



Minnesota Board of Water and Soil Resources.
Minutes.

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

BOARD OF WATER AND SOIL RESOURCES
HOLIDAY INN-NORTH
2540 NORTH CLEVELAND AVENUE
ROSEVILLE, MINNESOTA
FEBRUARY 28, 1990

Appointed Members in Attendance

Donald Ogaard
John Williamson
John Boulton
Don Warner
Loni Kemp
Natalie Haas Steffen
James Hoese
Loren Harste
Jack Graba
Howard Peterson
John Brooks, Jr.
William Cofell

Agency Members in Attendance

Paul Burns and Kim Benson, Minnesota Department of Agriculture
John Fax, Minnesota Department of Natural Resources
George Foster, University of Minnesota
Ed Ross and Valentine O'Malley, Minnesota Department of Health
Curt Sparks, Minnesota Pollution Control Agency

Others in Attendance

Al Dornfeld, Minnesota Association of Watershed Districts
Ken Schellack, Clay Soil & Water Conservation District
Danny Potter, Minnesota Association of Soil & Water Conservation Districts
Gary Nordstrom, Soil Conservation Service
Franklin Denn, Minnesota Association of Townships

Staff in Attendance

Jim Birkholz
Pat Bloomgren
Dick Ness
Bill Best
Dave Behm
Greg Larson
Chuck Niska
Bruce Sandstrom
Denice DeFrates
Chris Hughes
Dan Steward
Doug Thomas
Mary Jo Anderson

Meeting Called to Order - Chairman Ogaard called the meeting to order at 9:02 a.m.

90-08 **Adopt Agenda** - Moved by Warner, seconded by Kemp, to adopt the agenda as presented with additions. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Hoese, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

90-09 **Approval of Minutes of January 24, 1990** - Al Dornfeld stated that a correction needs to be made on page 7. The statement should read, "Al Dornfeld stated that he would like the process for identifying abandoned wells." Moved by Cofell, seconded by Peterson, to approve the minutes of January 24, 1990, as corrected. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Hoese, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

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

Chairman's Report - Chairman Ogaard reported that he attended the National Association of Conservation Districts Annual Convention in San Diego, February 4-9, 1990. He stated that 2,135 people were in attendance. The concurrent sessions were excellent covering a broad range of in-depth topics. The use of audio visual equipment greatly enhanced the information shared at the general sessions.

Don attended the Chairman/Manager Training Session was held at Cragun's Conference Center in Brainerd on February 14-15, 1990. This was a very worthwhile training session for Soil and Water Conservation Districts and Watershed Districts Chairmen, Managers and staff.

He also attended the Anoka SWCD banquet which was held on February 22, 1990. Presentations were given by Senator Dahl, Brad Sielaff, Chairman of Anoka SWCD, and Natalie Haas Steffen.

Chairman Ogaard invited Board members to attend a conference with Red River Valley watershed districts on March 23-14, 1990, in Thief River Falls. This conference titled, "Back tot he Basics - Today's Capability, Tomorrow's Challenge" with local, state, and government officials.

Chairman Ogaard distributed copies of the Lower Red River Watershed Management Board Annual Report and the Wild Rice Watershed District Annual Report for the Board's information.

Executive Director's Report - Jim Birkholz reported that Ron Shelito started at the Board Representative position in Brainerd effective January 31, 1990. Jim introduced Chuck Niska, from Itasca SWCD, who has just been hired to work with the grants program. All staff positions are filled at this time.

Jim briefed the board on the following activities: 1) meeting with the Minnesota Association of Townships on January 31; 2) submission of LCMR proposals by the deadline; 3) interagency work group meeting on liability/SWCD groundwater protection plans; and 4) status of review of BWSR draft strategic plan.

Updated copies of Chapter 40 and 110B Minnesota Statutes are now available for distribution, for the Board's information.

Jim reported on a RIM Reserve Violation in Todd County, regarding Richard A. Smith. Jim chronologically explained the sequence of events involving a nine-acre perpetual marginal agricultural land easement. On December 7, 1989, the DNR forester reported to the Todd SWCD that he had viewed a potential violation of this easement. On December 20, 1989, the BWSR office received notification from the Todd SWCD that a portion of the easement area has been scalped and the topsoil stockpiled. The landowner had previously been questioning the SWCD staff about how he could cancel the easement. On December 22, 1989, Wayne Edgerton sent a letter to Donald and Ester Smith requesting a written response to the alleged violation. On January 8, 1990, a letter was received from Esther Smith informing us that the parcel had been sold to Richard A. Smith (son). On January 19, 1990, Wayne Edgerton sent a letter to Richard A. Smith requesting a written response to the alleged violation. A February 5, 1990 response deadline was given. No response has been received to date. On February 27, 1990, this violation was reviewed by the Attorney General Representative and he suggests an injunction be filed against the landowner to stop him from selling the topsoil while the violation is being processed. Staff recommends approval of the injunction. Moved by Williamson, seconded by Cofell, to approve the above mentioned injunction. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Steffen, Hoese, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

**
90-10

EQB/Water Resources Committee Report - Loni Kemp reported on "Minnesota Water 1990" a conference on water issues in Minnesota, facing the environmental challenges of the 1990s, on April 9-10, 1990, at the Radisson Hotel in St. Paul.

The BWSR is hosting a series of statewide workshops on the State Water Plan for local government officials and staff. The workshops will be held at the following locations:

March 20	Marshall Inn in Marshall
March 21	Holiday Inn in New Ulm
March 22	Friedell Building in Rochester
March 27	American Legion in Thief River Falls
March 29	Holiday Inn in Brainerd
April 2	Holiday Inn in Duluth
April 4	Holiday Inn in Shoreview

Pat Bloomgren reported that the brochure for the upcoming workshops is at the printer now and will be available for distribution in a few days. Pat asked that Board members attend the workshop in their area and give a few brief introductory comments on behalf of the Board.

Groups involved in local water planning will be holding a conference on March 8, 1990, in Rochester regarding water management issues in southeastern Minnesota. Loni invited Board members to attend. She also thanked the BWSR staff for their assistance with printing the brochure.

Education Committee Report - Bill Cofell reported that the Ad Hoc Education Committee met February 27. The committee's discussions have focused on how the BWSR could become an education enabler; a facilitator of new education and communication roles; and a facilitator in local communication and educational efforts. The BWSR should consider adding staff in the next biennium - one staff person in the central office in St. Paul, and two out-state positions. The Ad Hoc Committee will be ready to bring a recommendation before the full Board at the next meeting.

509 Metro Task Force - Howard Peterson reported on concerns of additional layers of government regarding metropolitan water management. The Metropolitan Council is intending to propose legislation this session that would make them the approval authority for 509 plans. Discussion followed.

Recommendations for Environmental Agriculturalist Program Proposals

- Pat Bloomgren reported that a review team had been selected which consisted of the following people: Greg Larson; Gary Fondreau, Minnesota Pollution Control Agency; Rick Gauger, Minnesota Department of Agriculture; a retired farmer Bob Henry; and technical specialist John Hall. 40 proposals were received, with \$1.6 million applied for. Pat responded to those who submitted proposals, entered the data, and ranked the proposals. Pat then met again with the Review Team and together they recommended a list of proposals (see attached). Pat stated that the Review Team had a very difficult decision to make as the proposals received were all very good ones. The Legislative Water Commission will next review the proposals as required by law. Moved by Cofell, seconded by Boulton that the BWSR support the Review Team's recommendation to accept the proposals as presented. Affirmative: Ogaard, Williamson, Boulton, Warner, Steffen, Hoese, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Abstained: Kemp, as a proposal was submitted by her organization. Carried.

**
90-11

Advisors' Comments

Franklin Denn, Minnesota Association of Townships, thanked Jim Birkholz for coming to their meeting. The Association of Townships is presently dealing with the legislature on various environmental issues.

Al Dornfeld, Minnesota Association of Watershed Districts, distributed the brochure, "What is a Watershed District?" for the Board's information. Al thanked Denise DeFrates for her assistance with the brochure. Al invited everyone to attend a meeting on March 6, 1990, at McGuire's Inn in Arden Hills on Environmental Law. Al commented that there is a bill in the House raising the cap on the administrative levy limit, which hopefully will be approved this session.

Gary Nordstrom, Soil Conservation Service, reported on the 1990 Farm Bill deliberations in Washington, D.C. Gary reported on the 1990 Farm Bill Proposal of the Administration. A North Central Resource Conservation and Development Workshop is being held today in Bloomington regarding rural development. SCS is in need of 250 to 350 staff years to implement the Food Security Act. A deficit exists due to the workload from the FSA program. Moved by Cofell, seconded by Williamson, that staff send letters to Congress and the appropriate people at the U.S. Department of Agriculture, to convey the message that the BWSR supports funding for adequate staff assistance. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Steffen, Hoese, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

**
90-12

Danny Potter, Minnesota Association of Soil and Water Conservation Districts, stated that the NACD Convention in San Diego was very good. He reported that 96% of the SWCDs have paid their NACD dues. Danny reported that he and Dwain Otte will be going to Washington, D.C., in early April to meet with legislators, regarding environmental and conservation issues.

