



Minnesota Board of Water and Soil Resources.
Minutes.

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BOARD OF WATER AND SOIL RESOURCES
ROOM 112 (SENATE HEARING ROOM)
STATE CAPITOL
75 CONSTITUTION AVENUE
ST. PAUL, MINNESOTA 55155
JULY 22, 1992

Appointed Members in Attendance

Jim Nielsen
John Brooks, Jr.
Don Ogaard
Don Warner
Howard Peterson
Barbara Cobb
Dwain Otte
John Boulton
Jack Graba
Sharon Clark
Warren Rodning
Jim Rossman

Agency Members in Attendance

Paul Burns, Department of Agriculture
Wayne Anderson, Pollution Control Agency
Norm Moody, Department of Natural Resources
Fred Bergsrud, U of M/Extension Service
Kim Benson-Johnson, Department of Health

Others in Attendance

Danny Potter, Minnesota Association of Soil and Water Conservation Districts
Melva Weir, Governor's Office

Staff in Attendance

Ron Harnack
Dave Behm
Chuck Niska
Eric Mohring
Mary Jo Anderson

Meeting Called to Order - Vice-Chairman John Brooks, Jr., called the meeting to order at 8:35 a.m.

92-52 **Adopt Agenda** - Moved by Clark, seconded by Otte, to adopt the agenda as presented.
Affirmative: Boulton, Brooks, Clark, Graba, Ogaard, Otte, Rodning, Rossman, and Warner.
Opposed: None. Carried.

Chairman Nielsen, Barbara Cobb, and Howard Peterson entered the meeting at 8:40 a.m.

92-53 **Approval of Minutes of June 24, 1992** - Howard Peterson stated that an addition is needed on page seven, under Minnesota Association of Watershed Districts (MAWD) comments, "At the request of board member Peterson, Ron Harnack reported on Snake River." Moved by Rodning, seconded by Graba, to approve the minutes of June 24, 1992, as corrected.
Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

Chairman's Report - Chairman Nielsen reported that he attended the Environmental Quality Board meeting last week and briefly reported on their actions. The EQB is requiring Cook County to do an environmental impact statement on its proposal to build on some of the trust lands that it administers on the boundary waters. The EQB is also requiring the the Metropolitan Airport Commission to accept the responsibility, and pick up the costs, for the environmental impact statements that are required for the proposed new airport in Dakota County .

Chairman Nielsen reported that he and Ron Harnack made a presentation at the Commission on Reform and Efficiency (CORE) meeting yesterday and have been in contact with the CORE staff regarding the BWSR's position that it should remain an independent agency. Discussion followed. Ron suggested setting up meetings with the executive committees of select organizations to discuss the roles of state and local governments in delivering services to constituents. The intent would be to represent the BWSR at those meetings. Don Warner, Don Ogaard, and Howard Peterson are willing and interested to represent the BWSR at those meetings. Discussion followed.

Chairman Nielsen stated that the BWSR monthly meeting will convene at 9:00 a.m. due to conflicts in his schedule. He has invited staff to meeting informally at 8:00 a.m. to answer questions and discuss various issues with members before the formal meeting begins.

BWSR Committee Reports -

Education Committee - Don Ogaard reported that the Office of Environmental Education (Minnesota Department of Education) is drafting a State Environmental Education Plan. Ron Harnack reported that he and Susan Tsakakis met yesterday with Catherine Huebner and Ron Jones, staff of the Minnesota Extension Service (MES), to discuss the hiring of the full-time shared education position. The individual has not yet formally been hired. Ron and Susan will meet with MES tomorrow to discuss details of the position and the memo

of agreement.

Feedlot Advisory Committee - Jim Rossman reported that the Feedlot Advisory Group (FLAG) will meet tomorrow in St. Cloud. Ron Harnack stated he has been in contact with Pat Bloomgren, Minnesota Pollution Control Agency (MPCA), and Newell Searle, Department of Agriculture, to discuss feedlot issues.

Pesticide Advisory Committee - Don Warner reported that a conference on pesticide equipment and handling is scheduled for August 27 in Willmar.

Executive Director Report - Ron Harnack reported that the formal budget guidelines for the 1994-95 biennial budget have been received. Guidelines require submission of a 95% of base as well as absorbing of inflationary increases.

Ron reported that LCMR funding authorization has been received for \$500,000 for the RIM Reserve Program; \$1.1 million received for Minnesota River nonpoint initiatives project; and \$480,000 has been authorized to the Department of Agriculture for technical assistance for feedlots. Staff now have the responsibility of putting together workplans for these projects.

Ron stated that approximately 15 water plans will be ready for BWSR action in November and December. He suggested reestablishing BWSR committees to review the plans before the full BWSR meetings to make the process more efficient. Ron stated that the Snake River plan, which involves Aitkin, Chisago, Isanti, Mille Lacs, and Pine Counties, will be up for approval at this time. Board members Graba, Peterson, Warner, and Ogaard expressed interest in attending meetings regarding the Snake River plan.

Minnesota Forestry Improve Program (MFIP) Allocations - Chuck Niska explained the staff recommendation. The criteria for projects and the allocation had been previously established under the program; the screening of proposals and the recommendations were a result of coordination between the Department of Natural Resources Forestry and BWSR staff. Moved by Boulton, seconded by Brooks, to approve the MFIP allocations as presented. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

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92-54

RIM General Services Grants - Dave Behm explained the proposed new services grant allocation formula. The formula is comprised of two factors: base and supplement. Staff recommended Option #2 - two-tiered rates. Discussion followed. Moved by Boulton, seconded by Cobb, to approve staff formula recommendation of Option #2 for the RIM General Services Grants. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried. (SWCD staff will receive training on this new allocation formula during the August RIM training sessions.

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92-55

Drainage Wells/Borings Advisory Committee - Eric Mohring introduced Dan Wilson, staff of the Department of Health (MDH), and Gretchen Sable, staff of the MPCA. Dan Wilson gave an overview of the Department of Health's Wells and Borings Advisory Council. Eric gave a brief presentation on drainage wells. Discussion followed. Chairman Nielsen stated that this has been a good inter-agency working relationship between BWSR, MDH, and MPCA.

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

Itasca SWCD Request for Change in Nomination District Boundary - Ron Harnack stated that staff recommends approval of the boundary change. Moved by Rossman, seconded by Clark, to approve the Itasca SWCD's request for change in nomination district boundary. Affirmative: Clark, Graba, Nielsen, Ogaard, Otte, Peterson, Rossman, and Warner. Opposed: None. Carried.

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92-56

Strategic Planning - Ron Harnack stated that the BWSR has recently completed the endorsement of the RIM five-year plan and now the Local Water Planning Program will be going through the same process. A five-year plan needs to be developed with cities in carrying out the process to be integrated with surface water management. Discussion followed on the BWSR's role in policymaking, i.e. is BWSR a regulatory agency or not? The members strongly reinforced BWSR's mission to enable local governments through education, training, facilitation, technical and financial assistance and not to be directly regulatory.

Discussion followed on the representation on the wetland rules working group. Continuing discussions are: some groups do not feel represented as they should be; wetland owners not belonging to organizations are not represented; and some local concerns are not being heard. Some members stated that enough people are aware of the wetland rules working group and those interested do have an opportunity to attend those meeting and voice their opinions if they wish to do so. BWSR members are encouraged to attend the Wetland Heritage Advisory Committee and rules working group meetings when convenient. Members who have attended the working committee and Heritage Advisory Committee meetings are satisfied that there is broad representation and that the process of compromise and negotiation is working. Ron suggested the possibility of holding a two-day BWSR meeting September 22 and 23, and possibly a special meeting in early October to meet statutory timeframes.

Advisor Comments

- Minnesota Association of Soil and Water Conservation Districts (MASWCD), Danny Potter: reported that the National Association of Conservation Districts (NACD) held their Urban Tour in Minnesota July 9-12. Danny attended the NACD Leadership Conference in East Lansing, Michigan, July 12-15. The MASWCD is sponsoring a District Chairman/Managers training session, August 18-19, 1992, at the Sunwood Inn in St. Cloud,

the topic is "Being Aware of District Responsibilities." Danny reported that the Wetland Delineation Training is being held now in Bemidji.

- Minnesota Association of Watershed Districts (MAWD), Howard Peterson: stated that he will be working with Ron Harnack and CORE. Howard reported that the MAWD summer tour will be held in the Twin Cities next year, and he invited the BWSR to attend. Howard briefly commented on the importance of a performance based budget.

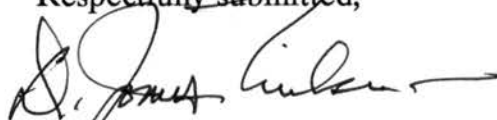
Ron Harnack reported that the BWSR meeting and tour in Rochester is scheduled for October 21-22, 1992.

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92-57

Moved by Warner, seconded by Graba, to adjourn the meeting at 12:05 p.m. Affirmative: Boulton, Brooks, Clark, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "D. James Nielsen", with a long horizontal flourish extending to the right.

D. James Nielsen
Chairman

CORE

STATE OF MINNESOTA
COMMISSION ON REFORM AND EFFICIENCY

203 Administration Building, 50 Sherburne Ave., St. Paul MN 55155
(612) 297-1090 Fax (612) 297-1117

COMMISSION APPOINTEES*

June 25, 1992

Mr. Arend J. Sandbulte, Chair
Chairman, President and CEO
Minnesota Power
30 West Superior Street
Duluth, MN 55802
PHONE: (218) 722-2641
FAX: (218) 723-3960

Mr. John E. Brandl
Professor
237 Humphrey Center
University of Minnesota
301 - 19th Avenue South
Minneapolis, MN 55455
PHONE: (612) 625-7552
FAX: (612) 625-6351

Ms. Marcia F. Appel
Executive Director
Association of Area
Business Publications
15 South Fifth Street, Suite 1101
Minneapolis, MN 55402
PHONE: (612) 338-3312
FAX: (612) 338-1756

Mr. Gary Denault
Executive Director
Middle Management Assoc.
525 Park Street, Suite 333
St. Paul, MN 55103
PHONE: (612) 222-3811
FAX: (612) 222-3954

Ms. Jane Belau
President
Belau Consulting Group
916 Fourth Street S.W.
Rochester, MN 55902
PHONE: (507) 288-1978
FAX: (612) 853-7896 OR
(507) 288-1978* (phone
becomes FAX)

Mr. Jack W. Eugster
CEO, The Musicland Group
7500 Excelsior Blvd.
Minneapolis, MN 55426
PHONE: (612) 932-7005
FAX: (612) 931-2013

Ms. Sharon Sayles Belton
Minneapolis City Council
Room 307, City Hall
350 South Fifth Street
Minneapolis, MN 55415
PHONE: (612) 673-2208
FAX: (612) 673-3940

Ms. Geraldine A. Evans
Chancellor-Elect
Community College System
Room 203, Capitol Square Bldg.
550 Cedar Street
St. Paul, MN 55101
PHONE: (612) 297-4614
FAX: (612) 297-7024

* CORE working committee appointments and projects listed on page 4

Dr. Jean L. Harris
Sr. Associate Director
Medical Affairs
U of M Hospital & Clinic
Box 707
Harvard at East River Road
Minneapolis, MN 55455
PHONE: (612) 626-6222
FAX: (612) 626-4102

Ms. Arlene J. Lesewski
Regional Director
Independent Business Association
of Minnesota
807 Columbine Drive
Marshall, MN 56258
PHONE: (507) 532-3802
FAX: (507) 532-4394

Mr. Ernest A. Lindstrom
Attorney at Law
Lindstrom Law Offices
7600 Parklawn Avenue
Suite #444
Minneapolis, MN 55435
PHONE: (612) 831-2363
FAX: (612) 831-7358

Ms. Lee Luebke
Former Chair
Winona County Board
of Commissioners
1009 West Howard
Winona, MN 55987
PHONE: (507) 452-5747
FAX: (507) 457-6469

Mr. H. William Lurton
Chairman and CEO
Jostens, Inc.
5501 Norman Center Drive
Minneapolis, MN 55437
PHONE: (612) 830-3200
FAX: (612) 830-3293

Ms. Dorraine (Dorrie) Mund
Associate Attorney at Law
Hall, Byers, Hanson, Steil & Weinberger
605 Eighth Avenue North, #19
St. Cloud, MN 56303
PHONE: (612) 252-4414
FAX: (612) 252-4482

Mr. Robin PanLener
President, MAPE
411 Main Street, Room 400
St. Paul, MN 55102
PHONE: (612) 227-6457
FAX: (612) 227-5612

Ms. Katherine (Kati) Sasseville
General Counsel
Otter Tail Power Company
215 South Cascade
Fergus Falls, MN 56538-0496
PHONE: (218) 739-8200
FAX: (218) 739-8218

Mr. Glen Taylor
Chairman and CEO, Taylor Corp.
1725 Roe Crest Drive
North Mankato, MN 56003
PHONE: (507) 625-2828
FAX: (507) 625-2988

Ms. Erma J. Vizenor
Ph.D Student, Harvard University
Box 36
Ponsford, MN 56575
PHONE: (218) 573-3447

Mr. Stephen E. Watson
President
Dayton-Hudson Corporation
700 On-The-Mall
Minneapolis, MN 55402
PHONE: (612) 375-4388
FAX: (612) 375-3960

CORE Appointees

Page 3

Ms. Connie G. Weinman
Vice President
National City Bank
510 Marquette Avenue
P. O. Box E1919
Minneapolis, MN 55480
PHONE: (612) 340-3161
FAX: (612) 340-3181

Mr. C. Angus Wurtele
Chairman and CEO
The Valspar Corporation
1101 Third Street South
Minneapolis, MN 55415
PHONE: (612) 375-7700
FAX: (612) 375-7750

Kent Allin, CORE Coordinator
MN Department of Administration
Room 309, Administration Bldg.
50 Sherburne Avenue
St. Paul, MN 55155
PHONE: (612) 297-8000
FAX: (612) 297-1117

Nancy Feldman, Program Analysis
Committee Team Leader
MN Department of Administration
Room 203, Administration Bldg.
50 Sherburne Avenue
St. Paul, MN 55155
PHONE: (612) 296-9021
FAX: (612) 297-1117

Bev Schuft, Executive Reorganiza-
tion & Comprehensive Evaluation
Committee Team Leader
MN Department of Administration
Room 309, Administration Bldg.
50 Sherburne Avenue
St. Paul, MN 55155
PHONE: (612) 297-1090
FAX: (612) 297-1117

Linda Hennum, Management Systems
Committee Team Leader
MN Department of Administration
Room 309, Administration Bldg.
50 Sherburne Avenue
St. Paul, MN 55155
PHONE: (612) 297-8002
FAX: (612) 297-1117

Diane Jadwinski, Admin. Assistant
CORE, MN Department of
Administration
Room 309, Administration Bldg.
50 Sherburne Avenue
St. Paul, MN 55155
PHONE: (612) 297-8003
FAX: (612) 297-1117

WORKING COMMITTEES & MEMBERS

Executive Reorganization & Comprehensive
Assessment Committee

Glen Taylor, Chair
Jane Belau
Dr. Jean Harris
H. William Lurton
Dorraine (Dorrie) Mund
Robin PanLener
Arend Sandbulte, Ex-officio

Management Systems Committee

Connie Weinman, Chair
Marcia Appel
Gary Denault
Geraldine Evans
Ernest Lindstrom
Arend Sandbulte, Ex-officio

Program Analysis Committee

Jack Eugster, Chair
John Brandl
Arlene Lesewski
Lee Luebbe
Katherine (Kati) Sasseville
Erma Vizenor
Stephen Watson
Arend Sandbulte, Ex-officio

PROJECTS

- Executive reorganization\boards
and commissions

- Human resources manage-
ment/civil service
- Budgeting and fiscal services
- Electronic business transactions
- Administrative rules/procedures

- State/county human services
delivery system
- Local services funding
- Environmental services

CORE

STATE OF MINNESOTA
COMMISSION ON REFORM AND EFFICIENCY

203 Administration Building, 50 Sherburne Ave., St. Paul MN 55155
(612) 297-1090 Fax (612) 297-1117

1992 REVISED

PROGRAM ANALYSIS WORKING COMMITTEE MEETING SCHEDULE

NOTE: All meetings are on Tuesdays. Contact Jane Delage at (612) 297-1146 for location of meetings or to verify meeting schedule.

DATE	TIME	PLACE
MAY 26	9:00 a.m. to 4:00 p.m.	Musicland
JUNE 16	9:00 a.m. to 1:00 p.m.	Room 107 State Capitol Building
JULY 21	9:00 a.m. to 2:00 p.m.*	Musicland
AUGUST		CANCELLED
SEPT. 15	9:00 a.m. to 2:00 p.m.*	Daytons
OCT. 20	9:00 a.m. to 1:00 p.m.	Musicland
NOV. 17	9:00 a.m. to 2:00 p.m.*	Capitol Area
DEC. 8	9:00 a.m. to 2:00 p.m.*	Daytons

* PLEASE NOTE THAT THE AUGUST MEETING HAS BEEN CANCELLED AND THE JULY, SEPTEMBER, NOVEMBER AND DECEMBER MEETINGS HAVE BEEN EXTENDED ONE HOUR.

SCHEDULE CURRENT AS OF JUNE 25, 1992

CORE

STATE OF MINNESOTA
COMMISSION ON REFORM AND EFFICIENCY

203 Administration Building, 50 Sherburne Ave., St. Paul MN 55155
(612) 297-1090 Fax (612) 297-1117

1992 COMMISSION ON REFORM AND EFFICIENCY MEETING SCHEDULE

(All meetings are on Thursdays. Dates and location subject to change.)
Call Diane Jadwinski with questions or to verify meeting schedule at (612) 297-8003.

DATE	TIME	PLACE
APRIL 30	9:45 a.m. to 12:00 p.m.	Room 116B, State Admin. Bldg.
JUNE 25	8:30 a.m. to 12:00 p.m.	CANCELLED
AUGUST 27	8:30 a.m. to 12:00 p.m.	Room 116B, State Admin. Bldg.
OCTOBER 29	8:30 a.m. to 12:00 p.m.	Room 116B, State Admin. Bldg.
DECEMBER 17	8:30 a.m. to 1:30 p.m.	Room 116B, State Admin. Bldg.

The State Administration Building is located at 50 Sherburne Avenue, St. Paul.

Conference Room 116B is located on the first floor of the Administration Building, adjacent to the cafeteria.

SCHEDULE CURRENT AS OF JUNE 25, 1992

CORE

STATE OF MINNESOTA
COMMISSION ON REFORM AND EFFICIENCY

203 Administration Building, 50 Sherburne Ave., St. Paul MN 55155
(612) 297-1090 Fax (612) 297-1117

1992

EXECUTIVE REORGANIZATION & COMPREHENSIVE ASSESSMENT WORKING COMMITTEE SCHEDULE

(All meetings are on Tuesdays. Dates and location are subject to change.)
Call Diane Jadwinski with questions or to verify meeting schedule at (612) 297-8003.

DATE	TIME	PLACE
APRIL 30	8:30 a.m. to 9:30 a.m.	Room 116B, State Admin. Bldg.
MAY 19	8:30 a.m. to 11:30 a.m.	Room 116B, State Admin. Bldg.
JUNE 16	8:30 a.m. to 11:30 a.m.	Room 116B, State Admin. Bldg.
JULY 21	8:30 a.m. to 11:30 a.m.	Room 116B, State Admin. Bldg.
AUGUST 18	8:30 a.m. to 11:30 a.m.	Room 116B, State Admin. Bldg.
SEPTEMBER 15	8:30 a.m. to 11:30 a.m.	Room 116B, State Admin. Bldg.
OCTOBER 20	8:30 a.m. to 11:30 a.m.	Room 116B, State Admin. Bldg.
NOVEMBER 17	8:30 a.m. to 11:30 a.m.	Room 116B, State Admin. Bldg.
DECEMBER 8	8:30 a.m. to 11:30 a.m.	Room 116B, State Admin. Bldg.

The State Administration Building is located at 50 Sherburne Avenue St. Paul. Conference Room 116B is located on the first floor of the Administration Building, adjacent to the cafeteria.

SCHEDULE CURRENT AS OF JUNE 25, 1992

CORE

STATE OF MINNESOTA
COMMISSION ON REFORM AND EFFICIENCY

203 Administration Building, 50 Sherburne Ave., St. Paul MN 55155
(612) 297-1090 Fax (612) 297-1117

1992

MANAGEMENT SYSTEMS WORKING COMMITTEE MEETING SCHEDULE

(Dates and location are subject to change.)

Call Diane Jadwinski with questions or to verify meeting schedule at (612) 297-8003.

DATE	TIME	PLACE
THURSDAY, APRIL 30	12:00 p.m. to 3:00 p.m.	Commissioner's Conference Room
TUESDAY, MAY 19	8:30 a.m. to 11:30 a.m.	Room 116A, State Admin. Bldg.
THURSDAY, JUNE 25	12:00 p.m. to 3:00 p.m.	CANCELLED
TUESDAY, JULY 21	8:30 a.m. to 11:30 a.m.	Room 224, State Capitol
THURSDAY, AUGUST 27	12:00 p.m. to 3:00 p.m.	Commissioner's Conference Room
TUESDAY, SEPTEMBER 15	8:30 a.m. to 11:30 a.m.	Room 224, State Capitol
THURSDAY, OCTOBER 29	12:00 p.m. to 3:00 p.m.	Commissioner's Conference Room
TUESDAY, NOVEMBER 17	8:30 a.m. to 11:30 a.m.	Room 224, State Capitol
THURSDAY, DECEMBER 17	1:30 p.m. to 4:30 p.m.	Commissioner's Conference Room

The State Administration Building is located at 50 Sherburne Avenue, St. Paul.

Conference Room 116A is located on the first floor of the Administration Building, across from the cafeteria. The Commissioner's Conference Room is located on the second floor of the Administration Building, Room 200.

SCHEDULE CURRENT AS OF JUNE 25, 1992

ITASCA COUNTY SOIL AND WATER CONSERVATION DISTRICT
516 C Pokegama Avenue South
Grand Rapids, MN 55744
June 30, 1992

RECEIVED

JUL 0 6 1992

D. James Nielsen, Chairman
Minnesota Board of Water and Soil Resources
155 South Wabasha Street
St. Paul, MN 55107

BOARD OF WATER
& SOIL RESOURCES

Dear Sir:

This letter and the attached Resolution is our request to change nomination district boundaries in the Itasca County Soil and Water Conservation District.

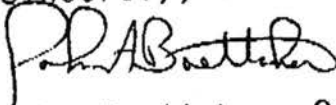
When the present boundaries were set up, they were the same boundaries as the County Commissioner districts. However, our Commissioner districts have changed at least twice since the present boundaries were set up.

Since they are no longer the same as our boundaries, we wish to make some small changes that better suite the "neighborhood" concept of nomination districts. At the present time, Districts 2 and 3 are long narrow strips that reach from the northern to the southern boundaries of the county. We feel that by dividing these two districts into shorter wider districts, the Supervisors would be more familiar with their constituents.

It does not effect the Supervisors in-office in these two districts. They would still reside in their correct districts.

We thank you for your consideration of this matter.

Sincerely,



John Boettcher, Secretary
Itasca County Soil and Water Conservation District

enc.

JB:jr



NOMINATION DISTRICTS RESOLUTION

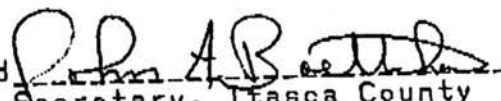
REVISED

Be it resolved by the Itasca County Soil and Water Conservation District Supervisors that pursuant to M.S. 40.04, subd. 12, the district be divided into five areas for nominating candidates for the positions of Soil and Water Conservation District Supervisors to be elected at large as follows:

<u>District</u>	<u>DESCRIPTION OF BOUNDARIES</u>
I	150/29, 150/28, 150/27, 150/26, 150/25, 149/29, 149/28, 149/27, 149/26, 149/25, 148/29, 148/28, 148/27, 148/26, 148/25, 147/29, 147/28, 147/27, 147/26, 147/25, 146/29, 146/28, 146/27, 146/26, 146/25, 144/25, 143/25, 53/27, 54/27, 55/27, 56/27, 57/27, 58/27, 59/27, 60/27, 61/27, 62/27.
II	57/26, 58/26, 59/26, 60/26, 61/26, 62/26, 57/25, 58/25, 59/25, 60/25, 61/25, 62/25.
III	53/26, 54/26, 55/26, 56/26, 53/25, 54/25, 55/25, 56/25.
IV	56/24, 56/23, 56/22, 55/24, 55/23, 55/22, 54/24, 54/23, 54/22, 53/24, 53/23, 53/22.
V	62/24, 62/23, 62/22, 61/24, 61/23, 61/22, 60/24, 60/23, 60/22, 59/24, 59/23, 59/22, 58/24, 58/23, 58/22, 57/24, 57/23, 57/22.

I, John Boettcher, Secretary of the Itasca County Soil and Water Conservation District, do hereby certify that the above resolution relating to the division of the Itasca County Soil and Water Conservation District into five nominating areas was adopted by the said District Supervisors at a regular meeting held on June 30, 1992, that I have compared the above copy with the original resolution as set forth in the minutes of said meeting, and it is a true and correct copy of the transcript from said original and the whole thereof. I further certify that said meeting of the Board was duly called and held, that a quorum of members of said Board was present thereat, and that said resolution was duly adopted thereat by a vote of 5 to 0 of the members present.

Signed



Secretary, Itasca County
Soil and Water Conservation District

Be it resolved by the State Board of Water and Soil Resources that the division of the Itasca County Soil and Water Conservation District into five nominating areas as set forth in the above resolution adopted by the Supervisors of said district on June 30, 1992, is hereby approved.

ADVISORY COUNCIL ON WELLS AND BORINGS MEMBERS

WELL CONTRACTORS

Thomas B. Rosga (Council Chair)
Rosga Well Drilling, Inc.
Hinckley, Minnesota
(06/09/92 to 12/31/95)

Duane E. Frauenkron
Frauenkron Well Drilling
Hokah, Minnesota
(03/20/91 to 01/02/95)

Bruce Gunderson
Pelan Construction and Well Drilling
Karlstad, Minnesota
(01/07/91 to 01/02/95)

John W. Henrich
Bergerson-Caswell, Inc.
Maple Plain, Minnesota
(06/09/92 to 12/31/95)

John S. Johnson
Johnson Brothers Well Drilling Co.
St. Paul, Minnesota
(01/07/91 to 01/02/95)

Donald Marcus
Don Marcus Well Company
Prinsburg, Minnesota
(06/09/92 to 12/31/95)

STATE AGENCY REPRESENTATIVES

Bruce Bloomgren
Minnesota Geological Survey
(03/11/83 to 01/02/95)

Michael P. Convery
Minnesota Pollution Control Agency
(01/07/91 to 01/02/95)

Christine E. Everson
Minnesota Department of Health
(01/07/91 to 01/02/95)

STATE AGENCY REPRESENTATIVES (cont.)

