



Minnesota Board of Water and Soil Resources.
Minutes.

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Southbridge Office Building
155 South Wabasha St., Suite 104
St. Paul, Minnesota 55107

(612) 296-3767
Fax (612) 297-5615

DATE: March 20, 1991

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

FROM: *ASH* Ron Harnack, Executive Director

SUBJECT: March 27, 1991 Board Meeting

Regional Offices

Northwest Region
1106 Paul Bunyan Drive, NE
Bemidji, MN 56601
218-755-3963

Northeast Region
394 South Lake Avenue
Room 402
Duluth, MN 55802
218-723-4752

West Central Region
503 Washington Street
Brainerd, MN 56401
218-828-2604

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

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

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

East Central Region
Southbridge Office Building
155 South Wabasha Ave., Suite 104
St. Paul, MN 55107
612-296-3767

The March meeting will be held in the 6th floor conference room, DNR building, 500 Lafayette Road, St. Paul. Parking is available one block south of the DNR Building on the west side of Lafayette Road. The meeting will start at 9:00 AM and be adjourned by 3:30 PM.

The agenda and supporting information is attached. Some background:

Dispute Resolution Issues.

BWSR can expect to see a greater number of dispute issues come before the Board in the future. In order to deal effectively and efficiently with the requests and to give the public a clear process and procedure from which to pursue these issues the Board should consider development of policy procedures to guide future decision-making as well as application procedures for those who desire to use the process. Board guidance is desired.

St. Paul Audubon Society Appeal of a Ramsey-Washington Metro Watershed District permit on a wetland is before the Board as a matter of timeliness only. If the Board concurs that the appeal is not timely, the appeal can be dismissed. The statute provides clear direction, requiring appeals to be filed within 30 days of the decision. This appeal was not timely. Board decision required.

BWSR Members, Staff, and Advisors
March 20, 1991
Page Two

Benton SWCD\ Gorecki request for dispute resolution was filed by Mr. and Mrs. Gorecki regarding cost-sharing on a animal waste system. The Benton SWCD has conformed to all Board policies and procedures regarding this matter. The issue for the Board is the degree to which the Board wants to get into an issue that is totally within the responsibility and authority of the local SWCD. Board decision required.

Remerowski appeal of Yellow Medicine Watershed District permit. A hearing before the Administrative Law Judge was conducted and recommendations filed with the Dispute Resolution Committee. The Committee will meet and recommend specific action to the Board. Board decision required.

Legislation has been introduced that would remove BWSR from the appeal process for certain watershed district activities and allow the courts to be the only avenue for appeal. The Board could still play a voluntary mediation role to help facilitate resolution of issues, however the formal element of the process would be removed. The issue for the Board is should certain actions of the watershed districts be subject to appeal to the Board under a formal and legal process or should the concerned public's only avenue for dispute resolution be the courts. Guidance to staff on this legislation is desired.

Update on Metro Water Planning Act Rules - Staff has completed the third draft of the rules with input from an advisory committee. As the process has moved forward some of you may hear concerns coming from some cities and WMO's. This does not mean that the staff is not receptive to issues that are being raised, it is rather a reflection of those who have not kept involved with the process individually or through their representative. Information only.

Cost-share\forestry practices - Some the SWCD's have indicated an interest to have the cost-share program give greater recognition to forest management practices. The Board and the SWCD's have agreed that technical assistance was important and adjusted allocations accordingly to permit the hiring of a forestry staff person to assist local districts in private forest management initiatives. The Board has the authority to, for example, allocate a certain portion of the cost-share dollars to forestry practices. This would be a significant policy decision for the Board. If the Board is inclined to have this issue pursued staff can discuss the issue with respective districts and the association and develop a policy paper for consideration over the next three months.

BWSR Members, Staff, and Advisors
March 20, 1991
Page Three

Conservation Easements on Tax Forfeit Land - Based on directions from the February meeting staff have discussed BMP's options with the DNR. In order to reduce day to day decision-making by the Board, staff has formulated specific language to guide landowners in understanding what specific BMP's are being referenced and who administers the BMP'S.

If you have any questions regarding the agenda or related information please call. Also if you cannot attend or will be coming late please call Mary Jo at 297-4290.

RH:mja
Enc.



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RH:mja
Enc.

**BOARD OF WATER AND SOIL RESOURCES
DEPARTMENT OF NATURAL RESOURCES BUILDING
6TH FLOOR CONFERENCE ROOM
500 LAFAYETTE ROAD
ST. PAUL, MINNESOTA 55101
MARCH 27, 1991**

PRELIMINARY AGENDA

9:00 a.m.

1. Call to Order
2. Adopt Agenda
3. Approval of Minutes of February 27, 1991
4. Introduction of Rod Sando, Commissioner, Department of Natural Resources
5. Reports
 - Chairman's Report - Donald Ogaard
 - Executive Director's Report - Ron Harnack
 - EQB/Water Resources Committee Report
6. Legislative Update - Ron Harnack
7. BWSR Education Committee - Susan Tsakakis
8. Update on Metro Water Planning Act Rules
9. Metropolitan WMO Plans - for approval - Bruce Sandstrom
 - Central Ramsey
 - Southwest Ramsey
 - Bevens Creek
 - Credit River

12:15 p.m.

Lunch

10. Status of Cost-Share Allocation Revisions
11. Cost-Share/Forestry Practices

12. Dispute Resolution Issues
 - St. Paul Audubon Society Appeal of Ramsey-Washington Metro Watershed District Permit No. 90-23 - Mel Sinn
 - Dispute Resolution Committee Recommendations Report on Remerowski Appeal - Donald Ogaard
 - Benton County SWCD/Gorecki Request for Dispute Resolution - Greg Larson
 - Senate File 831 Issues - Mel Sinn
 - Policies and Procedures - Ron Harnack
13. Update on Conservation Easements on Tax Forfeit and State Land Sales - Wayne Edgerton
14. Advisors Comments
 - Gary Nordstrom, Soil Conservation Service
 - Pat Wulff, Lake Management Federation
 - D'Wayne DeZiel, Minnesota Association of Soil and Water Conservation Districts
 - Howard Peterson, Minnesota Association of Watershed Districts
 - John Sumption, Minnesota Association of Conservation District Employees
 - Franklin Denn, Minnesota Association of Townships
15. Board Issues - discussion, comments, action needed

Next meeting - April 24, 1991

Adjourn

Minnesota Board of Water and Soil Resources
155 South Wabasha Street
Suite 104
Saint Paul, Minnesota 55107

DRAFT

In the Matter of the St. Paul Audubon Society
Notice of Appeal of Ramsey-Washington Metro
Watershed District Permit No. 90-23
(Minn. Stat. 1990, sec. 103D.535)

**ORDER
DISMISSING APPEAL**

On June 6, 1990, the Ramsey-Washington Metro Watershed District approved Permit No. 90-23 for grading operations on the Jesco/Phalen Plat No. 1 Project. The notice of appeal of the St. Paul Audubon Society was received by the BWSR on March 6, 1991.

Pursuant to Minnesota Statutes 1990, section 103D.535, subdivision 5, a notice of appeal must be filed within 30 days of the date of the final order of the watershed district.

NOW THEREFORE, IT IS THE ORDER OF THE BWSR, that the appeal of the St. Paul Audubon Society is not timely and the appeal is dismissed.

Dated at St. Paul, Minnesota this 27th day of March 1991.

Minnesota Board of Water and Soil Resources

Donald H. Ogaard
Chairman



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155 South Wabasha St., Suite 104
St. Paul, Minnesota 55107

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155 South Wabasha Ave., Suite 104
St. Paul, MN 55107
612-296-3767

March 8, 1991

Ms. Kiki Sonnen
1758 Hewitt Avenue
St. Paul, MN 55104

Dear Ms. Sonnen:

The BWSR acknowledges receipt on March 6, 1991 of the St. Paul Audubon Society's notice of appeal of Ramsey-Washington Metro Watershed District's issuance of permit #90-23.

The notice of appeal states that permit #90-23 was issued on June 6, 1990. Appeals under Chapter 103D must be filed within 30 days of the watershed district "order". Although it appears clear that the appeal is not timely, I am forwarding it to the BWSR's legal advisor for review and recommendations. The BWSR's office will contact you as soon as that review is completed.

If you have questions, please call me.

Sincerely,

Mel Sinn

cc: Carl Conney, Special Assistant Attorney General
Ramsey-Washington Metro Watershed District
Ron Harnack, Executive Director, BWSR
Don Ogaard, Chair, BWSR Dispute Resolution Committee



St. Paul Audubon Society

30 East 10th Street • St. Paul, Minn. 55101

RECEIVED
MAR 06 1991

March 5, 1991

A CHAPTER OF THE
NATIONAL AUDUBON SOCIETY



Mr. Mel Sinn
Board of Water and Soil Resources
155 S. Wabasha Street, Suite 104
St. Paul, MN 55107

Re: Notice of Appeal of Issuance of Grading Permit for Jesco/Phalen
Plat No. 1 Project by Ramsey-Washington Metro Watershed District
(their permit # 90-23)

Dear Mr. Sinn and Board Members:

This correspondence is a notice of appeal of the Ramsey-Washington Metro Watershed District's action to approve a grading permit for the Jesco/Phalen Plat No. 1 Project, which would fill 2.5 acres of 3.06 acres of wetlands (Wetland Types PEMC and PSSIC) southeast of Lake Phalen in St. Paul, MN. to construct 10 single-family homes. The wetlands are known locally as the Topic-McAfee Wetland Basin. This appeal is undertaken pursuant to Minnesota Statutes, Section 103D.535.

The St. Paul Audubon Society appeals the Ramsey-Washington Metro Watershed District's action to approve a grading permit for the above mentioned project, and herein encloses our check for \$250 to satisfy bond requirements for the appeal, pursuant to MN. Statutes, Section 103D.535, Subd. 5.

The grounds for the St. Paul Audubon appeal are as follows:

1) On June 6, 1990, the Ramsey-Washington Metro Watershed District (RWMWD) granted their permission to conduct grading operations for the Jesco/Phalen Plat No. 1 Project (their permit #90-23). On Aug. 31, 1990, the Minnesota Environmental Quality Board's Monitor was published, announcing that an EAW petition had been received by citizens negatively impacted by the project. On Oct. 29, 1990, the Minnesota Environmental Quality Board's Monitor was published, announcing that the EAW was a mandatory EAW.

The RWMWD was in error, and in violation of Minnesota Rules 4410.3100, on both Aug. 31, 1990, and on Oct. 29, 1990, when it did not revoke its permit #90-23 pending final action on the EAW. Minnesota Rules 4410.3100, Subd. 1 prohibits final governmental decisions in situations such as these, stating: "EAW filed or required. On any project for which a petition for an EAW is filed,

or an EAW is required or ordered under parts 4410.0200 to 4410.7800, No final governmental decision to grant a permit or other approval required, or to commence the project, shall be made until either a petition has been dismissed, a negative declaration has been issued, or a determination of adequacy of the EIS has been made."