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

Northwest Administrative Region Report - Dick Ness reported that he attended the Winter Farm Show in Crookston for the sixteenth year. He stated that the BWSR has become a visible organization in the Red River Valley by having booth space at the show. Dick has been pushing SWCDs hard in his area to work with counties on a water plan, and now eleven of the twelve counties in the northwest have water plans. Dick reported that there is an underground water study being done in the Crookston area. People are concerned and are willing to get involved in the study. Dick's pet project is wind. A windbreak maintenance proposal needs to be submitted to LCMR. Ken Schellack made a presentation to the Board on the windbreak maintenance. Discussion followed. Dick Ness suggested that the BWSR appoint a committee to research the economic issues of land. Dick announced that he will retire effective May 8, 1990. Dick started October 1, 1973, when there were four people on staff, the BWSR now has 31. Dick suggested that the BWSR set policy statements for the following issues: wind erosion, wetlands, sustainable ag, underground water study,

watershed district offices, windbreak maintenance, marketing workshops (salesmanship) for staff, SWCD supervisors, Watershed District Managers, etc.

Metro Local Water Plans - Bruce Sandstrom gave an overview of the Forest Lake WMO plan for the Board's information and approval. Natalie Steffen asked if a letter should be sent to DNR regarding Finding #12 indicating the BWSR's concern of legal authority on maintenance of dams. Discussion followed. Moved by Graba, seconded by Haas Steffen, to approve the Forest Lake WMO Plan. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Steffen, Hoese, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

**
90-13

Natalie Haas Steffen stated that WMO plans need to be distributed to the appropriate people and agencies. She also suggested notifying appropriate Board members to various tours and meetings involving the review of WMO plans.

Minnesota River nonpoint source reduction goal and impact on local water management plans - Curt Sparks, Minnesota Pollution Control Agency, reported that the Minnesota River does not meet state water quality standards. The negotiated date with the Environmental Protection Agency to comply is July 1, 1996. The assessment program needs to be accelerated, prioritization needs to be done with implementation starting now. This affects the WMO plans in the metro area and 110B plans. Jim Birkholz requested that MPCA convene a summit meeting as soon as possible regarding this issue.

Chairman Ogaard recessed the meeting for lunch at 12:15 p.m. The meeting reconvened at 1:10 a.m.

Discussion of May and September meeting location invitations - Invitations have been received from Kandiyohi SWCD and Cook SWCD to hold the BWSR meeting in their areas of the state this fall. Discussion followed. It was decided to hold the BWSR September meeting in Cook County, and the August or October BWSR meeting in Kandiyohi County. There will not be a greater Minnesota meeting in May.

Local Water Plan Grants - Greg Larson explained that additional counties are involved in 110B water planning with additional requests for planning grants. To expedite the processing of grants, staff is requesting authorization to process 110B planning grants as soon as the county requests to participate. Staff would continue to insure that all counties meet grant requirements by submitting the proper form, a budget, and a copy of the county board resolution as required by earlier Board action. Moved by Graba, seconded by Warner, to authorize staff to proceed as requested on the grant agreements. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Steffen, Hoese, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

**
90-14

Rule development update - Greg Larson also explained that he met with the cities to discuss the rules for the Local Water Resources Protection and Management grant program. It was recommended that a separate rule is needed to deal with grants for 509 plan implementation in the metro area. Staff is requesting authorization to streamline the rule development process by splitting the rule into two rules rather than one. One rule would deal with 110B and metro groundwater plans; and the second rule would deal with 509 implementation and groundwater plan implementation. Moved by Cofell, seconded by Hoese, to authorize staff to streamline the rule development process by splitting the rule into two. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Staffen, Hoese, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

**
90-15

110B Comprehensive Local Water Plans - Doug Thomas stated that action will not be taken today on the Fillmore County plan as they asked for an additional 30 days to complete their plan.

Dan Steward introduced Jim Van Alstine, consultant from Douglas County. Dan gave a chronological overview of the Douglas County water plan for the Board's information. Staff recommends approval of the plan. Moved by Boulton, seconded by Harste, to approve the Douglas County 110B Comprehensive Local Water Plan. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Steffen, Hoese, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

**
90-16

Dan Steward introduced Eric Evenson and Arvid Thompson, Chair of the 15 County Joint Powers Board. Dan gave a chronological overview of the 15 Red River Valley County plans. Staff recommended approval of the plans. Mr. Van Alstine briefly commented on the county plans and the good cooperative efforts. Mr. Evenson also briefly commented on the local and regional assistance (technical and financial) they have received. He commended Mr. Van Alstine for his fine efforts and assistance throughout the planning process. Moved by Williamson, seconded by Boulton, to approve the 15 Red River Valley county plans. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Steffen, Hoese, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

**
90-17

Chris Hughes briefly gave a chronological overview of the Brown County water plan. Staff recommended approval of the plan. Moved by Cofell, seconded by Graba, to approve the Brown County 110B Comprehensive Local Water Plan. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Steffen, Hoese, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

**
90-18

Natalie Haas Steffen suggested taking action on the plans in the morning as suggested at the last board meeting. Natalie left the meeting at 3:30 p.m.

**
90-19

Chris introduced Pam Hunt, Water Plan Coordinator, and Myrna Halbach, Goodhue County. Chris gave a chronological overview of the Mower, Rice, and Goodhue plans and recommended approval. Pam Hunt and Myrna Halbach briefly commented on the Mower, Rice, and Goodhue Counties' plan. Moved by Kemp, seconded by Cofell, to approve the Mower, Rice, and Goodhue County 110B Comprehensive Local Water Plans. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

Chris Hughes briefly summarized the Nobles County 110B Comprehensive Local Water Plan. He introduced Mel Ruppert, County Water Plan Coordinator, and Brian Christenson, Montgomery and Associates. Mr. Christenson commended Nobles County on their fine efforts in working on the plan.

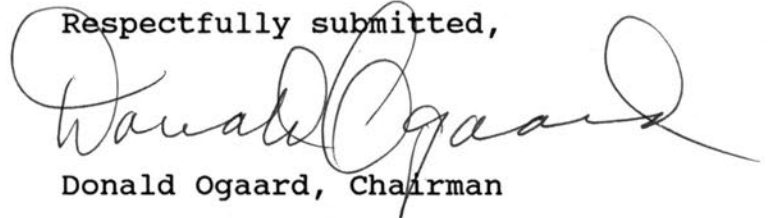
**
90-20

Proposed Boise de Sioux Watershed District Boundary Change - Don Ogaard stated that Board members have received information on the staff recommended proposed boundary change. Moved by Peterson, seconded by Warner, to accept the staff recommendation to approve the Boise de Sioux Watershed District boundary change. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

**
90-21

Moved by Warner, seconded by Graba, to adjourn the meeting at 3:55 p.m. Affirmative: Ogaard, Williamson, Boulton, Warner, Kemp, Harste, Graba, Peterson, Brooks, Jr., and Cofell. Opposed: None. Carried.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Donald Ogaard", is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

Donald Ogaard, Chairman

BOARD OF WATER AND SOIL RESOURCES

2/28/90

RECOMMENDATIONS FOR FUNDING

FOR

ENVIRONMENTAL AGRICULTURALIST PROGRAM

The following proposals are recommended for funding by the Environmental Agriculturalist Program:

Proposal Number	Sponsoring Agency	Title &/or Brief Summary	Amount
105	Winona SWCD	Cover Crop Demonstration	\$16,100
109	Brown-Nicollet CHS	Geology, Land Use & Water Quality.	\$6,000
110	Goodhue SWCD	Effective Use of Agricultural Audits to Develop One-on-One Producer Assistance, Informational Guidelines, & Educational Materials.	\$41,410
111	Red Lake Watershed District	Clearwater Project: Pesticides & Land Use.	\$46,425
114	Frederickson Comm.	A Program Plan	\$15,950
115	Cluster 16 - MES	Local Demos- Local Need	\$45,000
118	Stearns SWCD	Demos & Evaluations for Cost-Effectiveness.	\$36,275
121	Farmer Magazine	Continue Operation S.A.V.E.	\$25,275
123	Land Stewardship	Demos & Networks	\$15,000
126	No.St.Louis SWCD	Self-help tools (Option B)	\$7,800
127	Zumbro/Root JPB	A Multi-Agency Effort for Environmental Ag. Education in SE MN.	\$43,340
128	Beltrami SWCD	Local Demos.- BMPS (nutrient mgmt. emphasis)	\$43,800
133	Reg. 9 Dev. Com.	Nitrate Testing Educational Project.	\$25,510
134	Minnesota Project	ID farmers interested in sustainable ag., link to service providers.	\$21,200
139	West-Central Ridge Till Club	Ridge-till demo, analysis & promotion.	\$12,272
TOTAL.....			\$401,357

If funding should become available (through contract negotiation process), the proposal that the review committee recommends for funding is:

129	MN Crop Monitors	Demos & analysis of various conservation techniques.	\$39,880
-----	------------------	--	----------

RICHARD A. SMITH
RIM RESERVE VIOLATION
TODD COUNTY
[77-08-86-01]

- * 9 acre perpetual marginal agricultural land easement
- * December 7, 1989 - the DNR Forester reported to the Todd SWCD that he had viewed a potential violation of this easement.
- * December 20, 1989 - the BWSR office received notification from the Todd SWCD that a portion of the easement area has been scalped and the topsoil stockpiled. The landowner had previously been questioning the SWCD staff about how he could cancel the easement.
- * December 22, 1989 - Wayne Edgerton sent a letter to Donald and Ester Smith requesting a written response to the alleged violation.
- * January 8, 1990 - A letter was received from Esther Smith informing us that the parcel had been sold to Richard A. Smith (son).
- * January 19, 1990 - Wayne Edgerton sent a letter to Richard A. Smith requesting a written response to the alleged violation. A February 5, 1990 response deadline was given. No response has been received to date. (2/27/90)
- * February 27, 1990 - This violation was reviewed by the Attorney General Representative and he suggests an injunction be filed against the landowner to stop him from selling the topsoil while the violation is being processed. BWSR approval of this step is being requested.