Dennis Larson
Minnesota Dept. of Transportation
(09/17/91 to 12/31/95)

Warren Rodning
Board of Water and Soil Resources
(10/11/91 to 12/31/95)

Brian Rongitsch
Minnesota Dept. of Natural Resources
(03/11/92 to 12/31/95)

PUBLIC MEMBERS

Rexford Singer (Council Vice Chair)
St. Paul, Minnesota
(06/09/92 to 12/31/95)

Douglas Rovang
Rochester, Minnesota
(03/20/91 to 01/02/95)

MONITORING WELL CONTRACTOR

James H. Overtoom
STS Consultants, Ltd.
Minneapolis, Minnesota
(06/09/92 to 12/31/95)

EXPLORATORY BORER

John W. Beck
Lehmann Exploration Management
Minneapolis, Minnesota
(03/20/91 to 01/02/95)

ELEVATOR SHAFT CONTRACTOR

Jerome Stangret
Midwest Drilling, Inc.
Waconia, Minnesota
(06/06/92 to 12/31/95)

MFIP FY1993 FUNDING TOTALS

<u>DISTRICT</u>	<u>REQUEST AMOUNT</u>	<u>STAFF RECOMMENDATION AMOUNT</u>
Aitkin	\$ 3,030	\$ 2,350
Anoka	\$21,500	\$ 2,000
Becker	\$ 160	\$ 160
Beltrami	\$ 8,453	\$ 8,453
Carlton	\$ 7,334	\$ 7,334
Cass	\$ 3,600	\$ 3,600
Clay	\$ 2,100	\$ 2,100
Clearwater	\$ 4,376	\$ 4,376
Cook	\$ 4,988	\$ 4,988
Douglas	\$ 3,000	\$ 3,000
Fillmore	\$ 1,447	\$ 1,447
Goodhue	\$ 1,300	\$ 1,300
Hubbard	\$ 2,504	\$ 2,504
Itasca	\$ 8,235	\$ 8,235
Kandiyohi	\$ 500	\$ 500
Koochiching	\$ 2,500	\$ 2,500
Lake	\$ 3,576	\$ 3,576
Lake of the Woods	\$ 4,826	\$ 4,820
Morrison	\$ 2,285	\$ 2,285
East Otter Tail	\$ 2,930	\$ 2,930
West Otter Tail	\$ 2,600	\$ 2,600
Pine	\$12,847	\$12,847
Rice	\$ 4,000	\$ 4,000
Root River	\$ 5,574	\$ 5,574
Roseau	\$10,668	\$ 7,020
Todd	\$ 4,718	\$ 4,718
Traverse	\$ 1,065	\$ 1,065
Wabasha	\$ 6,912	\$ 6,912
Wadena	\$ 2,444	\$ 2,444
Washington	\$ 1,900	\$ 1,900

TOTALS	\$141,372	\$117,538
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BWSR Administrative costs	\$ 2,462*
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\$119,938

Amount requested is \$27,372 over available funds

* Additional BWSR administrative funds (\$3538) will be accrued from FY93 funds as they are returned from participant SWCDs



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 403
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
507-359-6074

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

Southwest Region
Box 267
1400 E. Lyon Street
Marshall, MN 56258
507-537-6060

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

MEMORANDUM

July 10, 1992

TO: Board Members
FROM: Dave Behm, RIM Reserve Coordinator
RE:

- New Services Grant Allocation Formula
- Staff Recommendations

I have attached a description of the proposed new services grant allocation formula for your review and action at the July 22 Board meeting.

The proposed formula is simply comprised of two factors: (a) base, and (b) supplement.

A. Base:

Staff recommend that "option 2" be selected for the "base factor" which would establish a two-tiered base amount to allocate to SWCDs.

The greater amount (proposed to be \$3000) is suggested for those SWCDs which have either:

- (a) been designated by the Board as part of a "priority area" ("priority area" you selected for FY93 is the Minnesota River watershed), or
- (b) maintained an accelerated application of the programs over time.

The lesser amount (proposed to be \$750 based on results of the Self-Evaluation) is suggested for those SWCDs which do not meet either of the above criteria.

B. Supplement:

Staff recommend approval of the basis of payments as described in the attachment.

PLEASE NOTE: Unfortunately, after I had discussed the attached information with the staff Grants Team and also with Ron and Jim, I am also suggesting that we add a sixth component for reimbursement: **flowage easement administration**. RIM staff review of the August 1991 wetland restoration easements currently being processed indicate that half of them (43) will require flowage easements, principally with neighboring landowners. As with **any type of easement**, there is a required minimum of paperwork for which SWCDs should be compensated.

Consequently, I propose the following **additional reimbursement** for the "supplement factor" of the allocation formula:

- 6) \$ 200 per flowage easement conveyed
(NOTE: August 1991 RIM Reserve wetland restoration projects will require up to 43 flowage easements; $43 \times \$ 200 = \$ 8600$ additional consideration in FY93 allocation.)

Overall Comments:

Staff believe that the proposed allocation formula is a reasonable and equitable vehicle to allocate the administrative dollars necessary for SWCDs to implement the RIM Reserve and Permanent Wetland Preserves (PWP) Programs, as long as the available administrative funds remain appropriately and adequately in line with the level of easement activity generated by both programs.

NEW RIM RESERVE ADMINISTRATIVE SERVICES GRANT ALLOCATION

- Funds allocated on the basis of administrative & technical services provided by SWCDs
- Allocation to be based on: (a) easement activity, (b) cumulative total of spot checks, and (c) responses from SWCD Self-Evaluation
- 3 application deadlines per year (October, February & June)
- Require completion of brief annual reporting form (one side, one page)
- Suggestions to SWCDs:
 - 1) seek local assistance from county recorder and/or title insurance agent for --
 - (a) correct legal descriptions
 - (b) proper grantor information and acknowledgements
 - 2) use services grant to compensate local sources of administrative and/or technical assistance
 - 3) seek "pooling agreement" with neighboring SWCD(s) to financially support a qualified individual to be responsible for administrative/technical duties associated with easement conveyance within all of the participating SWCDs

Formula Recommendations

A. Base

OPTION 1 = "flat rate per SWCD": \$ 750 per SWCD

Expectations:

- 1) maintain current files and handbooks
- 2) minimum of one RIM Screening Committee meeting annually
- 3) offer at least one application period annually
- 4) attend all RIM/PWP training sessions offered by BWSR
- 5) prepare/distribute at least one newspaper article/ad on local application period(s)
- 6) prepare/distribute at least one other written communication on local application period

OPTION 2 = "two-tiered rates" = STAFF RECOMMENDATION

Tier 1 = \$ 750 per SWCD

Expectations:

- 1) maintain current files and handbooks
- 2) minimum of one RIM Screening Committee meeting annually
- 3) offer at least one application period annually
- 4) attend all RIM/PWP training sessions offered by BWSR
- 5) prepare/distribute at least one newspaper article/ad on local application period(s)
- 6) prepare/distribute at least one other written communication on local application period

Tier 2 = \$3000 per SWCD

Expectations:

- 1) SWCDs which have either (a) been designated by the Board as a "priority area", or (b) maintained an accelerated level of easement activity shall receive a "tier 2" base amount
- 2) maintain current files and handbooks
- 3) minimum of two RIM Screening Committee meetings annually
- 4) participate in all authorized application periods annually
- 5) attend all RIM/PWP training sessions offered by BWSR
- 6) prepare/distribute at least one newspaper article/ad for each local application period
- 7) prepare/distribute at least one other written communication on each local application period
- 8) prepare/distribute at least one radio spot for each local application period
- 9) conduct at least one informational meeting for each local application period or two informational meetings in a locally designated priority area
- 10) conduct at least one annual inventory/assessment of eligible lands to enable SWCD to locally designate a "priority area" for that fiscal year's activity

B. Supplement

Basis of payments:

- 1) \$ 20 per hour for SWCD staff costs (includes salary, benefits, and expenses)
- 2) \$ 855 per RIM easement conveyed
- 3) \$ 735 per PWP easement conveyed
- 4) \$ 100 per 1/2 of total cumulative RIM/PWP easements to be spot checked
- 5) Wetland restoration technical services reimbursements allocated as per following guidelines:

Technical expectations:

- (a) make all wetland restoration feasibility determinations,
- (b) delineate all restored basins and affected adjacent lands, and
- (c) determine eligibility of all wetland types offered for enrollment

(a) Stage 1, Design Class 1 = \$ 220 (11 hrs)

(b) Stage 2, Design Class 1 = \$ 80 (4 hrs)

(c) Stage 3, Design Class 1 = \$ 140 (7 hrs)

sub-total Class 1 = \$ 440

(d) Stage 1, Design Class 2 = \$ 360 (18 hrs)

(e) Stage 2, Design Class 2 = \$ 180 (9 hrs)

(f) Stage 3, Design Class 2 = \$ 280 (14 hrs)

sub-total Class 2 = \$ 820

(g) Stage 1, Design Class 3 = \$ 440 (22 hrs)

(h) Stage 2, Design Class 3 = \$ 420 (21 hrs)

(i) Stage 3, Design Class 3 = \$ 440 (22 hrs)

sub-total Class 3 = \$1300

(j) Stage 1, Design Class 4 = \$ 680 (34 hrs)

(k) Stage 2, Design Class 4 = \$ 720 (36 hrs)

(l) Stage 3, Design Class 4 = \$ 800 (40 hrs)

sub-total Class 4 = \$2200

(m) **Modifiers:**

(1) multiple-owned single basin: "sub-total \$" divided by "easement #s"

(2) multiple-basin easement: ("sub-total \$" x 0.75) per basin

(3) "free" design assistance to SWCD: ("sub-total \$" x 0.65) per easement

(4) cancelled application:

• SWCD only = "stage 1 \$" per application

• Assisted SWCD = ("stage 1 \$" x 0.75) per application

Timing of payment:

Staff Recommendation = To be determined in context of administering other grants

PRELIMINARY NEW 1992 RIM RESERVE ADMINISTRATIVE SERVICE GRANTS

PREPARED JULY 2, 1992

DISTRICT	1992 MAINTENANCE PAYMENT	1992 BASE MARKETING PAYMENT	1991 EASEMENT PROCESSING PAYMENT	1991 TECHNICAL SERVICES PAYMENT	FIXED PAYMENT SUB-TOTAL	1992 RIM EASEMENT PROCESSING PAYMENT	1992 RIM WETLAND TECHNICAL PAYMENT	1992 PWP EASEMENT PROCESSING PAYMENT
AITKIN	\$450	\$750	\$0		\$1,200			
ANOKA	\$50	\$750	\$0		\$800			
BECKER	\$800	\$750	\$855		\$2,405			
BELTRAMI	\$850	\$750	\$855		\$2,455			
BENTON	\$1,400	\$3,000	\$3,420	\$1,300	\$9,120			
BIG STONE	\$550	\$3,000	\$1,710	\$845	\$6,105			
BLUE EARTH	\$850	\$3,000	\$855		\$4,705			
BROWN	\$1,350	\$3,000	\$2,565		\$6,915			
CARLTON	\$0	\$750	\$0		\$750			
CARVER	\$1,250	\$3,000	\$5,985	\$2,420	\$12,655			
CASS	\$100	\$750	\$855	\$1,300	\$3,005			
CHIPPEWA	\$600	\$3,000	\$2,565	\$2,640	\$8,805			
CHISAGO	\$1,350	\$750	\$0		\$2,100			
CLAY	\$1,650	\$3,000	\$4,275		\$8,925			
CLEARWATER	\$350	\$750	\$0		\$1,100			
COOK	\$50	\$750	\$0		\$800			
COTTONWOOD	\$1,800	\$3,000	\$2,565	\$1,430	\$8,795			
CROW WING	\$0	\$750	\$0		\$750			
DAKOTA	\$1,000	\$3,000	\$0		\$4,000			
DODGE	\$200	\$750	\$0		\$950			
DOUGLAS	\$1,750	\$3,000	\$5,130	\$4,365	\$14,245			
FARIBAULT	\$1,000	\$3,000	\$1,710	\$2,552	\$8,262			
FILLMORE	\$1,300	\$750	\$1,710		\$3,760			
FREEBORN	\$1,400	\$3,000	\$5,130	\$880	\$10,410			
GOODHUE	\$2,950	\$3,000	\$7,695		\$13,645			
GRANT	\$400	\$3,000	\$1,710	\$440	\$5,550			
HENNEPIN	\$200	\$3,000	\$0		\$3,200			
HUBBARD	\$200	\$750	\$0		\$950			
ISANTI	\$2,150	\$3,000	\$0		\$5,150			
ITASCA	\$100	\$750	\$0		\$850			
JACKSON	\$1,400	\$3,000	\$6,840	\$440	\$11,680			
KANABEC	\$150	\$750	\$855		\$1,755			
KANDIYOHI	\$1,900	\$3,000	\$1,710	\$820	\$7,430			
KITTSO	\$600	\$750	\$0		\$1,350			
KOOCHICHING	\$50	\$750	\$0		\$800			
LAC QUI PARLE	\$400	\$3,000	\$855	\$440	\$4,695			

PRELIMINARY NEW 1992 RIM RESERVE ADMINISTRATIVE SERVICE GRANTS

PREPARED JULY 2, 1992

DISTRICT	1992 MAINTENANCE PAYMENT	1992 BASE MARKETING PAYMENT	1991 EASEMENT PROCESSING PAYMENT	1991 TECHNICAL SERVICES PAYMENT	FIXED PAYMENT SUB-TOTAL	1992 RIM EASEMENT PROCESSING PAYMENT	1992 RIM WETLAND TECHNICAL PAYMENT	1992 PWP EASEMENT PROCESSING PAYMENT
LAKE	\$0	\$750	\$0		\$750			
LAKE OF THE WOODS	\$250	\$750	\$0		\$1,000			
LESUEUR	\$1,300	\$3,000	\$3,420	\$845	\$8,565			
LINCOLN	\$650	\$3,000	\$0		\$3,650			
LYON	\$800	\$3,000	\$3,420	\$1,430	\$8,650			
MAHNOMEN	\$150	\$750	\$0		\$900			
MARSHALL-BELTRAMI	\$300	\$750	\$0		\$1,050			
MARSHALL	\$650	\$750	\$0		\$1,400			
MARTIN	\$1,150	\$3,000	\$855	\$845	\$5,850			
MCLEOD	\$2,000	\$3,000	\$5,130	\$440	\$10,570			
MEEKER	\$2,250	\$3,000	\$12,825	\$8,065	\$26,140			
MILLE LACS	\$1,000	\$3,000	\$5,985	\$5,938	\$15,923			
MORRISON	\$2,450	\$3,000	\$3,420	\$3,705	\$12,575			
MOWER	\$950	\$3,000	\$5,985		\$9,935			
MURRAY	\$950	\$3,000	\$1,710	\$1,430	\$7,090			
NICOLLET	\$550	\$3,000	\$1,710		\$5,260			
NOBLES	\$200	\$750	\$0		\$950			
NORMAN	\$1,150	\$3,000	\$2,565	\$2,600	\$9,315			
OLMSTED	\$750	\$750	\$1,710		\$3,210			
EAST OTTER TAIL	\$1,350	\$3,000	\$0		\$4,350			
WEST OTTER TAIL	\$850	\$3,000	\$0		\$3,850			
PENNINGTON	\$400	\$750	\$0		\$1,150			
PINE	\$50	\$750	\$0		\$800			
PIPESTONE	\$300	\$3,000	\$855		\$4,155			
EAST POLK	\$1,350	\$750	\$855		\$2,955			
WEST POLK	\$250	\$750	\$0		\$1,000			
POPE	\$2,350	\$3,000	\$11,115	\$8,938	\$25,403			
RAMSEY	\$0	\$750	\$0		\$750			
RED LAKE	\$300	\$750	\$0		\$1,050			
REDWOOD	\$2,100	\$3,000	\$7,695	\$3,575	\$16,370			
RENVILLE	\$3,700	\$3,000	\$7,695	\$1,385	\$15,780			
RICE	\$1,300	\$3,000	\$3,420	\$4,440	\$12,160			
ROCK	\$200	\$750	\$855		\$1,805			
ROOT RIVER	\$1,750	\$3,000	\$12,825		\$17,575			
ROSEAU	\$650	\$750	\$0		\$1,400			
NORTH ST. LOUIS	\$50	\$750	\$0		\$800			

PRELIMINARY NEW 1992 RIM RESERVE ADMINISTRATIVE SERVICE GRANTS

PREPARED JULY 2, 1992

DISTRICT	1992 MAINTENANCE PAYMENT	1992 BASE MARKETING PAYMENT	1991 EASEMENT PROCESSING PAYMENT	1991 TECHNICAL SERVICES PAYMENT	FIXED PAYMENT SUB-TOTAL	1992 RIM EASEMENT PROCESSING PAYMENT	1992 RIM WETLAND TECHNICAL PAYMENT	1992 PWP EASEMENT PROCESSING PAYMENT
SOUTH ST. LOUIS	\$50	\$750	\$0		\$800	<i>To be determined</i>		
SCOTT	\$1,800	\$3,000	\$0		\$4,800			
SHERBURNE	\$1,150	\$750	\$0		\$1,900			
SIBLEY	\$2,350	\$3,000	\$7,695	\$1,945	\$14,990			
STEARNS	\$1,750	\$3,000	\$2,565	\$440	\$7,755			
STEELE	\$700	\$3,000	\$1,710		\$5,410			
STEVENS	\$1,250	\$3,000	\$4,275	\$2,145	\$10,670			
SWIFT	\$1,450	\$3,000	\$5,985	\$1,249	\$11,684			
TODD	\$650	\$750	\$0		\$1,400			
TRAVERSE	\$250	\$3,000	\$1,710	\$880	\$5,840			
WABASHA	\$1,700	\$3,000	\$5,985		\$10,685			
WADENA	\$950	\$750	\$0		\$1,700			
WASECA	\$300	\$3,000	\$0		\$3,300			
WASHINGTON	\$100	\$750	\$0		\$850			
WATONWAN	\$900	\$3,000	\$5,130	\$1,480	\$10,510			
WILKIN	\$400	\$750	\$855		\$2,005			
WINONA	\$1,000	\$750	\$2,565		\$4,315			
WRIGHT	\$2,250	\$3,000	\$5,985	\$880	\$12,115			
YELLOW MEDICINE	\$700	\$3,000	\$2,565	\$2,400	\$8,665			
1st SWCD TOTAL	\$84,750	\$183,000	\$200,925	\$74,927	\$543,602			
		<i>2-tiered base</i>	91 EASEMENT @ \$ 855 ea.	TECHNICAL COSTS	FIXED TOTAL	1992 RIM EASEMENTS @\$855 ea.	1992 TECHNICAL COSTS	1992 PWP EASEMENTS @\$735ea.
2nd SWCD TOTAL	\$84,750	\$68,250	\$200,925	\$74,927	\$428,852			

flat base

**BOARD OF WATER AND SOIL RESOURCES
ROOM 112, STATE CAPITOL
ST. PAUL, MINNESOTA 55155
AUGUST 26, 1992**

Appointed Members in Attendance

Jim Nielsen
John Brooks, Jr.
Don Ogaard
Howard Peterson
Sharon Clark
John Boulton
Jack Graba
Dwain Otte
Don Warner
Barb Cobb

Appointed Members Absent

Jim Rossman
Warren Rodning

Agency Members in Attendance

Wayne Anderson, Pollution Control Agency
Kim Benson-Johnson, Department of Health
Wayne Edgerton, Department of Natural Resources
Paul Burns, Department of Agriculture
Fred Bergsrud, U of M/Extension Service

Others in Attendance

Melva Weir, Governor's Office
Gary Nordstrom, Soil Conservation Service
Marlin Libbesmeier, Minnesota Association of Townships

Staff in Attendance

Ron Harnack
Doug Thomas
Eric Mohring
Dan Steward
Greg Larson
Mary Jo Anderson

Meeting Called to Order - Chairman Nielsen called the meeting to order at 9:00 a.m.

**** 92-52 Adopt Agenda** - Moved by Peterson, seconded by Warner, to adopt the agenda as presented. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, and Warner. Opposed: None. Carried.

**** 92-53 Approval of Minutes of July 22, 1992** - Moved by Clark, seconded by Otte, to approve the minutes of July 22, 1992, as circulated. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, and Warner. Opposed: None. Carried.

Chairman's Report - Chairman Nielsen reported that he has been invited to attend the House of Representative's environmental tour and canoe trip - he's unable to attend, but encouraged members to attend.

Chairman Nielsen attended the Wetlands Heritage Advisory Committee meeting. Also, he sat in on the Minnesota River Improvement Project (MRIP), which is a group of various local individuals and various entities who are working to develop enthusiasm for the Minnesota River. The group has good talent and expertise working on the problems on the Minnesota River.

Chairman Nielsen is planning to attend the Environmental Quality Board's (EQB) meeting in Marshall on August 31. The meeting is one of several statewide meetings being held to discuss the Commission on Reform and Efficiency (CORE) agency reorganization. Chairman Nielsen encouraged members in the area to attend. Chairman Nielsen asked staff to prepare paper on proposals for program realignment between agencies that would enhance service to local governments.

Chairman Nielsen and Ron Harnack met with representatives of the Governor's office on August 18 to

Executive Director's Report - Ron Harnack indicated that the board member update is in their packet for information. The Wetlands Rules Working Committee met for two days last week and made a great deal of progress. They have scheduled another meeting for September 8 at the Kelly Inn in St. Paul. The final review package of the Rules Working Committee will be sent to the Wetlands Heritage Advisory Committee (WHAC). The committees are working toward good statewide standard. WHAC will meet twice in September, with recommendations to come before the BWSR at a special meeting the first part of October.

Ron reported that Governor Carlson and staff will be going to Minnesota River area on September 22; he encouraged board members in the area to attend the meeting.

Ron reported that staff completed the MASWCD Chairman/Manager Session, August 18-19, in St. Cloud. About 130 people attended; the meeting was a good opportunity for communication between various levels; he commended staff for their effort.

Ron reported on personnel issues. A new board engineer, Al Kean, will start September 14. Mr. Kean has previously been with the U.S. Army Corps of Engineers. Ron stated that Mr. Kean has good experience and a significant belief in local units of government. He will provide good leadership to technical support.

Ron reported that interviews for the wetlands positions have been held. Offers have been made to five people, four have accepted: Dale Krystosek from Beltrami SWCD will be located in Bemidji; Tabor Hoek from Cottonwood SWCD will be located in Marshall; Tom Fisher from Blue Earth SWCD will also be located in Marshall; and Barb Ohman from Dakota SWCD will be located in the metro office. Two other offers have been made and are awaiting a response at this time.

Ron stated that a meeting has been scheduled with the executive committees of the Minnesota Association of Watershed Districts (MAWD), Minnesota Association of Soil and Water Conservation Districts (MASWCD) and the Association of Minnesota Counties (AMC) for September 9 to discuss agency reorganization and aids to local units of government relating to CORE. It's time for local units of government to stand up and be counted on the issue of reorganization and aids. There needs to be a strong focus on aid to local units of government for natural resources and related issues.

Ron has scheduled a meeting with U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service and others on September 16 regarding Winger Dam; he intends to discuss problems that exist such as the amount of time it takes to issue permits.

Wayne Edgerton is attending the meeting today in place of Norm Moody, who has accepted the position of Cass County Land Commissioner. Wayne will attend BWSR meetings until formal assignments are made.

Chairman Nielsen commented on the Memo of Agreement between the BWSR and Ducks Unlimited. Ducks Unlimited is giving the BWSR a grant for \$75,000 for RIM easement restoration.

Chairman Nielsen also briefly commented on the correspondence he received from the Clearwater County Assessor regarding wetland values in real estate in Clearwater County.

Education Committee Report - Don Ogaard stated that the education committee will be meeting this month regarding the U of M/Extension Service position, which is in place. The Education Advisory Board (EAB) had a one-day retreat that Susan Tsakakis attended for Don last week. The EAB came up with basic findings regarding environmental education in the school system. Sharon Clark reported that in Big Stone County, Ortonville schools are raising funds for an environmental park learning center. Sharon suggested sending recognition letters from Chairman Nielsen to those schools actively taking environmental education roles; it's important to acknowledge those schools that are doing good things.

RIM Committee Report - John Brooks reported that the funding allocation is reasonable and reflects priorities of the Board. Ron stated that Dave Behm will be leaving his RIM position and returning to his position in the land and water section.

Feedlot Advisory Committee Report - Ron Harnack stated that there are two main problems with feedlot issues: high cost, and lack of flexibility within the Minnesota Pollution Control Agency (MPCA) regulatory function. Ron has been meeting with the Department of Agriculture and MPCA regarding the flexibility of the rules. Staff are meeting with agencies - reductions in alternative systems, clearing up problems that existed. Communication has opened up to work through issues. Current Soil Conservation Service standards (structural and technical) have been subject to confusion. Continuing discussions between SCS, Department of Agriculture, MPCA, and BWSR, will help address existing problems.

Status of Metro Groundwater Plan - Eric Mohring summarized the statutory requirements. He explained the review process. Six of the seven metro area counties are undertaking comprehensive groundwater plans. The Board has granted each of these counties \$15,000 to aid in completing the plans. Anoka County is the only county that has not started a plan.

Carver County Groundwater Plan - Eric Mohring introduced Virginia Harris and Jim Hoes, county commissioners. Eric gave a brief overview of the Carver County Groundwater Plan and reviewed agency recommended changes in the plan, which the County did incorporate into their final groundwater plan. Eric recommended approval of the Carver County Ground Water Plan. Virginia Harris thanked the BWSR and staff for their assistance in the planning process as well as the grant they received; this plan would not have been completed without the assistance received. Moved by Boulton, seconded by Warner, to approve the Carver County Water Plan. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, and Warner. Opposed: None. Carried.

**
92-54

Mille Lacs County Water Plan - Dan Steward introduced representatives of Mille Lacs County: Dick Jackson, Bob Hoeffler, and Steve Girard. Dan briefly gave historical background of Mille Lacs County, which is part of Snake River, and is one of the interveners in the watershed district hearings. They did sign the agreement to be part of the Snake River planning group and have included elements of the draft plan in their plan. Mille Lacs County has not yet formally committed to an organizational process that would provide the coordination necessary for the watershed-wide plan. Although the Snake River planning process is not yet complete, staff is recommending approval of the plan if Mille Lacs County and the Mille Lacs Soil and Water Conservation District have made a formal commitment to the structure. It is expected that Mille Lacs County will return for discussion of the Snake River plan when the remaining counties (Aitkin, Isanti, Kanabec, Pine, and Chisago) come before the BWSR for plan approval in December. Dan and Doug Thomas are currently working with counties on joint powers agreements to address specific 103B authorities regarding implementation. Dick Jackson thanked all of those parties

92-55 involved in the planning process. Moved by Clark, seconded by Warner, to approve the Mille Lacs County Water Plan. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, and Warner. Opposed: None. Carried.

92-56 **Pollution Prevention Policy Statement** - Ron Harnack explained the Governor's Executive Order regarding agency policy statements for pollution prevention. Moved by Graba, seconded by Ogaard, to approve the staff's recommended "Mission Statement." Affirmative: Boulton, Brooks, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, and Warner. Opposed: None. Carried.