2) By violating MN. Rules 4410.3100, the RWMWD set the stage for skewed EAW findings, further jeopardized the existence of 2.5 acres of the Topic-McAfee wetlands, and abridged the appellant's rights to protect wetland resources for the public's enjoyment, wildlife habitat, erosion control, enhanced water quality, and floodwater control.

3) On July 23, 1990, the City of St. Paul Department of Public Works issued a letter of understanding to Mr. Carmon Tuminelly, developer of the Jesco/Phalen Project, stating the City will pay up to \$20,000 to the developer in exchange for storm sewer easements on and easement acquisitions of project land as part of the City's Prosperity/Ivy Area Sewer Separation Project. City Council resolution, File # 18602E, was introduced on January 30, 1991, to begin this land-financial transaction. It is the contention of the St. Paul Audubon Society that the placement of the storm sewer in this location will further reduce the amount of remaining wetlands on the site, and that both the housing project and the sewer project should be looked at in combination as to its effects on the Topic-McAfee wetland basin. It is the contention of the St. Paul Audubon Society that this portion of the Prosperity/Ivy Sewer Separation Project was rerouted from the urban streets of Clarence and Maryland to a route through the wetlands as a way to avoid disrupting traffic.

RWMWD staff were aware of this sewer proposal and rerouting. It is the understanding of the St. Paul Audubon Society that the RWMWD staff decided the rerouting of the Prosperity/Ivy Sewer Separation Project element through the Topic-McAfee wetlands was allowed under the RWMWD's general permit to the City of St. Paul for its city-wide sewer separation project. But by segmenting the housing project away from the sewer project and approving both in isolation, RWMWD is in violation of the Minnesota Environmental Rights Act, which intends that combined projects' impacts be analyzed for environmental effects and that less environmentally damaging alternatives be explored.

In summary, the St. Paul Audubon Society appeals to the Board of Water and Soil Resources to overturn the RWMWD's decision to

issue permits for these projects and to order the preservation of the Topic-McAfee wetlands.

The St. Paul Audubon representative handling our appeal is Ms. Kiki Sonnen, 1758 Hewitt Ave., St. Paul, MN 55104. To arrange the hearing schedule and other appeal details, please contact her at 472-0742(O) or 644-9254(H).

Sincerely,

Dorothy Waltz MKS

DOROTHY WALTZ
St. Paul Audubon President

DW/mks

cc: Carmon Tuminelly, Jesco/Phalen Project Developer
James Scheibel, Mayor of City of St. Paul
Ramsey County Auditor
BWSR Secretary
Topic/McAfee Wetlands Contact List (see attachment #1)

ST. PAUL AUDUBON SOCIETY

30 E. TENTH ST.
ST. PAUL, MN 55101

3493

17-2/910

PAY
TO THE
ORDER OF

3/5 1991

Board of Water and Soil Resources

\$ 250⁰⁰

Two Hundred Fifty and no/100

DOLLARS

TWO SIGNATURES REQUIRED OVER \$500.00



First Bank
National Association
Member First Bank System

Saint Paul Office
332 Minnesota Street
Saint Paul, MN 55101

Sean Whirig

FOR

██████████ : ██████████ : ██████████

**BOARD OF WATER AND SOIL RESOURCES
DEPARTMENT OF NATURAL RESOURCES BUILDING
6TH FLOOR CONFERENCE ROOM
500 LAFAYETTE ROAD
ST. PAUL, MINNESOTA 55101
MARCH 27, 1991**

AGENDA

- | | |
|------------|--|
| 9:00 a.m. | <ol style="list-style-type: none">1. Call to Order2. Adopt Agenda3. Approval of Minutes of February 27, 19914. Introduction of Rod Sando, Commissioner, Department of Natural Resources5. Reports<ul style="list-style-type: none">- Chairman's Report - Donald Ogaard- Executive Director's Report - Ron Harnack- EQB/Water Resources Committee Report6. Legislative Update - Ron Harnack7. BWSR Education Committee - Susan Tsakakis8. Update on Metro Water Planning Act Rules - Ron Harnack |
| 11:00 a.m. | <ol style="list-style-type: none">9. Metropolitan WMO Plans - for approval - Bruce Sandstrom<ul style="list-style-type: none">- Central Ramsey- Southwest Ramsey- Bevens Creek- Credit River |
| 12:15 p.m. | <p>Lunch</p> |

1:15 p.m.

10. Status of Cost-Share Allocation Revisions
11. Dispute Resolution Issues
 - St. Paul Audubon Society Appeal of Ramsey-Washington Metro Watershed District Permit No. 90-23 - Mel Sinn
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 - Franklin Denn, Minnesota Association of Townships
14. Board Issues - discussion, comments, action needed

Next meeting - April 24, 1991

3:30 p.m.

Adjourn

**BOARD OF WATER AND SOIL RESOURCES
DEPARTMENT OF NATURAL RESOURCES BUILDING
6TH FLOOR CONFERENCE ROOM
ST. PAUL, MINNESOTA 55101
MARCH 27, 1991**

Appointed Members in Attendance

Donald Ogaard
John Williamson
John Boulton
Don Warner
William Cofell
Howard Peterson
Jack Graba
Loren Harste
James Hoese
Diane Jensen
John Brooks, Jr.

Agency Members in Attendance

John Fax, Department of Natural Resources
Pat Bloomgren and Wayne Anderson, Pollution Control Agency
Valentine O'Malley, Department of Health
Fred Bergsrud, University of Minnesota
Doug Wise, Department of Agriculture

Others in Attendance

Danny Potter, Minnesota Association of Soil & Water Conservation Districts
John Sumption, Minnesota Association of Conservation District Employees
Gary Nordstrom, Soil Conservation Service
Franklin Denn, Minnesota Association of Townships

Staff in Attendance

Ron Harnack
Jim Birkholz
Susan Tsakakis
Dave Behm
Mel Sinn
Greg Larson
Bruce Sandstrom
Wayne Edgerton
Mary Jo Anderson

Meeting Called to Order - Chairman Ogaard called the meeting to order at 9:10 a.m.

**** 91-21** **Adopt Agenda** - Moved by Cofell, seconded by Warner, to adopt the agenda as presented. Affirmative: Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Hoese, Peterson, and Jensen. Opposed: None. Carried.

**** 91-22** **Approval of Minutes of February 27, 1991** - Moved by Warner, seconded by Cofell, to approve the minutes of February 27, 1991 as circulated. A correction on page three was made by Diane Jensen regarding her affiliation with the Great Lakes Protection Fund, rather than the Great Lakes Commission. Also on page one, staff Mel Sinn and Chuck Niska were listed twice. Affirmative: Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Hoese, Peterson, and Jensen. Opposed: None. Carried.

Chairman's Report - Chairman Ogaard attended the Environmental Education Board meeting. The Environmental Education Board's focal point is on educational initiatives and the distribution of educational materials. Chairman Ogaard also attended the EOB/Water

Chairman Ogaard also attended the regular monthly meeting of the E. Q. B. The major issues at that meeting were the application for storage of spent nuclear fuel at the Prairie Island generating facility (NSP) and the hiring of a consultant to do the GEIS on Minnesota's forest industry. A firm based in Finland utilizing Minnesota personnel received authorization to do the study.

Ron reported on staffing issues. Chris Hofstede had extensive knee surgery and will be out for some time recovering. Tom Schwanke and Mary Miller deserve special recognition for prompt payment of agency bills, 100% payment within 30 days. Dave Behm and Jim Lemmerman held a windbreak marketing training session on March 5 in Area 5. There are growing opportunities for the BWSR regarding forestry issues that can be coordinated with the DNR/Forestry Division. Ron reported that the staff Management Team met on March 18 at Wilder Forest to discuss the staff work plan, and BWSR strategic plan. The M-Team is looking at and prioritizing strategic issues, which will be brought before the Board in the future.

Legislative Update - Ron reported that the BWSR's three legislative initiatives are moving along in the legislative process. 1) Exempting an administrative law judge from certain proceedings by the BWSR is authored by Senator Davis in the Senate, and Representative

Jennings in the House. 2) Acceptance of funds or property and acquisition of real property by the BWSR to receive money without those funds going back to the general fund is authored by Senator Hottinger in the Senate, and Representative Virgil Johnson in the House. 3) Local water planning lifting the levy limit does not have an author yet. This initiative is in the office of Senator Luther and Representative Vanasek, Speaker of the House. It is expected to be authored soon. Ron will keep the Board updated on these three initiatives as they progress. He reported that the wetlands initiative is moving forward in the House. No formal action is expected until after Easter. The Senate passed wetlands SF 3 out of the Agriculture/Environment Ad Hoc Committee and was referred to the Senate Environment committee. There is a substantial difference between the two bills. A summary of the bills will be done after copies of the engrossed bills are received. Ron stated that there is talk of a special session in June, July, and August on the taxing issue. Ron stated that if Board members have any questions on legislation issues, staff is tracking legislation as it happens, and is keeping an updated file, he encouraged members to call the Board office.

Chairman Ogaard introduced Rod Sando, Commissioner of the Department of Natural Resources. Commissioner Sando welcomed the Board to the DNR Building and stated that DNR is in support of the Board and wishes to work cooperatively with our agency. He reported that DNR is hiring an agriculture liaison position to interface with agriculture and a liaison to interface with local government issues.

BWSR Education Committee - Susan Tsakakis commented on the Education Technical Advisory Committee. A number of assessment surveys on education will be distributed statewide regarding the Department of Natural Resources' need for an educational program on a regional basis. Susan will be sending a notice out this week to the BWSR Education Committee as to its first meeting, which will be held either the day before or after the next BWSR meeting.

Update on Metro Water Planning Act Rules - Ron Harnack reported that there are some cities concerned, as well as some organizations who have not been involved from the beginning on the rulemaking process. Staff has reviewed concerns with the work group and it was agreed to slow the process so that greater coordination between work group members and their constituents can be afforded. Public information meetings will be delayed a few months, on a county-by-county basis to see what perspectives there are as an outgrowth to those meetings. Howard Peterson was present at the last meeting and stated that he supports and applauds what the BWSR is doing now. Discussion followed. Negotiations are needed in both directions, with authorities needed to be expressed and addressed. It is essential that local governments work cooperatively with state agencies. Ron Harnack commended Bruce Sandstrom on his efforts and hard work on the rulemaking process and gives him much credit for his capability of "weathering the storm". Goals and objectives of the rules should be consistent; the negotiations continue as to how it should be accomplished. Bruce stated that there is much information out there, by stepping back and slowing the processing down, it more will be worthwhile later.

Chairman Ogaard called for a break in the meeting at 10:35 a.m. The meeting reconvened at 10:50 a.m.

Metropolitan WMO Plans

91-23 - Central Ramsey WMO Plan - Bruce Sandstrom introduced representatives of the Central Ramsey WMO Plan, Dick Hedman and Tom Rasmussen, and gave a brief overview of the plan. Staff recommends approval of the Central Ramsey WMO Plan. Moved by Warner, seconded by Hoese, to approve the Central Ramsey WMO Plan. Affirmative: Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Hoese, Peterson, and Jensen. Opposed: None. Carried.