BWSR "509" Plan Review Priority List as of 2/13/90

Review Order	WMO Name	Met. Council	DNR/PCA	BWSR Status & Comments
1	Richfield - Bloom.	4/23/87	X/X	N/O/T/H/P
2	Forest Lake	8/11/89	X/X	N/O/T/H/P (Appr. 2/28/90 - tent.)
3	Shingle Crk.	4/14/89	X/X	N/O/T/P (Appr. 2/28/90 - tent.)
4	West Miss.	4/19/89	X/X	N/O/T/P (Appr. 2/28/90 - tent.)
5	East Miss.	10/22/87	X/X	N/O/T/P
6	Sunrise River	11/17/88	X/X	N/O/T/P
7	Sand Creek	6/22/89	X/	N/O/T/P
8	Lower Rum R.	4/19/89	/	N/O/T/R
9	Prior - Spring	4/27/89	X/	N/O/T/R/HD
10	Shakopee B.	6/14/89	X/	N/O/R
11	Credit River	6/22/89	X/	N/R
12	Middle St Croix	7/27/89	X/	N/R
13	Lower St Croix	12/27/89	/	R
14	Marine - St Croix	1/30/90	/	R
15	Nine Mile Crk	UR	/	
16	Riley - Purgatory	UR	/	
17	Central Ramsey	4/14/88	/	Never sent to agencies
18	SW Ramsey	4/14/88	/	Never sent to agencies

Note: 13 WMOs have not submitted their plan to Met Council as of 2/13/90.

UR = Currently under review
H = Public hearing demanded and held
HD = Public hearing demanded
N = Notice of filing published
O = Staff overview given to BWSR Bd
T = BWSR staff tour of WMO w. WMO Bd.
R = BWSR staff review in progress
P = BWSR staff has taken formal position
& is waiting for plan amendments
X = Means agency comments rec'd by BWSR

A:PRIORITY.WK1

February 28, 1990

To: Members of the Board of Water and Soil Resources

From: Don Ogaard, Chairman

Subject: Met Council and "509" Plan Approval

Many of you may be aware of the fact that the Metropolitan Council is intending on proposing legislation this session that would make them the approval authority for "509" plans. This issue was discussed brought up at the second to the last meeting of the Metropolitan Local Water Management Task Force (MLWMTF) but it was felt that this issue was not within the charge of the legislation which established the MLWMTF.

To date, we are not aware of the introduction of any bill which would carry out the Met Council's stated goals. There has been some information published related to the issue and I am advised that Council Chair Steve Keefe was on a TV program on Channel 2 where the issue was again brought up.

Since you may be asked about this issue from time to time, I feel it is appropriate for each of you to note the attached copies of material related to this topic. This is all we have received to date.

Attachments: Excerpts from Citizens League Report
 Article from the Metro Monitor
 Article from the Star and Tribune

CITIZENS LEAGUE REPORT

LOSING LAKES:
**ENJOYMENT OF A UNIQUE METROPOLITAN
RESOURCE IS THREATENED**

Prepared by

Metropolitan Lakes Management Committee

John S. Adams, chair

Approved by the Citizens League Board of Directors

November 8, 1989

CITIZENS LEAGUE
708 South Third Street
Suite 500
Minneapolis, Minnesota 55415
(612) 338-0791

EXECUTIVE SUMMARY

Up to now, metropolitan residents have been able to take for granted their ability to find a lake to use and enjoy. About 100 large lakes, hundreds of smaller ones, and three rivers provide tremendous opportunities for water-based recreation in the Twin Cities area. But the situation on metropolitan lakes seems to be deteriorating in several important ways:

- surface use of the lakes continues to increase, and the conflicts that have resulted lead some people to feel the lakes are becoming overcrowded and unsafe;
- the water quality of many lakes has degraded and is threatened at other lakes; and
- continuing shoreland development and redevelopment has caused concern about limits on public access to the lakes and their shoreland.

Unfortunately, lake management has been fragmented and mainly oriented towards current issues and interests rather than long-term concerns. Metropolitan lakes are managed in varying degrees by three federal and four state agencies, seven counties, seven soil and water conservation districts, 46 watershed districts, two conservation districts and 138 municipalities. These governmental bodies sometimes have conflicting goals and activities. Conflicts between their short-term and long-term goals are also common.

In this report, we emphasize the importance of comprehensive, long-range planning for the lakes and stress recognition of metropolitan lakes as an interconnected, regional system. Such an approach is needed to ensure that future generations can enjoy the lakes and other surface water.

We recommend:

- ☐ Lakes in the metropolitan area should be viewed as a regional system, with regional coordination of planning and management activities.
- ☐ Local governments should develop plans for the surface waters before lakes deteriorate further.

Lakes in the metropolitan area are a unique regional resource, and improved regional governance and long-term planning are needed.

We recommend:

- ☐ The Legislature should charge the Metropolitan Council with the responsibility for planning and coordinating management of metropolitan surface waters.

In partnership with local governments, the Metropolitan Council should develop a comprehensive policy framework and metropolitan guidelines for shoreland and surface water management. Local governments should be required by a fixed date to develop local surface water plans subject to approval by the Metropolitan Council. The Council should provide grants to cover part of the cost

of developing local surface water plans. It should also coordinate the plans and activities of the various agencies involved in metropolitan lake management.

Good data are essential for good planning, but there is a frustrating lack of information on the use and quality of metropolitan lakes. For example, none of the agencies involved in lake management is collecting information on the extent of conflict between different types of surface uses and different groups of users. Furthermore, while several different agencies test certain measures of water quality in certain lakes, no one is monitoring regularly the presence of pesticides.

We recommend:

- ☐ The Metropolitan Council and Department of Natural Resources should conduct more complete studies of surface use on metropolitan lakes.
- ☐ Water quality monitoring of metropolitan lakes should be more extensive and better coordinated.

In the report, we also make recommendations on specific lake management issues.

User Conflicts and Safety Problems

Without changes in the current system of surface use management, conflicts and safety problems on lakes in the metro area will increase along with user density. Surface use should be managed to minimize user conflicts, ensure safe enjoyment of the lakes, ensure a diversity of uses, and preserve the natural environment.

We recommend:

- ☐ Counties and municipalities should regulate surface use to reduce conflicts among lake users. As often as possible, lakes should accommodate all compatible uses, but a few uses should be excluded from certain types of lakes.

For example, activities like powerboating and waterskiing can disturb lake sediments and waterlife, and are inappropriate for natural environment and shallow lakes.

- ☐ Furthermore, the state should require operators of larger motorboats to be trained in boating safety and should establish a minimum age for operation of jet-skis. Funding should be increased for enforcement of watercraft regulations.

Boating Access

Public boating access to metropolitan lakes meets neither the present nor anticipated demand. However, development of new public access sites leads to conflict between local residents and government agencies.

We recommend:

- ☐ The Legislature should continue to fund efforts to develop public boat launch facilities in the metro area. Furthermore, the Department of Natural Resources should begin planning and acquiring access sites before a lake's shoreland is fully developed

and should work more with local residents and other lake users in the process.

- ☐ Local governments should be compensated for the removal of land from their tax bases and the costs of maintaining access facilities.
- ☐ The Department of Natural Resources should develop better planning guidelines for evaluating access to lakes. These guidelines should account for all sources of access to the lakes, development levels, and restrictions on individual lakes.

Shoreland Access and Development

Pressure to intensify development around lakes continues in many parts of the metro area causing concerns about limited public access to shoreland and degradation of the lakes and their shores. We found that only 30 of 138 metropolitan area municipalities have adopted shoreland management plans and regulations 14 years after they were required to do so by state law.

We recommend:

- ☐ By a fixed date, municipalities should comply with the requirement to adopt shoreland ordinances that meet state standards.
- ☐ The Metropolitan Council should work with local governments and the Department of Natural Resources to explore ways, such as tax incentives and land dedication, to appropriately control shoreland development and encourage municipalities to reserve shoreland for public use.

Water Quality

Non-point source pollution now poses the most serious threat to the water quality of metropolitan lakes. Water quality is difficult and expensive to improve once a lake has been allowed to degrade.