Red River Committee Report - Howard Peterson stated that the committee met and will be meeting today after the BWSR meeting to make the process work better. Summaries of meetings will be distributed to the full BWSR. It basically results from the lack of timely review of permits, to speed up the process Howard stated. A major problem is that no policy exists. An attempt to use BWSR's influence to set policy is the committee's objective. The committee will interface with MPCA and DNR. The committee will come before the BWSR for review of any action to be taken. There are a number of initiatives around the state by local units of government that look to state agencies; this is an opportunity to facilitate progressive action on the other side and help find a middle ground to address issues.

Budget and Legislative Issues for FY94-95 - Ron Harnack explained the Governor's proposal of a five percent reduction in the general budget to deal with the budget deficit. Ron reviewed the initial budget considerations for the 1994-95. Ron stated that staff have recommended a 10 percent reduction. The final overall budget of BWSR will be brought before the Board in the near future. Staff recommended two options for the 10 percent reduction. Discussion followed. Sharon stated that this is not a good way of juggling the budget, she's not comfortable with it, bonding. The BWSR budget needs to be submitted to the Department of Finance by September 15.

John Boulton invited the BWSR to Marshall, October 1-2, to see what Study Area II has accomplished and what their objectives for future projects are. John is concerned with suggested reduction in Study Area II budget.

A BWSR Finance Committee was suggested by Ron or look at just the five percent reduction. Two options are a shift from bonding or administratively leaving one position open. Chairman Nielsen appointed a Finance Committee: Barb Cobb (chair), Dwain Otte, and Howard Peterson, to be available to meet at short notice. The Finance Committee will act as an oversight of the BWSR's budget.

Advisory Comments

-Minnesota Association of Townships (MAT): Marlin Libbesmeier commented on the wetlands rules committee; MAT has concerns regarding roads rights-of-way.

-Soil Conservation Service (SCS): Gary Nordstrom reported that SCS received 12 bids for CRP sign-ups. They are in the process of the wetlands reserves program, (plans for appropriate bid about September 25). SCS budget has been approved by the U.S. House and Senate, signed by President Bush. They have a level budget, adjusted for inflationary cost. SCS is anticipating the Secretary of Agriculture's mandate to look at delivery systems - SCS will put plan together to address that issue.

Cheryl Talberg, Acting Director for the Governor's Appointments Committee, was introduced and said that she would like to personally meet board members.

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

Wetlands - Greg Larson explained the packet of materials that board members received, stating that those materials have been revised, and he discussed those changes. He hopes that the Wetlands Heritage Advisory Committee (WHAC) and the Rules Working Committee (RWC) documents will be combined into one document. There are issues that haven't been resolved due to lack of consensus; those issues will be addressed by the BWSR. By March 1993, the rule and hearing records must be submitted to the Legislature. Public hearings before an administrative law judge must be completed by December and therefore must have BWSR endorsement of rule by October 12. Chairman Nielsen asked members if they have a concern with any part of this and said that problems that exist in member's areas should be addressed now. Don Ogaard said that he met with Greg and he feels confident that the process will work, as the process, intent, and content blends well. Don Ogaard suggests five or six meetings in different geographic areas, so opportunities of addressing concerns and questions are made available. Ron stated two options: 1) once the BWSR has passed on the rules for public hearings, public information meetings be held statewide, with participation of WHAC and RWC and board members; or 2) general public information meetings to be held before the BWSR accepts, should special meetings to held? Ron suggested meetings could be held with board members present, staff, WHAC and RAC members before the first week in October. Three issues that need to be dealt with are the perspective that "metro area" and state agencies are running the show; the fear of individuals; and the many questions relating to rules. Chairman Nielsen asked if staff can schedule meetings to meet deadline. The middle to end of September to schedule informational meetings. Chairman Nielsen directed staff to work with members to get leaders together to educate them on what the rule does. John Brooks will lead a session in his area; members challenged to lead sessions in their area if needed and contact staff for help if necessary. Boulton will organize the Marshall area.

92-57 Moved by Graba, seconded by Cobb, to hold focus groups. Affirmative: Boulton, Brooks, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, and Warner. Opposed: None. Carried.

Greg distributed an outline of the rule for member's information and reviewed the draft wetland rules. Greg explained the permanent regulatory program. WHAC members do have term limits, and are required to meet twice a year after the rule is completed. The Governor appointed the WHAC members. WHAC will make a recommendation to BWSR in late September.

RWC - 23 members, and 23 alternates selected by their groups. They have met twice a month since March; Don Buckout is the facilitator. RWC will make its recommendations to WHAC in September.

Wetland Issues for Resolution:

- Local administrative funding - mandatory vs. voluntary without funding?
- Definitions unresolved in RWC: ag land; introduced hayland; introduced pasture; wetland on ag land.
- waters as fill? (Don Ogaard)
- Procedures unresolved in RWC: penalty for lgu's who don't implement; appeals of lgu decisions; technical panel
- wetland replacement standards unresolved: credit for restoring partially drained wetlands; converting wetlands; stormwater detention basins; hydrologic unit ratio; inlet/outlet characteristics
- Banking issues unresolved: created wetlands for deposit; credit for size of banked wetland

Greg said that he hopes to take care of the unresolved issues at the September 8 RWC meeting at the Kelly Inn in St. Paul. Members consensus is to digest wetlands materials. Greg stated that revised document will be sent next week.

Upcoming Meetings:

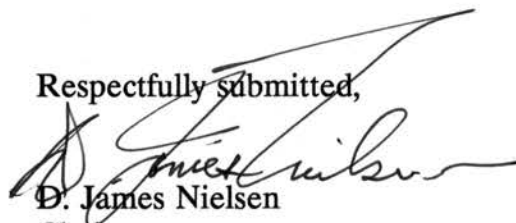
- BWSR meeting, September 1 - October 1
- BWSR meeting and tour, October 21-22, in Rochester
- BWSR meeting, November 18
- BWSR meeting, December 16

Chairman Nielsen advised the Finance Committee to meet with Ron, when appropriate, before September 15.

**
92-58

Moved by Warner, seconded by Graba, to adjourn the meeting at 4:10 p.m. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, and Warner. Opposed: None. Carried.

Respectfully submitted,



D. James Nielsen
Chairman

BWSR GENERAL FUNDS
FY 94-95 PROJECTIONS
(TOTAL BUDGET FUNDED AT 90% OF FY 93 LEVEL)

<REDUCTIONS>

ACCT. # AND NAME	FY93 LEVEL	OPTION 1	OPTION 2
957415 - BWSR Admin.	\$2,057,000	\$<55,000> <100,000>	\$<55,000> <50,000>
957464 - Flood Plain Mgmt. Grants	189,000	<94,500>	<94,500>
957472 - Cost Share- Erosion & Waterwork Grants	1,461,000	-0-	-0-
957480 - International Coalition Membership	10,000	<10,000>	<10,000>
957456 - General Purpose Grants	849,000	-0-	-0-
957431 - Sediment and Erosion Control Grants	159,000	-0-	-0-
958686 - Conservation Reserve (RIM) Admin. Grants	750,000	<500,000>	<600,000>
958744 - Local Water Resources Grants	2,535,000	-0-	-0-
959031 - Wetlands Administration	700,000	-0-	-0-
959049 - MASWCD Training Grants	100,000	<50,000>	-0-
958769 - Abandoned Well Inventory Grants	<u>100,000</u>	<u><100,000></u>	<u><100,000></u>
TOTALS	\$8,810,000	\$<909,500>	\$<909,500>

prepared by: Tom Schwanke
date: 8/25/92

INTERAGENCY POLLUTION PREVENTION ADVISORY TEAM POLLUTION PREVENTION

MINNESOTA BOARD OF WATER AND SOIL RESOURCES BOARD OF WATER AND SOIL RESOURCES

MISSION STATEMENT

The mission of the Board of Water and Soil Resources is to provide leadership enabling local governments to properly manage water and soil resources, and to help all citizens be stewards of our irreplaceable natural resources.

POLICY STATEMENT

The Minnesota Board of Water and Soil Resources (BWSR) is committed to excellence and leadership in protecting the environment. In keeping with this policy, our objective is to reduce waste and emissions. We strive to minimize adverse impact on the air, water and land through excellence in pollution prevention. By successfully preventing pollution at its source(s), we can achieve cost savings, increase operational efficiencies, improve the quality of our (products and) services to our clientele, and maintain a healthy work place for our employees. They work to protect the environment.

The BWSR's environmental guidelines include the following:

- * Preventing pollution and reducing and eliminating the generation of waste and emissions at the source is a prime consideration in our operations. The BWSR is committed to identifying and implementing pollution prevention opportunities through the encouragement and involvement of all employees. The BWSR is also committed to working with our local government clientele throughout Minnesota to commit themselves to these same goals.
- * Technologies and methods which substitute non-hazardous materials and utilize other source reduction approaches will be given top priority in addressing all environmental issues.
- * The BWSR seeks to adhere to all environmental regulations. We promote cooperation and coordination with other governmental agencies and Minnesota citizens toward the shared goal of preventing pollution at its source.

I. Describe steps taken to integrate pollution prevention into agency activities.

B. With the Board of Water and Soil Resources acting as a conservation liaison working with and between federal, state and local units of government (LGUs), it is intuitive that, through the provision of funding, resources, and technical assistance to our client LGUs, we have been, and will be, at the vanguard of pollution prevention activities throughout Minnesota now and in the future.

1. With our focus on soil conservation and water quality activities, we are doing the following:

- * Providing over \$1.5 million dollars annually to Minnesota's 91 soil and water conservation districts (SWCDs), with which each SWCD can address high priority erosion problems within their respective jurisdictions. We have been doing this since 1978. Not only is soil prevented from eroding from the land base into our water resources, nutrients and other chemicals are prevented from entering into water resources.
- * Providing over \$2.5 million dollars to counties throughout Minnesota for the formulation and implementation of their respective Comprehensive Local Water Plans, each of which are required to address the issues of identifying and preventing the spread of toxic and hazardous wastes, as well as the cleanup of identified sites. For these, we have funded in the past two years studies to identify problem sites, the extent of the problem, and their respective clean up.

2. Team activities include working through our Education and Training Teams to not only heighten the awareness of our own staff, but also to provide the integrated activities of other agencies to provide education and training of the local clients we serve, chief among them the SWCD Staff and their elected Supervisors throughout the state. This training, and the provision of educational materials concerns not only toxic and hazardous materials, it also focuses on the prevention of erosion and sedimentation. Also, we are working closely with the County Local Water Planning Coordinators, who are working to maintain and improve the management and quality of Minnesota's waters throughout the state.

In addition, BWSR will continue to work to educate its employees about the benefits of minimizing the occurrence of toxic and hazardous wastes in the workplace, which is primarily the natural environment of the state.

C. The BWSR, acting through its staff and Board, will continue to pursue its efforts toward minimizing the erosion and sedimentation which impacts both the soil and water resources of the state. In so doing, we will continue to reduce the occurrence of the release of

toxic and hazardous chemicals into the environment. chemicals into the e

Ways in which the BWSR will work to accomplish these goals include to accom funding a variety of projects which will improve the quality of rich will Minnesota's water and soil resources. As we will continue to fund ces:As the efforts of the LGUs, we will also be working to implement the also be Interim Guidelines of the newly passed Wetland Conservation Act of 1991. In doing this, we will also work to protect the wetlands of our state from potential pollution.

D. The BWSR, working through its Management Team, as well as other appropriate teams, will institute a policy to encourage pollution prevention in all possible ways. These include:

- * Purchase of materials which have minimal environmental impacts.
- * Encouragement of all employees to reduce their inputs into the overall waste stream of the state, as well as continuing the opportunity to recycle all waste products.
- * Promotion of the elimination of toxic and hazardous wastes at all BWSR work locations in Minnesota.
- * Working with all BWSR clients throughout Minnesota to promote elimination of all waste products.

August 21, 1992

OUTLINE OF DRAFT WETLAND RULES

PURPOSE [ISSUED 6/4/92] -why the rules were developed and state policy regarding wetland protection

SCOPE [ISSUED 6/4/92] -what the rules cover and don't

DEFINITIONS (ISSUED 3/23/92) -key terms explained

EXEMPTION STANDARDS (ISSUED 4/3/92) -interpretations and documentation requirements

-General information that applies to all exemptions

- Exemption 1
- Exemption 2
- Exemption 3
- Exemption 4
- Exemption 5
- Exemption 6
- Exemption 7
- Exemption 8
- Exemption 9
- Exemption 10
- Exemption 11
- Exemption 12
- Exemption 13
- Exemption 14
- Exemption 15
- Exemption 16
- Exemption 17
- Exemption 18
- Exemption 19
- Exemption 20
- Exemption 21
- Exemption 22
- Exemption 23
- Exemption 24

PROCEDURES (ISSUED 4/3/92) -how certain actions should be done

- Determining the local governmental unit (LGU)
- Exemption determinations
- No-loss determinations
- Replacement determinations
- Technical panel procedures
- Other LGU wetland rules and ordinances
- Appeal of LGU decisions
- Penalty for LGU failure to apply the law
- Compensation
- Appeal from board decisions
- Enforcement procedures

**REPLACEMENT STANDARDS FOR MINING (ISSUED 4/16/92) -DNR procedures
for mining replacement plans**
-Regulated activities

**STANDARDS AND PROCEDURES FOR EVALUATING WETLAND REPLACEMENT PLANS
(ISSUED 6/4/92) -how to do and evaluate a replacement plan**
-Purpose
-Procedures
-Replacement sequencing
-Replacement plan components
-Replacement plan evaluation criteria
-Wetland replacement standards
-Monitoring
-Release of applicant

**PUBLIC VALUES AND HIGH PRIORITY REGIONS AND AREAS [ISSUED 6/4/92] -
what makes a region or area high priority**
-High priority regions
-High priority areas

**WETLAND PRESERVATION AREA [ISSUED 6/4/92] -enrollment requirements
and procedures**
-Purpose
-Landowner application for wetland preservation area
-County review of application
-Applicable statutes

**WETLAND MITIGATION BANKING [ISSUED 7/15/92] -requirements to "bank"
restored wetlands for future replacement**

**CALCAREOUS FENS [ISSUED 8/13/92] -DNR procedures regarding
calcareous fens**



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 403
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
507-359-6074

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

Southwest Region
Box 267
1400 E. Lyon Street
Marshall, MN 56258
507-537-6060

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

TO: Local Water Plan Coordinators & Interested Parties

FROM: Ron Harnack, Executive Director

DATE: September 16, 1992

SUBJECT: Local Water Resources Protection and Management Grant Program
Application Packet

With this memorandum the Minnesota Board of Water and Soil resources (BWSR) is transmitting the information necessary for a county to submit an application for Local Water Resources Protection and Management Program (LWRPMP) base grant. Only counties can submit grant applications. Counties in the seven county metropolitan area should check with the BWSR Metropolitan Regional Office regarding their specific eligibility.

Included in this packet is information necessary to develop a LWRPMP base grant application.

- ** County eligibility and application checklist.
- ** Model county board base grant agreement/levy certification resolution.
- ** Model annual workplan, budget and report.
- ** Supplemental information.

Counties are requested to submit 3 copies of their base grant application.

cc: BWSR members
Doug Thomas
Chuck Niska
Eric Mohring
BWSR Field Staff
103B Tech. Comm.
103B Project Managers
MASWCD, D'Wayne DeZiel

a:\lwrpmp93.mem\djt

LOCAL WATER RESOURCES PROTECTION AND MANAGEMENT PROGRAM (LWRPMP)
1993 BASE GRANT
APPLICATION CHECKLIST

Each County should use this checklist to insure that it is eligible to receive a LWRPMP grant and is including all required grant application information. Please remember that only counties can submit applications for base and challenge grants.

YES NO

- ☐ ☐ Does the county have a BWSR approved Comprehensive Local Water Management Plan (Plan) covering 50 percent or more of the county land area?

Note! - applicants in the seven county metropolitan area should check with BWSR regarding specific eligibility.

- ☐ ☐ Has the Plan been locally adopted? Plans must be state approved and locally adopted by January 1, 1993.

- ☐ ☐ Has the county levied its required LWRPMP local match required by Minnesota Statutes and as indicated to you and the county auditor in previous correspondence?

- ☐ ☐ Has the county passed the model resolution certifying that it has levied the LWRPMP base grant local match and authorizing the signing of the base grant agreement?

Note! - Counties are instructed to use the model resolution as is it written.

- ☐ ☐ Does the county have a separate detailed workplan and budget for its base grant application?

Note! - The county should submit 3 copies of its base grant workplan and budget with its application.

A NO for any of the checklist items indicates an ineligible grant application. Contact your BWSR Board Conservationist for assistance.

**RESOLUTION AUTHORIZING SIGNATURE
OF
LOCAL WATER PLANNING
BASE GRANT IMPLEMENTATION DOCUMENTS**

Commissioner _____ offered the following resolution, No. _____, and moved its adoption.

WHEREAS, _____ County has a State approved Comprehensive Local Water Plan pursuant to the Comprehensive Local Water Management Act, which has been locally adopted as of ____ (date) ____; and

WHEREAS, the State of Minnesota, acting by and through its Board of Water and Soil Resources ("BWSR"), has authority to award grants to counties pursuant to Minn. Stat. § 103B.3369, subd. 5; and

WHEREAS, Minn. Stat. § 275.50, subd. 5 par. (u) has been repealed, thereby removing the statutory formula for determining the amount of the grant awarded under Minn. Stat. § 103B.3369, subd. 5; and

WHEREAS, _____ County may assess a levy under its general levy authority to match such grants by BWSR pursuant to Minn. Stat. § 103B.335; and

WHEREAS, the Minnesota Department of Revenue has determined the minimum amount necessary to be raised by _____ County under the formula in repealed Minn. Stat. § 275.50, subd. 5, par. (u); and

WHEREAS, BWSR has made \$ _____ in state grant funds available to _____ County to assist in the implementation of its Comprehensive Local Water Plans.

NOW, THEREFORE BE IT RESOLVED:

THAT THE _____ County Board of Commissioners approves of _____ County entering into a Grant Agreement with the State of Minnesota to receive state funds for the implementation of its Local Water Resources Protection and Management program, under the terms of the Grant Agreement and all statutory requirements; and

THAT THE _____ County Board of Commissioners hereby approves of _____ County assessing a general levy in the amount determined by the Minnesota Department of Revenue under repealed Minn. Stat. § 275.50, subd. 5, par. (u).

BE IT FURTHER RESOLVED, THAT THE Chairperson of the County Board of Commissioners and the County Auditor or County Administrator are authorized to execute the Grant Agreement together with all related documents.

Commissioner _____ seconded the adoption of the resolution, and it was declared adopted upon the following vote:

Ayes: _____ Nays: _____

Note: A certified copy of this resolution must be included with the base grant application.
a:bgresolu.93/djt

COUNTY
COMPREHENSIVE LOCAL WATER PLANNING
1993 ANNUAL WORKPLAN/BUDGET & REPORT

I. Summary

ANNUAL REPORT

II. Status Report / Accomplishments

A. Program Administration / Coordination

1. Measurable Results

2. Expenditures	<u>Existing Co. Resources</u>	<u>New Resources</u>
Budgeted	_____	_____
Actual	_____	_____

B. Program Implementation

1. Activity or Group of Activities

2. Measurable Results

3. (OPTIONAL) Has the Activities or Actions Achieved the
Desired Results, ____ YES ____ NO

Explain Why or Why Not.

4. Expenditures	<u>Existing Co. Resources</u>	<u>New Resources</u>
Budgeted	_____	_____
Actual	_____	_____

*** Repeat items 1 through 4 for each program or implementation initiative identified in the previous years workplan. Be sure to include those activities that were added or substituted during the previous year.

C. Grand Totals	<u>Existing Co. Resources</u>	<u>New Resources</u>
Budgeted	_____	_____
Actual	_____	_____

D. Carryover

WORKPLAN & BUDGET

III. Program Administration / Coordination

A. Narrative

	FROM EXISTING COUNTY ** RESOURCES (Cash or In-kind)	FROM NEW RESOURCES (Levy, BWSR Grant, etc.)	TOTAL COST
Note:	The purpose of separating expenses here is to differentiate between what will be done by existing staff (or redirection of existing staff) and budgets, compared to those activities that will be done with new dollars from sources such as tax levies, BWSR base grant, private or public foundations etc.. BWSR's goal for their water plan implementation grants is the initiation, acceleration or enhancement of water plan activities at a level in excess of that which existed prior to the grant.		
B. Plan Coordinator	_____	_____	_____
C. Support Services	_____	_____	_____
D. Meetings	_____	_____	_____
E. Other Expenses	_____	_____	_____
Program Administration Totals	=====	=====	=====

**** In this column we are only interested in activities or staff currently funded by the county. Section VII of this workplan allows for a discussion of other local, state or federal resources.**

IV. Program Implementation

WORKPLAN

A. Education and Information Initiatives

Action Item or Items * (list in priority order and reference to water plan)

1. Narrative
2. Measurable Results
3. Lead Agency
4. Supporting Agency or Institutions

Note: Repeat items 1 through 4 for each action item listed

- B. Monitoring and Data Collection Initiative
- C. Inventory and Mapping Initiative
- D. Land and Water Treatment Initiative

E. Regulation / Ordinances

* Repeat items 1 through 3 for each action, group of actions, program, or project listed

BUDGET

	FROM EXISTING COUNTY RESOURCES (Cash or In-kind)	FROM NEW RESOURCES (Levy, BWSR Grant, etc.)	TOTAL COST
A. Education and Information Initiatives			
Projected costs can be a total of all activities identified for the initiative.			
1. Estimated Staff			
2. Supplies & Expenses			
3. Monitoring & Data Collection			
4. Equipment **			
5. Other Expenses			
Totals	=====	=====	=====

B. Monitoring and Data collection Initiative

C. Inventory and Mapping Initiative

D. Land and Water Treatment Initiative

E. Regulation / Ordinances

** Expenditures for items costing in excess of \$500 dollars

V. Program Implementation Totals

	FROM EXISTING COUNTY RESOURCES (Cash or In-kind)	FROM NEW RESOURCES (Levy, BWSR Grant, etc.)	TOTAL COST
a. Estimated Staff			
b. Supplies & Expenses			
c. Monitoring & Data Collection			
d. Equipment			
e. Other Expenses			
Totals	=====	=====	=====

VI. Grand Totals, Program Administration + Implementation

FROM EXISTING COUNTY
RESOURCES (In-kind)

FROM NEW RESOURCES
(Levy, BWSR Grant, etc.)

GRAND TOTAL

GRAND TOTALS

=====

=====

=====

VII. Discuss and list local, regional, state, and federal funding sources and their availability

IIIX. (OPTIONAL) List those priority objectives that are currently unattainable due to lack of available resources

IX. (OPTIONAL) Timeline schedule or chart

X. Implementation matrix (complete attached annual workplan implementation matrix)

XI. Signature page

a:planform.93

COMPREHENSIVE LOCAL WATER PLANNING
IMPLEMENTATION INITIATIVES YEAR _____

ISSUE AREA	A	B	C	D	E	F	G
I. LAND RESOURCES							
FISH & WILDLIFE RESOURCES							
FOREST RESOURCES							
GROUND WATER RESOURCES							
LAKE RESOURCES							
RIVER & STREAM RESOURCES							
SOIL RESOURCES							
WETLAND RESOURCES							
II. LAND USE MANAGEMENT							
EROSION CONTROL							
FEEDLOTS							
FERTILIZER MANAGEMENT							
INDIVIDUAL SEWAGE TREATMENT SYS.							
PESTICIDE MANAGEMENT							
SINKHOLES							
SOLID WASTE							
STORAGE TANKS							
ABANDONED WELLS							
WELL CONSTRUCTION							
WELLHEAD PROTECTION							
COUNTYWIDE ZONING							
SUBDIVISION REGULATION							
TIMBER HARVESTING							
IRRIGATION							
STORMSEWER / SANITARY SEWER							
QUARRIES AND MINE PITS							

KEY

- A - EDUCATION AND INFORMATION ACTIVITIES
 B - INVENTORY AND MAPPING ACTIVITIES
 C - MONITORING AND DATA COLLECTION ACTIVITIES
 D - LAND & WATER TREATMENT OR CONSTRUCTION ACTIVITIES
 E - COUNTY HAS EXISTING REGULATION OR ORDINANCE
 F - COUNTY IS DEVELOPING NEW REGULATION OR ORDINANCE
 G - OTHER ACTIVITY (LIST)

SUPPLEMENTAL INFORMATION

**** 1993 LWRPMP BASE GRANT REMINDERS**

**** MODEL ANNUAL REPORT, WORKPLAN AND BUDGET WITH EXPLANATORY NOTES**

Please review carefully, this is the best insight on what BWSR's expectations for plan content is. You should also note that the workplan and budget portion of the model has been changed to reflect comments that we received from local coordinators. The basic change is that your workplan and budget can be developed seperately and some workplan elements are now optional.

**** MODEL BUDGET PRESENTATION USING A MATRIX TYPE FORM**

This model represents an acceptable method to present budget information in your workplan/budget. It was designed by Pennington County to run with Lotus 123 and Always, if you are interested the computer file is available through BWSR. Please contact Doug Thomas (612) 297-5617 for more information.

**** ADDENDUM FOR FIRST YEAR IMPLEMENTING COUNTIES**

1993 LWRPMP BASE GRANT REMINDERS

- 1) Resolutions - In 1992 we continued to have many resolutions sent in that are not properly certified. The Attorney General's office requires that all resolutions needed as part of a grant agreement must be certified. This means a copy of the resolution with a certification statement from the county auditor or administrator is required. Shown below is a fairly standard certification statement used by counties in the state.

STATE OF MINNESOTA)

) ss.

County of _____)

I, _____, Auditor of the County of _____, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the _____ day of _____ A.D. _____, and that the same is a true and correct copy of the whole thereof.

WITNESS MY HAND AND SEAL OF OFFICE at _____,
Minnesota, this _____ day of _____ A.D. _____.

(Auditor's Seal)

County Auditor

- 2) Due Dates -

Annual Workplan/Budget - January 15, 1993, as part of the counties application for base grant funding. Applications must be received in the St. Paul office of the BWSR by 4:30 p.m. on January 15, 1993.

Annual Report - Under normal circumstances we expect annual reports to be submitted to BWSR on January 15th as part of the base grant application. However, counties do have the option of submitting the annual report as late as January 31, 1993.

- 3) Board Conservationist Review - Early review by your Board Conservationist will speed up tremendously the workplan/budget review and approval process and grant distribution. We encourage counties to submit the guts of your workplan (activities and budgets) to your Board Conservationist as early as possible to avoid delays at the end of the process.

- 4) Water Plan Implementation Levy - To be eligible for base grants in 1993 counties will have to levy a specified amount for water plan implementation similar to what you did in 1992. The method by which this levy is done however has changed. With the removal of levy limits for counties by the legislature in 1992 the special water plan implementation levy was eliminated. This action will require that counties levy the local match as part of their normal levy with certification of the levy and amount to the BWSR through county board resolution.
- 5) Who Submits the Application - Statute & rule require that LWRPMP grants be made to counties, therefore the application must come from the county.
- 6) Workplan and Budget Coordination - Is the workplan/budget coordinated with other local agencies? In 1993 BWSR will continue the use of a signature page in the workplan, to help assure that all local resource partners have been involved in the process and that local coordination is occurring.
- 7) Products and Deliverables - As the BWSR is always being asked what are we getting for our money by the legislature and other agencies, we will continue to place a priority on making sure workplans identify specific measurable results to be achieved in the county. This area continued to be a weakness in 1992.

a:93rem

COUNTY
COMPREHENSIVE LOCAL WATER PLANNING
1993 ANNUAL WORKPLAN/BUDGET & REPORT

I. Summary

Note: This section must explain how the annual workplan relates to CLWP goals, priorities, issues, problems and opportunities.