91-24 - Southwest Ramsey WMO Plan - Bruce Sandstrom gave an brief overview of the Southwest Ramsey WMO Plan and recommends approval of the plan. Moved by Williamson, seconded by Cofell, to approve the Southwest Ramsey WMO Plan. Affirmative: Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Hoese, Peterson, and Jensen. Opposed: None. Carried.

91-25 - Bevens Creek WMO Plan - Bruce Sandstrom introduced Jeff Hedtke, Carver SWCD, and gave a brief overview of the plan. Bruce commended Jeff Hedtke for his fine efforts on working cooperatively with everyone in the area on the plan. Staff recommends approval of the Bevens Creek WMO Plan. Moved by Hoese, seconded by Warner, to approve the Bevens Creek WMO Plan. Affirmative: Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Hoese, Peterson, and Jensen. Opposed: None. Carried.

91-26 - Credit River WMO Plan - Bruce Sandstrom introduced Pete Beckius, Scott SWCD, and gave a brief overview of the plan. Bruce recommended approval of the plan with the contingency that a 40% reduction conflict with Met Council be resolved within 90 days. Discussion followed. Moved by Cofell, seconded by Williamson, to approve the Credit River WMO Plan. Affirmative: Ogaard, Williamson, Boulton, Graba, Brooks, Jr., Harste, Cofell, Hoese, and Peterson. Opposed: Warner and Jensen. Carried. Staff will notify the Credit River WMO that the plan was approved and encourage them to work out the differences with Met Council. Mr. Beckius thanked the BWSR staff for their assistance on the plan.

Jim Hoese left the meeting.

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

Dispute Resolution Issues

91-27 - St. Paul Audubon Society Appeal of Ramsey-Washington Metro Watershed District Permit No. 90-23 - Carl Conney, Attorney General's Office, recommended denial of the appeal because it was untimely. Moved by Warner, seconded by Cofell, to table this issue until Dorothy Waltz representing the Audubon Society arrives to comment on the issue.

Affirmative: Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Peterson, and Jensen. Opposed: None. Carried. Dorothy Waltz arrived at the meeting.

91-28 Moved by Warner, seconded by Cofell, to bring the Audubon Society appeal back on the table. Affirmative: Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Peterson, and Jensen. Opposed: None. Carried. Dorothy Waltz commented on the appeal. She reported that the development proposal in question had been changed to lessen its impact on wetlands. She said the Audubon Society recognized that the appeal was

91-29 late and did not expect the BWSR to act on it. Moved by Brooks, Jr., seconded by Graba, to formally deny the Audubon Society appeal regarding the Ramsey-Washington Metro Watershed District. Affirmative: Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Peterson, and Jensen. Opposed: None. Carried.

- Dispute Resolution Committee Report on Remerowski Appeal - Chairman Ogaard reported that the Dispute Resolution Committee met today and basically adopted the administrative law judge's findings regarding the Yellow Medicine River Watershed District appeal. The Dispute Resolution Committee decision is binding.

- Dennis and Susanna Gorecki Request for Dispute Resolution - Greg Larson explained the situation in Benton County regarding a dispute over an animal waste system that was cost-shared by the SWCD. The Benton SWCD has conformed with the rules of the state cost-share program regarding this matter. The BWSR needs to decide whether to get involved with an issue that is within the discretion and authority of an SWCD. The Gorecki's are asking for reimbursement for additional miscellaneous costs beyond the cost-shared amount to make the system operational. Benton SWCD considers these costs to be associated with the maintenance of an animal waste control system and has denied the Gorecki's claim. The Gorecki's have asked BWSR to intervene. John Brach, Soil Conservation Service, briefly explained the design and functioning of the system used by the Gorecki's. Chairman Ogaard suggested that this issue should be worked out locally with the Benton SWCD and the Mr. and Mrs. Gorecki's, or an informal meeting be facilitated by BWSR with the landowners, the SWCD, and SCS. Moved by Warner, seconded by Graba, that a one-time task force committee, consisting of three people, be directed to meet and resolve the issue between the Benton SWCD and Dennis and Susanna Gorecki. Affirmative: Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Peterson, and Jensen. Opposed: None. Carried.

91-30

- Senate File 831 Issues - Mel Sinn summarized SF 831 as it was introduced by Senator Flynn. The bill relates to watershed district authority. Allows recovery of costs, including engineering and legal fees, in cases where the watershed district orders restorative work. Removes the limitation on watershed district rules where county or municipal ordinances regulate the same items. Limits appeals of watershed orders to proceedings where a project will be paid for by assessments against benefitted properties. Allows judicial review of district rules, orders, or permit decisions by declaratory judgment actions brought by interested parties. Specifies criminal enforcement procedures. Allows districts to recover attorneys fees in civil actions in which they prevail. Allows civil fines of up to \$25,000 and

sets procedures for appeals and enforcement. Howard Peterson stated that the MAWD Directors need more time to review this. Mel stated that the bill is not likely to move forward this session which will allow the Board more time to review its provisions.

**
91-31

- Policies and Procedures - Jim Birkholz explained that the activities of the Dispute Resolution Committee could become much more involved and highly accelerated with the wetlands issues and the proposed exemption from the administrative law judge. Now is the time to review the policies and procedures of the Dispute Resolution Committee. In what cases is the final determination of an issue with the Dispute Resolution Committee or the full BWSR? Moved by Boulton, seconded by Williamson, to direct staff to develop draft policies and procedures for the Dispute Resolution Committee. Affirmative: Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Peterson, and Jensen. Opposed: None. Carried.

Status of Cost-Share Allocation Revisions - Dave Behm reported that a meeting was held once in January to discuss the cost-share allocation revisions. The MASWCD Board of Directors met yesterday to discuss and summarize each area of the state's concerns. The message received by the majority of the Board of Directors was that there isn't a need for change in the allocation formula, rather, they are more concerned with the rulemaking process. When the MASWCD is comfortable with doing so, they will make a recommendation to the BWSR in the near future. Dave stated that they had a very worthwhile discussion on this issue at the MASWCD meeting.

Update on Conservation Easements on Tax Forfeit and State Land Sales - Wayne Edgerton reported that based on directions from the BWSR from the February meeting, staff have reviewed approved best management practices (BMP's) options. In order to reduce day-to-day decision-making by the Board, staff has formulated specific language to guide landowners in understanding what specific BMP's are being referenced and who administers the BMP's. Staff recommends the following:

Allowing conservation measures on tax forfeit land conservation easement areas, provision number one of the tax forfeit easement is hereby modified to read:

"1) altering wildlife habitat and other natural features, unless specifically approved by the Board of Water and Soil Resources, its successors or assigns, hereinafter referred to as "Board". Conservation practices may be applied to the easement area as specified in a plan prepared by the landowner in accordance with the Forestry-Wildlife Criteria approved by the Board, and in effect at the time of the conservation activity. The plan must be approved by the Department of Natural Resources forester and wildlife manager prior to altering the easement area. The Forestry-Wildlife Criteria are available at the offices of the Board, local Soil and Water Conservation District, County, and the Department of Natural Resources. The Board reserves the right to change the criteria at any time without consent of the landowner".

Staff also recommends: Approved activities on tax forfeit lands sold under conservation easement [Minn. Stat. Sec. 103F.535 and 282.018 subd., 2(1990)]. The following BWSR Forestry-Wildlife Criteria is applied to conservation easements reserved in the conveyance of tax forfeit lands: 1) forest management activities that comply with the most current issue of "Best Management Practices in Minnesota", a document developed by various forestry related agencies and groups to assure environmentally safe forest management activities; and 2) all activities must be conducted in accordance with the most current "Forest-Wildlife Guidelines to Habitat Management", which is an agreement between the Minnesota Department of Natural Resources Division of Forestry and Section of Wildlife to maximize wildlife habitat on forested lands; and 3) any question in determining the applicability of the management practices being applied should be interpreted in a manner most favorable to protecting soil, improving water quality, and enhancing fish and wildlife habitat. This standard will be made available to the local soil and water conservation districts, counties, and Department of Natural Resources offices.

Staff also recommends that the BWSR authorizes the placement of blinds and scaffolds on conservation easement areas for the observation, and/or lawful taking, of wildlife provided wildlife habitat impact is minimal.

Don Warner suggested refining deer stand issues by discouraging the use of nails in trees.

91-32 Moved by Cofell, seconded by Harste, to approve the aforementioned staff recommendation relating to allowing conservation measures on tax forfeit land, conservation easement areas; approved activities on tax forfeit lands sold under conservation easement; and blinds and scaffolds on easement areas. Affirmative: Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Peterson, and Jensen. Opposed: None. Carried.

Advisors Comments

- Gary Nordstrom, Soil Conservation Service, reported that SCS will continue to assist the legislature on wetlands issues. The 1990 Farm Bill did not expand acres, nationally there are 34 million acres, with over \$1 million per year in Minnesota. CRP sign-up is scheduled for July, with wetland reserve sign-up also expected at that time. SCS is working heavily on compliance plans, in carrying out those plans to achieve erosion control as agreed to. The Secretary of Agriculture authorized an RC&D Program in Minnesota, Prairie Country, located in the Willmar area. RC&D Coordinator interviews will be held this week. SCS will be working in a coordinated effort with the Department of Natural Resources/Forestry Division to assist with forestry issues statewide. District Conservationists positions are currently vacant in Ortonville and North Branch, and a position with the Kanaranzie-Little Rock project.

Danny Potter, Minnesota Association of Soil and Water Conservation Districts, reported that he met with Ron Harnack and Jim Birkholz on Monday evening to discuss concerns of

the BWSR and the MASWCD and to keep open communication so there are no misunderstandings on issues. Additional meetings are being scheduled in conjunction with the dates of the MASWCD and BWSR meetings. The Board of Directors met yesterday and discussed the cost-share program allocation process. The Directors did an excellent job in working on this, it can work with doing it cooperatively, stated Danny. D'Wayne DeZiel, Allen Oehle, and Danny Potter will be going to Washington, D.C., in April to meet with legislators. SCS assisted with scheduling the meetings, and Jim Birkholz has put together a packet of informational materials to take with them. He thanked Gary and Jim for their assistance.

Howard Peterson, Minnesota Association of Watershed Districts, reported that the MAWD met last week in Alexandria. They reviewed their wetlands position, it runs parallel and is uniform with others. The first issue of the MAWD newsletter has just been published; call Howard if you would like copies. The MAWD is working on procedures for a uniform accounting system.

John Sumption, Minnesota Association of Conservation District Employees, reported that he attended a meeting in Brainerd on base grants, challenge grants, and water plans. SWCDs are going to be busy this summer! The MACDE has formulated a wetlands policy. MACDE is currently in the process of analyzing surveys regarding training activities.

