means to preserve any resource without a regulatory scheme. Current state and federal wetland protection laws are limited in what is actually protected. For instance,

- a. DNR only regulates the filling and drainage of Type 3, 4 and 5 wetlands which are greater than 10 acres outside of incorporated areas and greater than 2.5 acres within incorporated areas.
- b. The U.S. Corps of Engineers Section 404 permit program regulates most sizes and types of wetlands. However, only the filling of wetlands is regulated, drainage is not. Further, because the USCE program lacks adequate staffing, enforcement is only on a complaint basis.
- c. DNR allows destruction of a wetland if adequate mitigation is provided. The mitigation may not be in the best interest of local water management plans if the mitigation is outside of the affected WMO. A local regulatory program would provide a means to prevent this occurring.

- d. All WMO's should be concerned about the alteration of the land adjacent to and above the ordinary high water mark of wetlands and detention systems since this where storm water storage is achieved. State and federal wetland permit programs have no authority over such issues. (See diagram)

**Suggested Options** for reaffirmation / clarification of Item 5,h of 6/21/88 policy:

1. Pass a motion to interpret the subject plan review guideline to mean either:
  - a) WMO plans **must require** a local ordinance be adopted to protect wetlands, or
  - b) WMO plans **should just encourage** the adoption of local ordinances to protect wetlands.
2. Revise the plan review policy to **delete reference to the term "wetland"** and either:
  - a) **require the adoption of local ordinances to protect "natural storage and retention systems"**, or
  - b) **just encourage the adoption of local ordinances to protect "natural storage and retention systems", including wetlands**
3. Revise the plan review guideline to direct staff to, "Determine if the WMO plan requires adoption of a local ordinance which provides for the protection for protect natural storage and retention systems. If there is no provision for a ordinance, then staff shall instruct the WMO to clearly demonstrate that such protection can be achieved by other means through their adopted policies and management program. (Eg. purchase of flowage rights, covenants placed on plats, requirements to maintain specific amounts of storm water storage, etc.)"

**Staff Recommendations:**

1. For "509" plan review purposes, where appropriate, use the phrase "**natural storage and retention systems**" instead of "wetlands" to be more consistent with the terminology and intent of Minnesota Statutes Section 473.
2. Adopt **Option #3**, above, to refine the meaning and intent of the 6/21/88 guidelines as it relates to the wetland ordinance issue. (Item 5,h of the 6/21/88 policy)

#### History of "509" Guideline Development

January, 1988 Board Meeting

**Resolution 88-42:** Required staff to urge WMO's to adopt BWSR erosion control guidelines or their equivalent during preliminary review.

February, 1988 Board Meeting

**Resolution 88-51:** Empowered staff to begin development of "509" rules.

March, 1988 Board Meeting

**Resolution 88-64:** Empowered staff to develop rules limited to uniform erosion and sediment control standards for "509" plans in the metro area. The Board stated that the intent of the February motion was limited to the uniform erosion and sediment control issue.

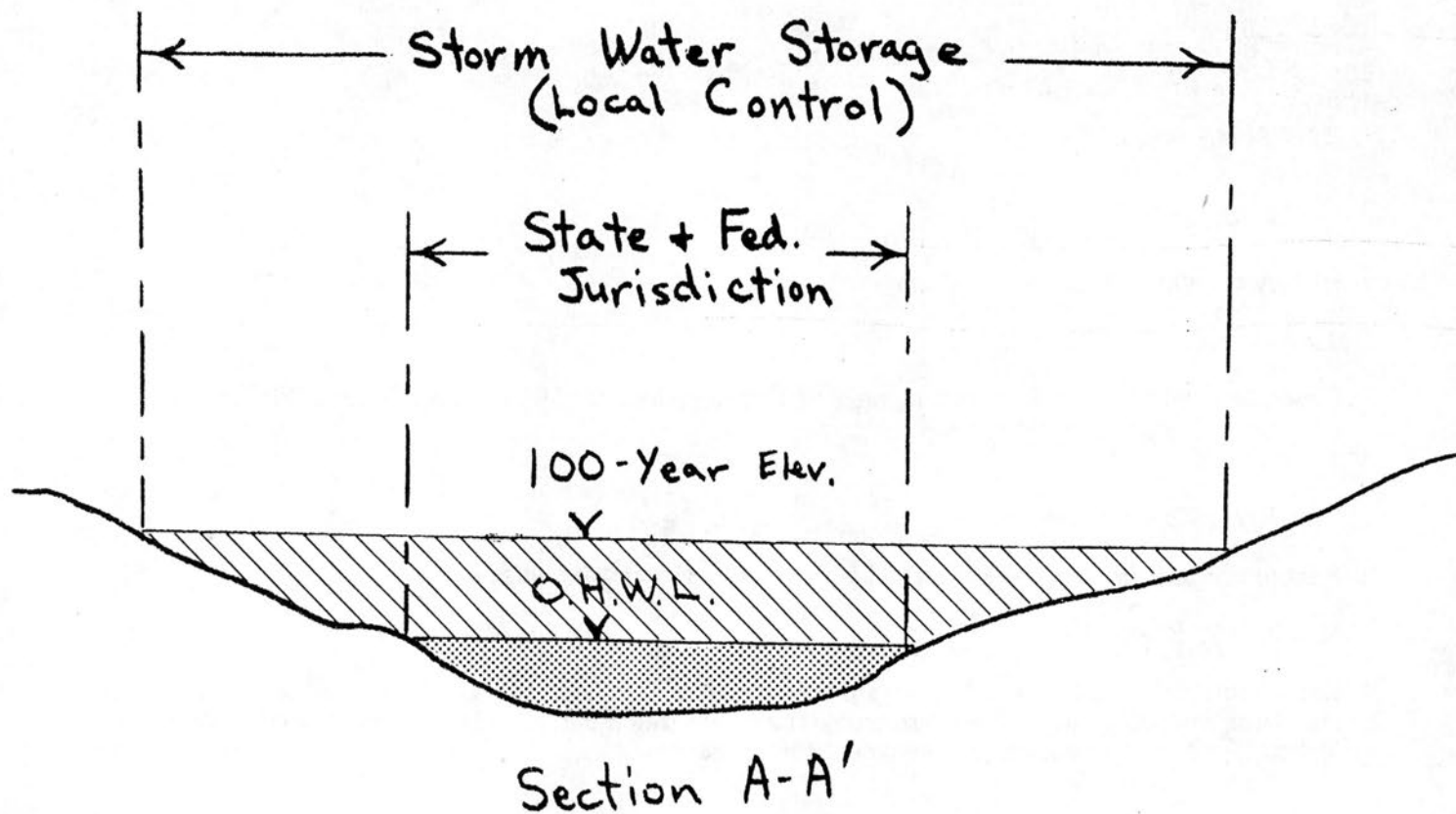
April, 1988 Board Meeting

**Resolution 88-76:** Approved the BWSR staff recommendation to approve the revised draft of the Metropolitan Water Management Act Policies and Procedures, with the revised draft being sent to all affected parties for review and comment by June 3rd to be brought back before the Board for formal action at the June Board meeting.