ANNUAL REPORT

II. Status Report / Accomplishments

Note: This section is required by the LWRPMP rules. It should conform closely with the previous year's workplan/budget. The overall purpose of the annual report is to report all of your measurable accomplishments from the previous year.

A. Program Administration / Coordination

1. Measurable Results

Note: List the # of task force meetings and the # of hours spent on administration and coordination activities during the previous year.

2. Expenditures	<u>Existing Co. Resources</u>	<u>New Resources</u>
Budgeted	_____	_____
Actual	_____	_____

B. Program Implementation

1. Activity or Group of Activities

Note: List or identify the activity or group of activities from your previous year's workplan.

2. Measurable Results

Note: List or identify the measurable results or activities that took place during the previous year such as: # of meetings, people in attendance, # of mailings/newsletters/brochures, inventories completed, # of water samples and analyses, # of projects completed, new or revised ordinances, etc..

3. (OPTIONAL) Have the Activities or Actions Achieved the Desired Results, ____ YES ____ NO

Explain Why or Why Not.

Note: This section is optional. It provides the county with an opportunity to assess the effectiveness of its activities. Also to identify the strengths and/or weaknesses which attribute to the success or failure of the initiative.

4. Expenditures Existing Co. Resources New Resources

Budgeted _____

Actual _____

*** Repeat items 1 through 4 for each program or implementation initiative identified in the previous years workplan. Be sure to include those activities that were added or substituted during the previous year.

- C. Grand Totals Existing Co. Resources New Resources

Budgeted _____

Actual _____

Note: Total Program Administration and all Program Implementation amounts and record here.

- D. Carryover

Note: If the actual expenditures under new resources is less than \$37,500 (base grant + local levy) you need to list those actions or activities which will be carried over into the current years workplan and budget.

Those activities or actions carried over should be identified in the 1993 workplan and budget as funded with 1992 grant monies.

SPECIAL NOTE !!!!! All Fiscal Year 1991 BWSR water plan implementation grant monies must be spent or encumbered before the end of your BWSR Base Grant Agreement (JANUARY 15, 1993). Any 1991 state or LWRPMP base grant dollars that are unencumbered or unspent on January 15, 1993 must be returned to BWSR by February 15, 1993. Please contact your BWSR Board Conservationist if have any question as to the status of 1991 grant dollars.

WORKPLAN & BUDGET

III. Program Administration / Coordination

A. Narrative

Note: The narrative must describe how the local water plan will be administered locally, including the identification of the plan's coordinator (either new or proposed) and responsibilities. This section must also describe briefly the role of other local resource agencies in plan implementation i.e. how are all local partners involved in implementation.

	FROM EXISTING COUNTY ** RESOURCES (Cash or In-kind)	FROM NEW RESOURCES (Levy, BWSR Grant, etc.)	TOTAL COST
Note:	The purpose of separating expenses here is to differentiate between what will be done by existing staff (or redirection of existing staff) and budgets, compared to those activities that will be done with new dollars from sources such as tax levies, BWSR base grant, private or public foundations etc.. BWSR's goal for their water plan implementation grants is the initiation, acceleration or enhancement of water plan activities at a level in excess of that which existed prior to the grant.		
B. Plan Coordinator	_____	_____	_____
Note:	This should include both an estimate of time (FTE) and cost.		
C. Support Services	_____	_____	_____
(this should include secretarial support, etc.)			
D. Meetings	_____	_____	_____
(task force, local technical comm., etc.)			
E. Other Expenses	_____	_____	_____
Program Administration			
Totals	=====	=====	=====

****** In this column we are only interested in activities or staff currently funded by the county. Section VII of this workplan allows for a discussion of other local, state or federal resources.

IV. Program Implementation

Note: In this guidance the program implementation section is broken down by implementation initiatives such as education, monitoring, regulation etc.. You may also break down your activities in this section by program, study area, project etc.

Under each implementation initiative counties should list those activities, programs, or projects which have been identified in the comprehensive water plan and have been identified by the task force or technical workgroup as a priority for the coming year.

WORKPLAN

A. Education and Information Initiatives

Action Item or Items * (list in priority order and reference to water plan)

1. Narrative

Note: This section must describe in detail the tasks, components, products, maps, inventories, etc. created by this action. Similar actions may be grouped. For example, inventories of feedlots, abandoned wells, and underground storage tanks may be combined.

2. Measurable Results

Specifically identify the measurable activities and or accomplishments that you expect to occur during the coming year.

3. Lead Agency

(list. may include more than one agency, office or group)

4. Supporting Agency or Institutions (list)

Note: Repeat items 1 through 4 for each action item listed

B. Monitoring and Data Collection Initiative

Note: Repeat workplan items 1 through 4

C. Inventory and Mapping Initiative

Note: Repeat workplan items 1 through 4

D. Land and Water Treatment Initiative

Note: Repeat workplan items 1 through 4

E. Regulation / Ordinances

Note: Repeat workplan items 1 through 4

* Repeat items 1 through 3 for each action, group of actions, program, or project listed

BUDGET

Using the workplan as your basis prepare a budget for each implementation initiative, program or project identified.

	FROM EXISTING COUNTY RESOURCES (Cash or In-kind)	FROM NEW RESOURCES (Levy, BWSR Grant, etc.)	TOTAL COST
A. Education and Information Initiatives			
Projected costs can be a total of all activities identified for the initiative.			
1. Estimated Staff _____ (Include both an estimate of time and dollars)	_____	_____	_____
2. Supplies & Expenses _____ (include items such as office supplies, photo's, mileage etc.)	_____	_____	_____
3. Monitoring & Data Collection _____ (include cost of sample collection, testing and data analysis of samples etc.)	_____	_____	_____
4. Equipment ** _____ (equipment for monitoring programs, GIS, etc.)	_____	_____	_____
5. Other Expenses _____ (list)	_____	_____	_____
Totals	=====	=====	=====

B. Monitoring and Data collection Initiative

Note: Repeat budget items 1 through 5

C. Inventory and Mapping Initiative

Note: Repeat budget items 1 through 5

D. Land and Water Treatment Initiative

Note: Repeat budget items 1 through 5

E. Regulation / Ordinances

Note: Repeat budget items 1 through 5

**** Expenditures for items costing in excess of \$500 dollars**

V. Program Implementation Totals

	FROM EXISTING COUNTY RESOURCES (Cash or In-kind)	FROM NEW RESOURCES (Levy, BWSR Grant, etc.)	TOTAL COST
a. Estimated Staff _____	_____	_____	_____
b. Supplies & Expenses _____	_____	_____	_____

c. Monitoring & Data Collection	_____	_____	_____
d. Equipment	_____	_____	_____
e. Other Expenses	_____	_____	_____
Totals	=====	=====	=====

Note: Use this space to combine and list all totals from the previous budgets for the objectives you listed.

VI. Grand Totals, Program Administration + Implementation

FROM EXISTING COUNTY RESOURCES (In-kind)	FROM NEW RESOURCES (Levy, BWSR Grant, etc.)	GRAND TOTAL _____
---	--	----------------------

GRAND TOTALS

Note: These TOTALS will be used by BWSR to certify plan costs and calculate base grants. In order to receive the maximum possible BWSR base grant, the total in the column "FROM NEW RESOURCES" must equal or exceed \$37,500.

VII. Discuss and list local, regional, state, and federal funding sources and their availability

IIIX. (OPTIONAL) List those priority objectives that are currently unattainable due to lack of available resources

IX. (OPTIONAL) Timeline schedule or chart

X. Implementation matrix (complete attached annual workplan implementation matrix)

XI. Signature page

Note: This page should identify each local unit of government, county department or agency that is identified in the plan and a corresponding signature. This is intended to insure that local coordination and commitment to the workplan is occurring.

a:plannote.93

COMPREHENSIVE LOCAL WATER PLANNING
IMPLEMENTATION INITIATIVES YEAR _____

ISSUE AREA	A	B	C	D	E	F	G
I. LAND RESOURCES							
FISH & WILDLIFE RESOURCES							
FOREST RESOURCES							
GROUND WATER RESOURCES							
LAKE RESOURCES							
RIVER & STREAM RESOURCES							
SOIL RESOURCES							
WETLAND RESOURCES							
II. LAND USE MANAGEMENT							
EROSION CONTROL							
FEEDLOTS							
FERTILIZER MANAGEMENT							
INDIVIDUAL SEWAGE TREATMENT SYS.							
PESTICIDE MANAGEMENT							
SINKHOLES							
SOLID WASTE							
STORAGE TANKS							
ABANDONDED WELLS							
WELL CONSTRUCTION							
WELLHEAD PROTECTION							
COUNTYWIDE ZONING							
SUBDIVISION REGULATION							
TIMBER HARVESTING							
IRRIGATION							
STORMSEWER / SANITARY SEWER							
QUARRIES AND MINE PITTS							

KEY

- A - EDUCATION AND INFORMATION ACTIVITIES
 B - INVENTORY AND MAPPING ACTIVITIES
 C - MONITORING AND DATA COLLECTION ACTIVITIES
 D - LAND & WATER TREATMENT OR CONSTRUCTION ACTIVITIES
 E - COUNTY HAS EXISTING REGULATION OR ORDINANCE
 F - COUNTY IS DEVELOPING NEW REGULATION OR ORDINANCE
 G - OTHER ACTIVITY (LIST)

PENNINGTON COUNTY BUDGET FY 1992-1993

+ EXTENSION ACTIVITIES * SWCD ACTIVITIES

o OTHER AGENCIES

ELEMENT	EQUIP. BUDGETED	SUPPLIES DATA COLL. BUDGETED	PERSONNEL BUDGETED	OTHER BUDGETED	TOTAL	COUNTY RESOURCES BUDGETED	NEW RES. BUDGETED	COUNTY RESOURCES EXPENDED	NEW RESOURCES EXPENDED	CARRYOVER INTO 1993
COORDINATION o			7,922	1,078	9,000		9,000			
WRAC o			4,550		4,550		4,550			
INITIATIVES										
1A-G*			13,650		13,650		13,650			
2A+	100	500			600		600			
B+		100			100		100			
C*										
D*		400		100	500		500			
E+										
Fo		2,400			2,400		2,400			
G*(wells)					6,149		6,149			
3A+		200			200		200			
B*				400	400	400				
C*	250	260	800	90	1,400	1,400				
D*		500		100	600	600				
E+				200	200		200			
F+				100	100		100			
4A*			4,000		4,000	4,000				
B*			1,500		1,500	1,500				
C*			1,500		1,500	1,500				
D*			750		750	750				
E*			1,873		1,873		1,873			
5A+		100		900	1,000		1,000			
B+		900		100	1,000		1,000			
C+		500		500	1,000		1,000			
D+										
E+		200		800	1,000		1,000			
F+				750	750		750			
G+				1,200	1,200		1,200			
H+		750			750		750			
GRAND TOTAL	350	6,810	36,545	6,318	56,172	10,150	46,022	0	0	0

o OTHER AGENCIES

[illegible]

**ADDENDUM
FOR
FIRST YEAR 103B.301 IMPLEMENTING COUNTIES**

For those counties which are preparing a 103B.301 Base Grant Annual Workplan/Budget and Report for the first time, please use the Section II listed below.

II. Status Report / Accomplishments

Note: For this year, which is the period ending December 30, 1992, we recommend that this section be used to:

1. summarize the planning process in your county,
2. describe how local coordination has been established between the local agencies and departments (i.e. SWCD, WD's, MN EXT., County Health and Planning, Cities, and Townships, and
3. list any activities or accomplishments that the county has initiated or started because of the local water planning effort.

**BOARD OF WATER AND SOIL RESOURCES
ROOM 112 - STATE CAPITOL
75 CONSTITUTION AVENUE
ST. PAUL, MINNESOTA
SEPTEMBER 30 - OCTOBER 1, 1992**

MEMBERS PRESENT

John Boulton
Sharon Clark
Barbara Cobb
Jack Graba
Jim Nielsen
Dwain Otte
Howard Peterson
Warren Rodning
Jim Rossman
Don Warner

MEMBERS ABSENT

John Brooks, Jr.
Don Ogaard

AGENCY MEMBERS PRESENT

Wayne Anderson, Minnesota Pollution Control Agency (MPCA)
Kim Benson-Johnson, Minnesota Department of Health (MDH)
Fred Bergsrud, U of M / Extension Service (MES)
Paul Burns, Minnesota Department of Agriculture (MDA)
Tom Lutgen, Minnesota Department of Natural Resources (MDNR)

The meeting was called to order at 9:05 a.m.

**
92-59 The agenda was presented and motion to approve was made and seconded. Approved: Boulton, Clark, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, Warner. Opposed: None. Motion carried.

**
92-60 Motion was made by Clark and seconded by Warner to approve the minutes from the August 26th meeting. Approved: Boulton, Clark, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, Warner. Opposed: None. Motion carried.

Chairman Nielsen began by presenting his report on the two-day Environmental Quality Board (EQB) workshop he attended in Itasca Park. He stated that there was a flow of information and highlighted the following points:

- DNR is thinking in terms of organizing a local government unit (LGU) division that would deal directly with LGUs;
- the Department of Agriculture and PCA agree they lack the resources to handle the various feedlot problems; BWSR will likely become involved with the MDA to sort out those responsibilities;
- Commission on Reform and Efficiency (CORE), from an environmental standpoint, will not have their recommendations ready until the end of March, too late in the legislative session for any action.

A "Superagency" is not likely, but some responsibilities and duties need to be sorted and reassigned. Nielsen stated that he has asked staff to find overlaps/problems between BWSR and various agencies, and put together responsibilities/duties BWSR would want to assume. He would like this to be a part of discussion at the October meeting so BWSR's proposal could be presented to the Governor's office, then presented to various agencies for concurrence or thoughts.

DNR/PCA/BWSR all have different ideas for reorganization. DNR wants to reorganize along ecosystems boundaries, PCA is attempting to elevate its regional organization and provide additional staff for to it, and BWSR has been an advocate for management along watershed systems. The focus has become that a more practical reorganization is needed;

- There are management problems; EQB is under funded and has been meeting with resistance;
- Nielsen stated that he has assigned Jeff Nielsen, BWSR Southern Region Supervisor, to represent BWSR as his official alternate on the Minnesota River Improvement Project; and
- much time was devoted to the concept of sustainable development - how do we sustain development, population growth, economic growth, etc. within the framework of preserving the environment with the least impact. Nielsen stated the Governor was enthusiastic/supportive of this concept.

Nielsen then asked if there were any questions. Rossman asked for clarification that CORE would not likely have a recommendation to the Legislature in time for session, and would that mean a delay of a year. Nielsen stated that that was likely at this point. Permitting problems and decentralization were discussed.

Nielsen stated that he, as a representative of BWSR, had been invited to be part of the Governor's Environmental Cluster Group, a group of various agencies that deal with environmental problems. The first meeting was Monday and Nielsen said he felt it would be a direct line of communication with the Governor's office with regard to setting environmental policy.

Harnack gave the Executive Director's report. He stated that hiring was complete in our field offices. Dave Sill, an Soil and Water Conservation District (SWCD) representative, will be located in the Marshall office; and Jim Haertel, a DNR area hydrologist, will be located in the Metro office. The Board was also introduced to Barbara Liukkonen from U of M extension, who filled the BWSR education position, and Al Kean, from the Army Corps of Engineers, who will replace Mel Sinn as the board engineer. He also stated that Dave Behm has left his position as RIM Coordinator to return to his previous position. BWSR was looking to fill this vacancy which is unclassified and LCMR funded.

Other issues that Harnack presented were:

- Feedlots
 - continued technical meetings with staff from PCA, Soil Conservation Service (SCS), MDA, Al Kean, BWSR board engineer, and Brad Matlack, BWSR feedlot specialist
- Governor's Tour of the Minnesota River
 - significant highlight of the month;
 - BWSR participated through board members Clark at Montevideo, Rodning at Mankato, and Harnack at St. Paul;
 - strong commitment by the Governor to look at reclaiming the Minnesota River to make it swimmable, fishable, and more of a recreational opportunity for people;
 - the Governor's challenge to agencies, LGUs, and individuals to accomplish this within the next 10 years.

Harnack asked for remarks on the tour from Rodning and Clark:

- Rodning reported that the tour had excellent publicity, the Governor was committed to renewal and had articulated the problems and solutions;
- Clark stated that the tour included a visit to a farm to review conservation options, and that the Governor seemed impressed and would be returning to pheasant and goose hunt in October.

Discussion continued on solving the point source problem statewide.

Harnack then continued with his report:

- BWSR is in the process of changing its affirmative action plan to be consistent with the Governor's policies and a draft plan will be before the board soon;
- CORE had an executive committee meeting and it was recognized that LGUs are the key in an environmental services delivery system. They will be meeting again and Harnack hopes the board can help make the programs more user friendly. Counties need to be involved with this also;
- Drainage wells is another issue the board has interest in and will be having more meetings with PCA and MDH to find options and alternatives for the landowner in existing programs.

Nielsen welcomed the two new members of the staff. He then introduced Rodning for a report on wells and borings.

Rodning stated that he met with Eric Mohring, BWSR, on September 1st to discuss working with local water resource agencies on information and education for the landowner so they can become more familiar with wells and borings and BWSR can become more familiar with their needs.

Rossman reported nothing new on the feedlot issue.

Warner stated that the Pesticide Advisory Committee had a meeting on September 3rd, he stated there were many educational programs going on this year. He went to the Expo in Willmar and felt it was a good experience, and their main focus was groundwater and monitoring spraying. There will be minutes from this meeting in the next BWSR packet.

Nielsen asked if there was anything new in RIM. Harnack stated he felt there was no further need for the RIM Strategic Plan committee, and felt they could consider major changes or issues as they arose.

Nielsen gave the wetlands committee report, then stated that the board would address the wetlands rules after lunch.

Harnack stated that for a timely procedure he felt the rule should be addressed the following way:

- 1) bring the board up to date with the recommendation;
- 2) have representatives with opposing views to the language address the board;
- 3) go through the individual sections tomorrow;
- 4) listen to issues from the board members; and
- 5) be certain the board fully understands the administrative procedural items.

Graba asked for a differentiation of the Rule Working Group and Heritage Advisory Committee.

Harnack explained that the Heritage Advisory Committee was a legislative mandate to make formal recommendations to the board. The Heritage Advisory Committee along with BWSR staff concurred to set up the Rule Working Group to provide more technical input and an expedient development of the rule. The document the board has is the recommendation of the Heritage Advisory Committee that reflects substantial work from the Rules Working Group.

Nielsen then asked Cobb for the Finance Committee report. Cobb stated that they met under Harnack, it was a good meeting. The result of that meeting was laid out in the agency budget brief document. She stated that the decision was made to absorb the reduction in administration. She said she believes that board members are a part of administration and they must also minimize their expenses.

Harnack then went on to discuss the budget. He stated that he had held meetings with the Department of Finance. He pointed out that the agency budget brief reviews the 3-1/2% and 5% reductions. He stated that 5% was the only physical reduction, the rest would be absorbed within the agency. In figures BWSR will be absorbing a total of \$300,000 over the next the next two years and can't accommodate that with trimming instate/outstate travel etc. He feels BWSR must look at other options such as:

- maintain vacancies within the organization;
- restructuring;
- both staff and board expense reduction;
- equipment purchase reduction; and
- moratorium on staff travel, etc.

He stated that BWSR can manage within the limits. The 5% reduction will come totally from RIM services. Professional service funds to provide these services in the future would come as a percentage of the funds appropriated through bonding, general fund, or Legislative Commission on Minnesota Resources (LCMR). The dollars will still be there for local governments, it will just come from a different source. No reductions will come from other grants.

Harnack stated that this is the first of budget documents the board will see. Next month there will be full narrative sections as well as investment initiatives. BWSR's current investment initiatives will focus on RIM, Minnesota River Basin, accelerate cost-share for landowners, Area II activities such as flood damage reduction, converting a staff person in Duluth on federal funding to state, government services grants, and recouping challenge grants for basinwide initiatives jointly among LGUs.

Cobb asked when we get a gift earmarked for RIM, who decides where it goes. Harnack stated that where it goes is a decision of the gift giver; many times it goes to the BWSR RIM Restoration Program to cover costs that BWSR can't cover or to enhance and extend acquisition and restoration in general.

Rossman asked where these budget numbers came from. Harnack stated that the 5% cut came from the base, which meets the minimum guidelines from finance. Budget discussion continued.

Susan Tsakakis, BWSR, gave the Education Committee report. She stated they met last on September 18th for the first since extension became involved. Issues covered at the meeting included:

- a history of the committee;
- the committee's role in relation to Barbara Liukkonen, BWSR staff from extension;
- tentative committee workplan review;
- Ed Committee a conduit for Liukkonen and the board; and
- Liukkonen's first project at the International Coalition Conference in November.

Tsakakis then introduced Barbara Liukkonen, BWSR Water Resources Education Coordinator. Liukkonen then gave her background and an overview of her workplan, then asked for questions from the board. Discussion followed. Nielsen called for a break at 10:30, and the meeting reconvened at 10:40.

92-61 Otte made a motion and Warner seconded to approve Aitkin SWCD's emergency request for funding. Approved: Boulton, Clark, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, Warner. Opposed: None. Motion carried.

92-62 Clark made a motion and Boulton seconded to approve Rosseau SWCD's request for change in nomination district boundaries. Approved: Boulton, Clark, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, Warner. Opposed: None. Motion carried.

Harnack then explained the appeal that was before the Dispute Resolution Committee. He stated that there will be a meeting on October 2nd between the landowner, the watershed district, and Keith Grow, which could result in a mutual resolution. If the committee must act on this issue, Bill Clapp, Assistant Attorney General, will provide procedural guidelines.

Libbesmeier gave the Minnesota Association of Townships (MAT) report. He stated that September 8th was the last meeting of the Rule Working Group. He explained that although the Heritage Advisory Committee could have majority vote, the Rule Working Group had to have total consensus, some of the townships concerns. He said that were not totally addressed.

Nordstrom then gave the SCS report. He pointed out several pertinent issues including:

- September 30th is the SCS end of FY 92 budget;
- September 25th was the last day for receiving bids for the Agricultural Stabilization and Conservation Service (ASCS) Wetland Preservation Program. They will be submitting them to Washington, DC, for decision; and
- four federal agencies SCS, U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers (USCOE), and Environmental Protection Agency (EPA) have reached consensus on the Wetland Delineation Manual. Although there is no time table for release of their consensus decision, it will probably be after the November election.

Graba asked if they had received many bids. Nordstrom stated that there were over 200 bids on 33,000 acres. Minnesota was one of nine pilot states for this program.

Harnack stated that although SCS would possibly no longer have the Wetland Preservation Program or the Conservation Reserve Program (CRP), it would still supply technical support to LGUs and asked where the primary focus in the field would be. Nordstrom responded by saying that there would be a focus on conservation compliance issues and that the wetland issue was not gone, there would still be a major workload with "upon request" issues.

Harnack stated that there was a critical shortfall of having enough capabilities to work with the landowner on water quality and non-point issues. Incentives must be created by the board and SWCDs so options are available to work on this.

Nielsen then introduced Susan Schmidt, who replaces Pat Jenson as the director of the Legislative Water Commission gave an overview of her activities.

Peterson was called on to give the Minnesota Association of Watershed Districts (MAWD) report. Peterson stated that September 11th was MAWD's quarterly meeting and said that CORE issues were a highlight of that meeting. The Metro Chapter of MAWD met September 29th and is dealing with resolutions that have begun to come in. Peterson also stated that MAWD was invited by the Minnesota Lake Association to do a presentation workshop on October 3rd at the Airport Hilton from 8:30 a.m. - 10:00 a.m. The goal for MAWD at that workshop will be to provide information on watershed district duties and responsibilities. MAWD, by invitation, has been a part of the Freshwater Foundation Minnesota Lake Management Project. He stated that the Freshwater Foundation has now published the preliminary paper on that project. Peterson said that the strong emphasis of that paper is watershed management - managing on a geographic basis, not political.

Nielsen appointed members to the Water Plan Review Committee. Those members were: Howard Peterson, Dwain Otte, Warren Rodning, and Sharon Clark.

Harnack stated that there would be seven or eight county water plans for review this year, and three or four of them would be part of the Snake River watershed and Kanabec County.

Nielsen asked Harnack to run through the upcoming annual meetings of key organizations. Harnack stated that board members, not just staff, should attend these meetings to preserve interagency contact/input. He then ran through the other meetings outlined on the agenda noting that the November 29 - December 1 meeting was the Association of Minnesota Counties (AMC) annual conference.

Harnack brought up the timeline regarding the wetland rules. Allan Klein, Chief of the Environmental Section at the Office of Administrative Hearings, has been appointed the hearing examiner. Formal public hearings would be held December 7, 8, 10, 14, 15, and 17 around the state. More information will be forthcoming. Prior to the formal meetings there will be 10 informational meetings around the state conducted in November.

Harnack noted that the public hearings were primarily for individuals to bring to the hearing examiner any modifications, changes, or support for the rules. These hearings should be attended by not only BWSR staff, but board members also. The examiner will take the input and present a findings of fact to the board from an impartial and legal perspective.

Boulton made a formal request for an outstate board meeting in the SW Area II next summer. Discussion followed. It was suggested that since there is a tour in NE MN next spring, and one scheduled for the metro area in the summer, three might be too many. Peterson stated that the metro tour cost would be minimal. Nielsen asked for a show of hands for three tours, subject to the budget. All approved.

The meeting adjourned for lunch at 11:45 p.m. and reconvened at 1:00 p.m.

Nielsen welcomed all guests and explained the "form for request" to speak to the board. He then called on Greg Larson, BWSR, to present the wetland rules.

Larson started by highlighting several background details including:

- the September 24th version is a product of the Heritage Advisory Committee's September 23rd meeting;
- the Rule Working Group spent 100+ hours in subcommittee meetings through 11 days of meetings which began in March;
- the Heritage Advisory Committee met 10 times since January;
- the rules are the result of these two concurrent process';
- the Rules Working Group operated by consensus and the Heritage Advisory Committee operated by majority voting;
- there are typos and cross-reference errors, but these will be corrected by the Revisor's Office;
- there are differences of opinion that remain; and
- the staff recommendation is to accept the Heritage Advisory Committee's recommendation.

Larson then gave an overview of the rule, section by section, stopping for comments as they arose.

PURPOSE

What the rules address, lifted from the Act.

SCOPE

Points out what the rule is and what it is not.

DEFINITIONS:

Definitions of commonly used terms in the rule.

Bergsrud stated that he felt the best management practices (BMP) definition was

restricted to draining and filling practices and not representative of what appears in the Act.