Franklin Denn, Minnesota Association of Townships, reported that MAT has been busy with short courses on township revenues and wetlands. An item of concern is gravel pits; there is a need to look at harvesting gravel pits rather than mining them. This is a difficult task, no standard procedure at this time.

Board Issues

- Proposed Snake River Watershed District - Chairman Ogaard reported that legal advisors are doing the background work, no report received yet from the administrative law judge.

- Cofell made a plea for education in WMO plans that were acted on earlier today. There is a tremendous amount of education done here with many people working together and learning cooperatively. Graba stated that educating is being done statewide on recycling.

****** Moved by Warner, seconded by Graba, to adjourn the meeting at 3:20 p.m. Affirmative:
91-33 Ogaard, Williamson, Boulton, Warner, Graba, Brooks, Jr., Harste, Cofell, Peterson, and Jensen. Opposed: None. Carried.

Respectfully submitted,


 Donald Ogaard
 Chairman

BOARD OF WATER AND SOIL RESOURCES
MINNESOTA POLLUTION CONTROL AGENCY BUILDING
CENTRAL BOARD ROOM LOWER LEVEL
520 LAFAYETTE ROAD
ST. PAUL, MINNESOTA 55101
APRIL 24, 1991

PRELIMINARY AGENDA

- | | |
|------------|--|
| 9:00 a.m. | 1. Call to Order |
| | 2. Adopt Agenda |
| | 3. Approval of Minutes of March 27, 1991 |
| | 4. Reports |
| | - Chairman's Report - Donald Ogaard |
| | - Executive Director's Report - Ron Harnack |
| | - EQB/Water Resources Report |
| | 5. Gorecki Update - Greg Larson |
| | 6. Pilegaard Update |
| | 7. Legislative Update - Ron Harnack |
| | 8. Water Day Success - Ron Harnack |
| 11:30 a.m. | 9. Environmental Quality Board - Bob Dunn, Chair |
| | 10. Update on BWSR Education Committee -
Susan Tsakakis |
| | 11. Update on BWSR Training Committee - Mark Nelson |
| 12:15 p.m. | Lunch |

1:15 p.m.

12. U.S. Fish & Wildlife Service Aquisition Authority Support - Tom Wenzel
13. Wellhead Protection Technical Workgroup and Well Sealing Update - Eric Mohring
14. WMO Plans - for approval - Bruce Sandstrom
 - Middle St. Croix
 - Southwest Scott
 - Shakopee
 - Sand Creek
15. Advisor Comments
 - D'Wayne DeZiel, Minnesota Association of Soil and Water Conservation Districts
 - Gary Nordstrom, Soil Conservation Service
 - Pat Wulff, Lake Management Federation
 - Howard Peterson, Minnesota Association of Watershed Districts
 - John Sumption, Minnesota Association of Conservation District Employees
 - Franklin Denn, Minnesota Association of Townships
16. Board Issues - discussion, comments, action needed

Next meeting - May 22, 1991

3:30 p.m.

Adjourn

OVERVIEW OF THE STEARNS COUNTY WATER PLAN

APRIL 1991

BACKGROUND

Stearns County began development of the Stearns County Comprehensive Water Management Plan (Plan) by resolution of the County Board in February 1988. The County established a Water Advisory Board to guide development of the Plan. The County contracted with St. Cloud State University (SCSU) to assist with development of the Plan. The County appointed Lee Carlson-Wallace, County Surveyor, to serve as Water Planning Project Manager and Water Advisory Board Chairman. Dr. Robert Bixby, Associate Professor in the SCSU Geography Department was project coordinator for SCSU. Stearns County was the only county of the original 52 LCMR funded counties to prepare a plan independently.

County Description

Stearns County is located in Central Minnesota within the central hardwood forests ecoregion. 1970 land use figures show that 50% of the county was cultivated for crop production, 32% pastured, and 10% was forested. Stearns County's population in 1960 was 80,000; by 1990 it had grown to 120,000, a 50% increase. Growth is expected to slow, but still remain substantial. St. Cloud, the county seat, is located along the I-94 "growth corridor" which bisects the county southeast to northwest. Although urban land uses continue to expand rapidly, the county's economy is still dominated by agriculture. Stearns County farm income ranks number one in Minnesota, and in the top ten nationally.

Surface water drainage is generally southeasterly. The Sauk and North Fork Crow Rivers drain the western two-thirds of the county. The eastern part of the county drains through smaller streams directly to the Mississippi River which runs along its eastern boundary.

Stearns County has nearly 300 lakes covering about 35,000 acres. Thousands of acres of wetlands have been converted to tillable lands. Wetlands covered only 1.2% of the county according to 1970 land use statistics.

Nearly the entire county is covered by glacial deposits, which range from tens to hundreds of feet thick. Perhaps the most significant of these glacial deposits are the outwash plains, which cover much of the eastern and southwestern parts of the county, and along the course of the Sauk River. The outwash areas are generally more susceptible to contamination than the till plain and morainal areas. Much of the rural residential growth occurring in the St. Cloud area is taking place on susceptible outwash soils. Since western Stearns County is generally higher, ground water flow is, in general, from west to east.

The Plan notes that the "Purity of groundwater supplies can no longer be assumed." Neither can deep wells be assumed to be contaminant free. The absence of water retarding aquicludes in much of the county allows nitrate contamination to move deep into the aquifers.

The Plan also notes that surface water quality in streams is poor. Total phosphorus levels as measured in 25 county streams are twice the level expected for watersheds with intensive agricultural land use. The county is estimated to have 1,200 feedlots, which are pollution hazards. Feedlot improvement and rural residential growth are two of the priority water quality issues identified in the Plan.



Southbridge Office Building
155 South Wabasha St., Suite 104
St. Paul, Minnesota 55107

(612) 296-3767
Fax (612) 297-5615

Regional Offices

Northwest Region
1106 Paul Bunyan Drive, NE
Bemidji, MN 56601
218-755-3963

Northeast Region
394 South Lake Avenue
Room 402
Duluth, MN 55802
218-723-4752

West Central Region
503 Washington Street
Brainerd, MN 56401
218-828-2604

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

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

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

East Central Region
Southbridge Office Building
155 South Wabasha Ave., Suite 104
St. Paul, MN 55107
612-296-3767

DATE: April 5, 1991

TO: Commissioner, Minnesota Department of Agriculture
Commissioner, Minnesota Department of Health
Commissioner, Minnesota Department of Natural Resources
Commissioner, Minnesota Pollution Control Agency
Commissioner, Minnesota State Planning Agency
Chairman, Minnesota Environmental Quality Board
Director, Minnesota Geological Survey
Director, Minnesota Office of Waste Management

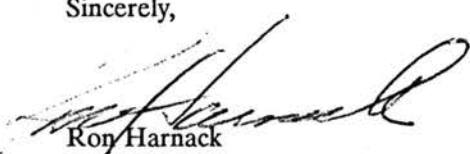
On April 1, 1991 the Stearns County Board of Commissioners submitted its Comprehensive Local water Plan to the Minnesota Board of Water and Soil Resources (BWSR) for final review. Pursuant to Minnesota Rules, Chapter 9300.0170 the BWSR is transmitting a copy of the Yellow Medicine County water plan for your agency's review and comment. Your agency has 45 days from receipt of this letter to submit comments in writing to the BWSR identifying the portions of the plan that the agency has determined to be inconsistent with state law.

The Stearns County water plan document itself is being sent to your agency's 110B Technical Review Committee Member under separate cover. The 110B Technical Review Committee Members are:

MDA, Mark Zabel
MDH, Judith Ball
MDNR, Tom Lutgen
MPCA, Jeff Stollenwerk
MSPA/EQB, Marilyn Lundberg
MGS, Barb Palen

Thank you for your agency's assistance and commitment to make comprehensive local water planning the success that it has been. We also look forward to working with your agency as counties begin implementation of their water plans.

Sincerely,


Roy Harnack
Executive Director

cc: Members BWSR
Staff BWSR
Lee wallace
Dr. Robert Bixbey
110B Technical Committee
State Conservationist, SCS
State Executive Director, ASCS
Regional Director, USFWS
District Engineer, USCOE
Director, USGS

APPROVED ACTIVITIES
ON TAX FORFEIT LANDS
SOLD UNDER CONSERVATION EASEMENT
[MINN. STAT. SEC. 103F.535 AND 282.018 SUBD. 2(1990)]

BWSR FORESTRY-WILDLIFE CRITERIA

THE FOLLOWING FORESTRY-WILDLIFE CRITERIA IS APPLIED TO CONSERVATION EASEMENTS RESERVED IN THE CONVEYANCE OF TAX FORFEIT LANDS:

1. Forest management activities that comply with the most current issue of "Best Management Practices In Minnesota", a document developed by various forestry related agencies and groups to assure environmentally safe forest management activities; and
2. all activities must be conducted in accordance with the most current "Forest-Wildlife Guidelines to Habitat Management", which is an agreement between the Minnesota Department of Natural Resources Division of Forestry and Section of Wildlife to maximize wildlife habitat on forested lands; and
3. any question in determining the applicability of the management practices being applied should be interpreted in a manner most favorable to protecting soil, improving water quality, and enhancing fish and wildlife habitat.

THIS STANDARD WILL BE MADE AVAILABLE TO THE LOCAL SOIL AND WATER CONSERVATION DISTRICTS, COUNTIES, AND DEPARTMENT OF NATURAL RESOURCES OFFICES.

DATE APPROVED BY BOARD OF WATER AND SOIL RESOURCES: March 27, 1991

BLINDS AND SCAFFOLDS ON EASEMENT AREAS

The BWSR authorizes the placement of blinds and scaffolds on conservation easement areas for the observation, and/or lawful taking, of wildlife provided wildlife habitat impact is minimal.

DATE APPROVED BY BOARD OF WATER AND SOIL RESOURCES: March 27, 1991

ALLOWING CONSERVATION MEASURES ON TAX FORFEIT LAND
CONSERVATION EASEMENT AREAS

Provision number 1 of the tax forfeit easement is hereby modified to read:

1) altering wildlife habitat and other natural features, unless specifically approved by the Board of Water and Soil Resources, its successors or assigns, hereinafter referred to as "Board". Conservation practices may be applied to the easement area as specified in a plan prepared by the landowner in accordance with the Forestry-Wildlife Criteria approved by the Board, and in effect at the time of the conservation activity. The plan must be approved by the Department of Natural Resources forester and wildlife manager prior to altering the easement area. The Forestry-Wildlife Criteria are available at the offices of the Board, local Soil and Water Conservation District, County, and the Department of Natural Resources. The board reserves the right to change the criteria at any time without consent of the landowner.

ANNUAL PLAN OF OPERATIONS

PINE COUNTY SOIL AND WATER
CONSERVATION DISTRICT

Calendar Year 1991

INTRODUCTION

The purpose of this Annual Plan of Operations is to set up a plan of action for the Pine County Soil and Water Conservation District in cooperation with the Soil Conservation Service for 1991, addressing specific objectives from the long range objectives of the Comprehensive Plan, according to priority.