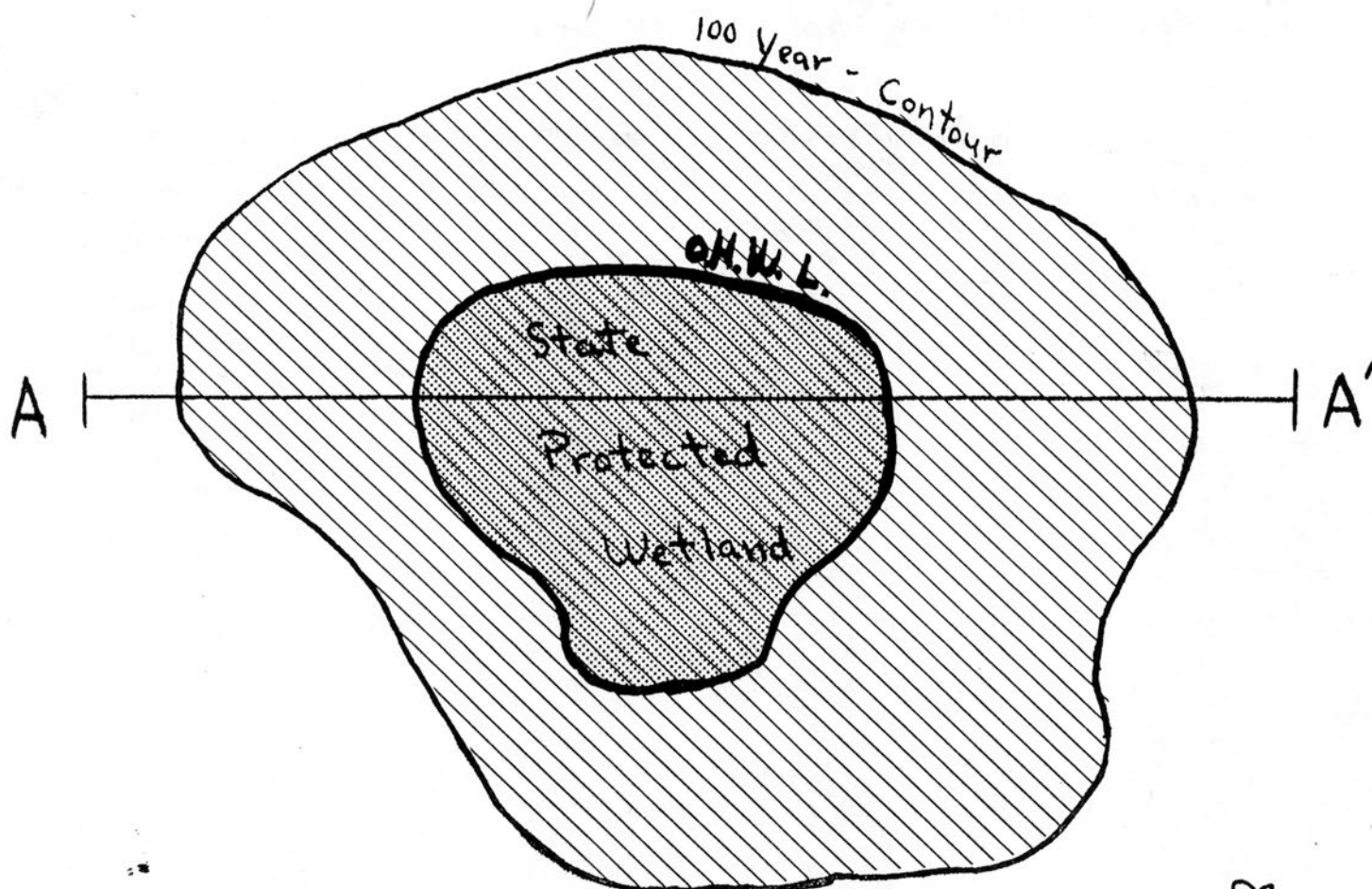
Also, formal revision of soil loss limits rules will begin after the 1989 legislative session.

June, 1988 Board Meeting

**Resolution 88-108:** Mel Sinn presented a hand-annotated version of the "509" Plan Review Procedures and Policies dated 6/21/89. This motion adopted these policies and procedures for staff to use in the plan review process but with the understanding that certain elements could be reconsidered by the BWSR. These policies were then incorporated into a "checklist" format by Bruce Sandstrom on 4/5/89.



 = Storm Water Storage



BS  
6/27/89

ATTACHMENT  
to March BWSR  
minutes

BOARD OF WATER AND SOIL RESOURCES  
FY 90 GRANT ALLOCATION PROCEDURES

NOTE: Allocation amounts are pending passage of the BWSR 90-91 budget. The "grants to SWCDs" portion of the budget was recommended by the Governor for no increase. If the adopted version is different, changes will be made accordingly.

1. General Services Grant (\$696,150): This is a general purpose grant to SWCDs.
2. TED Grant (\$152,300): This grant provides funds to SWCDs for technical assistance, educational activities, and conservation tillage demonstrations.
3. Water Permits Grant (\$12,400): This grant provides funds to SWCDs for reviewing DNR water permit applications.

The Governor's 90-91 budget recommends the combination of the above grants (\$860,850). A consolidated grant would provide each SWCD with \$9,460 computed on the basis of an equal allocation to 91 SWCDs.

4. SWCD Manager (\$12,200): District managers are full-time positions who function as day-to-day managers of SWCD activities. Managers are employed by SWCD supervisors and implement their policy in cooperation with the Soil Conservation Service and other agencies. These positions also serve as technicians. As District programs become more complex, managers are an essential position. Traverse and Kanabec SWCDs are seeking third-year funding for their managers. Traverse would receive \$6,000 (25%) and Kanabec \$6,200 (25%) funding. Previous year funding was at 67 and 50 percent levels, respectively. We recommend that BWSR provide no additional funding for these two positions beyond FY 90.
5. SWCD Specialists (\$75,000): This proposal is the next generation of BWSR incentives designed to enhance the ability of SWCDs to meet changing resource conditions and needs of their clientele. The initial effort began in 1986 when the State Board committed \$87,200 from the General Services Grant to fund managers in Mahanomen, Mille Lacs, N. St. Louis, and Wadena Districts. That program was successful. Based on that success, current SWCD interest, and observations of BWSR staff, four specialist positions are proposed for FY 90.

These positions, to be hired by SWCD Supervisors and located in SWCD offices, could include:

- SWCD Manager
- Forester
- Soil Scientist
- Water Quality Specialist
- Hydrogeologist

A two-year funding arrangement is proposed with BWSR providing 67% the first year and 50% the second year.

Applications would be sought from SWCDs. Staff will prepare criteria for selecting SWCDs and would work with participating districts to ensure a successful effort.

6. Cost-Share Program (\$1,541,400): Grant funds to SWCDs are used to provide financial assistance to land occupiers for the installation of erosion and sediment control and water quality practices. Allocations are based upon a formula which considers the resource treatment needs within each SWCD.
7. Special Projects (Approximately \$200,000): This program is funded with Cost-Share Program funds returned between January 1 and June 30, and if necessary, ten percent of the cost-share program allocation. The grant is intended to provide funding for large or complex projects which are beyond the usual funding capabilities of a SWCD. All project applications are reviewed and prioritized by a committee of Board staff. Factors considered in the review process include: 1) the degree of public benefit resulting from the project; 2) the degree of erosion, sedimentation or water quality problems on the site; and 3) the expediency of practice completion.
8. SLR Program (\$158,700): Grant funds to SWCDs are used to provide 50% funding to local units of government for controlling streambank, lakeshore, or roadside erosion problems. Project applications are submitted by SWCDs and reviewed by Board Representatives to determine eligibility. Eligible applications are then reviewed and prioritized by a committee of Board staff. The following criteria are considered in the review process: 1) the degree of public benefit resulting from the project; 2) the extent of on-site and off-site erosion damage; 3) availability of federal matching funds; 4) the ability of the local unit of government to finance the installation and maintenance of the project; and 5) whether the problem causing area is publicly owned.