We recommend:

- ☐ Agencies with control over whole-lake watersheds should plan for and manage lake water quality.
- ☐ Water quality goals should be based on proposed recreational uses of the lakes.

RECOMMENDATIONS

We recommend:

- ☐ The Legislature should charge the Metropolitan Council with responsibility for planning and coordinating shoreland, surface use, and water quality management of metropolitan surface waters.

We believe the Council's extensive experience in planning and coordination makes it the best choice for these responsibilities for metropolitan lakes. The Council also is one of the few agencies which has worked on both recreational use and water quality issues. The Legislature could extend the Council's authority over regional open space to include surface waters or could designate the surface waters as a separate metropolitan system. It should ensure adequate funding for these new responsibilities.

- ☐ In partnership with local governments, the Metropolitan Council should develop a metropolitan policy framework and system plan for regional shoreland and surface water management.

The Council should work with local governments to set goals and guidelines for recreational use, shoreland development, and water quality, and should develop mechanisms to fund implementation of these policies. As with the regional parks system, local governments should be responsible for implementing the plans. The Council should aid local governments that need technical expertise or increased enforcement capability.

- ☐ Local governments should be required by a fixed date to develop local surface water plans subject to approval by the Metropolitan Council.

Municipalities should be responsible for amending their comprehensive plans to include surface use and long-term shoreland development for surface waters within their borders. Counties should have this responsibility for surface waters that overlap municipal boundaries or are located in unincorporated areas. Local planning for water quality has already been started by watershed districts and water management organizations. While Lake Minnetonka and White Bear Lake should be recognized as regional resources, their respective conservation districts should continue to be in charge of planning for those lakes. The Metropolitan Council should review and approve all local plans to ensure they are compatible with the regional plan.

- ☐ The Metropolitan Council should make planning grants available to help local governments in the development of their shoreland and surface water plans

The Council, from its existing property tax levy, should also provide shoreland acquisition grants to municipalities to meet regional management goals.

- ☐ The Metropolitan Council should coordinate the plans and activities of the various agencies involved in metropolitan lake management.

Local governments and management agencies within watersheds in the metropolitan area should meet periodically to share their management concerns and issues and to explore ways of working together toward common goals. The Metropolitan Council should oversee management so that local policies and activities fit in with regional management goals.

WORK OF THE COMMITTEE

Charge to the Committee

The Citizens League Board of Directors adopted the following charge to the research committee.

MANAGEMENT OF METROPOLITAN LAKES

Because all types of water recreation and watercraft are allowed on most lakes in the metropolitan area, many are experiencing serious crowding problems. This has led some persons to question whether unrestricted use of lakes should continue.

Proposals for lake zoning are concentrated within each lake. But the state Department of Natural Resources is considering a system of metropolitan lakes, with zoning among area lakes.

The committee should recommend policies for management of metropolitan lakes that balance lake access, safety, user convenience, and environmental protection.

The committee's examination should include:

- current uses of and access to lakes in the metropolitan area;
- current restrictions on metropolitan area lakes;
- crowding and safety on metropolitan area lakes;
- costs of maintaining current uses of metro area lakes, and
- governance of lakes, including whether metro lakes (which are water parks) should become the responsibility of the Metropolitan Parks and Open Space Commission.

Committee Membership

Under the leadership of John Adams, chair, 22 Citizens League members participated actively in the deliberations of the committee. They are:

Sally Anson
Doug Barr
Ralph Brauer
Nicholas Duff
Hugh Faville
Kathryn Harding
Patricia Hart
Ruth Hass
Rudolph Hoagberg
Curt Hubbard
Frank Jewett

Gary Joselyn
Larry Kelley
Janet Kramer
Georganne Krause
Patricia Leary
Frederick Markwardt
John Mullan
Nels Nelson
Dick Nowlin
David Unmacht
Jane Vanderpoel

O N T H E H O R I Z O N



Metropolitan Council Chair Steve Keefe

Water quality dropping—

Let's plug leaks in water planning

Minnesotans are known for their concern about the environment. All sorts of polls have shown that clean air and water are high on our list of what makes Minnesota a good place to live. But many signs are showing us that despite our best efforts to date, our water quality is declining.

One sign is the deteriorating condition of our urban lakes and streams. The Metropolitan Council has monitored more than 100 lakes over the last 10 years, and tracked various techniques for attempting to keep the water clean. But we're losing the battle. In spite of well-intentioned efforts to manage and restore lakes, their water quality is dropping.

Another sign is increasing pollution of our groundwater—that underground supply that most cities in the region use for their city water. Pockets of our major aquifers have turned up contaminated, and once that happens it takes decades for the water to become pure again—if no further degradation takes place. What's responsible for this groundwater pollution? Mostly wastes from industry and leaking landfills.

A third sign is the condition of the Minnesota River. The Council has been working with the Minnesota Pollution Control Agency (MPCA) and the Metropolitan Waste Control

Commission (MWCC) to take various steps to try to clean up the river. One step is to upgrade the two sewage treatment plants—the "point" sources—that discharge effluent into the Minnesota.

But even if those discharges were pure enough to drink, the river would still sometimes not meet the state's water quality standards—because of the "nonpoint" pollution taking place. Nonpoint pollutants are the fertilizers and pesticides that run off farmers' fields, and the oil, chemicals and road salt that wash off paved areas—all eventually winding up in the river.

What strikes me is that many of our water problems, as well as the way to control them, have much more to do with land use than with water.

Our polluted groundwater is attributable to dumping and other things we do with our land. Our polluted surface water—lakes and streams—is caused largely by development and other ways we use our land. The best way to clean up these cases of water pollution, therefore, is to prevent the pollutants from ever reaching the water: through land use controls.

What I am proposing is to integrate the planning for the management of both "point source" (sewage treatment plants) and "non-point source" pollution under a single

agency—the Metropolitan Council.

As long as the Council has been in existence, it has been planning for the management and treatment of the region's sewage. I believe the best way to meet water quality standards is to give the Council broad authority in managing surface water—our lakes and streams.

I have put this proposal for Metro Council planning to the Metropolitan Local Water Management Task Force, which said that integrating the management of both sources of pollution is essential. Further, the Council's Environmental Resources Committee in December voted to draft a proposal along these lines for the 1990 legislature.

The key to whether this direction can work will be the region's cities. For at least 13 years, since the legislature passed the Land Planning Act in 1976, the cities and the Council have been building a partnership in managing land use. Cities make the local land-use decisions, and must be in the forefront of helping devise solutions to nonpoint-source pollution.

The threats to our water quality and the recreational use of our lakes are potentially devastating. And the need is urgent. ■

In My Opinion



I disagree. Some gaps may need filling, others probably need widening. But who will decide, citizens or service systems? Talk about "system coordination" and "comprehensiveness" is not

angry or despondent. But if we are serious about changing our public practices and policies, we need to find ways to support *all* kinds of citizens and their associations. Must clients retreat for

Met Council says quality of metro lakes is falling

By Laurie Blake and Dean Rebuffoni
Staff Writers

Water quality is declining in two-thirds of the 949 lakes in the Twin Cities metropolitan area, and a coordinated regional effort is needed to stem the degradation, the Metropolitan Council said Thursday.

The council and the Citizens League each issued reports yesterday that expressed concern about recreational

Met Council supports downtown Minneapolis tunnel for light rail. Page 3B.

use of the metro area's lakes and the quality of the water.

Both organizations said more people will be boating, water-skiing, swimming and fishing on the lakes, increasing the likelihood of conflicts and safety problems.

Such activities should be more carefully managed, the Citizens League said, noting that some activities — it cited motorboating and water-skiing — are undesirable on certain lakes and in densely populated areas.

The Metro Council will recommend that the Legislature give the council the responsibility to guide lake management, just as it guides management of the area's park, sewer and transportation systems, Chairman

Steve Keefe said.

The same recommendation was made by the Citizens League, a non-partisan private body that studies public issues.

Specifically, the council will ask for the responsibility to set goals for the area's local governments to meet in maintaining and improving water

Lakes continued on page 7B

Lakes

Continued from page 1B

quality. It also would set a pollution limit for each lake and decide how each lake should be used.

Keefe said it would take two to three years to come up with a comprehensive plan for managing the area's ground water, surface waters, water supplies and water quality.

If the matter comes up for discussion during the short legislative session this year, it's likely to spark more wrestling between the Metro Council and local governments, which jealously guard their powers. Keefe said cities are unlikely to welcome the plan because it would mean more limits on local development that could affect the lakes.

There are 949 lakes of 10 acres or more in the metro area, which includes Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington counties. The total water surface is 130,400 acres.

Management of the lakes is spread among three federal agencies, four state agencies, seven counties, seven soil and water conservation districts, 47 watershed districts and 138 cities, said John Adams, a University of Minnesota geography professor who was chairman of a committee of 22 people that prepared the Citizens

League's study.

The authority over the lakes is piecemeal and strangled by conflicts, Adams said. As a result, he said, clear solutions are lacking to the problems of access to the lakes, water safety, recreational use and water quality.

Much of the authority for managing shoreline development around the lakes and activities on them rests with the Minnesota Department of Natural Resources (DNR). Its deputy commissioner, Steve Thorne, said yesterday that the DNR "is interested in working with the Metro Council on a regional approach to the lakes and other natural resources, because the problems are of a regional nature. We certainly think that a role for the Metro Council is important."