PLANNING: For planning purposes district staff consists of: 1 District Manager - Part Time (approx. 4 days per week) and 1 District Technician - Full Time (5 days per week).

CONCERN: SOIL EROSION/SEDIMENT CONTROL

OBJECTIVE 1: REDUCE SOIL EROSION AND ENHANCE OTHER NATURAL RESOURCES

Goals and Actions	Staff Responsible	Staff Days
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Goal A - To obtain an agreement to complete a soil survey for all Pine County lands by 1992.

Actions:

1. Continue to inform taxpayers of Pine County on what a soil survey is, it's uses and how it would benefit them and all of Pine County.	Noyes	1
	Mills	1
2. Work with county board on costs and possible funding sources and proposals.	Noyes	1

Goal B - Promote the application of best management practices.

Actions:

1. Help to promote RIM by impressing on our legislators the token payment offered Pine County landowners to retire their land for 20 years.	Noyes	1
	Supervisors	1
2. Make available 25,000 trees and continue to promote tree and shrub planting on marginal cropland and establish farmstead or field windbreaks on at least five farms.	Noyes	43
	Mills	20
	Volunteer	3
3. Assist SCS in implementation of the ACP program as time permits.	Noyes	10
4. Provide technical assistance and available soils information to assist Zoning in rural and urban development.	Noyes	3

CONCERN: WATER QUALITY

OBJECTIVE 2 IMPROVE WATER QUALITY IN PINE COUNTY INCLUDING LAKES, STREAMS AND GROUNDWATER.

Goals and Actions	Staff Responsible	Staff Days
<u>Goal A</u> - Complete the Pine County Comprehensive Water Plan by 1992.		
Actions:		
1. Work with task force in data collection, inventory water resources and problem areas, and development of priorities.	Noyes Mills Supervisors	85 30 10
2. Develop plan - Establish goals, objectives and actions with a completion goal for 1992.	Noyes Mills	41 15
<u>Goal B</u> - Seek funding for the completion of four lakeshore erosion projects.		
Actions:		
1. Use \$10,000 state cost share funds for high priority areas.	Noyes Mills	10 10
2. Develop work plan to submit to BWSR for SLR funds and DNR for RIM funds.	Noyes Mills	2 2
<u>Goal C</u> - Develop better working relations with lake associations and agencies involved in water quality.		
Actions:		
1. Assist Pokegama and Cross Lake Associations in AGNPS and whatever services requested in the event of the formation of a watershed district or joint powers agreement.	Noyes Mills	3 5
2. Continue to work with DNR on well monitoring, rain gauge monitoring and the permitting process.	Noyes Mills Volunteers	10 2 12
3. Work with MPCA and encourage actively monitoring/spot checking feedlot permits for compliance.	Noyes Mills	1 1

Goal D - Complete Rock Creek Cost Share Project.

Actions:

- | | | |
|---|-------|----|
| 1. Provide technical assistance and project inspection for completion of project. | Noyes | 10 |
|---|-------|----|

CONCERN; EDUCATION

OBJECTIVE 3: PROMOTE SOIL AND WATER CONSERVATION AWARENESS TO ALL AGE GROUPS IN PINE COUNTY

Goals and Actions	Staff Responsible	Staff Days
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Goal A - Increase environmental awareness within Pine County.

Actions:

- | | | |
|---|----------------|---------|
| 1. Distribute poster/essay materials to 5th and 6th grades and essay materials to high schools. | Mills | 5 |
| 2. Provide soil stewardship materials to all churches in Pine County. | Noyes | 3 |
| 3. Conduct an annual resource tour and ag day. | Noyes | 3 |
| 4. Hold an annual meeting. | Noyes
Mills | 1
10 |
| 5. Have a display booth at county fair. | Mills | 3 |

CONCERN: FORESTRY/WILDLIFE/RECREATION

OBJECTIVE 1: PROMOTE AWARENESS AND ASSISTANCE IN MANAGING THIS IMPORTANT RESOURCE OF FORESTRY, WILDLIFE AND RECREATION IN PINE COUNTY

Goals and Actions	Staff Responsible	Staff Days
<u>Goal A</u> - Provide financial assistance to landowners to help solve woodland resource problems.		
Actions:		
1. Work with DNR Forestry to utilize \$2,000.00 MFIP cost share funds for private woodland improvement.	Mills	10
2. Work with legislators to increase funding programs for woodland practices.	Noyes	1
	Mills	1
	Supervisors	1
3. Promote use of ASCS funds for tree planting, windbreaks and wildlife planting.	Noyes	5
<u>Goal B</u> - Provide information on forest, wildlife and recreation to people residing within and outside of the county.		
Actions:		
1. Continue to work with RC&D and the Historical Society on promotion of marketing products, woodland/wildlife volunteers and tourism.	Noyes	1
	Mills	3

CONCERN: MANAGEMENT AND FINANCE

OBJECTIVE 5: MAINTAIN ADEQUATELY TRAINED STAFF AND FINANCIAL STABILITY.

Goals and Actions	Staff Responsible	Staff Days
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Goal A - Improve personnel management

Actions:

1. Continue to attend training meeting and conventions.	Noyes	10
	Mills	10
	Supervisors	5
2. Continue to review work plans, job descriptions, and performance appraisals in April and end of year.	Supervisors	2
	Noyes	1
	Mills	4

Goal B - Improve Financial Stability

Actions:

1. Meet with auditor and commissioners on budget and projects to maintain a good working relationship and understanding of what the district is doing and wants to accomplish.	Noyes	3
	Mills	5
2. Continue to seek revenue generating programs and provide technical assistance.	Noyes	2
3. Continue financial review of programs and expenses.	Mills	3
	Supervisors	3
4. Provide clerical duties and maintain financial records according to generally accepted accounting principles	Mills	60

COST SHARE PROGRAM REQUIREMENTS

A. Gully Erosion.

\$10,000 per year for the next two years will be needed for four projects to correct ephemeral and gully erosion in high priority areas of Cross and Pokegama Lakes in southern Pine County and Island Lake in Northern Pine County. Two projects are ready to be installed and two others will be ready next year. High priority erosion is erosion from wind and/or water occurring on class I-IV soils in excess of 2 T tons per acre per year or any soil within 300 feet of a stream or 1000 feet of a water basin designated as a protected water or wetland by the DNR eroding in excess of T tons per acre per year. On shoreland areas, evidence of gullies on any soil constitutes a high priority problem.

B. High Priority Feedlots.

There has been a decrease in the number of animal waste control systems in need of state cost sharing due to the ASCS Long Term Agreements. The district does not have any ready for installation at this time.

C. SLR Funds and Special Project Funds.

A request for SLR funds or Special Project funds will not be submitted for this year. The majority of district time will be spent developing the County Comprehensive Water Plan.

REVISED BUDGET

January 1, 1991 through December 31, 1991

Revenues 6 Months Cal. Year 91			Expenditures 6 Months Cal. Yr.91		
Ending 6-30-91 Proposed	Ending 12-31-91 Proposed	1-1-91 to 12-31-91 Proposed	Ending 6-30-91 Proposed	Ending 12-31-91 Proposed	1-1-91 to 12-31-91 Proposed
Intergovernmental Revenue			District Operations		
State			Personal Services		
District Operations			Supervisors	1400	1400 2800
and Services Grants	9208	9208	Employees	21690	21695 43385
			Temporary employee	2500	2500 5000
Cost-Share	13350	13350	FICA	1659	1660 3319
MFIP	1901	1901	PERA	972	972 1944
BIM	400	400	Med. Ins.	1620	1620 3240
Well Monitoring	420	280 700	Other Services		
			and Charges		
Total State	2721	22838 25559	Supv. Expense	500	1000 1500
			Emp. Expense	500	600 1100
County		35658 35658	Dist. Expense	2000	3000 5000
County-Water Plan (BWSR)	6898	6898 13796	Supplies	500	1000 1500
			Cap. Outlay		
Total Intergovernmental			St. Audit		1000 1000
Revenue	9619	65394 75013	Total Dist. Operations	33341	36447 69788
			Project Expense-State		
Charges for Services			Cost-Share		13350 13350
Sale of Trees	22000	22000	MFIP		1901 1901
Sale of Plat Books	2000	1000 3000			
			Total - State		15251 15251
Total Charges			Project Expense-Dist.		
for Services	24000	1000 25000	Equip. Repairs	100	100
			Trees	14774	1600 16374
Miscellaneous			Plat Books		1500 1500
Interest	1500	1400 2900			
Other	50	50 100	Total - Dist.	14874	3100 17974
Total			TOTAL		
Miscellaneous	1550	1450 3000	EXPENDITURES	48215	54798 103013
TOTAL					
REVENUES	35169	67844 103013			

5% BUDGET REDUCTION

Water planning reduced from \$15000 to \$13796.
 \$13796 BWSR Water Plan Funds:
 \$5000 for clerical assistance from Co clerical pool.
 Balance of \$13796 for district water plan expenses
 including salaries and supplies.

Balance of 5% reduction of \$1542 was cut from project
 expense-trees. This is our major district money maker.
 Every \$100 cut in tree expense equates to \$125 lost
 in tree revenue. A budget shortfall could result in
 unrequested leave for staff at a time when workload
 is higher than ever due to county water planning.

Did not budget any capitol outlay for 1991,
 budgeted for State Audit instead.

**DISPUTE RESOLUTION COMMITTEE
MINNESOTA BOARD OF WATER AND SOIL RESOURCES
DNR BUILDING - 6TH FLOOR CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155-4001
MARCH 27, 1991**

[DRAFT MINUTES]

Members Present: Donald Ogaard, Chair
William Cofell
Jack Graba
Diane Jensen

Others Present: Kurt Deter, Attorney at Law, Representing Francis Remerowski
Dennis Simpson, Attorney at Law, Representing Yellow Medicine
River Watershed District
Terry Renken, Yellow Medicine River Watershed District Manager

Staff Present: Carl Conney, Office of the Attorney General
Ron Harnack, BWSR
Mel Sinn, BWSR

Call to Order:

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

Remerowski Appeal:

Chairman Ogaard presented general background information on the case and stated that the primary issue for the DRC to decide was whether the condition placed on the Remerowski permit by the Watershed District was reasonable.

Mel Sinn distributed copies of Exhibit 12 (a drawing of the affected area showing the location of the existing Janiszeski tile as sketched by Mr. Janiszeski at the hearing), which had not been mailed to DRC members prior to the meeting. Mel also described the physical setting of the case utilizing a sketch of the area drawn on the room's whiteboard.

Chairman Ogaard invited the parties' legal counsel to present brief oral argument.

Dennis Simpson reemphasized certain points made in his letter of exceptions dated March 15, 1991. He said the Watershed District's main concern is about development of wetness problems in the northwestern corner of the Janiszeski property, if the Remerowski tile system is installed without the additional tile required by the Watershed District's permit. He asked the DRC to carefully consider the Ag-Land Engineering report. He reminded the DRC that the Ag-Land Engineering investigation did not find any existing tile near the

northwestern corner of the Janiszeski property. He argued that it would set an onerous precedent for the DRC's decision to require watershed districts to obtain recommendations from professional engineers prior to making permit decisions in this type of situation. He urged the DRC to uphold the Watershed District's permit decision.