16-Jun-89

COMPLETE VERSION

DRAFT

## FY90 GRANT ALLOCATIONS TO SWCD'S

| DISTRICT          | COST SHARE         |                  | GENERAL SERVICES   |                      | SLR         | TOTAL       |
|-------------------|--------------------|------------------|--------------------|----------------------|-------------|-------------|
|                   | REGULAR ALLOCATION | SPECIAL PROJECTS | REGULAR ALLOCATION | SWCD MANAGER PROGRAM |             |             |
| AITKIN            | \$4,548.00         |                  | \$9,640.00         |                      |             | \$14,188.00 |
| ANOKA             | \$6,468.00         | \$27,350.00      | \$9,600.00         |                      |             | \$43,418.00 |
| BECKER            | \$29,730.00        |                  | \$9,485.00         |                      |             | \$39,215.00 |
| BELTRAMI          | \$10,490.00        |                  | \$9,525.00         |                      |             | \$20,015.00 |
| BENTON            | \$10,050.00        |                  | \$9,325.00         |                      |             | \$19,375.00 |
| BIG STONE         | \$16,175.00        | \$15,000.00      | \$9,325.00         |                      |             | \$40,500.00 |
| BLUE EARTH        | \$23,605.00        |                  | \$9,510.00         |                      |             | \$33,115.00 |
| BROWN             | \$13,990.00        |                  | \$9,325.00         |                      |             | \$23,315.00 |
| CARLTON           | \$4,370.00         |                  | \$9,325.00         |                      |             | \$13,695.00 |
| CARVER            | \$22,392.00        |                  | \$9,535.00         |                      | \$30,000.00 | \$61,927.00 |
| CASS              | \$7,169.00         |                  | \$10,005.00        |                      | \$30,000.00 | \$47,174.00 |
| CHIPPEWA          | \$11,800.00        |                  | \$9,320.00         |                      |             | \$21,120.00 |
| CHISAGO           | \$12,501.00        |                  | \$9,535.00         |                      |             | \$22,036.00 |
| CLAY              | \$21,860.00        |                  | \$9,325.00         |                      |             | \$31,185.00 |
| CLEARWATER        | \$8,740.00         |                  | \$9,320.00         |                      |             | \$18,060.00 |
| COOK COUNTY       | \$1,837.00         |                  | \$9,470.00         |                      |             | \$11,307.00 |
| COTTONWOOD        | \$17,311.00        |                  | \$9,445.00         |                      |             | \$26,756.00 |
| CROW WING         | \$5,332.00         |                  | \$10,130.00        |                      |             | \$15,462.00 |
| DAKOTA            | \$27,100.00        |                  | \$9,535.00         |                      |             | \$36,635.00 |
| DODGE             | \$12,240.00        |                  | \$9,325.00         |                      |             | \$21,565.00 |
| DOUGLAS           | \$20,371.00        |                  | \$9,605.00         |                      |             | \$29,976.00 |
| NORMAN            | \$17,485.00        |                  | \$9,325.00         |                      |             | \$26,810.00 |
| FARIBAUT          | \$15,300.00        |                  | \$9,325.00         |                      |             | \$24,625.00 |
| FILLMORE          | \$29,024.00        | \$15,000.00      | \$9,435.00         |                      |             | \$53,459.00 |
| FREEBORN          | \$20,197.00        |                  | \$9,480.00         |                      |             | \$29,677.00 |
| GOODHUE           | \$31,035.00        |                  | \$9,560.00         |                      |             | \$40,595.00 |
| GRANT             | \$12,849.00        |                  | \$9,320.00         |                      |             | \$22,169.00 |
| HENNEPIN          | \$12,588.00        |                  | \$10,100.00        |                      |             | \$22,688.00 |
| HUBBARD           | \$6,033.00         |                  | \$9,585.00         |                      |             | \$15,618.00 |
| ISANTI            | \$5,857.00         |                  | \$9,320.00         |                      | \$6,500.00  | \$21,677.00 |
| ITASCA            | \$4,984.00         |                  | \$9,705.00         |                      |             | \$14,689.00 |
| JACKSON           | \$18,800.00        |                  | \$9,470.00         |                      |             | \$28,270.00 |
| KANABEC           | \$6,207.00         |                  | \$9,455.00         | \$6,200.00           |             | \$21,862.00 |
| KANDIYOHI         | \$17,311.00        | \$47,250.00      | \$9,470.00         |                      | \$24,250.00 | \$98,281.00 |
| KITTSO            | \$6,120.00         |                  | \$9,325.00         |                      |             | \$15,445.00 |
| KOOCHICHING       | \$2,011.00         |                  | \$7,942.00         |                      | \$40,000.00 | \$49,953.00 |
| LAC QUI PARLE     | \$26,317.00        |                  | \$9,325.00         |                      |             | \$35,642.00 |
| LAKE              | \$4,110.00         | \$11,075.00      | \$9,460.00         |                      |             | \$24,645.00 |
| LAKE OF THE WOODS | \$2,975.00         |                  | \$9,320.00         |                      |             | \$12,295.00 |
| LESUEUR           | \$20,197.00        |                  | \$9,455.00         |                      |             | \$29,652.00 |
| LINCOLN           | \$14,164.00        | \$8,461.00       | \$9,325.00         |                      |             | \$31,950.00 |
| LYON              | \$18,273.00        |                  | \$9,505.00         |                      |             | \$27,778.00 |
| MAHONEN           | \$7,960.00         | \$25,000.00      | \$9,455.00         |                      |             | \$42,415.00 |
| MARSHALL          | \$10,142.00        |                  | \$9,325.00         |                      |             | \$19,467.00 |
| MARSHALL-BELTRAMI | \$4,990.00         |                  | \$9,320.00         |                      |             | \$14,310.00 |
| MARTIN            | \$26,230.00        |                  | \$9,325.00         |                      |             | \$35,555.00 |
| MCLEOD            | \$16,523.00        |                  | \$9,325.00         |                      |             | \$25,848.00 |
| MEEKER            | \$20,980.00        |                  | \$9,320.00         |                      |             | \$30,300.00 |
| MILLE LACS        | \$9,180.00         |                  | \$9,325.00         |                      | \$10,000.00 | \$28,505.00 |
| MORRISON          | \$26,051.00        | \$11,250.00      | \$9,495.00         |                      |             | \$46,796.00 |
| MOWER             | \$9,880.00         |                  | \$9,320.00         |                      |             | \$19,200.00 |
| MURRAY            | \$13,245.00        |                  | \$9,325.00         |                      |             | \$22,570.00 |
| NICOLLET          | \$10,229.00        |                  | \$9,325.00         |                      |             | \$19,554.00 |
| NOBLES            | \$28,404.00        |                  | \$9,480.00         |                      |             | \$37,884.00 |
| OLMSTED           | \$38,895.00        |                  | \$9,325.00         |                      |             | \$48,220.00 |
| OTTERTAIL EAST    | \$24,132.00        |                  | \$9,475.00         |                      |             | \$33,607.00 |
| OTTERTAIL WEST    | \$25,355.00        |                  | \$9,470.00         |                      |             | \$34,825.00 |
| PENNINGTON        | \$9,450.00         |                  | \$9,325.00         |                      |             | \$18,775.00 |
| PINE              | \$10,490.00        |                  | \$9,325.00         |                      |             | \$19,815.00 |
| PIPESTONE         | \$15,735.00        |                  | \$9,320.00         |                      |             | \$25,055.00 |
| POLK EAST         | \$11,887.00        |                  | \$9,325.00         |                      |             | \$21,212.00 |
| POLK WEST         | \$19,409.00        | \$49,375.00      | \$9,325.00         |                      |             | \$78,109.00 |
| POPE              | \$25,181.00        |                  | \$9,570.00         |                      |             | \$34,751.00 |
| RAMSEY            | \$9,360.00         |                  | \$9,590.00         |                      |             | \$18,950.00 |
| RED LAKE          | \$6,120.00         |                  | \$9,325.00         |                      |             | \$15,445.00 |
| REDWOOD           | \$10,048.00        |                  | \$9,320.00         |                      |             | \$19,368.00 |
| RENVILLE          | \$11,012.00        |                  | \$9,325.00         |                      |             | \$20,337.00 |
| RICE              | \$18,350.00        |                  | \$9,325.00         |                      |             | \$27,675.00 |
| ROCK              | \$16,336.00        |                  | \$9,320.00         |                      |             | \$25,656.00 |
| ROOT RIVER        | \$23,078.00        |                  | \$9,480.00         |                      |             | \$32,558.00 |
| ROSEAU            | \$11,626.00        |                  | \$9,470.00         |                      |             | \$21,096.00 |