Larson stated that best management practices as it appears in exemptions refers to 103H. M.S. 103H, which refers to voluntary BMPs. The draining and filling definition as it appears in the rule is the Heritage Advisory Committee's recommendation keyed to construction practices. The Rule Working Group's definition was broader and discussed activities such as silviculture in proximity of the wetland.

Nielsen asked why there were two definitions for agricultural land.

Larson stated it was a compromise after hours of discussion of the issue of ag land as it relates to exemptions and replacement ratios. Definition (a) references exemptions 7 and 8, and definition (b) references 1:1 - 2:1 replacement ratios.

Rodning asked if the Rule Working Group had non-consensus with this definition. Larson stated that there was a sub-committee established and two alternatives were developed. Disagreement arose regarding introduced pasture and introduced hayland and the accounting periods. He also stated that the Heritage Advisory Committee had unanimous approval of the definition in the rule that is being presented.

Warner asked -regarding introduced pasture and introduced hayland- why the accounting period was 20 years and not 100 years. Larson stated that documentation is more difficult to verify for older accounting periods.

Nielsen asked for an explanation of the DNR letter from Ron Nargang, Deputy Commissioner regarding introduced pasture - introduced hayland. Doug Norris, DNR, stated that the main reason for the request to change the accounting period to 10 years was to keep it consistent with the RIM Rules.

EXEMPTION STANDARDS

Larson referred to page 16 as the general principals that apply to exemptions.

Ag land exemptions are 1, 2, 4, 7, 8, and 23. He stated that the issue - should landowners be required to show ag exemptions on the property deed- was subject of a lengthy debate. The compromise was to include the language which limits the documentation to wetlands within a city.

Dave Weirens, AMC Policy Analyst, requested to speak to the board. He listed the AMC concerns:

- recording requirement would not be a burden to counties;
- fees for the recording will be borne by landowners;
- cost of recording may not be easily distributed; and
- questions remain about how the recording would take place.

Warner voiced a concern regarding exemption 10. Are public ditches that were built in the 1930s and requested to be cleaned by the county be considered draining a wetland?

Larson stated that with the exemption you could maintain public and private ditches as long as you don't drain any wetland that is older than 20 years (which is statute language). If you maintain your ditch, over time wetlands should not reform. If the ditch is not maintained, a wetland will likely re-establish and draining or filling cannot be done without replacement. Warner asked that if the county did not maintain due to lack of funds, then the landowner would have no choice. Clapp stated that the landowner at anytime can petition to maintain, but that the funding comes from the landowner not the county.

Larson explained that exemption 16 is for all public road authorities, not just townships.

Nielsen asked if exemption 19 was agreeable with DNR. Larson stated that it was.

PROCEDURES

Larson stated there was more hours spent on the procedures section than any other section. He summarized what this section covers:

- type of documentation needed for exemptions;
- what an LGU must and can do;
- what is a Technical Evaluation Panel (TEP) and what is its responsibility;
- appeals - concerns for both LGUs and the board;
- penalty for LGU failure to apply the rules and how BWSR can make LGUs comply.

Clark pointed out a discrepancy regarding the Technical Evaluation Panel on pages 37 and 59.

Larson stated that this must be resolved. It is inconsistent language - page 37, which was devised by the Heritage Advisory Committee, states that the panel shall make all determinations, and page 59, which is statute language, states that questions may be referred to the panel.

Clark suggested that using the panel on questions would be more efficient.

Larson discussed failure of an LGU to apply the law. He stated that 60 days prior to July 1, 1993, BWSR will mail to LGUs the rule. If the LGU does not respond there will be a moratorium on wetland activity. He stated that an earlier version had been more specific as to what BWSR would do.

Harnack explained that withholding grant money had not been effective in other programs and that BWSR's goal was to ensure LGU administration of the program. This could mean going to court.

Larson stated that the compensation portion of this section was consistent with the RIM payment process.

The portion entitled appeal of board decisions was directly out of the Act.

Nielsen asked how BWSR was coordinating with DNR's enforcement section. Larson explained that a conservation officer was part of the drafting team and that enforcement procedures were working well during the Interim.

Nielsen called for break at 2:40 and the meeting reconvened at 3:00.

MINING

Larson explained this section and stated there were no known problems with this language.

HIGH PRIORITY REGIONS AND AREAS

Larson explained this section and how documentation would occur. He stated that this was a consensus section and is the basis for (Article 4) tax exemption.

Rossman asked if 50% was statute language. Larson stated yes and that this concept is explained in the replacement plan section.

Nielsen asked how many counties were in the "less than 50% category." Clapp stated there were 59.

Weirens asked the board to note D on page 55 and referred them to AMC's letter for their alternative language.

Harnack asked Weirens for clarification. Did the AMC language mean that the board should establish high priority areas outside the rule criteria and outside the approved water plans?

Weirens stated no, but that a county would not have to accept board established regions as high priority areas.

WETLAND PRESERVATION AREAS

Larson explained this section. Rossman asked if this was a permanent covenant. Larson said no, it was an eight year minimum enrollment. Clapp further clarified that it was eight years after the landowner says they want out. Harnack stated that it was tailored after the Department of Agriculture's Ag Preservation Program.

WETLAND REPLACEMENT PLANS

Larson explained that this was essentially a "cookbook" approach about how to handle replacement plans for non-exempt draining and filling actions. Documented proofs will be required before replacement may begin. There is to be no loss in public values and acreage; a wetland cannot just be "enhanced" for replacement because no-net loss is not achieved.

He stated that pages 80 - 83 are special considerations, "signals" to LGUs. Page 83 also explains how to evaluate wetland functions / values (public values) using the Cowardin system.

Page 87 is a table for wetland type ratio values similar to the one used by other regulatory agencies. Clapp described the table on page 87 as a time/cost saver for LGUs by making pre-judgements on value. Graba asked how to tell types on page 87. Larson stated that the reference page was 84.

Pages 92 - 95 deal with partial drainage restoration credits. Larson stated that the concern here was does the 1:1, 2:1 statutory language apply to acreage or public value? Are new wetlands to be exclusively used, or should 1:1 up to 2:1 be met by increased public value? He stated that those opposed to the language in the rule believe that 2:1 should be new wetland acreage.

Nielsen asked if this was a non-consensus section. Larson stated it was, primarily because of the 1:1, 2:1 issue just described.

Page 96 H. is statute language. Pages 96 - 102 explain how restorations are done.

BANKING

Larson explained this section and said that it was different from other banking programs because replacement criteria is separate from the banking procedure.

Warner asked about the cost of banking. Larson stated that it is site specific and market driven.

Nielsen asked if there were geographical limitations. Larson stated there were and referred the board to page 104 C.

Clark asked why banking created wetlands was not allowed except for public transportation projects. Weirens stated that AMC advocates allowing created wetlands into banking.

CALCAREOUS FENS

Larson explained that this section was necessary because calcareous fens are very special wetlands by definition, and they are not subject to exemptions. This section is meant as a "signal" to the reader that DNR identifies and regulates calcareous fens.

Nielsen called for a recess at 4:15 p.m. until 9:00 a.m. October 1. The meeting was reconvened at 9:10 a.m. on October 1, 1992.

Nielsen presented the "Order For Hearing" for the public hearings to be held in December and asked if anyone had objections to the dates or places. There were no objections. Rossman made a motion and Warner seconded to approve the Order For Hearing. Approved: Boulton, Clark, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, Warner. Opposed: None.

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92-63

Nielsen stated that guests who wanted to speak to the board should fill out the request form. They will be called and asked to limit remarks to 5 minutes each. Bill Clapp will be asked, if necessary, to give legal judgments. The board will identify any particular issues for further discussion. The board will then take action on the rules before them, and he hoped the board will accept the Heritage Advisory Committee's version as presented.

Warner asked how many board members will be attending the hearings. Nielsen said he hoped each of the board members would try to attend some of the meetings in their area. Harnack suggested there being two members at the public hearings and one member at the information meetings.

Rossman asked if the board was accepting the rules or endorsing them. Nielsen stated that they would be accepting the report of the Heritage Advisory Committee. Harnack stated that they would be endorsing them for the Public Hearings, but must make a final decision in February after the hearings and report from the hearing examiner.

Nielsen called on Pam Backer, Builder's Association, to speak to the board.

Backer laid out the Builder's Association's areas of concern stating that:

- they would like to see the documentation language in the exemption section that limits documentation to wetlands within a city expanded to all locations;
- they support the language on page 59 of the replacement plans section with regard to the technical review panel;
- they support the language in the Definitions section, Procedures section, and Interim Replacement Plans section; and
- they have a concern on page 106 of the Banking section in that local administrative costs could limit participation.

She stated that their concerns and support were outlined in further detail in the Association's letter to the board.

Nielsen then called on Dave Weirens, AMC.

Weirens gave his opinion on the goals of the Wetland Conservation Act. He stated that counties should implement the Act as they see fit and make the final decision. AMC promotes a single definition of Agricultural Land. Also, they support the language on page 59 with regard to the Technical Evaluation Panel. He stated that they would like to add language to page 55 of the High Priority Regions and Areas section. That language can be found in the letter distributed to the board. Finally he stated that AMC supports created wetlands in the Banking section.

Nielsen called on Kathy McGill, Project Environment Foundation (PEF).

McGill started by thanking the staff responsible for the rule, for their thought and deliberation. She stated that PEF supports the split definition of agricultural land. She stated that there were a few amendments that PEF would like to see, and those were detailed in their handout to the board. She summarized those amendments as follows:

- amend the definitions of introduced hayland, introduced pasture, pasture, and public transportation project;
- amend page 73 of the Replacement Plans section regarding draining and filling;
- amend page 94 of the Replacement Plans section regarding acreage replacement; and
- amend page 88 of the Replacement Plans section regarding hydrological unit ratio.

She also stated that PEF does not support allowing created wetlands into banking because they are less likely to succeed and it is not economical or ecologically appropriate. She stated that although they are not in favor of creation in banking, they would support it if there were more stringent guidelines developed.

Finally she stated that PEF supported the language on page 37 regarding the Technical Evaluation Panel.

Nielsen called on John Sumption, Cass SWCD.

Sumption stated that working with wetlands is not the only thing that a county does. He feels they need more administrative dollars in order to implement the rules. He stated that he disagrees with minimum wetland size in >80% counties, these are regulated by the Corps and a statutory change should be pursued. Some of his banking proposal concerns include:

- deed restriction on banked wetland areas;
- the more difficult banking is made, the less participation there will be;
- he believes there should be considerations for projects "banked" during the interim to be done in advance, otherwise there would be no incentive for banking; and
- a cash bank should be allowed.

He also stated that he felt there were loopholes with the federal farm program regarding beaver ponds. He stated these were natural occurrences, but are considered a wetland in the rules.

Harnack clarified the beaver dam concern stating that there is no 20 year limit regarding beaver dams. Beaver dams can be removed.

Nielsen called on Ken Hiemenz, Minnesota Conservation Federation.

Hiemenz stated he had a concern with the recording process because there is difficulty in trying to track down unrecorded information. He supports recording in exemptions 1, 2, 4, 7, 8, and 23, and opposes the language which states it only must be recorded when the wetland is in a city.

Graba asked if Hiemenz felt everyone should record.

Hiemenz stated yes. He also said there is always the possibility in the future that rural property will be annexed into cities. He stated he felt this would be an injustice to the landowner.

Rossman asked on what units of land would this recording be made? Would it include the whole parcel of land or just describe the wetland portion of the land?

Clapp stated that at the request of the Heritage Advisory Committee he drew up a notice form to advise potential buyers of the restriction. The legal description would be filled in and just apply to wetlands.

Rossman asked how does the potential buyer see the notice. Clapp stated that it was recorded with the deed, just like easements.

Nielsen called on Frank Pafko, Chief, Environmental Services, Minnesota Department of Transportation (MNDOT).

He pointed out the letter from MNDOT and stated that he would like to highlight the public value credits and the restoration of partially drained basins. He requested that the board adopt the language as currently presented. He stated that most basins are partially drained and there is an incentive to restore partially drained wetlands as it is difficult to find totally drained basins.

Nielsen called on Tim Kelly, Coon Creek Watershed District.

Kelly stated that when delineations are done, the field notes are required to be on file with the LGU. He felt it was not practical for the Technical Evaluation Panel to be required on every "call." He felt this would require the LGU and BWSR to be in the field every day.

Graba asked Kelly to explain delineation. Kelly stated that it was determining whether there was a wetland by looking at 1) hydrophytic vegetation, 2) hydric soil, and 3) wetland hydrology. A site must have all three to be a jurisdictional wetland.

Rossman asked if delineation was done through private consultants. Kelly stated that it depends. There is no requirement for certification to be done by a professional delineator. Clark asked how it was determined that the delineation was accurate. Kelly stated it was done through quality assurance checks.

Nielsen called for a break at 10:20 a.m., and the meeting reconvened at 10:30 a.m.

Nielsen called on Leonard Binstock, Land Improvement Contractors Association.

Binstock said he had a concern that the process be user friendly. He stated that he promoted a broader version of the definition of agricultural land, and found the Heritage Advisory Committee's version more acceptable. He also stated that he supported recording exemption determinations as it will alleviate title problems. Finally he stated that he supported created wetlands in banking.

Nielsen called on Don Arnosti, Audobon Society.

Arnosti itemized his concerns as follows:

- he fully agrees with and supports the Heritage Advisory Committee's definition of agricultural land;
- he strongly opposes allowing created wetlands into banking, but feels current created wetlands should be grandfathered; and
- he opposes the partial drainage credit because the law intended 1:1 ag, 2:1 non-ag, and this should be consistent in the rule and preserve the intent of the law with no-net loss.

Nielsen called on John Engfer, Heritage Advisory Committee.

Engfer stated that he felt that what the board had before them was the best product and compromise of two committees that did not always agree. He stated he felt the board should accept this document and address concerns at future hearings.

Nielsen asked for an explanation of the legal process from Clapp.

Clapp itemized the following procedures:

- Public Information Meetings
 - to bring the public up-to-date on the rules; and
 - to help the public make intelligent decisions and testimony at the subsequent hearings.
- Notice For Public Hearing
 - published in the State Register Monday, November 2nd;
 - will advise people that the proposed rule can be changed;
 - advises people that the SONAR is available.
 - informs public that each of the six hearings will be held both during day and evening hours, 1 p.m. and 7 p.m. respectively; and
 - advises people that at the end of the St. Paul hearing (the final hearing) if there are more who wish to be heard by the Administrative Law Judge (ALJ), more hearings may be scheduled.
- SONAR - Statement of Need and Reasonableness
 - explains everything in the rule, including where there was a lack of consensus, and the rule writing process;
 - advises people who wish to testify in advance of the board's position on the rule; and
 - gives a detailed explanation of the rule to the ALJ.
- Hearings closed
 - ALJ will still be open for written comments for a minimum of five days and maximum of 20 days after the public hearings are closed;
 - there will then be a three day period for the board to submit rebuttles.
- Submittal of ALJ report with testimony consideration

- the ALJ will then have 30 days to deliver the report;
 - the report will identify areas of controversy or lack thereof;
 - the report will give recommendations for areas of controversy;
 - the ALJ will decide if the controversial areas are needed or reasonable;
 - the ALJ will recommend to the board areas to change to make the rule more reasonable;
 - the ALJ report should be available between the 1st and 10th of February;
 - if the board does not concur with a part of the ALJ report, it is not obligated to heed the recommendation; and
 - if the board chooses to adopt a final rule "substantially" different than the one discussed at the public hearings that part of the rule may be subject to re-hearing before it can be adopted. Substantial change is determined by the chief hearing examiner.
- Adoption at the February Board Meeting
 - this would be the most timely and efficient, as any delay will affect the March 1 legislative reporting deadline and also delay the July 1, 1993, implementation.

Warner asked why the hearings were only published in the State Register and not the papers, radio, etc. Harnack stated that BWSR would also send notice to all people that have expressed an interest in the rules and are on the mailing list, and BWSR would also be sending out news releases for local papers and radio broadcasts, etc.

Nielsen asked if the Heritage Advisory Committee would continue as a review committee in the future. Clapp stated that there was no sunset provision, and they could review the implementation of the rule. Harnack stated that they are mandated to meet two times a year to review the status of the rule, and suggested to the board that they could be called on to review issues regarding legislative rule changes. Harnack also stated that the Governor could choose to not reappoint the committee.

Noting Clapp's explanation of the hearing and rule adoption process Nielsen stated that he hoped the board, with Clapp's explanation of the process, would accept the Heritage Advisory Committee's rule as presented. He hoped they would endorse it for presentation at the information meetings and public hearings where many of the details will be polished and refined.

Ken Lokkesmoe, DNR, stated that he concurred as he felt this was not the forum for debate. That is the purpose of public hearings.

Cobb wanted clarification as to whether she could speak on behalf of BWSR or her WMO and if the board could put in their points of view in February. Nielsen said that she could speak on behalf of either if she has been given the authority to do so, and that the board will have more input at the February board meeting.

Rossman wanted a definition/explanation of created wetlands.

Norris gave a brief explanation of created wetlands. He stated they could be created either by (a) excavating a hole in the ground, or (b) putting up an impoundment such as a dike across a water source. He went on to further explain the problems of created wetlands.

Rossman requested literature on created wetlands and their measure of success, and Norris stated that he would compile some information to be sent to board members.

Clark asked when the board would be able to address their concerns, and Nielsen responded by saying now and after the public hearings.

Graba wanted MN DOT's perspective of created wetlands. Pafko explained that it is a value judgement. He felt there should not be absolute prohibition of created wetlands, but certain provisions should be made.

Norris reminded the board that created wetlands are not prohibited in the rules, just the banking section. He said they could be project specific in other sections of the rule.

Clark stated that she was concerned that her issues would be addressed too late for any action. Clapp stated that if the ALJ agrees that the board's changes are reasonable based on evidence, the rule could be changed.

Harnack suggested laying out the board's areas of concern in advance, so that the public understands where the board stands on the rule.

Rodning voiced his areas of concern as follows:

- definition of agricultural land. He will accept the WHAC version with hope that it is resolved in the hearing process;
- a concern for the discrepancy in the Technical Evaluation Panel language on pages 37 and 59. He believes this should be resolved in the process; and
- a concern for not allowing created wetlands into banking.

Graba had a concern that board reservations could be a wrong signal to the ALJ. Burns stated that the board needs to decide whether to debate issues today or wait. He asked Clapp if any of the board's concerns would be classified as substantial changes which could cause a delay in implementation of the rule.

Clapp stated that he felt they were not substantial changes. He suggested that the board explain their areas of concern in the notice of hearing and SONAR. It could be explained by the ALJ on the first day of the hearings that there are areas of particular interest to the board, and that the board would like a lot of public input on those areas.

Peterson stated that he felt comfortable passing on the rules with the note of reservations, so the board could address them again after public hearings.

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92-64

Clark made a motion and Warner seconded to specify the board's three areas of concern to the ALJ which include 1) Agricultural Land definition, 2) Technical Evaluation Panel

discrepancy, and 3) banking created wetlands. Approved: Boulton, Clark, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, Warner. Opposed: None. Motion carried.

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92-65

Cobb then moved to include two other concerns 1) recording the use of agricultural exemptions which would leave out the words "in a city" in exemptions 1, 2, 4, 7, 8, and 23, and 2) deleting the 10 year limitation on page 73 of the Replacement Plans section as per the McGill suggestion. Approved: Boulton, Clark, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, Warner. Opposed: None. Motion carried.

5 AREAS OF CONCERN TO BE PRESENTED TO THE ALJ

- 1) The definition of Agricultural Land;
- 2) The language on pages 37 and 59 concerning the Technical Evaluation Panel;
- 3) Banking of created wetlands;
- 4) The language in the paragraph of exemptions 1, 2, 4, 6, 7, and 23 regarding documentation of agricultural exemptions in a city; and
- 5) The language on page 73 of the Replacement Plans section concerning a 10 year period before wetlands that are drained or filled under an exemption may be used for replacement.

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92-66

Rodning made a motion to accept the Heritage Advisory Committee's report with the board's five stated areas of concern and forward them to the ALJ; Clark seconded. Discussion followed.

Warner stated that he wanted the concerns put in writing. Harnack stated that the public notice to the ALJ will address in writing the board's areas of concern.

Rossman stated that he was unsure that he could endorse concern #5. He wanted to know if voting for this motion meant that he was endorsing the change.

Graba wanted a clearer explanation of concern #5. Larson explained that this item says a wetland that was drained or filled per one of the 24 exemptions cannot be used as a replacement wetland for 10 years after the act of draining occurred. So if a person drains or fills a wetland under an exemption, they cannot go back and restore it for use as a replacement wetland for 10 years. This provision was made to prevent "sweetheart deals."

Clark asked why 10 years? Larson stated that 10 years was used throughout the rule and, so to keep it consistent, 10 years was chosen as the limit.

Question was called. Approved: Boulton, Clark, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, Warner. Opposed: None. Motion carried.

Nielsen asked if there was any other business before the board. Harnack stated that a notice of next months meeting and tour would be forthcoming and members should contact Mary Jo Anderson with regard to accommodations. He also stated that the board would be hearing either from Larson or Jaschke regarding the information meetings and

public hearings and individual members' ability to attend. Harnack announced that the board meeting in December would be on the 16th. Harnack also asked that the Subcommittee for Water Plan Review should find a time to review those plans so they are able to make recommendations to the board at the December board meeting.

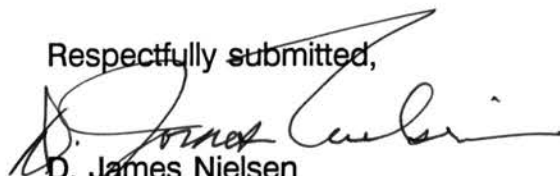
Harnack then introduced Barbara Ohman, BWSR's new board conservationist in the Metro Office.

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92-67

Graba made a motion and Clark seconded to adjourn. Approved: Boulton, Clark, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, Warner. Opposed: None. Motion carried, meeting adjourned at 11:50 p.m.

Respectfully submitted,



D. James Nielsen
Chairman

**BOARD OF WATER AND SOIL RESOURCES
BEST WESTERN MIDWAY MOTOR LODGE
ROCHESTER, MINNESOTA
OCTOBER 22, 1992**

APPOINTED MEMBERS PRESENT

Jim Nielsen
John Boulton
Barbara Cobb
Jack Graba
Dwain Otte
Howard Peterson
Warren Rodning
Jim Rossman
Don Warner

APPOINTED MEMBERS ABSENT

Sharon Clark
Don Ogaard
John Brooks, Jr.

AGENCY MEMBERS PRESENT

Wayne Anderson, Minnesota Pollution Control Agency (MPCA)
Wayne Edgerton, Department of Natural Resources (DNR)
Paul Burns, Department of Agriculture (MDA)
Fred Bergsrud, U of M/Extension Service (MES)

OTHERS PRESENT

Gary Nordstrom, Soil Conservation Service (SCS)
Laurie Hassler and JoAnn Wegman, Olmsted SWCD
Lisa Rohr, Goodhue SWCD
Bev Nordby, Mower SWCD
Marlene Schmidt, Wabasha SWCD
Darrell Brekke, Fillmore SWCD
Katherine McGill, PEF
Don Flatness, Freeborn SWCD
Ralph Tuck, Root River SWCD
Gene Kalmes, Winona SWCD
Dan Arndt, Steele SWCD
Bea Hoffman, Zumbro/Root River Joint Powers Board

STAFF PRESENT

Jim Birkholz	Jeff Nielsen	John Jaschke
Dave Peterson	Dave Sill	Tabor Hoek
Tom Fischer	Mary Jo Anderson	

Meeting Called to Order - Chairman Nielsen called the meeting to order at 8:40 a.m.

**** 92-68 Adopt Agenda** - Moved by Warner, seconded by Rodning, to adopt the agenda as presented. Howard Peterson added as an agenda item a report by the BWSR Inter-agency Committee. Affirmative: Boulton, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

**** 92-69 Approval of Minutes of September 30 - October 1, 1992** - Moved by Peterson, seconded by Otte, to approve the minutes of September 30 - October 1, 1992, as circulated. Affirmative: Boulton, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried. Chairman Nielsen commended Lynette Morrisette on her fine efforts in taking the minutes at the last two-day meeting.

Chairman's Report - Chairman Nielsen reported that he and Al Kean attended the Root River SWCD annual meeting on October 20. They met with the supervisors and staff to discuss the RIM program before the meeting. Dwain Otte suggested that the BWSR RIM Committee and staff meet with the Root River SWCD on this issue and come report to the full Board at the next meeting. This will be arranged.

Chairman Nielsen attended the Environmental Quality Board (EQB) meeting. Chairman Nielsen stated that EQB still is having structural and financial problems. He asked board members to contact him if they have any suggestions to assist the EQB in alleviating these problems.

Chairman Nielsen stated that Ron Harnack was not on the tour yesterday as he was attending the Governor's Environmental Sub-Cluster meeting. The meeting involves agency deputies and executive directors from the Departments of Natural Resources, Health, Public Services, the Pollution Control Agency, the Waste Management Board, and BWSR. This group meets to start sorting out overlaps and reassign duties and responsibilities.

Executive Director's Report - Jim Birkholz stated that an updated version of the BWSR organizational chart is in board members packets for their information.

Jim reported on staffing issues. Jim Haertl from DNR in Rochester will be starting in the BWSR metro office on October 27 as a board conservationist. Jim introduced the new board conservationists that were present at the meeting: Dave Sill from Martin SWCD is now in the BWSR Marshall office; Tabor Hoek from Cottonwood SWCD is now in the BWSR Marshall office; and Tom Fischer from Blue Earth SWCD is now in the New Ulm office.

Jim reported that several comprehensive local water plans are up for approval in November and December. Jim asked if board members are interested in the subcommittee reviewing these plans as has been previously done. It was decided that the subcommittee, consisting of Sharon Clark, Dwain Otte, Howard Peterson, and Don Ogaard, would meet before the

November meeting to review the comprehensive local water plans of St. Louis, Lake, and Chisago Counties. Staff will contact the subcommittee and make arrangements for the meeting.

Jim reported that the Executive Committee of the Department of Finance (consisting of the Commissioner of Finance, Commissioner of Revenue, and Governor's staff) will meet on October 27 at 3:00 p.m. to review the BWSR's budget proposal. Jim, Ron Harnack, Tom Schwanke, Jim Nielsen, and Barbara Cobb (Chair of the BWSR's Finance Committee) will meet at the BWSR office at 1:30 p.m. to review the budget.

Jim reported on the Wetland Conservation Act public hearing dates and locations. December 7 - Alexandria; December 9 - Thief River Falls; December 10 - Grand Rapids; December 14 - Marshall; December 15 - Mankato; and December 17 - St. Paul. All hearings will be held at both 1:00 p.m. and 7:00 p.m.

Jim reported on an appeal from Robert Schestack regarding the Sauk River Watershed District. Staff is pursuing mediation on the issue. It's anticipated that the Dispute Resolution Committee will meet to discuss this issue.