Kurt Deter pointed out that the land owned by Mr. Remerowski had been assessed \$13,200 for the right to drain into County Ditch 37. He also pointed out that there was five feet of fall in the CSAH 5 road ditch between CSAH 17 and County Ditch 37. He reminded the DRC that Lincoln County had issued a permit to Mr. Remerowski to outlet his proposed tile system into the CSAH 17 road ditch, and that Ag-Land Engineering had not been aware of the existing 6" tile on the Janiszeski property at the time of their investigation. He argued that adoption of the Law Judge's recommendation in this particular case would not establish an onerous precedent as described by Mr. Simpson. He urged the DRC to adopt the recommendation of the Law Judge.

The DRC examined Exhibit 12. It showed a drop in elevation of over five feet in the flowline of the CSAH 5 road ditch between CSAH 17 and the culvert under the Janiszeski driveway. The horizontal distance between these two points being approximately one-quarter mile. The DRC agreed that the county highway road ditch provided an adequate outlet for the tile system proposed by Mr. Remerowski.

Mel Sinn reviewed the contents of a draft Order containing modifications to the Law Judge's findings of fact and conclusions of law, but adopting without change the ultimate recommendation. The DRC discussed the draft Order. The Chair asked whether there were any suggested changes to the draft Order. No changes to the draft Order were suggested.

Motion made and seconded to accept the recommendation of the Administrative Law Judge, and to approve the draft Order. Motion carried unanimously.

Adjournment:

Motion made and seconded to adjourn the meeting at 8:55 a.m. Motion carried.

Minutes drafted by Mel Sinn on March 27, 1991



Mel Sinn

Minutes approved by the DRC on _____

Donald Ogaard
Chair

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LAKE COUNTY SOIL AND WATER
CONSERVATION DISTRICT
ANNUAL REPORT



STATE OF MINNESOTA

COUNTY OF LAKE

SOIL AND WATER CONSERVATION DISTRICT
ANNUAL REPORT
1991



TWO HARBORS GOLF COURSE

LAKE COUNTY SOIL AND WATER CONSERVATION DISTRICT

1. LAKE COUNTY Soil and Water Conservation District
 - A. Acknowledgements
 - B. Explanation of Soil and Water Conservation Districts
 - C. Board of Supervisors
 - D. District Personnel
 - E. Soil Conservation Service Personnel
 - F. State Personnel
2. Reports
 - A. Chairman's
 - B. District Conservationist's
 - C. Supervisor's Comments
3. Contest
 - A. MASWCD sponsored
 1. Gary Hedin - First Place
4. Programs and Activities
 - A. County Living Tour
 - B. Natural Resources Field Days
 - C. Logger's Workshop
 - D. Lake County Comprehensive Water Management Plan
 - E. St. Louis River Board
 - F. Highlights of Projects
5. Notes to the Financial Statements
 - A. Combined Balance Sheet
 - B. Statements of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual

LAKE COUNTY SOIL AND WATER CONSERVATION DISTRICT

The Lake County Soil and Water Conservation District Board of Supervisors submit their Annual Report for the Fiscal Year, January 1, 1991 to December 31, 1991.

We wish to express our appreciation to all those who have helped to make the past years very successful ones in soil and water conservation in Lake County. These includes the following:

Minnesota State Board of Water and Soil Resources

Minnesota Association of Soil and Water Conservation Districts

Soil Conservation Service (SCS)

Agricultural Stabilization and Conservation Service (ASCS)

Minnesota Extension Service (University of Minnesota)

Lake County Board of Commissioners

Department of Natural Resources: Division of Waters
Division of Forestry

EXPLANATION OF SOIL AND WATER CONSERVATION DISTRICT

A SOIL AND WATER CONSERVATION DISTRICT (SWCD) is a subunit of state government with boundaries generally aligned with the county in which it is located. The SWCD directs and manages conservation programs and policies for protection of soil and water resources within its boundaries. The governing body of the SWCD is composed of five supervisors each from different groups of townships. The Board of Supervisors developed objectives, goals, and plans for conducting local conservation programs. Primary concerns of the Supervisors includes:

1. Controlling water erosion on farmland, roadsides, lakeshores, construction sites and other high-priority areas.
2. Administering state cost-share program for installing conservation practices and Forestry improvement practices.
3. Conducting conservation education programs in cooperation with local schools, regional environmental learning centers, 4-H and other youth groups (Classroom Presentations, Teachers Workshops, and Contests).

District Supervisors meet at least monthly to conduct business and discuss SWCD activities. Together they decide how to appropriate cost-share funds, which projects will receive SWCD assistance, and how to promote conservation practices among landowners and developers in the county.

In addition, SWCD Supervisors represent local interests at area and state conventions and serve on local and regional committees. The Board supervises SWCD office personnel and prepares operating budgets and annual plans of work. Technical assistance, consulting services, maps and other information are also available through the SWCD office.



BOARD OF SUPERVISORS

DON WARNER - CHAIRMAN - Eighteen years on the Board

O. LESLIE HERMANS - VICE CHAIRMAN - Five years on the Board

FRANKLIN C. WRIGHT - SECRETARY - Twenty-three years on the Board

BRENDA VANBERGEN - TREASURER - Three years on the Board

JOSEPH KLINKER - PUBLIC RELATIONS - Eight years on the Board

DISTRICT PERSONNEL

WAYNE SEIDEL, CONSERVATION SPECIALIST

Wayne has been with the SWCD as our Conservation Specialist since April, 1980. In November of 1982, Wayne began for the Minnesota Extension Service as the Lake County Extension Agent. He continues to work 50 per cent of his time between the Lake and Cook County SWCD's.



RUTH GUBRUD, DISTRICT CLERK

Ruth has worked for the District since April, 1986. Her responsibilities include: office administration, maintaining financial records, and assisting in the Conservation Education program.



SOIL CONSERVATION SERVICE PERSONNEL



PAUL SANDSTROM, DISTRICT CONSERVATIONIST

Paul began working in April of 1987 for us. Paul also serves South St. Louis County and Cook County SWCD's.

Paul provides technical assistance to land occupiers in these Districts and is an advisor to the three District Boards.

BOARD OF WATER AND SOIL RESOURCES STAFF



CHRIS HOFSTEDE, BOARD REPRESENTATIVE

Chris is the Area Representative for the Minnesota State Board of Water and Soil Resources.

Chris provides technical and administrative assistance to the staff and Board. He has been very helpful and supportive to the Board and staff.

CHAIRMAN'S REPORT

It has been a busy year for Lake County SWCD. We completed the Two Harbors Golf Course Project in September. We are working on the Flood Bay Shoreline Erosion Project. The State part of the project is done the Landowner's part should be completed by Spring.

Our upcoming projects are Knife River/ Beaver River, Encampment Forest Association, and the Silver Cliff Blast Rock project. All of these projects are on Lake Superior, shoreline erosion problems.

Like alot of the Counties in the State, our Budget was cut. Our staff, Wayne and Ruth are still doing our activities with the schools and working with the County and Extension Service.

This year Lake County implemented the Comprehensive Water Plan. Wayne Seidel, Conservation Specialist/Extension Agent is the Coordinator for the plan. The water plan is needed for us to determine our natural resources problems and how to deal with them.

I serve on the Board of Water and Soil Resources. I think it helps our Area and Board in many ways. It gives the Board first-hand information and what is going on in the State.

I wish the County residents would realize that the Soil and Water Board is here to help and serve them.

Don Warner

DISTRICT CONSERVATIONIST'S
REPORT

1990 was a very busy year as usual. Significant accomplishments were made by SWCD's in our area. In Lake County the successful completion of the Two Harbors Golf Course grade stabilization structure is one of several events worth noting. Completion of this \$30,000.00 plus project took alot of hard work from many people. I'd like to commend and thank the SWCD Supervisors and staff for their efforts in seeing this project finished. The structure will effectively control a severe gully erosion problem that was damaging the city course.

Other activities worth noting are a wildlife enhancement project just north of Two Harbors which includes a wetland development and tree plantings. Also a livestock watering system was constructed along the Knife River. This system help keep animals out of the river and will protect this valuable trout stream.

In 1991 there will be opportunities for the District to get involved in Great Lake Related Water Quality programs. One that may have great potential is the Knife River Watershed. Should be an interesting year.

Paul Sandstrom

SUPERVISOR'S COMMENTS

The Lake County Soil and Water Conservation District are involved in many different activities.

Each year, Wayne and Ruth are in the schools doing projects like making paper, soil types, planting trees, and our Natural Resources Days in the Spring.

This year I would like for our District to get involved in Reforesting projects, tree planting with schools in groups, and learn more about inland lake levels and especially the foreign weeds that come into the inland lakes.

O. Leslie Hermans

SUPERVISOR'S COMMENTS

1990 was good year of progress for the Lake County Soil and Water Conservation District.

With the help of our District Conservationist Specialist, Wayne Seidel (who has completed his Master's Degree in Natural Resources Management and Education), we are set to achieve continued enhancement of our natural resources. Our office secretary and clerk, Ruth Gubrud, keeps our office records and files in good order. She also attends the Board's monthly meetings.

The 1991 programs include many timely projects, one of which is the State Soil and Water Convention in Duluth; others are the following:

- Forestry assistance to Private Landowners
- Tree planting under MFIP
- Forest road access cost-share on private land
- Educational projects in our local schools
- Wolf Ridge Natural Wildlife Programs
- Recycling Seminars and educational meetings
- Logging Workshops on Responsible Forest Management

An imperative must among many projects, will be the beginning of the County Water Plan and Time Table for implementation. This will address alot of problems with non-point pollution, septic tank seepage into ground and lakes and pesticide runoff.

Franklin C. Wright

SUPERVISOR'S COMMENTS

Each year we Supervisors are learning new things. This year we cost shared and completed some good projects. The Flood Bay project is being completed as we speak. The Two Harbors Golf Course Project is complete, looks great and as I have been told, is one to be proud of.

Without the Lake County SWCD, these and our other involvement would not be possible.

We were involved with the Earth Day, the 20th Anniversary, and Environmental Days with the Sixth graders. We had our regular booth at the Lake County Fair.

Our Annual Meeting was at Cook County and we had an impressive tour of their projects, and a good turn out for our Meetings.

In 1991 we will be facing some of the same challenges as in 1990. The Good News is, we have already knowledge of Rollover Money/Grant Money for some 1991 projects. The Bad News is, our annual fight for our budget moneys to fund an effective program.

I attended a meeting in Cotton recently, as a SWCD rep, and was coldly recepted and quickly told that we weren't needed. This was an unfortunate oversight on this Task Force's part. Hopefully, their lack of conscience will not hinder, the ever needed River plan, and when they do need us, and they will, that we be open and receptive to the overall need - Clean Water!