16-Jun-89

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|                 |   |                |              |              |              |                |             |
|-----------------|---|----------------|--------------|--------------|--------------|----------------|-------------|
| SCOTT           | * | \$20,806.00    | *            | \$9,635.00   | *            | \$30,441.00    | *           |
| SHERBURNE       | * | \$3,850.00     | *            | \$9,615.00   | *            | \$13,465.00    | *           |
| SIBLEY          | * | \$13,202.00    | \$29,825.00  | *            | \$9,325.00   | *              | \$52,352.00 |
| STEARNS         | * | \$48,085.00    | *            | \$10,020.00  | *            | \$58,105.00    | *           |
| STEELE          | * | \$10,055.00    | *            | \$9,320.00   | *            | \$19,375.00    | *           |
| STEVENS         | * | \$23,170.00    | \$10,988.00  | *            | \$9,325.00   | *              | \$43,483.00 |
| ST. LOUIS NORTH | * | \$3,150.00     | \$7,500.00   | *            | \$9,875.00   | *              | \$20,525.00 |
| ST. LOUIS SOUTH | * | \$6,990.00     | \$368.00     | *            | \$9,880.00   | \$18,250.00    | \$35,488.00 |
| SWIFT           | * | \$11,365.00    | *            | \$9,325.00   | *            | \$20,690.00    | *           |
| TODD            | * | \$22,556.00    | *            | \$9,685.00   | *            | \$32,241.00    | *           |
| TRAVERSE        | * | \$6,560.00     | *            | \$9,325.00   | \$6,000.00   | *              | \$21,885.00 |
| WABASHA         | * | \$22,021.00    | *            | \$9,570.00   | *            | \$31,591.00    | *           |
| WADENA          | * | \$5,420.00     | *            | \$9,325.00   | *            | \$14,745.00    | *           |
| WASECA          | * | \$9,970.00     | *            | \$9,480.00   | *            | \$19,450.00    | *           |
| WASHINGTON      | * | \$12,851.00    | *            | \$9,675.00   | *            | \$22,526.00    | *           |
| WATONWAN        | * | \$8,480.00     | *            | \$9,495.00   | *            | \$17,975.00    | *           |
| WILKIN          | * | \$11,104.00    | *            | \$9,325.00   | *            | \$20,429.00    | *           |
| WINONA          | * | \$17,833.00    | *            | \$9,455.00   | *            | \$27,288.00    | *           |
| WRIGHT          | * | \$18,785.00    | *            | \$9,660.00   | *            | \$28,445.00    | *           |
| YELLOW MEDICINE | * | \$17,225.00    | \$3,558.00   | *            | \$9,325.00   | *              | \$30,108.00 |
| SUBTOTAL        | * | \$1,343,672.00 | \$262,000.00 | \$859,412.00 | \$12,200.00  | *              | *           |
| PROGRAM TOTAL   | * | \$1,605,672.00 | *            | \$871,612.00 | \$159,000.00 | *              | *           |
| ALLOCATED TOTAL | * | *              | *            | *            | *            | \$2,636,284.00 | *           |
| BALANCE         | * | *              | *            | \$106,388.00 | *            | *              | *           |

## NOTES:

- Isanti's Cost Share allocation reflects a reduction of \$1,573.00 as final payment for program violations.
- Koochiching's General Services Grant reflects a reduction of \$1,538.00 as final payment for program violations.
- Murray's Cost Share allocation reflects a reduction of \$1,354.00 as repayment for program violations.
- Redwood's Cost Share allocation reflects a reduction of \$1,230.00 as repayment for program violations.
- Noble's Cost Share allocation reflects a reduction of \$3,071.00 as repayment for program violations.

## Source of Special Project Funds:

|                                                                    |              |
|--------------------------------------------------------------------|--------------|
| -10% of FY90 cost-share appropriation                              | \$150,100.00 |
| -Returned cost-share program funds from January 1, to June 2, 1989 | \$104,672.00 |
| -Reduced cost-share allocations due to penalties                   | \$7,228.00   |

|       |              |
|-------|--------------|
| Total | \$262,000.00 |
|-------|--------------|

Staff recommends providing these SWCDs with the same training fund as previously awarded to the 36 districts. (654 x 5 = 3,270)

Issue(s) for FY90

After allocating \$38,705 for statewide services, and \$3,270 for Accountant Training, a balance of \$64,413 remains. Options for disbursement include:

- 1) Allocating additional money to all SWCDs;
- 2) Continuing a specialist program with a limited number of SWCDs by making grants similar to the manager program;
- 3) BWSR provide specialized assistance such as "accounting" to SWCDs by using the funds on behalf of SWCDs.

Item three (3) is now possible due to legislative approval of rider language to the BWSR 1990-1991 biennial budget. (See attached budget language). The language was developed by BWSR and Department of Finance staff as a follow-up to action at the March BWSR meeting.

Staff recommends option 3) to be implemented as follows:

- . Allocate available funding (\$64,413) between two positions, an accountant/software specialist at New Ulm, and a forester/inventory specialist at Duluth. The positions would be located at Board Representative offices and would assist SWCDs statewide through their roles as trainers and specialists.
- . Appropriate memoranda of agreement would be completed with the Office of State Auditor and DNR, Forestry.
- . It must be noted that these positions have been requested by SWCDs. The proposed locations of their employment correspond with geographic areas needing assistance.

Summary of General Services:

|                     |               |           |
|---------------------|---------------|-----------|
| FY90 Appropriation: |               | \$978,000 |
| Regular Allocation  | \$859,412     |           |
| SWCD Managers       | 12,200        |           |
| Statewide Services  | 38,705        |           |
| Accountant Training | 3,270         |           |
| Unallotted Balance  | <u>64,413</u> |           |
|                     |               | \$978,000 |

## ALLOCATION OF REMAINING GENERAL SERVICE FUNDS

### Funds Remaining From the Pilot SWCD Manager Program

Beginning in FY 86, the Soil and Water Conservation Board committed \$87,200 to fund District Manager positions. The program was designed to be a three or four year effort, ceasing when state funding decreased to a 25 percent level. As indicated by the following summary, four SWCDs received final funding this year (FY89), with Kanabec and Traverse scheduled for last year funding in FY90.

| <u>SWCD</u>  | <u>1986</u> | <u>1987</u> | <u>1988</u> | <u>1989</u> | <u>1990 (proposed)</u> |
|--------------|-------------|-------------|-------------|-------------|------------------------|
| Mille Lacs   | 20,500      | 20,500      | 10,750**    | 5,400**     |                        |
| N. St. Louis | 23,175      | 23,175      | 4,850**     | 5,800**     |                        |
| Wadena       | 21,762.50   | 21,762.50   | 12,200**    | 6,100**     |                        |
| Mahnomen     | 21,612.50   | 21,612.50   | 12,220**    | 6,100**     |                        |
| Kanabec      | -----       | -----       | 16,850*     | 12,400*     | 6,200                  |
| Traverse     | -----       | -----       | 16,000*     | 12,000*     | 6,000                  |
| TOTALS       | 87,200      | 87,200      | 72,850      | 47,800      | 12,200                 |
| Funding %    | 100         | 100         | 50**<br>67* | 25**<br>50* | 25                     |

AFTER REGULAR ALLOCATIONS PLUS THESE GRANTS TO KANABEC AND TRAVERSE, A BALANCE OF \$106,388 REMAINS

### Direct Statewide Services to all SWCDs

Each year the BWSR allocates certain General Service funds to provide direct statewide services to all SWCDs. For FY90, staff recommends the same allocation for this purpose as was made in FY89.

| <u>Item</u>                                                | <u>Amount</u> |
|------------------------------------------------------------|---------------|
| 14 Printing and Binding (uniform envelopes and stationery) | \$10,492      |
| 16 Prof/Tech Services (convention and training sessions)   | 3,000         |
| 18 Purchased Services (social security reporting fees)     | 954           |
| 21 In-State Travel (workshop expenses)                     | 1,500         |
| 29 Fees and Fixed Charges (final accountant payment)       | 17,500        |
| 30 Supplies/Materials/Parts (raingauges, etc.)             | 3,694         |
| 40 Capital Equipment (display materials for fairs, etc.)   | 1,565         |
| TOTAL                                                      | \$38,705      |