Jim stated that BWSR must authorize the executive director to sign the order of hearing and the notice of hearings concerning the rules implementation for the Wetlands Conservation Act. Moved by Otte, seconded by Cobb, to approve the following resolution:

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92-70

"Resolved, that Ronald D. Harnack, Executive Director of the Board of Water and Soil Resources, is hereby granted the authority and directed to sign the Order for Hearing and the Notice of Hearing of the matter concerning the adoption of rules to implement the Wetland Conservation Act and to give notice to all persons who have registered their names with the board for that purpose and publish the notice and rule in the State Register, and to perform any and all acts incidental thereto. All such documents signed by Ronald D. Harnack from October 19, 1992, to the date of signing of this resolution, are hereby ratified and confirmed."

Affirmative: Boulton, Cobb, Graba, Nielsen, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

Howard Peterson reported on the BWSR Inter-agency Committee. The committee has been working with DNR on permitting issues; considerable progress has been made thus far. Wayne Edgerton, DNR, stated that a "how to manual" is being put together on the permitting process. Wayne stated that Don Ogaard has suggested this document, which would include what can't be permitted. The document is now being reviewed internally at DNR. The document would then be reviewed by the BWSR Inter-agency Committee and come before the full BWSR. Chairman Nielsen stated that he appreciates what the committee has been doing, and emphasized the importance of bringing issues before the full BWSR for approval.

General Discussion on the Tour - Jim Birkholz welcomed those present at the meeting today and they individually introduced themselves: Laurie Hassler, Olmsted SWCD; Lisa Rohr, Goodhue SWCD; Bev Nordby, Mower SWCD; Marlene Schmidt, Wabasha SWCD; Darrell Brekke, Fillmore SWCD; JoAnn Wegman, Olmsted SWCD; Don Flatness, Freeborn SWCD; Ralph Tuck, Root River SWCD; Dan Arndt, Steele SWCD; and Gene Kalmes, Winona SWCD and original member of the BWSR. Chairman Nielsen thanked Gene Kalmes, Mayor of Rollingstone, for the "Key to the City of Rollingstone."

Jim Birkholz stated that the tour of southeastern Minnesota yesterday was a very good tour. He was particularly impressed with the amount of conservation tillage. There is a need to expand these accomplishments statewide. Jim asked the SWCDs what they look for from the BWSR in assisting their SWCD. A pilot project proposal was received from the Root River SWCD recommending changes in the administration and implementation of the RIM Program.

Affirmative Action Plan - Jim Birkholz stated that a staff committee formulated a draft BWSR Affirmative Action Plan, which is being reviewed by and complies with the Department of Employee Relations. The document is for board member review at this time, and will be adopted by the BWSR at an upcoming meeting. Dwain Otte suggested that BWSR employees sign a form stating that they have read and will comply with the Affirmative Action Plan set forth. Warren Rodning stated that it would be more efficient for the state to have one affirmative action plan for all agencies. Chairman Nielsen tabled this for today, with action to be taken at the November meeting.

Root River/Zumbro Joint Powers Board - Bea Hoffman explained the programs and issues that the nine-county joint powers board addresses. She suggested recommendations regarding the BWSR grant program including modifying the challenge grant program to fund regional groups of counties as a "base plus" approach. She felt that BWSR should take a greater role in county water plans. She suggested that mailings that go out from the BWSR office that have anything to do with water planning should also be sent to counties. Bea commented on a letter she sent to Chuck Niska, grants coordinator; and a letter sent to Ron Harnack in July regarding the grants program (copies of those letters will be sent to all board members). Discussion followed. Chairman Nielsen thanked Ms. Hoffman for coming before the BWSR.

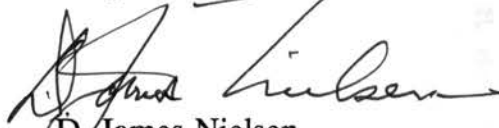
Chairman Nielsen called for a break in the meeting at 9:50 a.m. The meeting reconvened at 10:10 a.m.

Wetlands Delineation Discussion - John Jaschke reviewed the dates and locations of the Wetland Conservation Act public hearings and informational meetings to be held prior to the public hearings. The Notice of Hearings has been published in the State Register. John made an informational presentation regarding wetland types, including Cowardin and Circular #39 types; wetland functions; and wetland delineation for the Board's information. Discussion followed. Chairman Nielsen thanked John for his informational presentation.

Commission on Reform and Efficiency (CORE) Options - Jim Nielsen stated that staff have looked at various state programs relating to local government that might be more efficiently delivered if the programs were better coordinated with other agencies or transferred from one agency to another. Following are programs that should be addressed: Lake Improvement Districts; Consolidation of Natural Resources Grants to Local Governments; Water Policy Coordination and Review; and Consolidation of Nonpoint Implementation Functions. Discussion followed. As each topic was discussed, feedlots came into the dialogue. Chairman Nielsen stated that soil erosion would soon be the hot topic, more so than feedlots. He asked Paul Burns to find out what the Department of Agriculture is doing regarding soil erosion. He asked Wayne Edgerton what the Department of Natural Resources is doing in the Division of Forestry to provide windbreaks. This will be discussed at a future meeting.

92-71 Moved by Warner, seconded by Graba, to adjourn the meeting at 12:10 p.m. Affirmative: Boulton, Cobb, Graba, Nielsen. Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

Respectfully submitted,



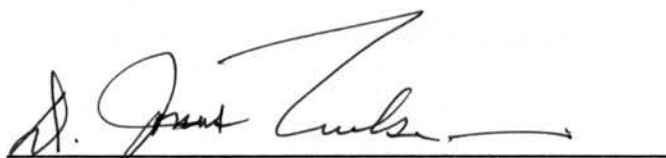
D James Nielsen
Chairman

**CERTIFICATE OF THE
BOARD OF WATER AND SOIL RESOURCES
AUTHORIZING RESOLUTION**

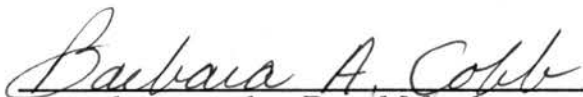
I, D. James Nielsen, do hereby certify that I am a member and the Chair, of the Board of Water and Soil Resources, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Water and Soil Resources duly and properly called and held on the 22nd day of October 1992, that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified.

"RESOLVED, that Ronald D. Harnack, Executive Director of the Board of Water and Soil Resources, is hereby granted the authority and directed to sign the Order for Hearing and the Notice of Hearing of the matter concerning the adoption of rules to implement the Wetland Conservation Act and to give notice to all persons who have registered their names with the board for that purpose and publish the Notice and rule in the State Register, and to perform any and all acts incidental thereto. All such documents signed by Ronald D. Harnack from October 19, 1992 to the date of signing of this resolution, are hereby ratified and confirmed."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 22nd day of October 1992.

A handwritten signature in dark ink, appearing to read 'D. James Nielsen', written over a horizontal line.

D. James Nielsen, Chair
Board of Water and Soil Resources

A handwritten signature in dark ink, appearing to read 'Barbara A. Cobb', written over a horizontal line.

Attest by one other Board Member

REINVEST ... INVEST IN MINNESOTA (RIM) RESERVE

PILOT PROJECT PROPOSAL

Reinvest in Minnesota (RIM) reserve program was introduced in 1986 as a result of the Governor's task force on revitalizing Minnesota's economy. RIM Reserve combined forces of agricultural groups, wildlife organizations, businesses and government in a joint effort to promote and protect Minnesota's natural resources, a key factor in Minnesota's economic base.

While the concept is good, there has been a number of stumbling blocks in the administration and implementation of this program.

The following proposal is designed to streamline the delivery process and create a more useable and efficient tool in Resource Management throughout Minnesota.

OBJECTIVES:

1. Increase program flexibility to address local resource problems.
2. Provide local control over program delivery.
3. Reduce administrative cost of program.
4. Improve availability of RIM reserve as an effective tool in resource management.

ACTIONS:

- A. BWSR provides goals for a state wide program.
- B. Local SWCD's provide eligibility criteria, prioritization, and implementation based on statewide goals and local needs.
- C. Local SWCD's provide an attorney for title insurance and easement review.*
- D. BWSR provides funding for easement acquisition, conservation practices, installation and maintenance, and administrative cost.
- E. BWSR evaluates RIM program.

* necessary forms determined at the local level.

PLAN OF WORK FISCAL YEAR 94 (JULY 1, 1993 - JUNE 30, 1994)

A. RIM reserve goals developed at state level (BWSR)

B. Local priorities and eligibility guidelines set by SWCD based on the following:

- *statewide goals as provided by BWSR
- *local resource protection needs as determined by local screening committee. (i.e. target areas such as mini-watersheds, areas subject to urban development, stream buffer strips)
- *physical conditions of proposed site (i.e. topography, land use, geologic sensitivity, location)

C. District staff review and process application, easements and conservation plans for SWCD board approval.

SWCD provides attorney for title insurance and easement review. Payment incentive will be provided for perpetual easements.

Limited duration easements will be considered on high priority sites

Easements will be reviewed monthly and awarded based on merit.

D. BWSR provide \$200,000 for fiscal year 1994 (July 1, 1993 - June 30, 1994)

to be allocated as follows:

Easements:	\$130,000
Practice :	\$ 60,000
Administrative Costs (5%)	\$ 10,000*

to be allocated to Root River SWCD by August 15th

*(includes title insurance, application process, plan development easement recording. Administrative costs for easements after enrollment year to be covered by BWSR General Services Grant.)

Regional BWSR Representative will participate in screening committee meetings and provide annual review of program.

By allowing Local administration and program flexibility to address local resource needs, the RIM Reserve Program will more effectively respond to concerns of resource managers while simultaneously achieving state wide goals.

We are confident that this proposal will revitalize the RIM Reserve Program and is necessary to assure its continued success.

- 1) VINCEIL JOHNSON
- 2) AUDIT CONTROL
- 3) LOCAL CRITERIA

4. HOW MUCH AUTONOMY
5. WHY ATTORNEY GENERAL ID REVIEW?

RON MEINERS
AL KANE
DAVE PETERSON
RALPH TACK

Rim.
Dandy Porter

Time Line:

Goals to the District.....August 1

Allocation from BWSR.....August 15

Screening Committee priorities setSeptember 1

Application Begins.....September 1

SWCD action within 45 days of application date.

Easement recorded within 90 days of approval.

Payment to landowner within 30 days of recording.

STATE OF MINNESOTA
BOARD OF WATER AND SOIL RESOURCES
WETLAND CONSERVATION ACT INFORMATION MEETINGS

Dates and Locations

November 17	<u>LGUs</u> 1 - 4 p.m. <u>Public</u> 7 - 10 p.m.	Mankato Minnesota Valley Regional Library 100 East Main Street Chris Hughes and Tom Fischer - (507)359-6074
November 18	<u>LGUs</u> 1 - 4 p.m. <u>Public</u> 7 - 10 p.m.	Marshall MN Department of Transportation 1800 E. College Drive 1/2 mile east of 23 on 19 Dave Sill and Tabor Hoek - (507)537-6060
November 19	<u>LGUs</u> 1 - 3:30 p.m. <u>Public</u> 7 - 9:30 p.m.	Rochester Willow Creek Golf Course 1700 48th Street SW Highway 63 south to 48th Street west Dave Peterson - (507)285-7458
November 24	7 - 10 p.m.	Brainerd Holiday Inn Highway 371 South Dan Steward and Keith Grow - (218)828-2383
November 30	7 - 10 p.m.	Alexandria Park Inn I - 94 and Highway 29 Dan Steward and Keith Grow - (218)828-2383
December 1	7 - 10 p.m.	Detroit Lakes Holiday Inn Highway 10 East Dale Krystosek and Brian Dwight - (218)755-3963
December 1	7 - 10 p.m.	Duluth First United Methodist Church on the Skyline 230 East Skyline Parkway Mark Nelson and Keith Grow - (218)723-4752
December 2	1 - 4 p.m. and 7 - 10 p.m.	St. Paul State Office Building, Basement Hearing Room 100 Constitution Avenue Bruce Sandstrom - (612)297-4958
December 3	7 - 10 p.m.	Grand Rapids Sawmill Inn 2301 Pokegama Avenue South Dale Krystosek and Mark Nelson - (218)755-3963
December 3	7 - 10 p.m.	Thief River Falls Northwest Technical College Aviation Center, 747 Airport Road Brian Dwight and Bill Best - (218)755-3963

**STATE OF MINNESOTA
BOARD OF WATER AND SOIL RESOURCES
WETLAND CONSERVATION ACT**

PUBLIC HEARING DATES AND LOCATIONS

All hearings will be held at both 1:00 p.m. and 7:00 p.m.

December

7	Alexandria	Park Inn, I-94 and Hwy. 29
9	Thief River Falls	NW Tech College, Aviation Center, 747 Airport Rd
10	Grand Rapids	Rainbow Inn, 1300 E. Hwy 169
14	Marshall	SSU, Business Adm. Bldg., Rm. BA 102
15	Mankato	MN Valley Regional Library, 100 E. Main Street
17	St. Paul	State Office Bldg., Basement Hearing Room

Any further questions may be directed to John Jaschke or Lynette Morrisette (612)296-2840.

STATE OF MINNESOTA
BOARD OF WATER AND SOIL RESOURCES

In the Matter of Proposed Rules
to Implement the Wetland Conservation
Act of 1991.

NOTICE OF HEARING

Please take notice that public hearings on the above-entitled rules will be held on the following schedule:

Monday, December 7, in Alexandria, at the Park Inn, I-94 and State Highway 29.

Wednesday, December 9, in Thief River Falls, at the Northwest Technical College, Aviation Center, 747 Airport Road.

Thursday, December 10, in Grand Rapids, at the Rainbow Inn, 1300 East Highway 169.

Monday, December 14, in Marshall, at Southwest State University, Business Administration Building, room BA 102.

Tuesday, December 15, in Mankato, at the Minnesota Valley Regional Library, 100 East Main Street.

Thursday, December 17, in St. Paul, at the State Office Building, 100 Constitution Ave., Basement Hearing Room.

Each hearing will begin at 1:00 p.m., and reconvene at 7:00 p.m. for those who prefer to come in the evening.

All interested persons will have an opportunity to participate by presenting evidence and argument orally, or at their option in writing. The hearing record will be held open for written comments for at least five days after the close of the last hearing, and up to 20 days if the administrative law judge so orders. Comments submitted during the comment period will be available for review at the office of administrative hearings, and the agency and interested persons may respond to new information in them in writing within five business days after the submission period ends. No additional evidence may be submitted during the five day period. To be on time, submissions must be received by the office of administrative hearings by 4:30 p.m. on the last day for submission.

The rules are being adopted under the statutory authority in Minnesota Statutes sections 14.06, 103B.101 subdivision 7, 103B.3355, 103F.612, and 103G.2242.

The rules implement the Wetlands Conservation Act of 1991, Laws of Minnesota 1991, chapter 354. The central provision of the act is that all wetlands of all sizes and types that are not already regulated by the commissioner of natural resources, cannot be drained or filled, except in certain circumstances spelled out in the act, without the lost wetland being replaced. The rule provides definitions of terms used in the act and in the rules, interprets the exemptions and describes documentation which will establish qualification for exemptions, sets out procedures for local governments and landowners and the board of water and soil resources to follow, gives standards for acceptable replacement of lost wetlands, sets up a wetland banking system, and gives standards and procedures for calcareous fens and for draining and filling of wetlands as part of mining operations.

A free copy of the rule can be obtained by writing, faxing, or phoning to

Minnesota Board of Water and Soil Resources
155 South Wabasha St., Suite 104
St. Paul, MN 55107

fax (612) 297-5615
phone (612) 297-3767

Notice is hereby given that a statement of need and reasonableness is now available for review at the Board office and at the Office of Administrative Hearings. This statement of need and reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rules. Copies of the statement of need and reasonableness may be reviewed at the Board office or the Office of Administrative Hearings. A copy may be obtained from the Office of Administrative Hearings at the cost of reproduction, or from the Board at no cost.

The Board of Water and Soil Resources is interested in public testimony on every element of the rule, and is particularly interested in input on five specific issues:

- Whether the definitions of "agricultural land" and "introduced hayland" and "introduced pasture" given in the rule, are appropriate, and if not, how they should be changed. The definitions effect the extent of the application of exemptions 7 and 8 (type 1 wetlands and type 2 wetlands on agricultural land), and which lands get the benefit of the one to one (rather than two to one) acreage replacement ratio.

- Whether, when a wetland is drained or filled without replacement under an agricultural exemption, the notice of agricultural use should be required to be recorded with the deed only when the land is in a city, or in all cases.

- Whether the technical panel should provide the local government with its determinations of wetland values, location, size and type for every replacement plan submitted, or only when the local government has questions concerning any of those four

technical factual issues, or when the landowner or others participating in the replacement plan proceeding raise questions.

- Whether wetlands which have been drained or filled under an exemption can be restored for use as a replacement wetland ten years after the draining or filling occurred, or should never be allowed to be used for replacement.

- Whether the rule as proposed is correct in limiting banking to restored wetlands, or whether and in what circumstances created wetlands should also be allowed to be banked.

Since the purpose of the hearing is to improve the rule as proposed, interested persons must understand that the final rule may differ from the rule as it is now proposed.

Persons participating in the hearing who are lobbyists must register with the state Ethical Practices Board. Questions regarding this should be directed to the Board, whose address and phone number are 1st floor Centennial Office Building, St. Paul, MN 55155, (612) 296-5148.

Notice: any person may request notification of the date on which the administrative law judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the administrative law judge. Any person may request notification of the date on which the rules are adopted and filed with the secretary of state. The notice must be mailed on the same day that the rules are filed. If you want to be so notified, you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the secretary of state.

The name, address, and phone number of the administrative law judge for the hearing are:

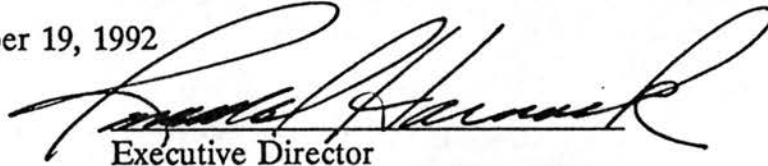
Allan Klein
Office of Administrative Hearings
100 Washington Square, Suite 1700
Minneapolis, MN 55401

phone (612) 341-7609

Judge Klein will conduct the hearing in accordance with Minnesota Statutes sections 14.14 to 14.20 and Minnesota Rules parts 1400.0200 to 1400.1200. Questions regarding procedure may be directed to Judge Klein.

The Board of Water and Soil Resources estimates that adoption of the rule may require local public bodies to spend up to \$8,000,000, depending on their administrative approach, in the two years after the rule is adopted. The rules may affect small businesses which drain or fill wetlands. The rule will not have a direct and substantial adverse effect on agricultural land under the state agricultural land preservation and conservation law. Analyses of fiscal impact and of effect on small businesses and on agricultural land preservation and conservation are contained in the statement of need and reasonableness.

Dated October 19, 1992



Executive Director
Board of Water and Soil Resources

**BOARD OF WATER AND SOIL RESOURCES
ATTENDANCE ROSTER**

	NAME	AFFILIATION	PHONE #
1.	Lamine Hassler	Olmsted	(507) 289-6308
2.	Lisa R. Roda	Goodhue	(507) 732-7695
3.	Bert Nordby	Mower	(507) 433-8268
4.	Maureen Schmidt	Walaska SWCD	612 565-2646
5.	Charles Brubaker	Fulda SWCD	507 765 3878
6.	John Weyman	Olmsted SWCD	289-6308
7.	Tom Fischer	BWSR- New Ulm	507- 359- 6091
8.	Tabor Hoek	BWSR- Marshall	507-557-7260
9.	Kathleen M. Hill	PEF	612-223-5868
10.	Jeff Nielsen	BWSR- New Ulm	507-359-6074
11.	David Sill	BWSR- Marshall	507-537-6374
12.	Dow Flatness	Freeborn SWCD	507-373-5607
13.	Ralph Tuck	Root River SWCD	507-724-5261
14.	Gene Kallmeier	Winona SWCD	507-689-2998
15.	Ben Hoffmann	Zumbro/Root R. JPB	507-457-5223
16.	John Jandke	BWSR	(612) 297-3432
17.	Dan Alund	Steele Co. SWCD	507-451-6730
18.			
19.			
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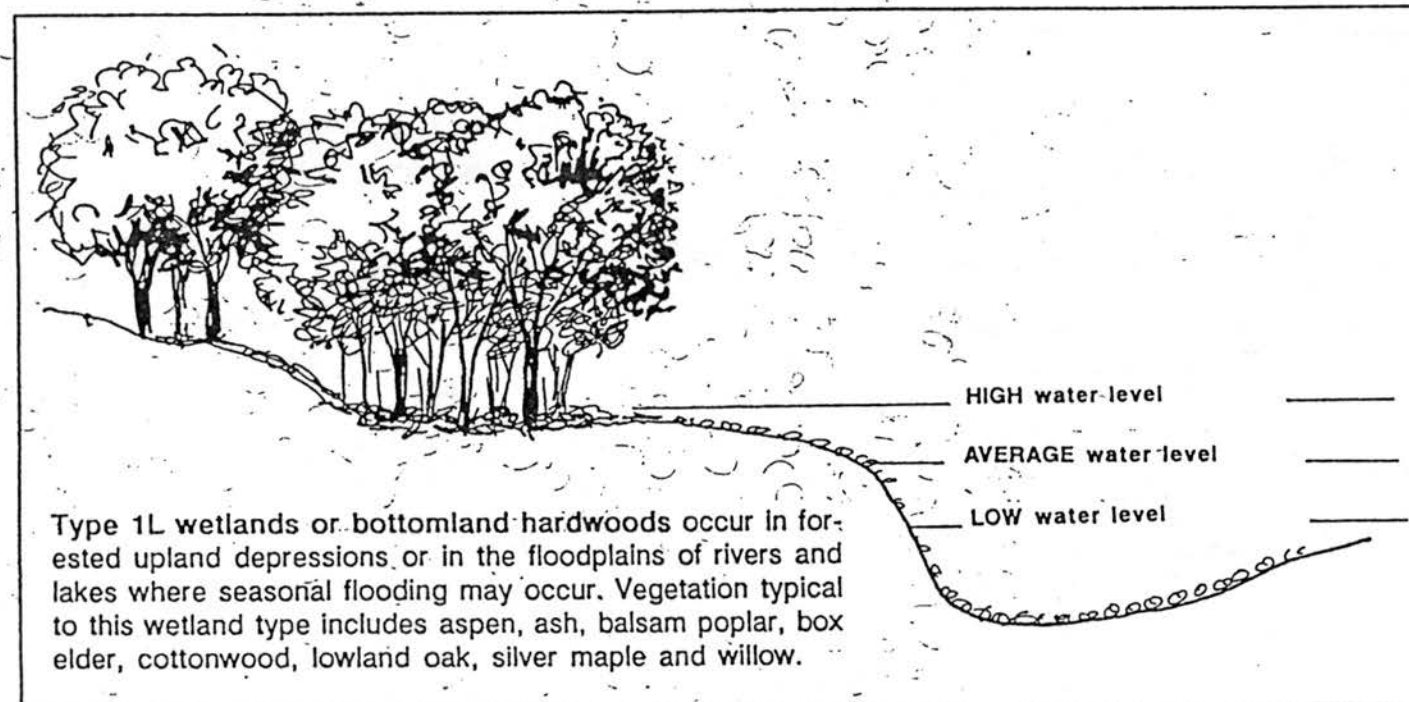
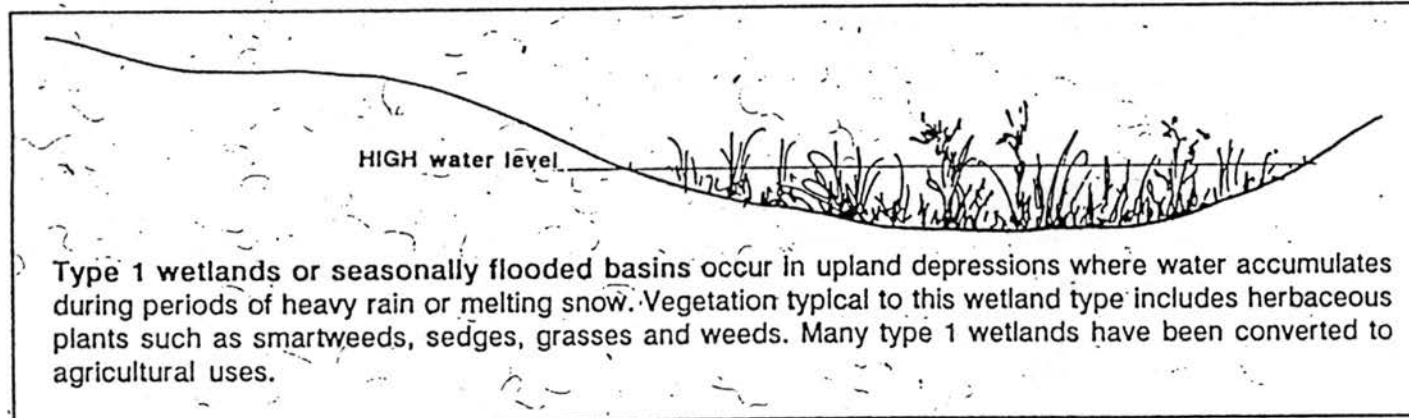
FIGURE 1

Type 1 /

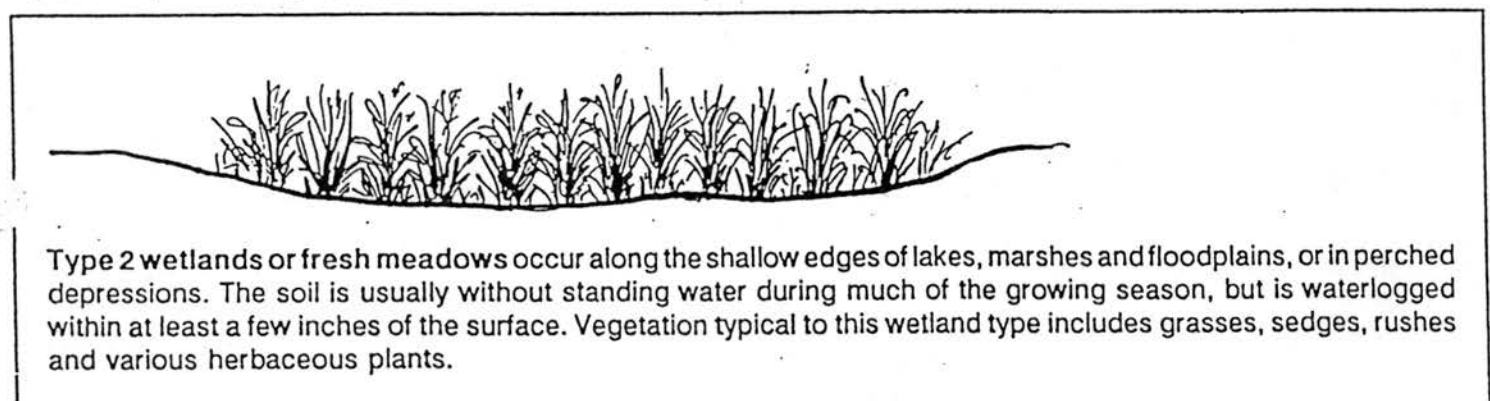
Seasonally flooded basin (Type 1) and Bottomland hardwood (Type 1L)

Type 1 wetlands are divided into two sub-classes: seasonally flooded basins (type 1) and bottomland hardwood forests (type 1L).