Speaking of water plan, another big challenge, is our own Lake County Water Plan. There is a need for the plan, a must

and should take our priority in 1991.

I guess a Supervisor's biggest challenge is to meet the challenges.

I'm proud to say our District will be getting a computer for a sacrifice. We did not go to our Convention, in order to save the money for a much needed computer/word processor. We could have really used the experience and knowledge of the "90" Convention, as in 1991, our Area will be in charge of the State Convention in Duluth.

In closing I would like to say from a distance, all seems fine, but under close investigation we have important decisions to make, we must prioritize our action as well as our projects. As Supervisors, it is our duty to do the best for our fragile harbor, even during the rough times. No matter how hard it is, we must try to respect, understand and appreciate one another. None of us should really wonder why we are facing war, when we can not even get along in two's or three's. It is my privilege to be on the SWCD and I salute my fellow supervisors; and our Ruthy.

Sincerely in a spirit of cooperation.

Brenda VanBergen

The Tree - A Key to Healthy Soil, Air, Water, and Me

By Gary Hedin

Trees are a key factor in our lives. They provide necessary oxygen for us to breathe, they give us soil rich in nutrients, they help protect soil from erosion, and they provide nutritious foods to eat. They also provide shelter for both man and animals.

One of the trees many important jobs in providing us with healthy soil. Trees can do this in a number of ways. Trees hold the soil together to help prevent erosion by water and wind. When they grow old and begin the slow process of decaying, they replenish the soil with rich nutrients that will enrich the soil. Fallen tree leaves decay and nourish the forest floor too.

Another of the tree's jobs is to keep the balance of gasses in our atmosphere by absorbing carbon dioxide from the air and releasing oxygen for us to breathe. These two processes are necessary for our survival. If there is too much carbon dioxide, or too little oxygen in the air, we wouldn't be able to survive.

Trees also provide us with healthy water. They stabilize soil so soil and debris doesn't enter water and make it impure, they protect and preserve water supplies, and their leaves protect soil from erosion by absorbing and using rainwater.

Trees affect each of us directly. They provide oxygen to breathe, wood products, paper and pencils, books, and newspapers to read, and delicious and healthy foods to eat. Trees also benefit us by providing beautiful recreation areas and a home environment for the countless animals which we can use, observe, and enjoy.

Conserving trees is very important. Some of the many ways that our forests are being destroyed are by harmful atmospheric pollutants, persistent high winds, burning and careless harvesting methods, unnecessary overharvesting, and harmful diseases. The clearing away of forests to create farmland on land unsuitable for farming also destroy forests.

How can we prevent the destruction of our forests? For one thing we can cut down on pollution. We can also use careful and wise farming and harvesting methods. Another way is to cut down or stop the burning of our forests and overharvesting.

I think that trees are important to me because they give me paper for drawing, pencils for writing papers and essays, a desk to sit in, and the framework for my house. Trees also provide the wood that warms me on cold days, furniture to relax in, and even great places to build tree forts. Altogether trees really are the key to healthy soil, air, water, and me.

COUNTRY LIVING TOUR

August 14, 1990

Over one hundred people participated in the 1990 Annual Country Living Tour. This year it was held at Knife River; hosted by the Lake County Development Achievement Center. We had the traditional hayride to each of the stops on the Tour.

Highlights of the tour this year included viewing the fish waste composting project, a demonstration by 4-H members on preparing a horse for riding, listening to County Commissioners candidates share their views and ideas, watching a demonstration on the "Info U" system and learning about financial planning for retirement.

A new feature this year was the Petting Zoo and supervised play time for the young people.

In addition, there was information on recycling, food preservation, and home composting.

It was an enjoyable Family outing.

NATURAL RESOURCES DAYS

May 14 - 15, 1990

All of the Lake County sixth graders participated in the third annual Natural Resources Days. The programs were conducted at the Split Rock Lighthouse and Gooseberry Falls State Park. At Split Rock, the students watched a movie on the history of the Lighthouse and then had a tour of the Lighthouse and grounds. At Gooseberry, the students began with a tree planting activity. There were four natural resources activities highlighting: Water Resources, Wildlife Management, Forestry, and Recreation.

The evaluation rated overall of 4.5(scale of 1-5). Supervisor Brenda VanBergen and Ruth Gubrud assisted in the fun-filled days. The outdoor experience allowed the students to gain a better understanding of our interdependence with Natural Resources.

LOGGER'S WORKSHOP

April 24, 1990

Close to 85 logging industry professional participated in this year's Loggers workshop. The workshop featured sessions on Transportation, Anti-Trust Considerations, Resources Availability, Nutrition Tips, and Workmens Compensation.

Workshop participants were treated to a FREE lunch courtesy of 22 co-sponsors who provided financial contributions. The participants were also eligible to win a Jonsered 625 chain saw at the end of the workshop. This year's winner was John Gephart.

Lake County SWCD works with the Extension Service and the DNR Forestry on coordinating this workshop. There was another Logger's workshop held in Marcell.

COMPREHENSIVE WATER MANAGEMENT PLAN

In June of 1990, the Lake County Board of Commissioners adopted a resolution to develop a Comprehensive Water Management Plan. The plan would bring together all existing water data for Lake County and use it to make decisions on Water Management.

A Task Force of local residents and members of local business, industry, and local, state, county agencies will be involved in developing the plan. The goal of the Task Force is to complete a draft plan by June 1992.

Wayne Seidel, Lake County SWCD/Extension Service and Greg Bernu, Lake County Forestry Department are coordinators for the plan.

ST. LOUIS RIVER BOARD

The purpose of the St. Louis River Board is to formulate a Comprehensive Management plan for the environmental protection and wise use of the St. Louis River, Cloquet River, and the Whiteface River, and adjacent lands from the headwaters to the Fond-du-Lac Dam.

The SWCD's will have a active part in the Technical Advisory Committee. Brenda VanBergen and Don Warner, Supervisors of Lake County SWCD have attended planning meetings. Commissioners Lee Ramsdell and Bob Nelson have also attended meetings. Our District Conservationist, Paul Sandstrom, will be active in the plan.

At the present time, the Counties, Townships, and Cities are working on a joint power agreement. The rough draft should be ready to be signed at the March 11th meeting.

HIGHLIGHTS OF PROJECTS

A. Flood Bay Project

Our grant request of \$11,075.00 was approved for this public/private cooperative project. We had to ask for emergency funding to complete the project since the original cost estimates were underestimated by the DNR, and the DNR was unable to provide engineering design assistance on the private property portion. The total cost of the project is estimated at \$51,000.. The project will be completed in the spring of 1991.

B. North Shore Stream Access Project

The North Shore Steelhead Association has contracted with the District to coordinate and administer a stream access program in St. Louis and Lake Counties. The NSSA provided \$12,000.00 to initiate project work and to leverage additional cost share dollars. Projects currently underway include Sucker River, Knife River, and Beaver River. In 1990 the District applied for and was awarded a grant for \$14,268.00. The project will improve the trail system adjacent to the streams to minimize sediment pollution and improve access.

C. Silver Cliff Project

On January 22, 1991, the Lake County Soil and Water Conservation District sponsored a meeting for property owners in the Silver Cliff area who were interested in using waste blast rock for shoreline protection. At the present time, the project is in the organizational and information gathering stage. If rock is made available by MNDOT to the property owners, then the District will submit a SLR grant proposal in April 1991.

LAKE COUNTY SOIL AND WATER CONSERVATION DISTRICT

NOTES TO THE FINANCIAL STATEMENTS

December 31, 1990

1. Summary of Significant Accounting Policies

The Lake County Soil and Water Conservation District was organized under provisions of Minn. Stat. Ch. 40. The District is governed by a Board of Supervisors composed of five members nominated by voters of the district and elected to six-year terms by the voters of the County.

The purpose of the district is to assist land occupiers in applying practices for the conservation of soil and water resources. These practices are intended to control wind and water erosion, pollution of lakes and streams, and damage to wetlands and wildlife habitats.

The Lake County Soil and Water Conservation District, in cooperation with the U.S. Department of Agriculture's Soil Conservation Service and other agencies, provides technical and financial assistance to individuals, groups, organizations, and governments in reducing costly waste of soil and water resulting from soil erosion, sedimentation, pollution and improper land use.

Each fiscal year the district develops a work plan which is used as a guide in using resources effectively to provide maximum conservation of all lands within its boundaries. The work plan includes guidelines for employees and technicians to follow in order to achieve the district's objectives.

The financial reporting policies of the district conform to generally accepted accounting principles.

A. Financial Reporting Entity

In conformance with standards established by the Governmental Accounting Standards Board, the district includes all funds and account groups that are controlled by or dependent on the District Board. Control by and dependence on the district were determined on the basis of budget adoption, taxing authority, obligation of the district to finance any deficits that may occur, and any significant subsidy provided by the district.

The District is not considered a part of Lake County because, even though the county provides a significant amount of the district's revenue in the form of an appropriation, it does not retain any control over the operations of the district.

LAKE COUNTY SOIL AND WATER CONSERVATION DISTRICT

1. Summary of Significant Accounting Policies (Continued)

B. Basis of Presentation - Fund Accounting

The accounts of the Lake County Soil and Water Conservation are organized on the basis of fund and account groups, each of which is considered a separate accounting entity. The operations of the fund are accounted for with a set of self-balancing accounts that comprise its assets, liabilities, fund balance, revenues, and expenditures.

Governmental Funds: General Fund

The General Fund is used to account for all revenues and expenditures incurred in operating the district.

General Fixed Assets Account Group

This account group is used to record the district's general fixed assets, which includes furniture and equipment.

C. Basis of Accounting - Modified Accrual Basis

The district's financial statements are presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when they become susceptible to accrual, that is, both measurable and available. Available means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. Expenditures are recorded when the corresponding liabilities are incurred.

D. Budget

The district adopts an estimated revenue and expenditure budget for the General Fund. Comparisons of estimated revenues and budgeted expenditures to actual are presented in the financial statements in accordance with generally accepted accounting principles.

E. Assets, Liabilities, and Fund Equity Accounts

(1) Assets

Investments are stated at cost, which approximates market value.

General Fixed assets are valued at historical or estimated historical cost and are recorded as expenditures at the time of their purchase. No depreciation is calculated on general fixed assets.

LAKE COUNTY SOIL AND WATER CONSERVATION DISTRICT

1. Summary of Significant Accounting Policies (Continued)

E. Assets, Liabilities, and Fund Equity Accounts (Continued)

(2) Liabilities

Long-term liabilities, such as compensated absences, are accounted for in the General Long-Term Debt Account Group.

(3) Fund Equity is divided into Sections:

The account "Investment in General Fixed Assets" represents the district's equity in general fixed assets.

Fund Balance is subdivided as follows:

- Reserved account indicates the portion of fund equity which has been legally segregated for specific purposes, or is not appropriable for spending.
- Unreserved, designated account indicates the portion of fund equity that the district has set aside for planned future expenditures.
- Unreserved, undesignated account indicates the portion of fund balance which is available for budgeting and spending in future periods.