### "Accountant" Training

At the March BWSR meeting, 36 SWCDs were granted \$654 from remaining General Services to offset staff training for the "Accountant" bookkeeping program. Those districts were selected using a February 1st cutoff for purchasing the program. Since that date, five additional SWCDs through June 15th have purchased the "Accountant":

West Polk  
Kandiyohi  
Pennington  
Nobles  
Red Lake

## BOARD OF WATER AND SOIL RESOURCES

## FISCAL 1990 BUDGET

|                                                         |                       |         |         |         |
|---------------------------------------------------------|-----------------------|---------|---------|---------|
| Board complement                                        | 29                    |         |         |         |
|                                                         |                       | FY 1989 | FY 1990 | CHANGE  |
|                                                         |                       | (\$000) | (\$000) |         |
| BWSR Administration                                     |                       | 942     | 1,024   | +82     |
| BWSR RIM Administration                                 |                       | 150     | 150     | Same    |
|                                                         | Subtotal              | 1,092   | 1,174   | +82     |
| BWSR Grants:                                            |                       |         |         |         |
| SWCD                                                    |                       |         |         |         |
| Cost Share - erosion and sediment control               |                       | 1,501   | 1,501   | Same    |
| General service                                         |                       | 978     | 978     | Same    |
| Streambank, lakeshore, roadside                         |                       | 159     | 159     | Same    |
| Private Forest Management (\$120 transfer from DNR)     |                       |         |         |         |
| Reinvest In Minnesota - Reserve Program - general fund  |                       | 750     | 750     | Same    |
|                                                         |                       | 4,500   | 1,500   | -3,000  |
|                                                         | Subtotal              | 7,888   | 4,888   | -3,000  |
| Other                                                   |                       |         |         |         |
| Study Area II                                           |                       | 199     | 199     | Same    |
| The International Coalition                             |                       | 10      | 10      | Same    |
| Kanaranzi-Little Rock Watershed District                |                       | 0       | 50      | New     |
|                                                         | Subtotal              | 199     | 259     | +50     |
| Local Water Resources:                                  |                       |         |         |         |
| Comprehensive local water planning technical assistance |                       | 175     | 225     | ( +50)  |
| Local Water Resource Protection and Mgmt. grant program |                       | -0-     | 610     | New     |
| Environmental Agriculture Education                     |                       | -0-     | 200     | New     |
| Well sealing cost share program                         |                       | -0-     | 65      | New     |
| Metropolitan Water Management Task Force                |                       | -0-     | 25      | New     |
|                                                         | Subtotal              | 175     | 1,125   | + 950   |
|                                                         | Total Available Funds | 9,354   | 7,446   | -1,918* |

\* excluding the reduction in RIM bond funds, available 1990 funds represent a \$1,082,000 increase over 1989 budget

### Fiscal Year 1990 Grant Allocations

The following information is provided for your review:

- Grant overview prepared for the March Board meeting;
- Summary of allocations to SWCD's;
- Summary of special project and streambank, lakeshore and roadside (SLR) projects recommended for funding;
- Explanation of pilot SWCD manager funding and allocation of funds for SWCD specialists;
- Summary of special project and SLR applications not recommended for funding.

Special Project Applications - FY90

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|                        |                                                                                          |                                                           |
|------------------------|------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| <u>Stevens</u>         | City of Morris                                                                           | Request: \$10,988<br>Recommended Funding: <u>\$10,988</u> |
|                        | Proposal to correct severe gullying adjacent to Pomme de Terre River                     |                                                           |
| <u>Fillmore</u>        | Sinkhole Treatment                                                                       | Request: \$37,500<br>Recommended Funding: <u>\$15,000</u> |
|                        | Proposal to divert water from sinkholes or apply grass buffer strips                     |                                                           |
| <u>Kandiyohi</u>       | Eagle Lake                                                                               | Request: \$47,250<br>Recommended Funding: <u>\$47,250</u> |
|                        | Proposal to improve an existing wetland to protect Eagle Lake                            |                                                           |
| <u>Yellow Medicine</u> | Yellow Medicine River                                                                    | Request: \$ 3,558<br>Recommended Funding: <u>\$ 3,558</u> |
|                        | Proposal is a repair to a previously funded project                                      |                                                           |
| <u>Morrison</u>        | Swan River                                                                               | Request: \$11,250<br>Recommended Funding: <u>\$11,250</u> |
|                        | Proposal to correct severe gullying adjacent to Swan River                               |                                                           |
| <u>Lake</u>            | Flood Bay                                                                                | Request: \$11,075<br>Recommended Funding: <u>\$11,075</u> |
|                        | Proposal to correct lakeshore erosion endangering dwellings on Lake Superior             |                                                           |
| <u>North St. Louis</u> | Riparian lands                                                                           | Request: \$11,440<br>Recommended Funding: <u>\$ 7,500</u> |
|                        | Proposal to establish buffer strips adjacent to cropland or pasture and perennial waters |                                                           |

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|                  |                                                                                                                                                                                                                      |                                                           |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| <u>Big Stone</u> | Salmonsens Creek                                                                                                                                                                                                     | Request: \$15,000<br>Recommended Funding: <u>\$15,000</u> |
|                  | Proposal to correct streambank erosion in the Big Stone Lake Restoration project area                                                                                                                                |                                                           |
| <u>Sibley</u>    | High Island Lake                                                                                                                                                                                                     | Request: \$29,825<br>Recommended Funding: <u>\$29,825</u> |
|                  | Proposal to correct lakeshore erosion impacting a public park                                                                                                                                                        |                                                           |
| <u>Mahnomen</u>  | Mahnomen Golf Course                                                                                                                                                                                                 | Request: \$25,000<br>Recommended Funding: <u>\$25,000</u> |
|                  | Proposal to correct shoreline erosion on White Earth River threatening the City Golf Course                                                                                                                          |                                                           |
| <u>Lincoln</u>   | County State Aid Highway #7                                                                                                                                                                                          | Request: \$30,238<br>Recommended Funding: <u>\$ 8,461</u> |
|                  | Proposal to correct erosion impacting the Yellow Medicine River.                                                                                                                                                     |                                                           |
|                  | Note: At the time of this writing, a balance of \$8,461 existed in the returned fund account. Staff recommends using funds from this account becoming available until June 30 to supplement the recommended funding. |                                                           |
| <u>Anoka</u>     | Rice Creek, City of Fridley                                                                                                                                                                                          | Request: \$27,350<br>Recommended Funding: <u>\$27,350</u> |
|                  | Proposal to correct an eroding streambank which impacts a regional trail corridor                                                                                                                                    |                                                           |
| <u>West Polk</u> | Gentilly Project                                                                                                                                                                                                     | Request: \$49,375<br>Recommended Funding: <u>\$49,375</u> |
|                  | Proposal to correct erosion occurring on the Red Lake River which threatens County Road 11                                                                                                                           |                                                           |

Streambank, Lakeshore, Roadside (SLR) Applications - FY90

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Koochiching

County State Aid Highway 75-1

Request: \$40,000  
Recommended Funding: \$40,000

Proposal to correct eroding roadside areas adjacent to Littlefork River

South St. Louis

Chambers Grove Park - Duluth

Request: \$18,618  
Recommended Funding: \$18,618  
(368 from Special Projects)

Proposal is an amendment to a project approved in FY1988 for \$30,754

Cass

Lake "Winnie"

Request: \$30,000  
Recommended Funding: \$30,000

Proposal to correct an unstable shoreline area endangering cabins

Carver

Watertown - South Fork Crow River

Request: \$30,000  
Recommended Funding: \$30,000

Proposal to correct eroding river banks threatening a wastewater treatment plan

Kandiyohi

Green Lake

Request: \$24,250  
Recommended Funding: \$24,250

Proposal to correct shoreline erosion impacting a city park

Mille Lacs

County Road 19

Request: \$10,000  
Recommended Funding: \$10,000

Proposal to correct eroding roadside areas adjacent to Rum River

Isanti

Isanti Middle School

Request: \$ 6,500  
Recommended Funding: \$ 6,500

Proposal to correct an eroding shoreline endangering a school playground and water quality of the Rum River