Thorne stressed that the DNR is implementing stronger, revised regulations to control shore development throughout the state. He also noted that the DNR's water-permits program allows it to restrict or ban dredging, filling and other work in lakes, streams and wetlands that drain into lakes.

Among the league's key recommendations:

■ Planning for surface waters should

be done before they deteriorate further. Also, waters should be managed as a regional system, with regional coordination of planning and management activities.

■ The Legislature should charge the Metro Council with planning and coordinating management of the area's surface waters. In turn, the council should work with local governments to develop policies and a metro-wide plan for managing shore land and surface waters.

■ The Metro Council and DNR should conduct more complete studies of the uses made of lakes. There should be more extensive and better coordinated monitoring of water quality.

■ Counties and cities should regulate use to reduce conflicts among lake users. As often as possible, lakes should accommodate all compatible uses, but a few uses should be excluded from certain types of lakes.

■ The Legislature should continue to provide money to develop public boat launch facilities in the metro area. The DNR should plan and acquire public-access sites before a lake's shore is fully developed, and in the process should work more with local residents and other lake users.

EVALUATION PROFILE
CONSERVATION FARMER PROGRAM

JANUARY 19, 1990

QUESTION	5. Outstanding	4. Very Good	3. Satisfactory	2. Doubtful	1. Unsatisfactory
1. Understanding Objs. & Goals. Does the proposal demonstrate an understanding of the program's objectives and goals?	Proposors clearly demonstrate excellent understanding.	Proposors demonstrate good understanding.	Proposors demonstrate adequate understanding.	Proposors have limited understanding.	Proposors demonstrate no understanding.
2. Ability to Accomplish Project. Does applicant's background show experience & qualifications to complete the project?	Competent applicant will have no problems demonstrating or developing this project.	Above-average applicant should have few, if any problems demonstrating or developing this project.	Applicant will be able to implement the project satisfactorily.	Applicant lacks in ability, questionable whether project could be completed with success.	The project is clearly above the level of the applicant.
3. Deliverables & Timetables Does the proposal have a work plan which clearly identifies the major tasks to be done, deliverables and time table?	Proposal has excellent identification of tasks, deliverables & time tables.	Proposal has good identification of tasks, deliverables and timetables.	Proposal identifies tasks, deliverables & timetables.	Proposal does not have discussion of one of either tasks, deliverables or timetables.	Proposal does not identify or inadequately identifies tasks, deliverables and timetables.
4. Budget Feasibility of proposed project cost detail.	Excellent fit between work to be accomplished and dollars budgeted. Budget is well detailed and demonstrates extensive planning. All costs are directly related to the project.	All significant expenditures are itemized and are well matched to work to be done.	The budget is reasonable, some significant entries should have been itemized; unforeseen contingencies might arise that are not covered by the budget.	The fit between tasks and expenditures is questionable. Some costs are not directly related to project.	Budget is unreasonable and costs are not directly related to project.

EVALUATION PROFILE
CONSERVATION FARMER PROGRAM

JANUARY 19, 1990

QUESTION	5. Outstanding	4. Very Good	3. Satisfactory	2. Doubtful	1. Unsatisfactory
5. Project Design Merits of project design, implementation process and method of objectively measuring results.	The plan is extremely well designed, the timelines are ambitious yet feasible and the measurements, data collection and presentation will more than adequately determine the project's success.	This is a very good plan that is technically sound and feasible. The design is adequate to obtain significantly valid results.	The project design is workable but has some technical design problems or unfeasible time-lines; measurements are adequate but could be improved.	Project might not be doable because it is not adequately planned or has major technical problems; measurements are inadequate. Effect is likely to be marginal.	Project is poorly designed and/or technically not possible. Demonstration/application is not on a working farm.
6. Environmental Impact Is there an environmental benefit to water and/or other natural resources?	Completion of this project will clearly result in substantive positive benefits to natural resources.	Completion of this project is likely to result in substantive positive benefits to natural resources.	Effect of project is not clearly measureable but will probably be beneficial to the environment.	Effect on environment is uncertain and possibly harmful.	This project is likely to be harmful to the the environment.
7. Process Does the proposal clearly identify the coordination process(es) to be used with related programs, projects & affected clientele?	Proposal has excellent discussion of methods that will be used to coordinate.	Proposal has good discussion of methods that will be used to coordinate.	Proposal has adequate discussion of methods that will be used to coordinate.	Proposal acknowledges other actors but is not clear on how coordination would be done.	Proposal neither shows need for coordination or describes coordination methods to be used.
8. Relationships Does the proposal identify other programs or projects that are related and explain how proposed action is not duplicative?	Proposal is excellent and clearly identifies how proposed action is unique and not duplicative.	Proposal has good discussion and identifies how the proposed action is not duplicative.	Proposal adequately describes related programs/projects and details how the proposed action is not duplicative.	Proposal does not clearly establish how proposed actions are not duplicative.	Proposal does not mention related programs that it may be duplicating.

EVALUATION PROFILE
CONSERVATION FARMER PROGRAM

JANUARY 19, 1990

QUESTION	5. Outstanding	4. Very Good	3. Satisfactory	2. Doubtful	1. Unsatisfactory
9. Transferability Would this completed project, result in a product that is practical and easily used by producers in other parts of Minnesota?	Over 75% of the agricultural producers (in similar setting) would be able to adopt this project or otherwise benefit within one or two years.	A majority of agricultural producers (in similar setting) could potentially adopt this technique or otherwise benefit from this project within two years.	A significant number of agricultural producers (in similar setting) could potentially adopt or otherwise benefit from this technique but it is questionable whether this would happen or not.	Only a small number of agricultural producers are likely to benefit.	This project is not useful to the agricultural community.
10. Input Reduction Does the project reduce or make more efficient use of agricultural inputs?	Completion of this project will clearly result in substantial quantifiable reductions in farm inputs.	Completion of this project is likely to result in substantial quantifiable reductions in farm inputs.	Reductions in farm inputs will probably occur but there may be technical problems quantifying this.	Project is unlikely to result in reductions, difficult to measure or is not directly related to agricultural production.	Proposal does not demonstrate a reduction of farm inputs.
11. Farm Profitability Does the proposal address how the proposed action can improve farm profitability?	Completion of this project will clearly result in substantial quantifiable improvements in farm profitability.	Completion of this project will likely result in substantial quantifiable improvements in farm profitability.	Improved farm profitability will probably occur but there may be technical problems quantifying this.	Project is unlikely to result in improvements to farm profitability, difficult to measure or not related to agricultural production.	Proposal does not demonstrate an improvement in farm profitability.
12. Agricultural Producer Information Plan. Effectiveness of the proposal to disseminate project information throughout the agricultural community within a reasonable time period.	Plan shows clear evidence that the project results will reach all potentially affected producers. Producers will have easy access to technical information so they can adapt techniques to their practices.	Plan demonstrates that project results will reach the majority of producers and technical information will be available to these producers.	Evidence that information will be available to all interested farmers but the distribution plan could be more effective.	Unlikely that project will reach major segments of ag community or that producers will have the technical information needed to incorporate techniques.	The information will not reach agricultural producers or it will not be useful to them.

EVALUATION PROFILE

CONSERVATION FARMER PROGRAM

JANUARY 19, 1990

QUESTION	5. Outstanding	4. Very Good	3. Satisfactory	2. Doubtful	1. Unsatisfactory
13. Educational Component Does the proposal clearly identify which objective is being met and provide development of a quality educational program, tool or process?	Project completion will result in innovative, quality product that will have substantive educational value.	Project completion will result in a good, innovative product that will have significant educational value.	Project completion will result in a product that has some educational value.	Project completion will not result in a quality product that is clearly innovative, or educationally useful.	Product will not have educational value.
14. Application Overall Rating	Likely ranks in the top 20% of all applications reviewed, should definitely be funded.	Not outstanding but ranks in top 35% of applications and clearly merits funding.	Project within guidelines, good applicant with good plan, but not a clear case.	Risky or inadequate project, might not achieve goals and objectives of the program.	There are significant reasons why project should not be funded.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES
Environmental Agriculturalist Education Program

Proposal Number:
Proposal Submitted by:

Using these criteria, please evaluate this proposal on a scale of 1 to 5, with 5 being the highest score and 1 being the lowest. Please refer to the Evaluation Profile for definition of the numbers.

1. **Understanding Objectives & Goals.** Does the proposal demonstrate an understanding of the program's objectives and goals?

5 4 3 2 1

Comments:

2. **Ability to Accomplish Project.** Do you feel the applicant has the background, experience and qualifications to complete the project as proposed?

5 4 3 2 1

Comments:

3. **Deliverables and Timetables.** Does the proposal have a work plan which clearly identifies the major tasks to be accomplished, deliverables and timetables?

5 4 3 2 1

Comments:

4. **Budget.** Feasibility of proposed project cost detail?

5 4 3 2 1

Comments:

5. **Project Design.** Merits of project design, implementation process and method of objectively measuring results.