F. Revenues and Expenditures

(1) Revenues

Intergovernmental

Intergovernmental revenues are reported in conformity with the legal and contractual requirements of the individual programs. Generally, grant revenues is recognized when the corresponding expenditure is incurred. The district also receives an annual appropriation from the county, which is recognized as revenue when received, unless it is received prior to the period to which it applies. In that case, revenue recognition is then deferred until the appropriate period.

Other Revenues

Investment income (reported as Miscellaneous Revenue) and revenue from the sale of trees (reported as Charges for Services) are recognized when earned, since they are measurable and available. Other revenues generally are recognized when they are received in cash because they usually are not measurable until then.

LAKE COUNTY SOIL AND WATER CONSERVATION DISTRICT

1. Summary of Significant Accounting Policies (Continued)

(2) Expenditures

Project expenditures represent costs which are funded from Federal, State or District Revenues. State project expenditures consist of grants to participants for the cost-share program, the streambank, lakeshore and roadside program, and other state-authorized projects. District project expenditures are costs of materials and supplies in the sale of trees, tree planting, and other district projects. Vacation and sick leave are considered expenditures when they are paid to employees.

G. Total Column on Combined Statement

The total column on the combined statement is captioned "memorandum only" to indicate that it is presented only to facilitate financial analysis. Data in the column do not present financial position or results of operation in conformity with generally accepted accounting principles.

2. Detailed Notes on All Funds and Account Groups

A. Assets

Changes in General Fixed Assets

Equipment: Balance January 1, 1990	<u>\$ 6, 140.98</u>
Additions	
Deletions	
Balance December 31, 1990	<u>\$ 6, 140.98</u>

B. Deferred Revenue

Deferred revenue represents advances from the Board of Water and Soil Resources(BWSR) for administrative service grants and for the cost-share program. Revenues will be recognized when the related program expenditures are recorded. Deferred revenue for the year ended December 31, 1990, consists of the following:

BWSR Service Grants	<u>\$ 1, 940.74</u>
BWSR Cost-Share Program	<u>\$31, 055.00</u>
Total	<u>\$ 32, 995.74</u>

LAKE COUNTY SOIL AND WATER CONSERVATION DISTRICT

2. Detailed Notes on All Funds and Account Groups (Continued)

B. Deferred Revenue (Continued)

Deposits

Minn. Stat. 118.005 authorizes the District to deposit its cash and to invest in certificates of deposit in financial institutions designated by the Board of Supervisors. At December 31, 1990 District deposits totaled \$ 60,600.07, (all) of which \$ 60,600.07 was cash deposits and \$ 0 was invested in certificates of deposit. Minnesota Statutes require that all District deposits be covered by insurance, surety bond, or collateral.

Following is a summary of the deposits covered by insurance or collateral at December 31, 1990:

	<u>Book Balance</u>	<u>Bank Balance</u>
Covered Deposits		
Insured or collateralized with securities held by the District or its agent in the District's name	\$ 60,600.07	\$ 61,610.31
Collateralized with securities held by the pledging financial institution's trust department or agent in the County name		
TOTAL COVERED DEPOSITS	\$ 60,600.07	\$ 61,610.31
Uncollateralized		
TOTAL	<u><u>\$ 60,600.07</u></u>	<u><u>\$ 61,610.31</u></u>

3. Pension Plans

A. Plan Description

Public Employees Retirement Association

District employees are covered by defined benefit pension plans administered by the Public Employees Retirement Association of Minnesota (PERA). The payroll for employees covered by the PERA for the year ended December 31, 1990 was \$ 8732.25; the District's total payroll was \$ 8732.25.

District employees and certain part-time employees are members of the PERA. Public Employees Retirement Fund members belong to either the Coordinated or Basic Plan. Coordinated members are covered by Social Security and Basic members are not. The pension plans provide pension benefits, deferred annuity, and death and disability benefits. Benefits are set by State statute.

B. Contributions Required and Made

Minn. Stat. ch. 353 provides statutory authority for employer and employee contribution rates and provides required dates for achieving full funding. The District makes annual contributions to the pension plan equal to the amount required by state statutes. As part of the annual actuarial valuation, PERA's actuary determines the efficiency of the statutory contribution rates towards meeting the required full funding deadline. The actuary compares the actual contribution rate to a "required" contribution rate. Current statutory contribution rates and actuarially required contribution rates for the plans are:

	Employee	Required Employer	Rated
Public Employees Retirement Fund	4.27%	4.67%	9.42%

Total contributions made during fiscal year 1990 amounted to \$ 760.54, of which \$ 391.18 was made by the District and \$ 369.36 was made by employees. These contributions represented 4.67 percent and 4.27 percent, respectively, of the covered payroll.

3. Pension Plans (Continued)C. Funding Status and Progress

The "pension benefit obligation" is a standardized disclosure measure of the present value of pension benefits, adjusted for the effects of projected salary increases and step-rate benefits, estimated to be payable in the future as a result of employee service to date. The measure, which is the actuarial present value of credited projected benefits, is intended to help users assess the PERA's funding status on a going-concern basis, assess progress made in accumulating sufficient assets to pay benefits when due, and make comparisons among Public Employees Retirement Systems and employers. The PERA does not make separate measurements of assets and pension benefit obligation for individual employers.

Total unfunded pension benefit obligations of the PERA as of June 30, 1989, is shown below:

	Public Employees Retirement Fund (in thousands)
Total pension benefit obligations	\$ 3,714,257
Net assets available for benefits, at market	\$ <u>2,934,977</u>
Unfunded (overfunded) pension benefit obligation	\$ <u>779,280</u>

The measurement of the pension benefit obligation is based on an actuarial valuation as of June 30, 1989. Net assets available to pay pension benefits were valued as of the same date.

Ten-year historical trend information is presented in the PERA Comprehensive Annual Financial Report for the year ended June 30, 1989. This information is useful in assessing the pension plan's accumulation of sufficient assets to pay pension benefits as they become due.

Change in Actuarial Methods and Benefit Provisions

A number of benefit improvements became effective during fiscal year 1989. Some of the major improvements affecting each fund include a reduction in the period required for vesting from five years to three years; an option for members hired before July 1, 1989, to have their annuity calculated under a level benefit accrual formula; the interest rate credited on refunds of member contributions increased from five percent to six percent; and the provision for an automatic bounce back feature for all joint and survivor annuity options. In the public Employees Police and Fire fund, age and/or service requirements were reduced for eligibility for a normal retirement annuity, early retirement annuity, and for certain disability and survivor benefits.

3. Pension Plans (Continued)

Funding Status and Progress

Changes in Actuarial Methods and Benefit Provisions (Continued)

For each fund, there were changes in the actuarial assumptions used in the annual actuarial valuation. Effective for all funds beginning in fiscal year 1989, the preretirement interest rate assumption was increased from eight percent to 8.5 percent. Additionally, for the Public Employees Retirement Fund the amortization target date has been changed to 2020. Shown below are the effects on the pension benefit obligation of these changes in plan benefits and actuarial assumptions.

Increase (Decrease) in Pension
Benefit Obligation Due to:
(In Thousands)

	<u>Public Employees Retirement Fund</u>
Changes in plan benefits	\$ 127,472
Changes in actuarial assumptions	<u>(84,154)</u>
Net increase in pension benefit obligation	<u>\$ 43,318</u>

d. Related Party Investments

As of June 30, 1989, and for the fiscal year ended, the PERA held no securities issued by Lake County or other related parties.

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL
GENERAL FUND**

FOR THE YEAR ENDED December 31, 1990

	Budget	Actual	Variance Favorable (Unfavorable)
Revenues			
Intergovernmental Revenue			
Local - Seidel's Salary	2648.00	2647.98	(.02)
County	18450.00	24886.34	6436.34
State	24645.00	36223.93	11578.93
Federal	<u> </u>	<u> </u>	<u> </u>
TOTAL INTERGOVERNMENTAL	<u>45743.00</u>	<u>63758.25</u>	<u>18015.25</u>
Charges for Services	<u> </u>	<u> </u>	<u> </u>
Miscellaneous Revenue			
Interest	3000.00	3883.78	(883.78)
Other	1000.00	873.29	(126.71)
Steelhead Ass.	12000.00	12000.00	-
TOTAL MISCELLANEOUS	<u>16000.00</u>	<u>16757.07</u>	<u>757.07</u>
TOTAL REVENUES	<u>61743.00</u>	<u>80515.32</u>	<u>18772.32</u>
Expenditures			
District Operations			
Personal Services	27000.00	27004.54	(4.54)
Other Services & Charges	5000.00	4075.90	924.10
Supplies	3000.00	2230.55	769.45
Capital Outlay	<u> </u>	<u> </u>	<u> </u>
TOTAL DISTRICT OPERATIONS	<u>35000.00</u>	<u>33310.99</u>	<u>1689.01</u>
Project Expenditures			
District			
State	32381.00	25074.00	7307.00
TOTAL PROJECT EXPENDITURES	<u>32381.00</u>	<u>25074.00</u>	<u>7307.00</u>
TOTAL EXPENDITURES	<u>67381.00</u>	<u>58384.99</u>	<u>8996.01</u>
Excess of Revenues Over (Under)			
Expenditures	(5638.00)	22130.33	27768.33
Fund Balance - January 1	<u>5474.00</u>	<u>5474.00</u>	
Fund Balance - December 31	<u>(164.00)</u>	<u>27604.33</u>	<u>27768.33</u>

The notes to the financial statements are an integral part of this statement.

LAKE COUNTY

SOIL AND WATER CONSERVATION DISTRICT

**COMBINED BALANCE SHEET
GENERAL FUND AND ACCOUNT GROUPS
December 31, 1990**

Assets	General Fund	<u>Account Groups</u>		Total (Memorandum Only)
		General Fixed Assets	General Long-Term Debt	
Cash				
Checking Accounts	\$60,600.07			\$ 60,600.07
Savings Accounts				
Petty Cash				
Investments				
Accounts Receivable				
Interest Receivable				
Due from Other Governments				
Prepaid Expenses-Trees				
Fixed Assets		\$ 6,140.98		\$ 6,140.98
Amount to be Provided for Compensated Absences				
TOTAL ASSETS	\$60,600.07	\$ 6,140.98		\$ 66,741.05
<u>Liabilities and Fund Equity</u>				
Liabilities				
Accounts Payable				
Accrued Salaries Payable				
Due to Other Governments				
Sales Tax Payable				
Deferred Revenue	\$32,995.74			\$ 32,995.74
Deposit-Tree Sales				
Compensated Absences				
TOTAL LIABILITIES	32,995.74			32,995.74
Fund Equity				
Investment in General				
Fixed Assets				
Fund Balance -				
Reserved				
Unreserved -				
Designated				
Undesignated	27,604.33	6,140.98		33,745.31
	60,600.07	6,140.98		
TOTAL FUND EQUITY				
TOTAL LIABILITIES	60,600.07	6,140.98		66,741.05
AND FUND EQUITY				

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