Fiscal Year 1990  
Special Project and SLR Applications  
Not Recommended for Funding

|                    |                                                                                                                                                                                                                                                       |                           |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <u>Wadena</u>      | Animal Waste Control Systems<br>Proposal to supplement funding on two ASCS<br>cost-shared systems. Recommend applicant<br>seek roll-over funding in fall of '89.                                                                                      | Request: \$ <u>5,000</u>  |
| <u>Washington</u>  | Shields Lake<br>Proposal to correct shoreline erosion.<br>Recommend applicant seek roll-over funding<br>in fall of '89.                                                                                                                               | Request: \$ <u>25,000</u> |
| <u>Stearns</u>     | Stang Project<br>Proposal to correct streambank erosion<br>impacting a feedlot. Recommend applicant<br>seek roll-over funding in fall of '89.                                                                                                         | Request: \$ <u>4,000</u>  |
| <u>Carlton</u>     | Water quality monitoring<br>Proposal to establish base line water<br>quality data in response to priorities from<br>110B plan. This proposal is not eligible<br>for funding; recommend applicant seek 110B<br>implementation monies after July, 1990. | Request: \$ <u>26,250</u> |
| <u>Ramsey</u>      | McCarrons Lake<br>Proposal to correct shoreline erosion<br>affecting a Ramsey County park. Recommend<br>applicant seek roll-over funding in fall<br>of '89.                                                                                           | Request: \$ <u>15,000</u> |
| <u>Koochiching</u> | County Road #97<br>Proposal to correct roadside erosion.<br>Recommend applicant seek roll-over funding<br>in fall of '89.                                                                                                                             | Request \$ <u>14,202</u>  |

Fiscal Year 1990  
Special Project and SLR Applications  
Not Recommend for Funding  
Page Two

|                    |                                                                                                                                                                                                                                                             |                           |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <u>Koochiching</u> | County Road #75<br>Proposal to correct roadside erosion.<br>Recommend applicant seek roll-over funding<br>in fall of '89.                                                                                                                                   | Request: \$ <u>3,500</u>  |
| <u>Sherburne</u>   | Elk River Project<br>Proposal to correct bank erosion on<br>Mississippi River. Recommend applicant<br>seek roll-over funding in fall of '89.                                                                                                                | Request: \$ <u>15,000</u> |
| <u>Jackson</u>     | Minneota Township<br>Proposal to correct roadside erosion.<br>Recommend applicant seek roll-over funding<br>in fall of '89.                                                                                                                                 | Request: \$ <u>8,000</u>  |
| <u>Wilkin</u>      | Judicial Ditch 12 project.<br>Proposal to install outlet structure on<br>a judicial ditch and supplement Federal<br>and State Highway funds and ditch authority<br>funds. Availability of other funding sources<br>make this project lower priority.        | Request: \$ <u>50,000</u> |
| <u>Itasca</u>      | SWCD forester proposal<br>Proposal to fund SWCD employed foresters in<br>Itasca, Aitkin and Carlton counties. This<br>need will largely be met by the BWSR employed<br>forester/inventory specialist located in<br>Duluth, funded by SWCD general services. | Request: \$ <u>61,936</u> |

6/28/89

"Roll-over" balance as of June 26

|                  |                                                |
|------------------|------------------------------------------------|
| 137,554.59       |                                                |
| -104,672.00      | - Figure used for allocations                  |
| <u>32,882.59</u> |                                                |
| - 21,777.00      | - Lincoln project balance                      |
| <u>11,105.59</u> |                                                |
| - 5,000.00       | - Wadena feedlot                               |
| - 4,000.00       | - Stearns feedlot                              |
| <u>2,105.59</u>  | Balance to December 1989 roll-over allocations |

**ALLOCATION OF REMAINING GENERAL SERVICE FUNDS  
(\$106,388)**

*revised*

Funds Remaining From the Pilot SWCD Manager Program

Beginning in FY 86, the Soil and Water Conservation Board committed \$87,200 to fund District Manager positions. The program was designed to be a three or four year effort, ceasing when state funding decreased to a 25 percent level. As indicated by the following summary, four SWCDs received final funding this year (FY89), with Kanabec and Traverse scheduled for last year funding in FY90.

| <u>SWCD</u>      | <u>1986</u>   | <u>1987</u>   | <u>1988</u>   | <u>1989</u>   | <u>1990 (proposed)</u> |
|------------------|---------------|---------------|---------------|---------------|------------------------|
| Mille Lacs       | 20,500        | 20,500        | 10,750**      | 5,400**       |                        |
| N. St. Louis     | 23,175        | 23,175        | 4,850**       | 5,800**       |                        |
| Wadena           | 21,762.50     | 21,762.50     | 12,200**      | 6,100**       |                        |
| Mahnomen         | 21,612.50     | 21,612.50     | 12,220**      | 6,100**       |                        |
| Kanabec          | -----         | -----         | 16,850*       | 12,400*       | 6,200                  |
| Traverse         | -----         | -----         | 16,000*       | 12,000*       | 6,000                  |
| <b>TOTALS</b>    | <b>87,200</b> | <b>87,200</b> | <b>72,850</b> | <b>47,800</b> | <b>12,200</b>          |
| <b>Funding %</b> | <b>100</b>    | <b>100</b>    | <b>67*</b>    | <b>50*</b>    | <b>25</b>              |

Balance of General Service Funds is \$106,388

Direct Statewide Services to all SWCDs

Each year the BWSR allocates certain General Service funds to provide direct statewide services to all SWCDs. For FY90, staff recommends the same allocation for this purpose as was made in FY89.

| <u>Item</u>                                                | <u>Amount</u>   |
|------------------------------------------------------------|-----------------|
| 14 Printing and Binding (uniform envelopes and stationery) | \$10,492        |
| 16 Prof/Tech Services (convention and training sessions)   | 3,000           |
| 18 Purchased Services (social security reporting fees)     | 954             |
| 21 In-State Travel (workshop expenses)                     | 1,500           |
| 29 Fees and Fixed Charges (final accountant payment)       | 17,500          |
| 30 Supplies/Materials/Parts (raingauges, etc.)             | 3,694           |
| 40 Capital Equipment (display materials for fairs, etc.)   | 1,565           |
| <b>TOTAL</b>                                               | <b>\$38,705</b> |

Issue(s) for FY90

After granting \$12,200 to Kanabec and Traverse and allocating \$38,705 for statewide services, a balance of \$67,683 remains. Options for disbursement include:

- 1) Allocating additional money to all SWCDs;
- 2) Continuing a specialist program with a limited number of SWCDs by making grants similar to the manager program;
- 3) BWSR provide specialized assistance such as "accounting" to SWCDs by using the funds on behalf of SWCDs.

Item three (3) is now possible due to legislative approval of rider language to the BWSR 1990-1991 biennial budget. (See attached budget language). The language was developed by BWSR and Department of Finance staff as a follow-up to action at the March BWSR meeting.

Staff recommends option 3) to be implemented as follows:

- . Allocate available funding (\$67,683) between two positions, an accountant/software specialist at New Ulm, and a forester/inventory specialist at Duluth. The positions would be located at Board Representative offices and would assist SWCDs statewide through their roles as trainers and specialists.
- . Appropriate memoranda of agreement would be completed with the Office of State Auditor and DNR, Forestry.
- . It must be noted that these positions have been requested by SWCDs. The proposed locations of their employment correspond with geographic areas needing assistance.

FY 1990

RIM Reserve Services Grant

- Staff Recommendation -

- Amount available: \$750,000.00
- Suggest limiting administration to 20% of easement funds available  
(20% x \$2.7M = \$540,000)
- Maintain the weighted formula first used last year - 3 year average  
( '87, '88, '89)
- 1986 easements worth \$100 each for spot checks, follow-up and violations
- \$300 base for each SWCD
- Allocation to be made after the 1989 sign-up

Proposed  
Dewaine Olson RIM Reserve Easement (72-11-87-1)  
Acreage Exchange

Background -

- Located in Sibley County
- Total of 16.6 acres
- Perpetual marginal ag land easement
- Purchased from previous owner in April of 1989

Proposal -

- Exchange the north 6.6 acres now enrolled for the 6.6 acres adjoining the RIM enrolled acres to the south. (see photo)
- Exchange is recommended by the Sibley SWCD and DNR Area Wildlife Manager.