5 4 3 2 1

Comments:

6. **Environmental Impact.** Is there an environmental benefit to water and/or other natural resources?

5 4 3 2 1

Comments:

7. **Process.** Does the proposal clearly identify the process(es) that will be used to insure coordination with other related programs & projects & affected clientele?

5 4 3 2 1

Comments:

8. **Relationships.** Does the proposal identify other programs or projects that are related to the proposed action and explain how proposed action is not duplicative?

5 4 3 2 1

Comments:

9. **Transferability.** Would this project, when completed, result in a product that would be practical and easily useable by producers in other parts of Minnesota?

5 4 3 2 1

Comments:

10. **Input Reduction.** Does the project reduce or make more efficient use of agricultural inputs?

5 4 3 2 1

Comments:

11. **Farm Profitability.** Does the proposal address how the project will improve farm profitability?

5 4 3 2 1

Comments:

12. **Agricultural Producer Information Plan.** Effectiveness of the proposal to disseminate project information throughout the agricultural community within a reasonable time period.

5 4 3 2 1

Comments:

13. **Educational Component.** Does the proposal clearly identify which objective is being met and provide development of a quality educational program, tool or process?

5 4 3 2 1

Comments:

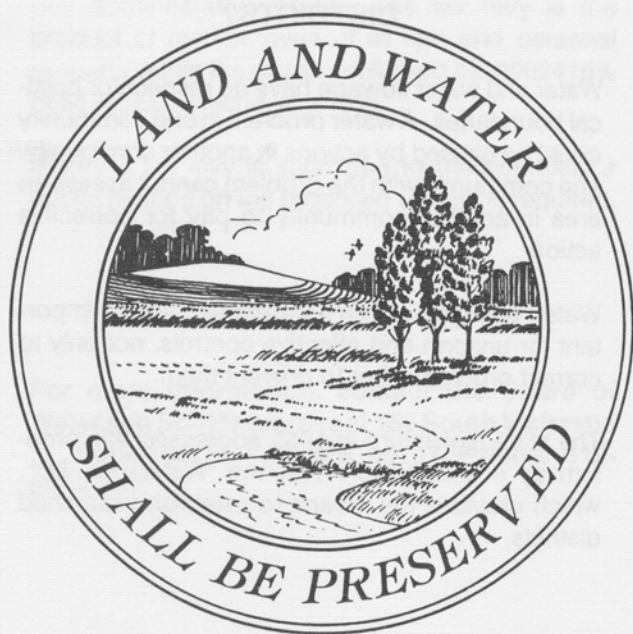
14. **Overall Rating of the Application.**

5 4 3 2 1

TOTAL POINTS FOR THIS PROPOSAL _____

Signature _____ Date _____

What is a Watershed District?



PREPARED BY THE MINNESOTA ASSOCIATION
OF WATERSHED DISTRICTS, INC.

Printed on Recycled Paper

WHAT IS A WATERSHED DISTRICT?

Watershed districts are special purpose local units of government whose boundaries follow those of a natural watershed (an area of land in which all water drains to one outlet). The name of the primary lake or stream in the watershed is usually selected as the name of the watershed district.

WHY DO WE NEED WATERSHED DISTRICTS?

Water and water flowage have no respect for political boundaries. A water problem in one community could be caused by actions in another community. The community with the problem cannot assess an area in another community to pay for corrective action.

Water management on a watershed basis is important for uniform and effective controls, not only to correct problems, but to prevent them.

The state legislature in 1955 addressed this problem by enacting MSA 112, the "Watershed Act", which provides the means to establish watershed districts.

PURPOSE OF WATERSHED DISTRICTS

Watershed districts are the local organizations which coordinate all water management decisions in the watershed. They are governed by a board of managers appointed by the boards of county commissioners.

To carry out the requirements of the Minnesota Watershed Act, watershed districts are empowered to develop long-range plans, regulate activities af-

fecting water resources, acquire property rights, and construct and finance improvement projects.

HOW ARE WATERSHED DISTRICTS FORMED?

Watershed districts are formed at the request of local residents, county boards, or cities, by petitioning the Minnesota Board of Water and Soil Resources (BWSR) under the procedures set forth in the Minnesota Watershed Act. Districts can be established for many different purposes, including flood control, erosion control, and water quality protection.

Watershed district meetings are open to the public.

HOW MANY WATERSHED DISTRICTS ARE THERE?

There are 41 watershed districts in Minnesota. They range in size from the Carnelian-Marine Watershed District with 41 square miles, to the Red Lake Watershed District with 5,990 square miles.

Each watershed district deals with problems that reflect the geography of the watershed. In northwestern Minnesota, several districts have joined together for integrated water management under the Lower Red River Watershed Management Board. In central Minnesota, where water-related recreation is an important source of revenue, watershed districts focus primarily on water quality and flood flows. In the metro area, watershed districts must cooperate with other governmental units to manage urban development and its affect on water quality and flood flows.

POWERS AND DUTIES OF WATERSHED DISTRICTS

- Make necessary surveys or utilize other reliable surveys and data to develop projects to accomplish the purposes of the watershed district.
- Cooperate or contract with any state or subdivision, federal agency, private or public corporation, cooperative association or person. (Develop and implement projects.)
- Construct, clean, repair, alter, abandon, consolidate, reclaim or change the course or terminus of any public ditch, drain, sewer, river, watercourse, natural or artificial within the district.
- Acquire, operate, construct, and maintain dams, dikes, reservoirs, water supply systems, and appurtenant works.
- Regulate, conserve, and control the use of water within the district.
- Acquire by gift, purchase, or the right of eminent domain, necessary real and personal property.
- Contract for or purchase such insurance as the managers deem necessary for the protection of the district.
- Establish and maintain devices for acquiring and recording hydrological data.
- Enter into contracts of construction.
- Enter upon lands within or without the district to make surveys and investigations.
- To take over, when directed by the joint county drainage authority or county board, joint county and county drainage systems within the district.

- Provide for sanitation and public health and regulate the use of streams, ditches, or watercourses to dispose of waste and prevent pollution.
- Borrow and accept funds.
- Prepare flood plain maps.
- Adopt water management rules.

WHO PAYS?

Watershed districts may levy an ad valorem tax to pay administrative costs. The tax levy is the product of market value of all real and personal property within the district multiplied by .0002418% or \$125,000, whichever is less.

Before a tax levy is submitted to the counties, a public hearing on the proposed budget is required.

For more information, contact the Board of Water and Soil Resources at 155 South Wabasha St., Suite 104, St. Paul, MN 55107. Phone: 612-296-3767.

STATE OF MINNESOTA

SF-00008-04

OFFICE INFORMATION MEMO

TO Jim B

FROM BS

PHONE NO.
()

DATE

2/16/90

TIME

LOCATION

LOCATION

MESSAGE TAKEN BY

☐ Called☐ Please call☐ Was here to see you☐ Urgent☐ Will call again☐ Returned your call

ACTION

☐ As we discussed☐ For your information☐ Per voice mail☐ As you requested☐ For your approval☒ Take appropriate action☐ Review and see me☐ For signature☐ Prepare reply for my sig.☐ Review and return☐ Notify staff☐ Reply and send me copy☐ File ☐ Dispose

PHOTOCOPY

☐ One side only☐ Collate

_____ No. of copies

☐ Head to head☐ Staple

_____ Date needed

☐ Head to foot☐ Other _____

TYPING

☐ Rough draft☐ Final copy☐ Single space☐ Memo☐ Double space☐ Letterhead

_____ Date needed

☐ Rush☐ Carbons _____

REMARKS/MESSAGES

Should the DRC convene
for 5 minutes to
approve the minutes
from the 1/24/90 mtg?

☐ Over

**Minutes of the BWSR
Dispute Resolution Committee
Meeting of January 24, 1990**
at the Roseville Holiday Inn, Roseville West Room
2540 North Cleveland Avenue
Roseville, Minnesota

Members Present: Don Ogaard, Bill Cofell, Jack Graba, Natalie Haas Steffen, and Howard Peterson substituting for Loni Kemp. Members Absent: Loni Kemp.

Staff Present: Bruce Sandstrom, Mel Sinn, Jim Birkholz, and Bill Clapp of the Attorney General's Office.

Others Present: Curt Sparks, Forest Lake WMO; Roger Johnson, Forest Lake WMO; Bill House, Concerned Citizen; Milton Jeans, Concerned Citizen; Glen Yakel, MDNR; Tim Fredbo, Washington SWCD.

Call to Order

Chairman Ogaard called the meeting to order at 8:00 a.m.

Forest Lake WMO Plan

Chairman Ogaard explained that the purpose of the meeting was to consider responses to the committee's letter to the Forest Lake WMO dated November 28, 1989. The letter contained the committee's recommendations for changes in the WMO plan based on the testimony and exhibits from the public hearing conducted on October 24, 1989 in Forest Lake Town Hall.

Chairman Ogaard said that the committee had to adjourn by 8:55 a.m., so time limits needed to be strictly adhered to. He said Bruce Sandstrom would provide a brief summary of the pertinent actions and events concerning the WMO plan; then an opportunity would be given to the WMO and the concerned citizens to respond; and ten minutes would be allotted at the end of the meeting for committee deliberations and possible negotiations.