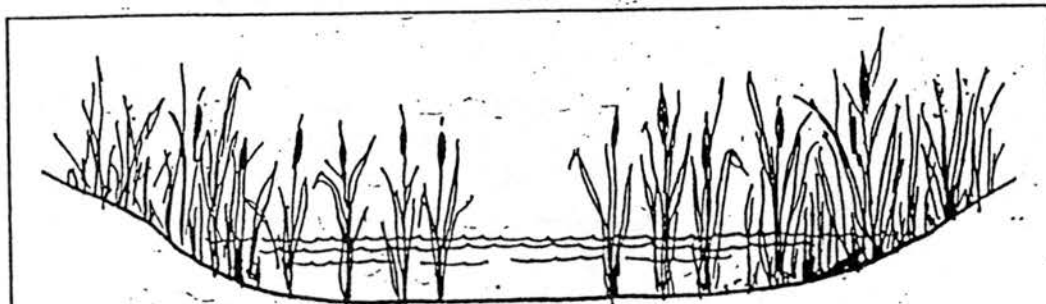
The soil is covered with water during variable seasonal periods, but may appear well drained during much of the growing season.



Type 2 / Fresh meadow

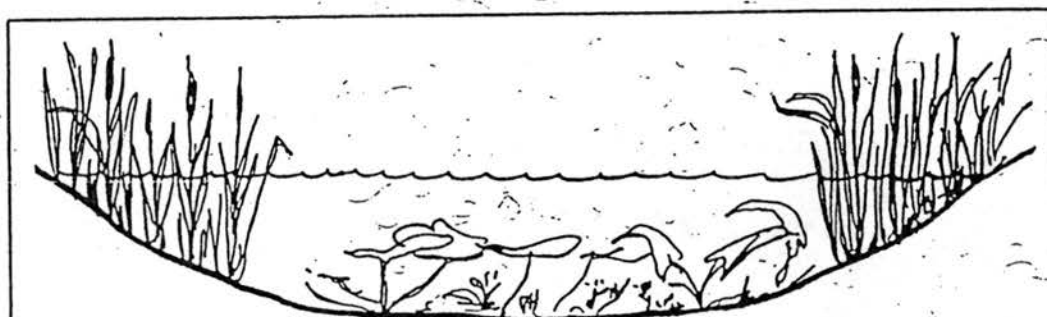


Type 3 / Shallow fresh marshes



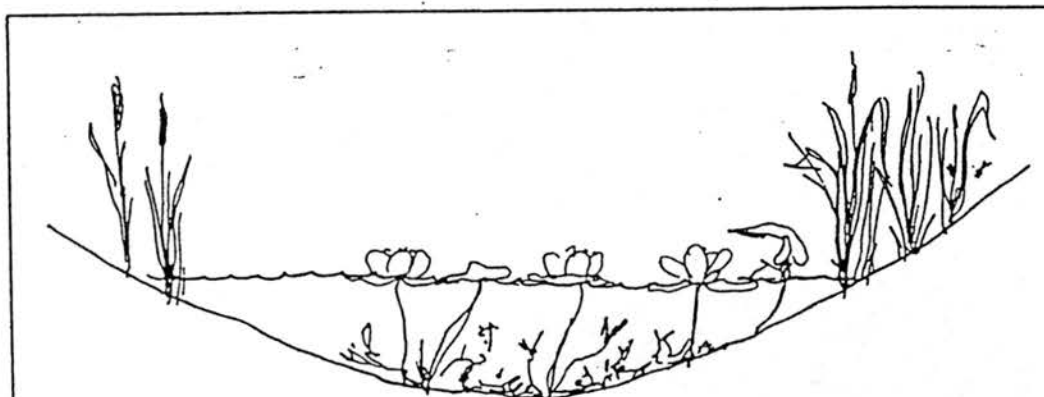
Type 3 wetlands or shallow fresh marshes occur in shallow lake basins along the edges of shallow lakes or in perched depressions. The soil is usually waterlogged during the growing season and often covered with as much as six inches of water. Vegetation typical to this wetland type includes rushes, cattails, arrowhead and various herbaceous plants.

Type 4 / Deep fresh marshes



Type 4 wetlands or deep fresh meadows occur in shallow lake basins that contain a mixture of open water and emergent vegetation. The soil is covered by six inches to three feet of water during the growing season. Vegetation typical to this wetland type includes bulrush, cattail, burreed, phragmites, wild rice and floating vegetation such as pondweed, coontail, watermilfoil and waterlily.

Type 5 / Open water shallow lakes



Type 5 wetlands or open water shallow lakes consist of shallow lakes and reservoirs. The water is usually less than 10 feet deep and is fringed by a border of emergent vegetation. Vegetation typical to this wetland type includes burrush, cattail and floating vegetation as described for type 4 wetlands.

Vegetation vs. open water

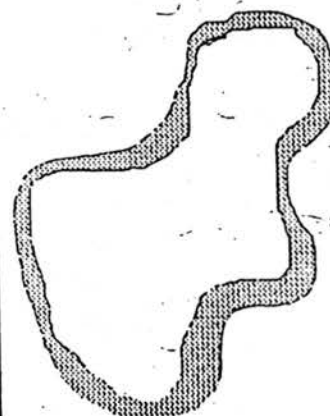
The distinguishing characteristic of these three wetland types is their depth and resulting proportion of vegetation and open water. Pattern shows vegetation coverage.



Type 3
Vegetation 50% to 100%



Type 4
Vegetation 15% to 50%



Type 5
Vegetation less than 15%

Type 6 / Shrub swamps

Type 6 wetlands or shrub swamps occur along sluggish streams or on floodplains. The soil is usually waterlogged during the growing season, and is often covered with as much as six inches of water. Vegetation typical to this wetland type includes alder, willow and dogwood.



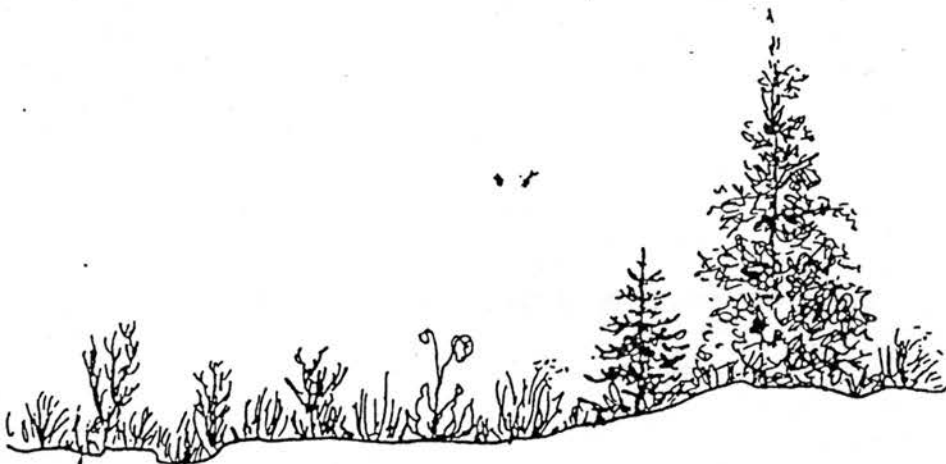
Type 7 / Wooded swamps

Type 7 wetlands or wooded swamps occur along sluggish streams, on floodplains, on flat perched depressions and in shallow lake basins. The soil is waterlogged to within a few inches of its surface during the growing season and is often covered with as much as one foot of water. Vegetation typical to this wetland type includes tamarack, white cedar, black spruce, balsam fir, red maple and black ash.

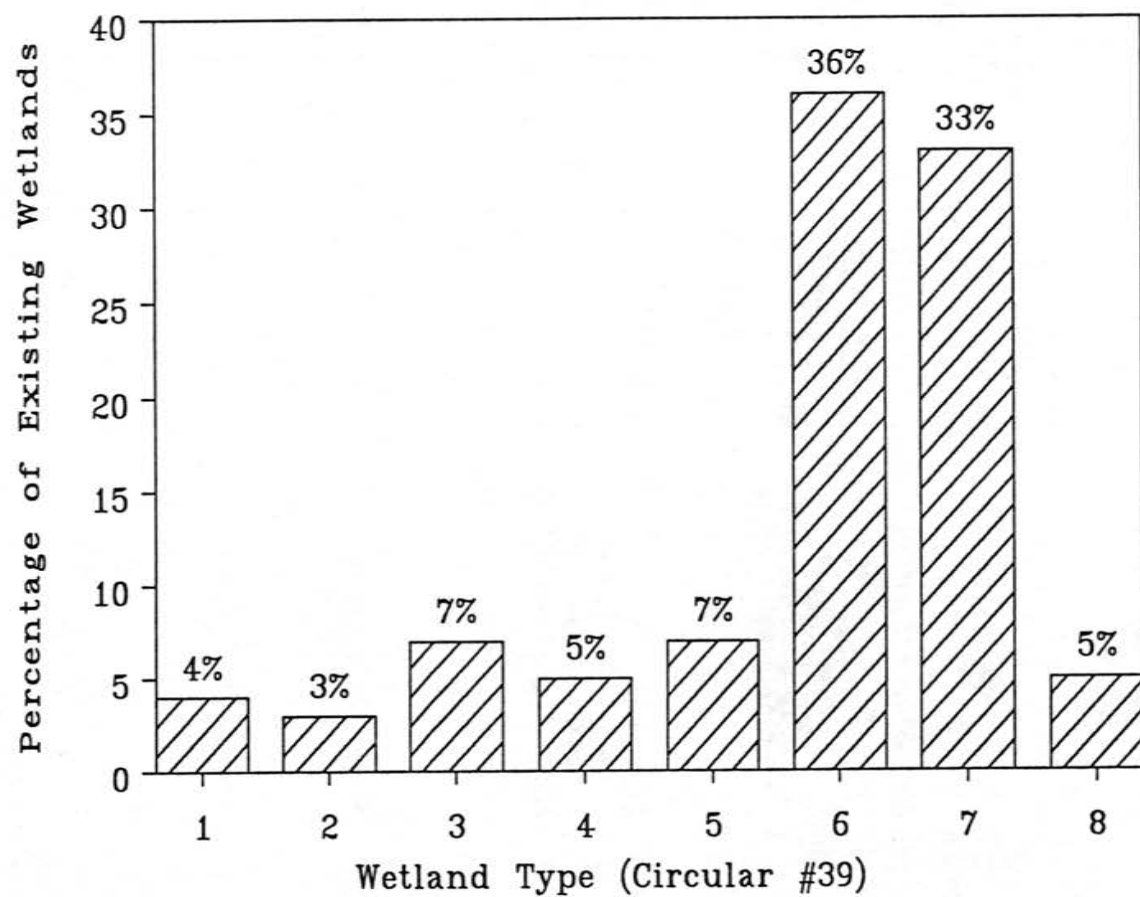


Type 8 / Bogs

Type 8 wetlands or bogs occur along sluggish streams, on flat perched depressions and shallow lake basins. The soil is waterlogged and supports a spongy covering of mosses. Vegetation typical to this wetland type includes sphagnum moss, heath shrubs and sedges. Minnesota bogs contain leatherleaf, Labrador tea, cranberries and pitcher plants. Scattered stunted black spruce and tamarack also are common features of bogs.



WETLAND TYPES in Minnesota



CLASSIFICATION OF WETLANDS AND DEEPWATER

HABITATS OF THE UNITED STATES



(Cowardin et.al 1979 FWS/OBS-79/31)

Wetland Terminology Explained



A **SYSTEM** refers to a complex of wetlands and deep-water habitats that share the influence of similar hydrologic, geomorphologic, chemical, or biological factors. The Systems are:

Riverine (rivers, channels)
Lacustrine (lakes)
Palustrine (shallow, freshwater, usually vegetated)
Estuarine (tidal wetlands with ocean-derived salts ≥ 0.5 ppt)
Marine (open ocean)

A **SUBSYSTEM** subdivides the Systems into more specific categories (e.g., Lower Perennial, Upper Perennial, Intermittent and Tidal are Subsystems of the Riverine System).

A **CLASS** describes the general appearance of the habitat in terms of either the dominant life forms of the vegetation or the physiography and composition of the substrate. The Classes are:

Forested wetlands (woody vegetation ≥ 6 meters)
Scrub-shrub wetlands (shrubs, young trees ≤ 6 meters)
Aquatic bed wetlands (plants that normally grow on or below the surface)

Emergent wetland
(erect, rooted, herbaceous wetland plants)

Moss-Lichen wetland (moss and lichens cover surface)

Rock Bottom wetland (substrate of stones, boulders or bedrock with deeper water regimes)

Unconsolidated Bottom wetland
(substrate particles smaller than stones with deeper water regimes)

Rocky Shore wetland (substrate of stones, boulders or bedrock, with shallow water regimes)

Unconsolidated Shore wetland
(substrate particles smaller than stones with shallow water regimes)

Streambed wetland (Intermittent and dewatered Tidal rivers and channels)

Reef (formed by invertebrates)

A **SUBCLASS** further subdivides a Class (e.g., Broad-leaved Deciduous, Needle-Leaved Evergreen, etc.).

The **DOMINANCE TYPE** refers to the dominant species or combination of species (e.g., common cattail (*Typha latifolia*) - hardstem bulrush (*Scirpus acutus*)).

MODIFIERS can be used to further describe the wetland (e.g., water regime, water chemistry, soil, beaver, excavated, etc.).

**FOR MORE INFORMATION CONTACT
REGION 3 U.S. FISH AND WILDLIFE SERVICE
REGIONAL WETLANDS COORDINATOR
612/725-3593**

Freshwater Wetland Classification *

SYSTEM

P—PALUSTRINE: < 20AC OR < 2M DEEP AND HAS PERSISTENT VEGETATION

(No Subsystem)

Class	RB—ROCK BOTTOM	UB—UNCONSOLIDATED BOTTOM	AB—AQUATIC BED	UB—UNCONSOLIDATED SHORE	ML—MOSS LICHEN	EM—EMERGENT	SS—SCRUB SHRUB	FO—FORESTED	OW—OPEN WATER
Subclass	1 Bedrock 2 Rubble	1 Cobble/Gravel 2 Sand 3 Mud 4 Organic	1 Algal 2 Aquatic Moss 3 Rooted Vascular 4 Floating Vascular 5 Unk Submergent 6 Unk Surface	1 Cobble/Gravel 2 Sand 3 Mud 4 Organic 5 Vegetated	1 Moss 2 Lichen	1 Persistent 2 Nonpersistent	1 Broad Leaf Decid. 2 Needle Leaf Decid. 3 Broad Leaf Evergr. 4 Needle Leaf Evergr. 5 Dead	1 Broad Leaf Decid. 2 Needle Leaf Decid. 3 Broad Leaf Evergr. 4 Needle Leaf Evergr. 5 Dead	Unknown Bottom

Dominance Types *

MODIFYING TERMS			
In order to more adequately describe wetland and aquatic habitats water regime, water chemistry, soil or special modifiers may be applied			
WATER REGIME	WATER CHEMISTRY	SOILS	SPECIAL MODIFIERS
NON-TOTAL A Temporary B Saturated C Seasonal D Seasonal Well-Drained E Seasonal Saturated F Semipermanent G Intermittently H Permanent J Intermittently Flooded K Artificial Z Intermittently Exposed/ Permanent W Intermittently Flooded/ Temporary V Saturated/Seasonal/ Semipermanent U Unknown	INLAND SALINITY 7 Hypersaline 8 Eusaline 9 Microsaline 0 Fresh PH MODIFIERS FOR FRESHWATER a Acid t Circumneutral i Alkaline	o Organic n Mineral	b Beaver d Partially Drained/Ditched f Farmed h Diked/Impounded r Artificial s Spoil x Excavated

* Dominance types must be added by users

Classification of Wetlands and Deepwater Habitats of the United States
Cowardin et al. 1979 as modified for National Wetland Inventory Mapping Conventions

CIRCULAR 39 WETLAND TYPES in MINNESOTA

TYPE 1 Seasonally flooded basins or flats

Soil: usually is well-drained during much of the growing season
Hydrology: covered with water or is waterlogged during variable seasonal periods
Vegetation: varies greatly according to season and duration of flooding from bottomland hardwoods as well as herbaceous growths
Common sites: upland depressions and bottomland hardwoods as well as herbaceous growths

NWI symbols: ***PEM1A or J***

PFO1A or J

TYPE 2 Inland fresh meadows

Soil: Saturated or near saturated during most of the growing season
Hydrology: usually without standing water during most of the growing season but is waterlogged within at least a few inches of the surface
Vegetation: includes grasses, sedges, rushes, various broadleaved plants
Common sites: Meadows may fill shallow basins, sloughs, or farmland sags, or these meadows may border shallow marshes on the landward side

NWI symbols: ***PEM1B***

TYPE 3 Inland shallow fresh marshes

Soil: Usually waterlogged early during growing season
Hydrology: often covered with as much as 6" or more of water
Vegetation: includes grasses, bulrushes, spikerushes, and various other marsh plants such as cattails, arrowheads, pickerelweed, and smartweeds
Common sites: may nearly fill shallow lake basins or sloughs, or may border deep marshes on landward side. Also common as seep areas on irrigated lands.

NWI symbols: ***PEM1C or F***

TYPE 4 Inland deep fresh marshes

Soil: (*inundated*)
Hydrology: usually covered with 6" to 3' or more of water during growing season
Vegetation: includes cattails, reeds, bulrushes, spikerushes, and wildrice. In open areas, pondweeds, naiads, coontail, watermilfoils, waterweeds, duckweeds, waterlilies, or spatterdocks may occur
Common sites: may completely fill shallow lake basins, potholes, limestone sinks and sloughs, or they may border open water in such depressions

NWI symbols: ***PEMF or G***
PUBF or G
L2ABF, G or H

PABF or G
L2EM2F, G or H

TYPE 5 Inland open fresh water

Soil:	<i>(inundated)</i>	
Hydrology:	Water is usually less than 10' deep. Shallow ponds and reservoirs are included in this type.	
Vegetation:	fringed by a border of emergent vegetation similar to open areas of TYPE 4	
Common sites:	<i>shallow lake basins or they may border large open water basins</i>	
NWI symbols:	PABG or H L2ABG or H L1UBH	PUBG or H L2UBG or H

TYPE 6 Shrub swamps

Soil:	usually waterlogged during growing season
Hydrology:	often covered with as much as 6" of water, <i>water table at or near the surface</i>
Vegetation:	includes alder, willows, buttonbrush, dogwoods, and swamp-privet
Common sites:	along sluggish streams, <i>drainage depressions</i> , and occasionally on flood plains
NWI symbols:	<i>PSS1, 2, 3, 4, 5A, 5B, 5C, 5F, 5G, or 5J</i>

TYPE 7 Wooded swamps

Soil:	waterlogged at least within a few inches of surface during growing season
Hydrology:	often covered with as much as 1' of water, <i>water table at or near the surface</i>
Vegetation:	Trees include tamarack, arborvitae, black spruce, balsam, red maple, and black ash. Northern evergreen sites usually have a thick ground cover of mosses. Deciduous sites frequently support beds of duckweeds, smartweeds.
Common sites:	mostly in shallow <i>glacial lake</i> basins, <i>glacial lake filled depressions</i> , on flat uplands, and along sluggish streams
NWI symbols:	<i>PFO1, 2, 4, 5A, 5B, 5C, 5F, or 5J</i>

TYPE 8 **Bogs**

Soil:	usually waterlogged	
Hydrology:	<i>water table at or near the surface</i>	
Vegetation:	Woody, herbaceous, or both. Supports a spongy covering of mosses. Typical plants are heath shrubs, sphagnum moss, sedges, leatherleaf, Labrador tea, cranberries, carex, and cottongrass. Scattered, often stunted, black spruce and tamarack may occur.	
Common sites:	mostly in shallow <i>glacial lake</i> basins, <i>glacial lake filled depressions</i> , on flat uplands, and along sluggish streams	
NWI symbols:	<i>PSS1, 2, 3, 4, or 5B</i> <i>PMLB</i>	<i>PFO1, 2, 4, or 5B</i> <i>PEMB</i>

WETLAND FUNCTIONS AND VALUES

(1) *Floodwater storage and utilization*

Priority: Wetlands upstream from buildings, cropland and other development in floodplains.

(2) *Nutrient Assimilation*

Priority: Clean water is most prized in our lakes, rivers and streams where fishing, swimming, boating and other recreation is common. Clean water is also a necessity for domestic water supplies. Thus, wetlands in the immediate watersheds of recreational lakes and rivers and those connected to domestic water supply sources are highest priority.

(3) *Sediment Entrapment*

Priority: Wetlands near the lower end of the watersheds of streams and rivers flowing into recreational lakes and rivers.

(4) *Ground Water Recharge*

Priority: Sandy surface aquifers with high water appropriation, major deep aquifer recharge areas and special groundwater contamination susceptibility areas (i.e., karst regions).

(5) *Low Flow Augmentation*

Priorities:

1. Urban water supply
2. Sewage treatment
3. Commercial / barge traffic
4. Stream / river fisheries
5. Recreational waters

(6) ***Aesthetics / Recreation***

Priority: Wetlands near people; scenic areas; and areas of concentrated recreation demand.

(7) ***Shoreland Anchoring and Erosion Control***

Priority: Wetlands associated with large lakes, and areas with high non-point pollution potential.

(8) ***Wildlife Habitat***

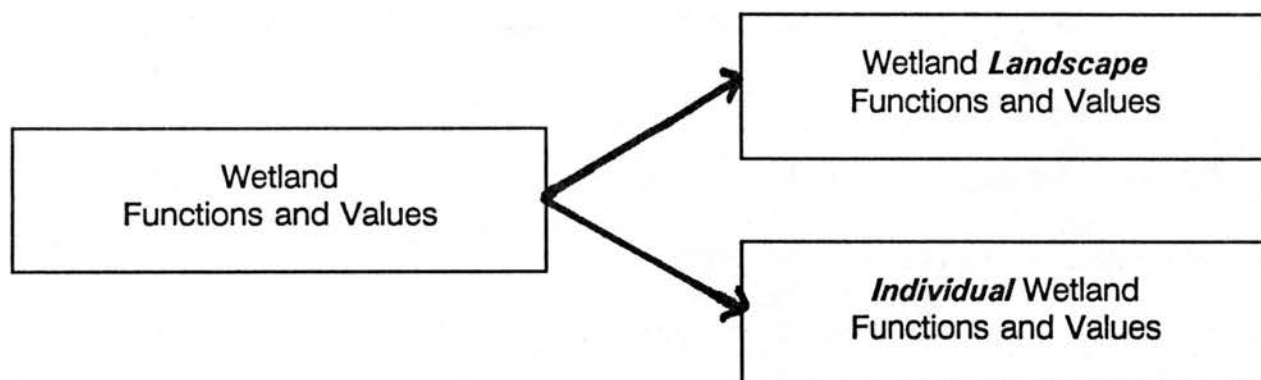
Priority: Wetland complexes with some open water are usually the most beneficial for wildlife.

(9) ***Fisheries Habitat***

Priority: Wetlands fringing spawning areas and those in the watersheds of trout streams and high use game fish lakes.

(10) ***Education / Research***

Priority: Need to identify and preserve wetlands for baseline research (especially unique wetlands). Preserve wetlands for education near population centers, schools, and outdoor recreation facilities.



WCA Wetland Functions and Values

(Article 2, Sec. 4)

- **Water Quality**
- **Floodwater Retention**
- **Public Recreation**
- **Commercial Uses**

Table xxx. Wetland type ratio values for use in determining wetland replacement ratios for Minnesota Wetland Conservation Act.

IMPACTED WETLAND TYPE*	REPLACEMENT WETLAND TYPE																	
	PFA	PFB	PFC	PSA	PSB	PSC	PSX	PEA	PEB	PEC	PEF	PA	PU	L1	L2	R2	R3	R4
PFA	1.0	1.5	1.5	2.0	1.5	2.0	3.0	3.0	1.5	1.0	1.0	1.5	1.5	1.5	1.5	2.0	1.5	2.0
PFB	1.5	1.0	1.0	2.0	1.0	2.0	2.0	2.0	1.0	1.0	1.0	1.5	1.5	1.5	1.5	3.0	1.5	3.0
PFC	1.5	1.5	1.0	2.0	1.0	2.0	2.0	2.0	1.0	1.0	1.0	1.5	1.5	1.5	1.5	3.0	1.5	3.0
PSA	1.5	1.5	1.0	1.0	1.0	1.5	2.0	2.0	1.0	1.0	1.0	1.5	1.5	1.5	1.5	3.0	1.5	3.0
PSB	1.5	1.5	1.0	1.0	1.0	1.5	2.0	2.0	1.0	1.0	1.0	1.5	1.5	1.5	1.5	3.0	1.5	3.0
PSC	1.5	1.5	1.0	1.0	1.0	1.0	2.0	2.0	1.0	1.0	1.0	1.5	1.5	1.5	1.5	2.0	1.5	2.0
PSX	1.0	1.5	1.0	2.0	1.0	2.0	1.0	1.0	1.0	1.0	1.0	1.5	1.5	1.5	1.5	2.0	1.5	2.0
PEA	1.5	1.5	1.0	2.0	1.0	2.0	1.5	1.0	1.0	1.0	1.0	1.5	1.5	1.5	1.5	3.0	1.5	3.0
PEB	1.5	1.5	1.0	2.0	1.0	2.0	2.0	2.0	1.0	1.0	1.0	1.5	1.5	1.5	1.5	3.0	1.5	3.0
PEC	1.5	1.5	1.5	3.0	3.0	3.0	3.0	3.0	1.5	1.0	1.0	1.5	1.5	1.5	1.5	3.0	1.5	3.0
PEF	1.5	1.5	1.5	3.0	3.0	3.0	3.0	3.0	1.5	1.0	1.0	1.5	1.5	1.5	1.5	3.0	1.5	3.0
PA	1.5	1.5	1.5	3.0	3.0	3.0	3.0	3.0	1.5	1.0	1.0	1.0	1.0	1.0	1.5	2.0	1.0	2.0
PU	1.5	1.5	1.5	3.0	3.0	3.0	3.0	3.0	1.5	1.0	1.0	1.0	1.0	1.0	1.5	2.0	1.0	2.0
L1	1.5	1.5	1.5	3.0	3.0	3.0	3.0	3.0	1.5	1.0	1.0	1.0	1.0	1.0	1.5	2.0	1.0	2.0
L2	1.0	1.5	1.5	2.0	1.5	2.0	3.0	3.0	1.5	1.0	1.0	1.0	1.0	1.0	1.0	2.0	1.0	2.0
R2	1.5	1.5	1.5	3.0	3.0	3.0	3.0	3.0	1.5	1.0	1.0	1.0	1.0	1.0	1.5	1.0	1.0	1.5
R3	1.5	1.5	1.5	3.0	3.0	3.0	3.0	3.0	1.5	1.0	1.0	1.0	1.0	1.0	1.5	2.0	1.0	2.0
R4	1.5	1.5	1.5	3.0	3.0	3.0	2.0	2.0	1.5	1.0	1.0	1.0	1.0	1.0	1.5	1.0	1.0	1.0

* Abbreviated Cowardin et al. wetland classification (see rule text).