Stipulations: (Recommended by Staff)

- All costs of the exchange, such as title costs, seeding, recording, etc., are to be borne by the landowner.
- The "new" land enrolled must meet all RIM Reserve eligibility requirements.
- Lands other than the 6.6 acres now enrolled in RIM cannot be converted to cropland.
- The exchange does not become effective until the 1990 cropping season or until the exchange is recorded on the land title, whichever is later.



SIBLEY COUNTY SOIL AND WATER  
CONSERVATION DISTRICT

310 Main  
Gaylord, Minnesota 55334  
Tel. (612) 237-5435

MINNESOTA  
SOIL AND WATER CONSERVATION DISTRICTS

June 14, 1989

Donald Ogaard, Chairman  
Board of Water and Soil Resources  
Southbridge Office Building  
155 South Wabasha  
St. Paul, MN 11107

Mr. Ogaard:

At the April Regular Board meeting the Sibley SWCD Board of Supervisors passed motion to support the request from Dewaine Olson, new landowner of perpetual RIM easement 72-11-87-1, to re-locate 6.6 acres of the 16.6 RIM acres. The Board support:

The RIM 87 Program enrolled 16.6 acre easement in Sibley County, Jessenland Township section 13. The total acreage lie in two separate parcels. Field #1 is 10.0 ac. located in the SW1/4 SW1/4 and Field #2 is 6.6 ac. located in the NW1/4 SW1/4 the two parcels are separated by a unnamed protected watercourse. Mr. Olson requests State Board grant permission to re-locate Field #2 adjacent to Field #1. One pertinent reason is the elevation at Field #1 is at a steeper degree than at Field #2, by re-locating the 6.6 ac adjacent to the 10.0 ac. soil erosion would be controlled more effectively. The Landowner would put a RR-8 practice within proposed project, along with a RR-3 planting. The Landowners intention serves wildlife with a more desirable habitat. We feel the entire 16.6 ac. RIM acres should have been placed in one field to start as the field to the south is more susceptible to soil erosion.

If allowed to re-locate RIM acres; Mr. Olson will then work to straighten and clean out he existing ditch. Mr. Olson has already obtained approval and financial support from the Jessenland Town Board. Also, approval from the DNR Area Hydrologist, Leo Getsfried, on the proposed channelization. See enclosed letters.

We urge support of the proposed project as the RIM acres re-located is justifiable to control soil erosion, have a complete wildlife area and more a desirable habitat.

In conclusion, the Sibley SWCD Board of Supervisors stand in favor of the proposed re-location of RIM acres and

*Called Linda 6-20-89  
- Non-conversion  
- needs cropping  
- ditch. not for  
6.6.  
- do not alter  
trees - minimal*

channelization of the unnamed protected watercourse at  
Landowner's expense.

Thank you for your attention on this matter.

Sincerely,

*John Paulmann/lh*

Sibley SWCD Board of Supervisor  
John Paulmann, Chairman

Enclosure

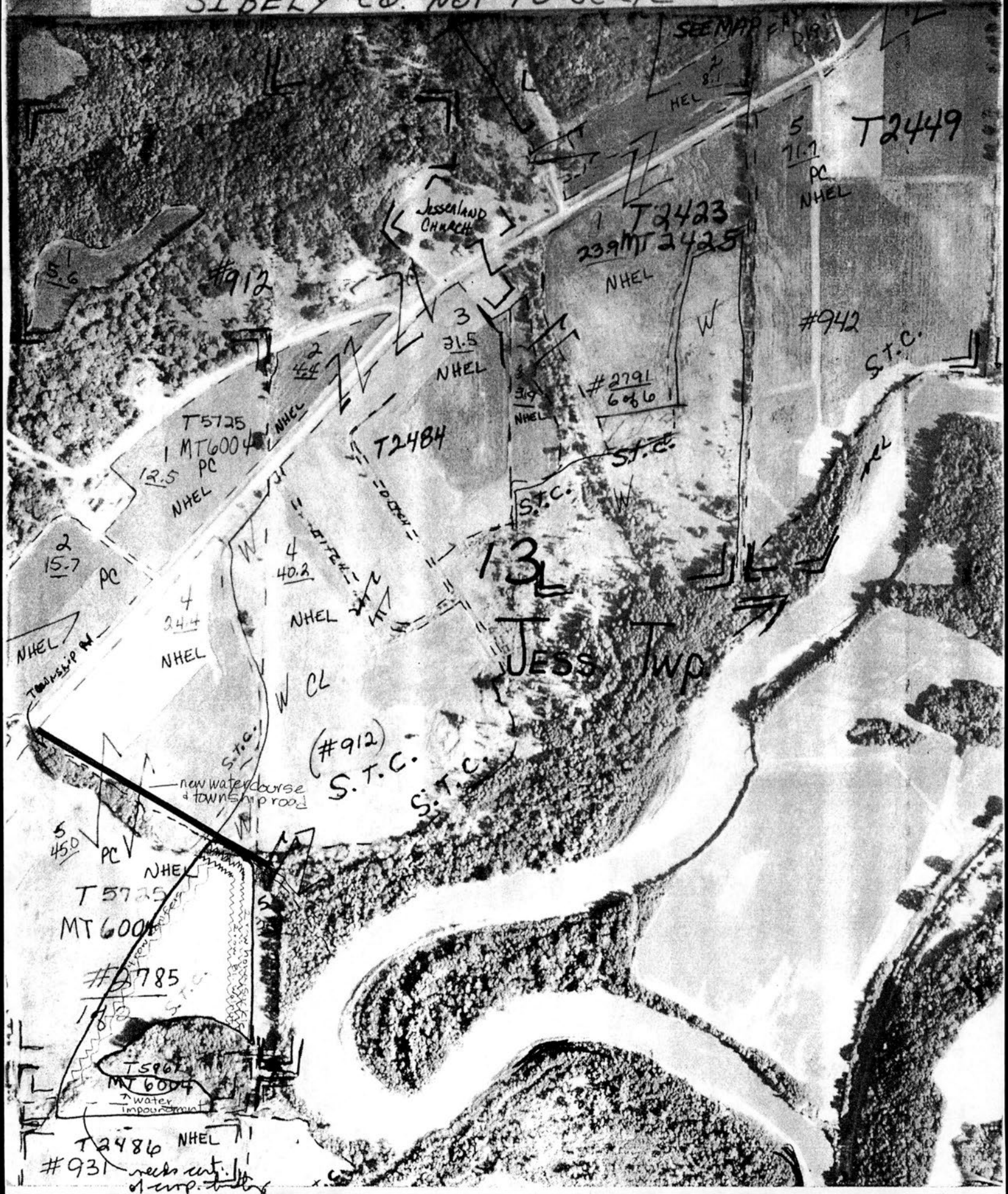
72-11-87-1

E-19



Proposed RMacres 72-11-87-1

SIBELY CO. NOT TO SCALE E-19



June 15, 1989

Board of Water & Soil Resources  
Don Ogaard, Chairman  
155 South Wabasha  
St. Paul, MN 55107

Mr. Ogaard:

I am respectfully requesting a change on RIM acres for various reasons. I have purchased the land this past year from the former RIM owners.

My reasons are such:

1. Soil loss is greater in south field than the northern field.
2. Jessenland township will benefit greatly; they township road services a very popular fishing spot and is used by other landowners beyond this area.
3. Joining the RIM acres together along with wood lot and hay meadow on south side of RIM acres would make a greater tract for wildlife. The area would be more harmonious together.
4. I would like to extend to you Gentlemen my plans for the next two years of planting trees on the west side of RIM acres. Fouth rows of conifers trees on the north & west side of RIM acres to existing wood lot. Two rows of honeysuckle and two rows of Black Walnut as a screen from the township road. Two -three acre wildlife pond on south side of existing woodlot.