Bruce Sandstrom handed out a chronology of events from July 1989 to the present concerning the WMO plan review process. He summarized the additional data that was submitted into the hearing record within ten days following the hearing. Bruce also summarized the five recommendations contained in the committee's November 28, 1989 letter concerning 1) maintenance of the outlet channel, 2) channel maintenance easements, 3) outlet dams history, 4) establishment of a legal ordinary high water level, and 5) control of phosphorus inputs from existing stormsewers. Finally, Bruce described the correspondence issued and received following the November 28 letter, including a January 4, 1990 letter from DNR to the WMO advising them of DNR's decision not to conduct a NOHW hearing.

Curt Sparks said the WMO reviewed its plan to see how the committee's

recommendations could be addressed. He said the WMO would:

- 1) Add a section providing a history of the dam;
- 2) Add a policy committing the WMO to ensuring that the outlet channel is maintained;
- 3) Want to continue to recognize the NOHW elevation of 901.8, which DNR staff believe is supportable; and
- 4) Continue its efforts to develop "best management practices" for the WMO.

Member Steffen asked Mr. Sparks to elaborate on the statement in the WMO's letter of January 24, 1990 that the WMO would "petition Washington County" if proper maintenance of the outlet channel became an issue. Mr. Sparks said maintenance was a county responsibility and the WMO would see to it that the county fulfills this responsibility. Member Graba asked whether the elevation of 901.8 was the "official" NOHW. Mr. Sparks said the local governmental units were using that number, and believe it is "supportable".

Concerned citizen Bill House discussed the issue of maintenance easements. He said the 1916 easements exist to this day, but apartment buildings were built on the easements in 1971. He said the outlet was not properly maintained after 1971, which allowed the lake to rise to an elevation above 902. He said the higher lake elevation caused aquatic vegetation to establish itself, enabling the DNR to claim a higher NOHW based on the lake's "natural features". He argued that the NOHW is really the elevation established by a legal public hearing process in 1923.

Chairman Ogaard asked what the process was for formally establishing an NOHW. Glen Yakel said the DNR would respond to a petition from "a majority of the riparian owners", and cited Minnesota Statutes, section 105.43. Bill Clapp added that a property owner can also force the issue by requesting a work in the beds permit, getting denied, and then demanding a public hearing on the NOHW question.

The committee then began its deliberations on whether the written response from the WMO dated January 24, 1990 adequately addressed the concerns outlined in the committee's letter of November 28, 1989. The members discussed the WMO's positions on the issues of a) channel maintenance, b) maintenance easements, c) history of the outlet dam, d) formal NOHW determination, and e) management of stormsewered areas for water quality purposes.

Motion made and seconded to recommend to the BWSR that the Forest Lake WMO plan be approved upon incorporation of the changes outlined in the WMO's letter dated January 24, 1990; with a strong recommendation to the WMO that it should take the initiative to see that an official NOHW is established for Forest Lake by Commissioner's Order. Motion passed.

The meeting was adjourned at 8:55 a.m.

OVERVIEW OF THE NOBLES COUNTY COMPREHENSIVE WATER PLAN

FOR THE FEBRUARY 28, 1990 BOARD MEETING

INTRODUCTION

Nobles County has a total of 459,314 acres of land of which 454,960 acres are privately owned. The county's original vegetation was prairie with small lakes, wetlands and occasional woodlots. Some common original species were big blue stem, little bluestem, Canada wildrye, prairie cordgrass and indian grass. Native flowers included sunflower, rose and violets. The Cities of Nobles County include Wilmont, Kinbrae, Adrian, Ellsworth, Round Lake and Worthington. Nobles County began independently local water planning on December 8, 1988.

PHYSICAL DESCRIPTION OF COUNTY

The surface of Nobles County is underlain by Quaternary glacial drift of the Pleistocene age and some alluvial deposits of recent age. Five specific surficial deposits include glacial outwash (mostly shallow bouldery sand and gravel), ground moraine, Bemis End Moraine, Loess and Extra-Morainic Till.

The county is divided into the Rock, Kanaranzi-Little Rock, Middle Des Moines, Okabena - Ocheda, Little Sioux and the Des Moines headwaters watersheds. Approximately 2/3 of the county flows to the Missouri River. This includes the west, central and southern portions with the remainder flowing to the Des Moines-Cedar River Basin.

Problems in Nobles County include demand on Lake Okabena and the Ocheda Lakes Chain for shoreline development, recreation, wildlife habitat and groundwater recharge. Other problems include erosion of intermittent grass waterways and flooding along Okabena Creek and in the City of Adrian. Opportunities exist to restore wetlands for much needed groundwater recharge and flood control. The surface water quality of Nobles County is generally poor and is impacted by intensive agricultural practices. Nobles County has contaminated groundwater which can be traced back to sources linked with the extensive agricultural land use of the County.

STAFF REVIEW

Nobles County has planned many actions to address its problems. Nobles County has strategies to size road culverts and require detailed hydrologic investigations to reduce flooding. The county through the county or watershed districts (Kanaranzi-Little Rock, Okabena-Ocheda and Middle Des Moines) will prohibit drainage of types 3 - 8 wetlands. The county has developed many strategies to treat and control runoff to enhance surface water quality. These include development of a baseline water quality monitoring program, require adoption of sediment control general criteria in all local water management plans, inventory of lakeshore and streambank erosion sites and target these sites through the SWCD for erosion

control cost share and technical assistance. The county has also developed actions to develop a baseline groundwater quality monitoring program and development of a geologic atlas.

The county is considering a restructuring of its local environmental organization which would include a "Resource Conservation Director" who would coordinate local water planning and solid waste efforts in the county.

The Nobles County plan was submitted to the Board of Water and Soil Resources on February 1, 1990 for final (90 day) state review.

By: Chris J. Hughes 02/27/90 with assistance from the Nobles County Comprehensive Water Management Plan.

"THE NEW FOREST STEWARDSHIP PROGRAM--WHAT'S IN IT FOR DISTRICTS"

Tony Dorrell, Director, Cooperative Forestry--U.S. Forest Service, Washington, DC
James Hubbard, President, National Association of State Foresters, CO

DESCRIPTION

Forest Stewardship will apply environmental and economic resource management principles to forest lands that will benefit current and future landowners and society at large. A large percentage of the Nation's private forest landowners are not currently receiving professional technical assistance. This initiative will accelerate forest stewardship.

To provide landowners the fundamentals of good stewardship all professionals interested in forest resource management will be brought together. Comprehensive forest management will help to provide clean water and air, healthy fish and wildlife, quality outdoor recreation and a continuous supply of forest products from private forest lands.

WHY IS FOREST STEWARDSHIP NEEDED?

The demand for outputs from forested lands is increasing. Approximately 57 percent of the Nation's commercial forest land is privately owned by nearly 8 million nonindustrial owners. It is estimated that demand for natural resources from private lands will increase significantly in the future. These lands must be managed in an environmentally sound manner as the Nation strives to increase outputs. How timber is harvested from these private lands, and the extent to which they are properly managed following harvest, will impact our soil and wildlife, our quality of life, the vitality of forest resource related industries, and the economic base of local rural communities.

WHAT WILL IT ACCOMPLISH?

Traditional efforts to provide professional technical assistance to these landowners has not been particularly successful, reaching only an estimated 10 percent. A stewardship land ethic approach that will provide private forest landowners with resource management options designed to meet their objectives could place up to 25 million acres of private forest land under stewardship management. The ability of the forest to meet the nation's demands hinges largely upon how well the private landowner meets the stewardship challenge.

WHAT'S IN IT FOR S&W CONSERVATION DISTRICTS?

For years NACD has had strong stewardship commitments and has maintained a Soil and Water Stewardship Committee. Now, an opportunity exists to strengthen partnership ties between the NACD, the Forest Service and the National Association of State Foresters as our organizations work on common goals to develop an effective delivery system to improve forest stewardship. Many State Foresters are already receiving a helping hand from State NACD Committees as State Forest Stewardship Plans are being developed. If your State NACD Committee is not involved, they would be a welcomed addition. Many local S&W Conservation Districts will be helping to implement the Forest Stewardship Program at the landowner level. State Foresters can use the assistance and have access to Federal funds that can be shared to support CD personnel.

Forest landowners view their land as a source of family enjoyment, a chance to leave something special for future generations as well as a potential source of income. But they may need technical advice and incentives to make their vision for the land a reality. Together, our organizations can help achieve that reality.



Jim

STATE OF MINNESOTA
COOK COUNTY SOIL AND WATER CONSERVATION DISTRICT
Box 825
Grand Marais, MN 55604

22 February 1990

To: Mn Board of Water/Soil Resources
Southbridge Office Bldg Suite 104
155 S Wabasha Ave
St. Paul, MN 55107

Subject: September 1990 BWSR meeting

This is to extend an invitation to hold your September Board meeting in the Cook County Soil & Water Conservation District.

We will work with Chris Hofstede, Board Representative to obtain housing for the Board. Further details will be sent toward the end of March.

We are looking forward to further acquainting you with our District, which we consider rather unique.

Sincerely,

Clarence Thompson
Clarence Thompson
Chairman

RECEIVED

FEB 23 1990

WATER & SOIL BOARD
COTTON FIELD

B

The region

Sunday**Grand Forks Herald****February 18, 1990**

Soil isn't all that's in the wind

Talk of soil 'cops', restrictions are blowing through the region

Soil "cops"? If erosion continues to be as bad as it has been in recent weeks, it's not out of the question that farmers could face stiff consequences for practices that cause the sky to become black.

By Stephen J. Lee
Herald Staff Writer

"There oughtta be a law."

That sentiment likely crossed many peoples' minds as they watched soil erosion blacken the skies in recent weeks.

Surprising as it might seem, there is a law that could result in penalties against farmers whose fields erode. And more legal sanctions could be coming.

Along with the growing environmentalist

movement gaining momentum across the nation, the Northern Plains drought of 1988 to 1990 has brought longstanding concerns about farming practices to a sharper point.

"We've had three separate occurrences when the sky has been black," Blake Vander Vorst said of this winter. Vander Vorst is executive secretary of the North Dakota State Soil Conservation Committee.

“

It would be better if we police ourselves right now . . . before it becomes a big national thing.

J.L. Richardson,
professor of soil science at NDSU

"If we stay this open, we are going to get more of these windstorms, and if we don't get some moisture, we could get as bad a year as '88."

The concern has spurred some conservationists to begin drafting a state law to require farmers to keep a minimum amount of field cover or face penalties.

□ □ □

Such an approach would be radically different from the way soil conservation practices have been promoted through the unique U.S. system.

The state Soil Conservation District committee assists and directs 61 soil conservation districts across the state. SCDs are locally elected and appointed officials charged with overseeing conservation practices in the districts, which basically follow county lines. Some counties have two districts.

SCD committees and supervisors, normally five to a district, have a lot of untapped power, Vander Vorst said.

The reason is a little-known state law, passed in its essentials in 1937 on the heels of the Dust Bowl days of the Depression, which allows SCD supervisors to draft and push through local erosion laws.

According to state law, SCDs can formulate land-use regulations, which can include requirements for methods of cultivation, seeding, tree-planting, diking streams or ponds. They even could include forcing farmers to stop farming certain fields deemed too erosive for crop production.

SCD supervisors can draft regulations and submit them to the voters in the district. A two-thirds affirmative vote means that the regulations would "have the force

Soil

Continued from Page 1B

and effect of law in the district and are binding and obligatory upon all qualified electors living within the district," according to state law.

In effect, under the law, it's possible that SCD supervisors — normally farmers themselves — could end up telling others what crops to plant and what piece of equipment to use on a field.

Sounds radical.

"It would definitely be perceived as a radical move," Vander Vorst said. "But I think it wouldn't take that much and wouldn't place a big inconvenience on most farmers to do some things to eliminate some of this winter-type erosion."

In practice, the law has been implemented only once, and that was 40-some years ago. Sheep ranchers moved into Sioux County south of Bismarck, and the Cedar SCD supervisors pushed through regulations designed to stop overgrazing.

The makeup of the SCD supervisors makes it highly unlikely that it would happen again. Most of them are farmers — three are elected to three-year terms, two are appointed by the SCD for one-year terms.

The Eastern Grand Forks County SCD held its monthly meeting last week and when asked, clearly did not see any need for passing land use regulations or policing farm practices of their neighbors.

□ □ □

Partly because of reluctance by SCD supervisors, some conservation professionals are beginning to push for a statewide erosion control law.

Last November, the North Dakota chapter of the Soil and Water Conservation Society unanimously voted to draft a soil erosion control bill to penalize farmers for not leaving crop residue on fields over winter.

It's a long way from becoming law, supporters say, but it illustrates the tougher approach some want.

"I'm sure there's a big concern by a lot of people about the erosion and what's happened to the soil resource," said Ernie French, president of the North Dakota SWCS chapter, and superintendent of the North Dakota State University's Agricultural Research Center in Williston.

The past 80 years have seen a loss of 60 percent of the organic matter in the state's soils, French said, and things have to change if there's going to be a future to the state's farming.

Soil erosion also is directly linked to water quality, says J.L. Richardson, professor of soil science at NDSU, because sediment — suspended soil particles — is by far the biggest factor in poor water quality.

Richardson is a member of the SWCS and supports the proposal to draft an erosion law.

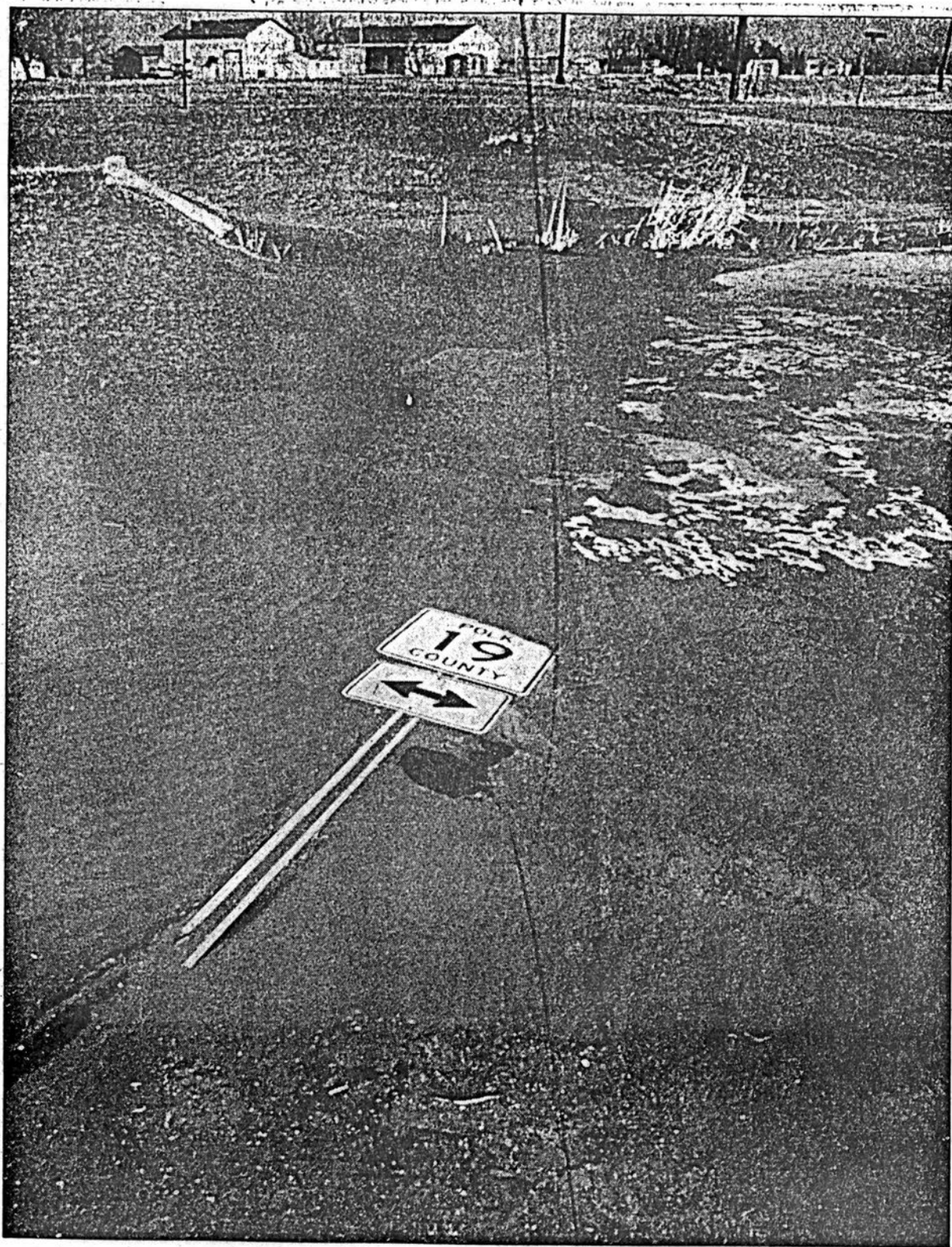
The proposed law French and Richardson support would require a minimum of 30 percent ground cover at freeze-up, which on a grain field could mean two passes with a cultivator. A moldboard plow leaves about 10 percent residue on the surface. The measure would graduate the ground cover requirement to 50 percent by the year 2000.

The SWCS will try to get a legislator to introduce the bill in the 1991 session.

□ □ □

Such an approach faces opposition not only from farmers, but from SCD supervisors and conservationists, according to Rich Axvig. An employee of the federal Soil Conservation Service, Axvig is the conservationist for the two SCDs in Grand Forks County.

For the first time ever, as of Jan. 1, the county's farmers who have highly erodible land now have a "compliance plan" filed with Axvig's office, which provides the professional and technical expertise for the SCDs. The 290 compliance plans require farmers to do such things as plant windbreaks, change crop rotations or change tillage practices, if they want to continue getting farm subsidies, Axvig said.



Ken Kleven, staff photographer

There appears to be more topsoil in this roadside ditch than in the nearby fields east of East Grand Forks recently. With little snowcover this winter, the region's soil is being blown away.