Thank you for your consideration.

Sincerely,

Dewaine Olson



STATE OF  
MINNESOTA

DEPARTMENT OF NATURAL RESOURCES



PHONE NO.

FILE NO.

Sibley Soil and Water Conservation District  
Gaylord, MN 55334

Att: Linda Hahn:

In regard to the proposed changes in the RIM agreement with Dewaine Olson; I feel that the interests of wildlife would be improved if the 6.6 acre field was dropped and anew tract of 6.6 acres was added to the west side of the other RIM tract making one large RIM holding. This would provide more secure wildlife cover than the present long, narrow shape of the existing 6.6 acre field.

I would recommend that the new tract be mostly grassy nesting cover, with no more that 2 acres devoted to tree planting. This tree planting should be in a block and include at least 4 rows of conifers for safe winter cover. I would be willing to assist in the planning of this cover planting if necessary.

Sincerely,

Paul E. Bremer  
Area Wildlife Manager



STATE OF  
MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

NICHOLS OFFICE CENTER, #180, 410 JACKSON STREET, MANKATO, MN 56001  
PHONE NO. (507) 389-2151

FILE NO.



May 2, 1989

DeWaine Olson  
Route 1, Box 261  
Henderson, MN 56044

Dear Mr. Olson:

Pursuant to the meeting today between you, I and Ray Nyberg, I consulted a USGS topographic map to determine the watershed area of the unnamed protected watercourse located in Sections 13, 14 and 15 of Jessenland Township, Sibley County.

It would appear from the topographic map that the watershed area is slightly in excess of two square miles but considerably less than the five square mile exemption. Therefore, pursuant to Permit Rule 6115.0200, Subp. 4, no DNR permit is required for the proposed channelization project provided the excavation will not result in:

- 1) any diversion of water from the drainage area;
- 2) any impoundment of waters by damming of the watercourse; or
- 3) erosion or sedimentation of downstream waters as determined by the county or local soil and water conservation district.

To insure against such erosion or sedimentation problems you should level all spoil piles and seed to permanent grasses or legumes all side slopes plus a strip of land not less than 16 1/2' (one rod) wide along both sides of the new channel. This work must be undertaken soon as soil moisture conditions allow. The grassed strips may not be mowed before July 31 of each year.

Please feel free to contact me again if you have any further questions.

Sincerely,

DIVISION OF WATERS

*Leo Getsfrier*  
Leo Getsfrier  
Area Hydrologist

lek

cc: Ray Nyberg  
Paul Bremer  
Tim Knellwolf

AN EQUAL OPPORTUNITY EMPLOYER

TO: State Board of Water and Resources

6/19/89

Attn: Don Ogaard

On June 13, 1989 the Jessenland Township board met with Dewaine Olson and Bill Manthei in regards to the township road in Section 13, Jessenland Township, that Mr. Olson and Mr. Manthei have on their land.

The township has for some time been wanting to do improvements to that road. At that meeting on motion it was decided to go joint venture with Mr. Olson to realign the creek and road and to upgrade the remainder of the road. The reasons for this are many as are the benefits for the township.

Our cost is \$2500.00 so you can see our plan is not one of small undertaking. Your help in getting the much needed project underway would be much appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis Spellman", written in a cursive style.

Dennis Spellman  
• Clerk, Jessenland Township

**OVERVIEW OF THE BASSETT CREEK WATERSHED MANAGEMENT ORGANIZATION  
FOR THE JUNE 28TH, 1989 BOARD MEETING**

**INTRODUCTION**

The Bassett Creek watershed was first dealt with in 1969 with the creation of the Bassett Creek Flood Control Commission. The Commission was formed as a joint powers agreement between nine communities and adopted its first watershed plan in 1972. After passage of the Metropolitan Surface Water Management Act in 1982, the Bassett Creek Flood Control Commission revised its Joint Powers Agreement and created the Bassett Creek Water Management Organization in February of 1984. The Bassett Creek WMO includes the cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale, and St. Louis Park. The watershed is located in the west-central portion of the metropolitan area and outlets to the Mississippi River through a one and one-half mile underground tunnel.

**WATERSHED DESCRIPTION**

The Bassett Creek WMO is covered by drift of the Grantsberg sublobe of the Lake Mankato Glaciation. The drift ranges in thickness from less than 20 feet in the city of Minneapolis to over 250 feet in preglacial valleys. Glacial till (unstratified material) and glacial outwash (stratified material) are the two major types of soil parental material found in the watershed. Topographic relief in the watershed is moderate to flat, however extensive urbanization has greatly altered the natural topography.

Major water problems that occur in the Bassett Creek watershed are flooding along the creek and water quality degradation of the lakes. Annual flood damages in the watershed are estimated at \$1,634,00. Studies have also indicated that flood damages from a 50-year rainfall event would be \$12,000,000 and that damages from a 100-year storm with concurrent collapse of the existing outlet tunnel would be \$26,120,000.

**STAFF REVIEW**

Currently BWSR staff have met once with the WMO Engineer and have toured the watershed. Overall the Bassett Creek WMO has a very good water management plan which includes active programs for wetland protection and controlling soil erosion from construction sites. The water management plan also includes an aggressive capital improvements plan with an estimated cost of \$31,400,000. Since the plan was submitted to the BWSR in February of 1988 significant portions of the CIP have been completed.

Required components of 509 Water Management Plans that are currently being negotiated with the Bassett Creek WMO include developing a plan amendment procedure, including a matrix of local controls, acknowledgement of National Wetlands Inventory and DNR Protected Waters in the plan, and providing an overview of the proposed floodway improvements in the area of the Irving Avenue Hazardous Waste Dump Site with regards to the protection of water quality. If negotiations go as planned the Bassett Creek Water Management Plan will be presented to the for approval at the July 1989 meeting.

By: DTS, 6/16/89

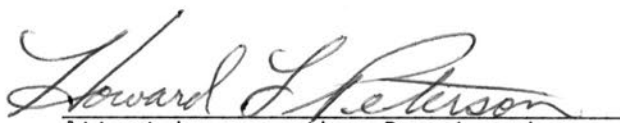
CERTIFICATE OF THE  
BOARD OF WATER AND SOIL RESOURCES  
AUTHORIZING RESOLUTION

I, Donald Ogaard, do hereby certify that I am a member and the Chairman, of the Board of Water and Soil Resources, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Water and Soil Resources duly and properly called and held on the 28th day of June, 1989, that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified.

"RESOLVED, that Jim Birkholz, executive director, of the Board of Water and Soil Resources, is hereby granted the authority and directed to sign and to give the Notice of the Board's Intent to amend a rule without a public hearing governing the Reinvest In Minnesota Reserve Program to all persons who have registered their names with the Board for that purpose and publish the Notice and rule in the State Register, and to preform any and all acts incidental thereto."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 28th day of June, 1989.

  
Donald Ogaard, Chairman  
Board of Water and Soil Resources

  
Attest by one other Board member

6-28-89

Status of "509" WMO Plan Review  
6/28/89

- Gun Club Lake - The revisions agreed to should be submitted by July 11 if they are on schedule. I anticipate presentation to Board for approval at July meeting.
- Vermillion River - The VRWMO had a meeting on Monday, June 26 and allegedly agreed to all the plan revisions I was seeking. I anticipate receipt of their plan revisions during the first half of July. I anticipate presentation to Board for approval at July meeting.
- Lower Mississippi - I met with the LMWMO Board on 6/22/89. I anticipate receipt of their plan revisions during the first half of July. I anticipate presentation to Board for approval at July meeting.
- Rice Creek - Scheduled for initial presentation to the Board at the July meeting.
- Black Dog Lake - Scheduled for initial presentation to the Board at the July meeting.
- Forest Lake - Notice of filing to be published next week. Scheduled for initial presentation to Board at the August meeting.
- Sunrise River - Notice of filing to be published next week. Scheduled for initial presentation to Board at the August meeting.