Note: Wetland types L1, L2, and R2 are generally not subject to this rule, but are included for illustrative purposes.

Wetland types; abbreviated Cowardin classification.

An abbreviated version of the wetland classification system developed by the U.S. Fish and Wildlife Service (Cowardin et al. 1979) and used to indicate wetland types on the National Wetland Inventory (NWI) maps, is described as follows. The Circular 39 classification is indicated in parentheses:

"PFA" includes all PFO wetlands in the A and J water regimes. (Type 1)

"PFB" includes all PFO wetlands in the B water regime. (Type 7)

"PFC" includes all PFO wetlands in the C and wetter water regimes. (Type 7)

"PSA" includes all PSS wetlands in the A and J water regimes. (Type 6)

"PSB" includes all PSS wetlands in the B water regime, except type PSS3B wetlands.
(Type 6)

"PSC" includes all PSS wetlands in the C and wetter water regimes. (Type 6)

"PSX" includes all PSS3B and PML wetlands. (Type 8)

"PEA" includes all PEM wetlands in the A and J water regimes. (Type 1)

"PEB" includes all PEM wetlands in the B water regime. (Type 2)

"PEC" includes all PEM wetlands in the C water regime. (Type 3)

"PEF" includes all PEM wetlands in the F and wetter water regimes. (Type 4)

"PA" includes all PAB wetlands. (Type 5)

"PU" includes all PUB wetlands. (Type 5)

"L1" includes all L1 wetlands (Lacustrine Limnetic). (Type 5)

"L2" includes all L2 wetlands (Lacustrine Littoral). (Type 5)

"R2" includes all R2 wetlands (Riverine - Lower Perennial). (no equivalent)

"R3" includes all R3 wetlands (Riverine - Upper Perennial). (no equivalent)

"R4" includes all R4 wetlands (Riverine - Intermittent). (no equivalent)

Note: Wetland Types L1, L2, and R2 are generally not subject to the WCA.

(BWSR 10/92)

WETLAND DELINEATION

3 Parameter Approach

1. Hydric SOILS

Criteria: Depth of water table
during growing season

Indicators: low chroma mottling
gleying

2. Hydrophytic VEGETATION

Criteria: Dominant Species

Indicators:

99%	50%	99%
OBL --	FACW --	FACU --
"wet"		"dry"

3. HYDROLOGY for saturation

Criteria: Growing Season Saturation
(one week duration)

Indicators: 1.) soils
2.) observation data

CORE

SUMMARY of ENVIRONMENTAL SERVICES FINDINGS, PART I

PREFACE: *Environmental programs more than most areas of public policy, provide services and relate to customers that often have competing and seemingly irreconcilable interests. Any system established to resolve conflict among these interests should be efficient and effective. Of equal importance, it should be fair and equitable. Striking a balance between these two objectives may be the greatest challenge to policy makers and advocates of change and reform.*

CORE FINDING #1: *Environmental services programs in Minnesota are carried out by a complex and fragmented maze of federal, state and local agencies. This governmental complexity results in: 1) unclear, overlapping and redundant lines of authority, responsibility and accountability; 2) increased cost to the customer and taxpayer; and, 3) customer dissatisfaction.*

CORE FINDING #2: *Minnesota's environmental system could be categorized as a collection of advocacy agencies, whereby each agency presents a differing perspective, such as the environmentalist, conservationist, public health guardian and business proponent. At times, these separate and clashing perspectives lead to administrative gridlock, which means customers of the system cannot get decisions from the state.*

CORE FINDING #3: *The environmental system relies too heavily upon centralized decision-making, which has produced significant alienation in non-metropolitan counties. Many rural citizens are dissatisfied with their interactions with the centralized bureaucracy, and perplexed as to why state agencies do not assign more authority to regional agency offices.*

CORE FINDING #4: *The environmental system relies heavily on "command and control" regulatory processes to implement environmental goals rather than using a balanced mix of diverse approaches to achieving compliance with the goals.*

CORE FINDING #5: *The current environmental system relies upon the customer to coordinate among the agencies, instead of the agencies presenting a coordinated response to the customer.*

CORE

SUMMARY of ENVIRONMENTAL SERVICES FINDINGS, PART II

CORE FINDING #6: Minnesota's governmental structure in environmental services over the past several decades has grown by a process of addition, fragmentation and specialization rather than by subtraction, combination, consolidation and services integration. No consistent organizational or administrative pattern exists with regard to the responsibilities of departments, offices, boards, commissions and other agencies.

CORE FINDING #7: A variety of barriers have prevented the Environmental Quality Board (EQB) from exercising strong leadership as a planning, coordinating and oversight body in the environmental service system.

CORE FINDING #8: The linkage between the fees paid for environmental programs and the achievement of environmental policy goals is confused and unclear to payers of fees and to the general public.

CORE FINDING #9: The existing multi-layered, fragmented, environmental advocacy system makes it difficult to resolve conflicts among competing interests in a timely fashion.

September 30, 1992

To: Barb Ohman
James Haertel

From: Bruce Sandstrom *BS*

Subject: Interim Policies and Goals of BWSR Metro Region

As you know, on September 23, 1992 was the official birth date of the BWSR Metro Region even though we have been operating as a pseudo-regional field office since Jan. 1, 1992. Being that we are new, there are a number of policy and program issues that will have to be resolved, including but not limited to:

- whether we will be assigned individual work areas
- refinement of individual PDs to reflect areas of specialty
- frequency of staff meetings
- when to involve the supervisor
- how to deal with direct assignments from above
- annual work plans
- balancing of WCA workload with other programs
- time allocation for schmoozing
- metro region long and short-term goals
- office procedure
- enhancement of our filing system
- office space and equipment

My hope is that most of these types of issues will be resolved by Jan. 1, 1993. I will appreciate any input you may have from time to time to help solidify metro operations. I hesitate to set any hard and fast policies since we are all "new" with respect to our jobs and you each bring with a wealth of personal experience to draw upon for providing input on such matters.

I do want share some thoughts I have on what some tentative goals and policies at this point to help us through this transition period.

Long Term Goals

- I. Obtain recognition from within and without the BWSR that we are field operations.
- II. Develop closer coordination with met council, MDNR and MPCA activities. Where possible, proactively serve as a liason between LGUs and state agencies or be an advocate of LGU issues.

- III. Develop and maintain a customer service attitude towards all our clientele.
- IV. Facilitate improved cooperation and coordination between SWCDs, WDs and LGUs.
- V. Assess training needs of metro LGU staff and officials and decide what BWSR can offer in addition to what is currently available.

Short Term Goals and Projects

- 1. Organize Metro office files and equip.
Time: Nov. 15
Staff: all
- 2. Distribute 509 rules and metro office information
Time: Oct. 5
Staff: Bruce & Barbara
- 3. Maintain ongoing program operations (RIM & PWP signup, WCA TEP Panels, Cost Share)
Time: ongoing
Staff: Barbara, Jim & Bruce
- 4. Provide input on 509 planning & BWSR metro region for the report to the governor and legislature
Time: to Susan by Oct. 12
Staff: Bruce
- 5. Revise and distribute guidelines on the Redding stormwater legislation
Time: by October 30
Staff: Bruce
- 6. Hold meeting to attempt to facilitate formation of an association for metro WMOs
Time: 3rd or 4th week in November
Staff: Barbara
- 7. Develop metro ditch inventory report
Time: Jan. 15
Staff: Bruce

Page 3
Oct. 30, 1992

8. Develop 1st draft of Environmental Management Ordinance
Time: Jan. 30
Staff: Jim
9. Oversee ditch financing project (Center for Urban and Regional Affairs & Coon Creek WD)
Time: ongoing (Sept to June, 1993)
Staff: Bruce
10. Attend two SWCD or WMO regular board meetings per month
Time: ongoing
Staff: alternate between Barbara, Jim & Bruce

Interim Office Policies

1. One hour weekly staff meeting 8:00-9:00 each Monday.
2. When leaving the office for more than an hour, let me or someone in the central office know where you'll be.
3. Be happy. Semper fidelis.

cc Jim Birkholz
Ron Harnack

a:metro.mem



Board member Update

Oct. 1992

The mission of the Board of Water and Soil Resources is to provide leadership enabling local governments to properly manage water and soil resources and to help all citizens be stewards of our irreplaceable natural resources.

Southern Region

- Sara Johnson, SWCD accounting coordinator, just finished a month of fall review training sessions in seven locations around the state. Out of the 90 staffed districts, 72 attended these sessions. At the sessions many questions were asked (and hopefully answered) and new topics for future sessions were noted. Sara also visited the West Otter Tail, Roseau and South St. Louis districts for one-on-one training.
- Dave Peterson, Rochester board conservationist, participated in Wetland Conservation Act training which was hosted by the Southeastern Minnesota Association of Conservation Districts Employees. This training took place at the White Water State Park.
- In McLeod County, the Wetland Conservation Act has resulted in approximately 30 decisions ranging from delineation and exemptions to replacement plans.
- The local water plan coordinators of South Central Minnesota continue to meet regularly, as does the joint powers board. Upcoming training sessions include wetland values on November 12 and 13 and soils training (led by Terry Bovee, LeSueur County local water plan coordinator) on October 29.
- The Buffalo Creek Watershed District is close to passing new rules and regulations for their district.
- The Blue Earth River Basin Steering Committee met on September 21 to discuss how it could implement activities outlined in SWCD plans and county water plans using Pollution Control Agency LCMR dollars. While in its infancy, the commitment and enthusiasm were evident during this meeting and the committee planned to meet again as the Blue Earth River becomes more and more of a focus.

Metro Region

- On September 23, 1992, BWSR Metro Region was born. While no cigars were passed out, the event signifies a commitment on the part of the BWSR to recognize the significance of metro water and soil management issues and allows staff to better focus on them.
- Along with the official creation of the Metro Region came the following personnel actions:
 - * Bruce Sandstrom transferred to the metro supervisor position. Bruce has 15 years experience with the DNR--Division of Waters, involving public waters permits; floodplain, shoreland and wild and scenic river zoning; and the national flood insurance program. For eight of those 15 years, Bruce worked at field offices in the DNR Metro Region and Region 3. For the last three and 1/2 years he has served as BWSR's metro water plan coordinator and acting Metro Region supervisor. He holds a bachelor's degree in fisheries biology and a master's degree in ag engineering technology. He is certified as a professional hydrologist by the American Institute of Hydrology.
 - * Barbara Ohman was appointed as board conservationist to fill Mark Nelson's vacancy. Barbara was formerly district administrator of the Dakota Soil and Water Conservation District. Her experience involving wetland delineation and program administration as the conservation administrator for the Town of Lincoln, Mass., will fit right in with the task of serving on Wetland Conservation Act (WCA) technical evaluation panels. She has a bachelor's degree in biology and environmental studies from

Boston College and has done post graduate work in biology at Fitchburg State College.

- * James Haertel started October 21 as a board conservationist, filling the new position created by the WCA. Jim has five years experience as an area hydrologist with DNR--Division of Waters in Rochester and Lake City. Jim dealt with public waters permits and floodplain, shoreland and wild and scenic river zoning. Jim also spent nine years with the National Weather Service as a hydrologist involved in hydrologic modeling and flood forecasting; eight of those years were in Anchorage, Alaska. Jim's experience in hydrologic modeling and zoning controls will meld well with the challenges facing the Metro Region. Jim holds a bachelor's degree in forestry and a master's degree in forest hydrology.
- * James Dawkins was hired in September to work on the special project authorized by the University of Minnesota, Center for Urban and Regional Affairs (CURA). The project involves the assessment of various methods to finance urban ditch maintenance, including the possibility of using a runoff-based concept of taxing or assessment. Bruce and James are working with Tim Kelly, Coon Creek Watershed District administrator, to bring "real world" data into the study. James is supervised by Bruce but is on the U of M payroll. CURA pays 2/3 and BWSR pays 1/3 of his salary. James is a grad student at the Humphrey Institute and holds a bachelor's degree from the University of Alabama.
- Metro staff have been busy over the past summer participating in about 25 technical evaluation panels as part of the implementation of the interim phase of the WCA. In almost every case, at least one acre of wetland that U.S. Army Corps of Engineers' regulations would have allowed to be filled without mitigation has been either avoided, minimized or replaced. Staff has also worked with Anoka SWCD and DNR conservation officers on issues relating to the WCA enforcement processes.
- Copies of the adopted version of the Metro Local Water Management rules were printed up and distributed to all watershed management organizations

(WMOs) and cities on October 12. Some extra copies are available. At least four WMOs currently are attempting to either revise their approved first generation plan or revise their draft plan consistent with the rule.

- Water plan review is continuing but at a slower pace. Hazeltine Bavaria WMO and Lower Minnesota River WD plans are now being reviewed by staff. Two cities in Cottage Grove Ravine WMO have opted to withdraw from the WMO. Apparently they couldn't come to terms with what should be in their plan and it sounds as if the dissident cities want to form a watershed district in order to complete their planning effort.
- Staff have scheduled a meeting on the evening of November 24 in an attempt to facilitate the formation of a WMO association as directed by the Legislature. People for and against such an association have been invited to participate. If good interest is shown, further meetings will follow; otherwise the issue will likely be dropped.

Northern Region

- Much of September was spent getting ready to receive the new staff. Dale Krystosek (Bemidji), Keith Grow (who moved from Marshall to Brainerd) and Mark Nelson (who moved from St. Paul to Duluth) have been busy meeting their new clientele. All have sent introduction letters and have begun meeting with boards and staff in their new work areas.
- Ron Shelito officially took the reins as northern regional supervisor on September 28. He's been finishing up a few responsibilities with his clientele and making plans to visit all his staff, old and new, in the northern region.
- The Bemidji office all attended a September Area I meeting and training session in Baudette for soil and water districts. Brian Dwight worked with the Area I Association to plan the event. The session was well attended and successful.
- Bill Best spent part of September working with the Hubbard County Technical Review Panel regarding a complicated wetland project. The technical panel and landowners were able to come to an agreement regarding replacement.

- Barbara Liukkonen's workplan for the year is being finalized. She's received feedback from her steering committee (the BWSR Education Committee plus extension representatives) and is narrowing down the projects she hopes to complete over the next year.
- Our north shore engineering efforts are making steady progress. Jack Salmela has been working with three consultants who will submit soil boring and analysis proposals for two shoreline stabilization projects. The Lake SWCD, in cooperation with Jack, held a property owner's meeting October 16 to discuss specific rock placements and beach access at sites along the Lake Superior shoreline.
- Jim Lemmerman worked with SCS, DNR and the local SWCDs to hold a field windbreak renovation workshop in Marshall September 15. He also recently participated in the National White Pine Symposium in Duluth. The purpose of the symposium was to look at the possibility of reintroducing the white pine into the landscape as a viable tree.

10/5/92

Bon
FYI

QA

BWSR
packets

Tips on making TQM work for your business

Total Quality Management, or TQM, is the latest phrase to describe a system of management techniques to improve product quality and worker productivity.

TQM includes teamwork, better communication between workers and management, more attention to customer relations, statistical analysis of problems and improvement in product or service quality.

For TQM to be effective, business owners need more than a written blueprint. They also need to keep a close eye on how the TQM program evolves at the workplace.

Here are some guidelines:

■ **Change the system, not the people:** When the system changes for the better, the people change along with it. Spend your energies on changing the system to permit people to do their jobs.

■ **Make a commitment:** People respond positively when they feel they have support. It won't take long for better ideas to surface when your employees feel they can get a fair hearing. You must show everyone you are 100 percent behind the changes.

■ **Let go of authority:** Your employees know a lot more about the day-to-day operations of your business than you do. Providing employees with some decision-making authority improves morale and business. Determine what must be upper-management decisions and transfer every other decision to lower levels.

■ **Train employees:** The better educated your work force, the bet-



Small business

Paul Tulenko

ter their work. Besides offering training programs for the job, offer programs in basic literacy, writing, reading and math skills.

■ **Pick a goal:** Set a goal a little beyond your present capabilities. Don't set an impossible goal such as "no product defects" or you will set up yourself and your staff for failure.

■ **Form a committee:** Form an action committee to make sure the key parts of your TQM program are distributed to everyone. This committee should represent all departments.

■ **Include customers:** Tell your customers what you are doing, then constantly ask them for feedback.

Paul Tulenko is coordinator of the Small Business Development Center at Albuquerque, N.M. You can write to him in care of Scripps Howard News Service, 1090 Vermont Av. NW., Suite 1000, Washington DC 20005.

Mpls S+T
10-5-92

Smart Staffing

A publication for managers and supervisors in state government

October 1992

Department of Employee Relations charts new course for human resources

Columbus probably didn't know what he'd find when he set sail for the New World back in 1492. People who chart a dramatically new course rarely know exactly what they'll find when they reach their final destination.

Like Columbus 500 years ago, the Department of Employee Relations is also charting a new course. We're not searching for the New World; we're searching for a better human resource system for the State of Minnesota. And like Columbus, we don't know exactly what we'll find when we get there, but we've got some pretty good hunches.

We began charting our new course about a year ago by listening to what our customers and stakeholders had to say about our current human resource system during our department's strategic planning process. Do you recognize any of the following statements? Some of them may have come from you or represent your feelings.

"We need more flexibility and less control."

"It takes too long to get employees hired."

"The system is too bureaucratic."

"There's no real system to promote employee development."

"The classification system is too complicated."

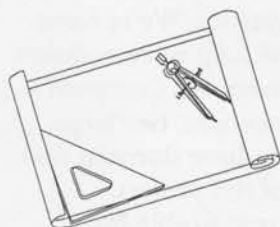
A message from Commissioner Linda Barton

Usually in *Smart Staffing* we try to give you in-depth information to help you better manage your human resources. This issue we're departing from that tradition a bit because we have something exciting to tell you about: changes being considered that will improve our human resource system.

For the past several months we've been working on a project with the Commission on Reform and Efficiency (CORE) to chart a new course for our state's human resource system. Our current system hasn't undergone any major changes for quite a few years, and we want to make sure it's in good shape to take us into the future.

In this issue of *Smart Staffing*, we'll describe how the process of change is taking place, what kinds of changes are being discussed and where we go from here.

As always, we encourage your input and involvement as we move forward.



CHARTING
A NEW COURSE
FOR HUMAN
RESOURCE
MANAGEMENT

We received many comments like these (and some positive ones, too) from state managers, personnel officers, legislators, employees and others who have a stake in our human resource system. In all, we heard from more than 400 people who expressed their opinions through focus groups, interviews and questionnaires.

People told us over and over again that they appreciate the efforts of those who work so hard to make the system work, but that the system itself needs some changes.

Turning ideas into vision

It's one thing to collect comments and ideas, but quite another to do something with them. To signal our commitment to chart a new course, we developed a new mission statement and set of values for our department (see page four). We feel the mission statement reflects our new philosophy of being partners with state agencies, not regulators.

In addition to our new mission, we also developed a new vision of what our human resource system should be. We gathered together stakeholders and private-sector human resource professionals to give us their vision of an ideal system. With their input, we adopted the following vision.

Our human resource system should:

- meet our customers' needs
- be simple and user friendly
- focus on positive outcomes
- anticipate and adapt to change
- reflect the diversity of the community
- stress performance-based reward systems
- value our employees
- build a more effective statewide management team

Our new mission statement and vision are only the beginning. Last spring we launched a joint project with Gov. Carlson's Commission on Reform and Efficiency (CORE) to review our customers' and stakeholders' input and recommend ways to improve the system. Our goal is to design a system that better supports our customers' needs, rewards employees and simplifies the process.

The project is being coordinated by Department of Employee Relations Deputy Commissioner Jan Wiessner and Larry Simmons from CORE.

To tackle the project in bite-sized chunks, the project coordinators appointed four teams to separately examine the main parts of our human resource system:

1. hiring
2. performance management
3. classification and compensation
4. training and development

Each team includes employees from the Department of Employee Relations and representatives from CORE. Two of the teams also include representatives from other state agencies. We're fortunate to have had the help of consultants from Arthur Andersen and Company and Hewitt and Associates, two large consulting firms that have donated time to help lead parts of the project.

The teams are responsible for developing recommendations to improve their assigned part of the human resource system. They are doing this with input from focus groups representing state agencies, unions, job applicants, and legislators and their staff. As the teams develop their recommendations, they are seeking feedback from an advisory committee representing the same stakeholder groups.

"People told us over and over again that they appreciate the efforts of those who work so hard to make the system work, but that the system itself needs some changes."

What's being proposed?

The four teams are at various stages of collecting and analyzing information and developing their preliminary recommendations. It's important to emphasize that the preliminary recommendations are far from final. As Martha Larson from Arthur Andersen and Company explains, "These preliminary recommendations may undergo further revisions as we continue discussing them with state agencies, unions and others involved in the process."

The hiring team has completed its preliminary recommendations. They are:

- Conduct workforce planning to better anticipate hiring needs.
- Develop a system to promote employee development.
- Shift hiring accountability to managers and supervisors in state agencies.
- Hire for specific jobs, not general classifications.
- Develop better methods of analyzing and assessing jobs.
- Develop a flexible "menu" of alternative candidate assessment methods.
- Actively recruit a qualified and diverse workforce.
- Measure outcomes of hiring to ensure that agencies are getting the best people for the jobs.
- Implement a database of hiring-related information accessible to all agencies.

As this newsletter was being prepared, the teams focusing on performance management, classification and compensation, and training and development were still gathering input from customers and developing their preliminary recommendations. We'll tell you more about those areas in future issues of *Smart Staffing*.

Where do we go from here?

The project coordinators hope to present all of the teams' recommendations to the CORE commission before the end of the year. From there, the recommendations will be presented to Gov. Carlson and the Legislature. Some of the recommendations may affect state legislation and some may involve collective bargaining. There is bound to be much more discussion about the proposals as they move forward. We hope the information we've provided here will help you become involved in that discussion so you can make your opinions known.

Once the recommendations are agreed upon and we're ready to set sail in a new direction, we will have concluded only the first leg of our journey. There will be a period of transition during which the changes will be implemented.

As Department of Employee Relations Commissioner Linda Barton says, "We're talking about a major cultural change for our department and all of our customers and stakeholders. It may take us a while to complete the transition to our new approach to human resources, but it will be well worth it once we get there."

If you have comments or suggestions about the course we're charting, please send them by fax to Deputy Commissioner Jan Wiessner, Department of Employee Relations, (612) 296-1990. We welcome your input as we sail into the future.

Some of the recommendations may affect state legislation and some may involve collective bargaining. There is bound to be much more discussion about the proposals as they move forward.

Minnesota Department of Employee Relations

Our mission

Leadership and Partnership in Human Resource Management

By "Leadership" we mean:

- Pursuing excellence by continually increasing our expertise and improving our services.
- Striving for fairness, equity, integrity, and ethical behavior in the workplace.
- Challenging ourselves to make our agency a model of organizational health.

By "Partnership" we mean:

- Involving others in decision-making through teamwork and effective communication.
- Working with our customers to anticipate and respond to their changing needs.
- Treating each other, our customers and our stakeholders with respect.

By "Human Resource Management" we mean:

- Providing a continuum of services to our customers in the areas of employee selection, job classification, affirmative action, labor relations, training and development, employee compensation, health and safety, personnel information processing and reporting, insurance and workers' compensation.
- Our primary customer is executive branch management. This includes both the executive branch as a single employer and each state agency within the executive branch.

Smart Staffing

...is designed to help State of Minnesota managers and supervisors enhance their human resource management skills. It is published by the Minnesota Department of Employee Relations.

Commissioner: Linda Barton
Staffing Division Manager: Julie Vikmanis
Editor: John Stieger (612) 297-3399

Smart Staffing welcomes your ideas and suggestions. Write to: Smart Staffing, Department of Employee Relations, 200 Centennial Bldg., 658 Cedar St., St. Paul, MN 55155.

State of Minnesota
Department of Employee Relations
200 Centennial Office Building
658 Cedar Street
Saint Paul, Minnesota 55155

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OCT 09 1992

WATER & SOIL RESOURCES

Ronald Harnack
Water & Soil Resources Bd.
155 So. Wabasha
Suite 104
St. Paul, MN 55104

10



**ZUMBRO/ROOT RIVER JOINT POWERS BOARD
AND WATER RESOURCES ADVISORY COMMITTEE**

Winona State University P.O. Box 5838 Winona, Minnesota 55987-5838

MARY JO-

Here are my comments
AND THE LETTERS I
REFERENCED TO HELP YOU
WITH YOUR MINUTES. CALL
ME AT 507-457-5223
IF YOU HAVE ANY QUESTIONS.

BGA
RECEIVED

OCT 26 1992

PRESENTATION TO THE BWSR BOARD - OCTOBER 22, 1992, 9:30 AM, BEST WESTERN MOTEL, ROCHESTER

Pesenter: Bea Hoffmann, Executive Director of the Zumbro/Root River Joint Powers Board

Thank you for the opportunity to address the Board and to explain what we in SE MN are doing to protect water quality and to relate to you some suggestions for improved delivery of services by the state.

Begin by relating some background on the Z/RR JPB, what priorities we have identified, and what our major projects have been.

Z/RR JPB is a nine-county JPB formed in 1987 to cooperate in water-shed based planning for protection of water quality. Two commissioners from each county serve on our Board. Olmsted County is also our fiscal agent. Each year, each of the nine counties contributes \$2500/yr toward the administration of the JPB of which I am the only employee. Our organization is also in partnership with the WSU Geology Dept. who, as part of their community service mission, donate technical assistance, office space, and countless other services associated with operating an office.

While each of our nine counties has a unique environmental setting, they all share the burden of a shallow soil cover underlain by a fractured and pitted bedrock causing large portions of the area to be classified as having a high potential for groundwater contamination. Combine that fact with the facts virtually all our drinking water comes from groundwater supplies and that the primary land use is agricultural, you can see why water quality has been a primary concern in this area for over a decade.

The original charge of my predecessor, Pamela Hunt, was to provide the technical support needed for counties to go through the local water planning development and approval process and to administer the LCMR grant that assisted that effort. The past two years have now been spent beginning the implementation of those plans. The regional office assists this process in a number of ways.

First and foremost: Our regional group serves as a forum for communication. Once a month there is a meeting of the Water Plan Coordinators, and a JPB meeting every other month. These meetings provide a setting for state agencies to reach staff and elected officials of all nine counties. They also allow staff to share information on local projects, to receive updates on legislation, and to work on regional projects. Additionally, we hold numerous special meetings which call together staff working

on specific projects. For example, most of our counties have embarked on the Point Source Contaminant Inventory. This project involves surveying potential points of contamination on every property in every township. We have now held several meetings for staff involved in this survey to assist them in finding existing information, in mapping and managing the data, and in handling the public relations aspect, to name a few areas.

Secondly, our group organizes training based on the needs of the water planning staff. In the past there have been workshops on interpreting water quality data, a field tour of the geology of SE MN, a workshop on understanding hydrogeologic sensitivity models, and this March we are planning a conference in La Crosse on non-point pollution.

Thirdly, we provide technical services where local staff do not have the expertise. For example, the Point Source Contaminant Inventory projects needed a method for automating the masses of data to be collected. We worked with WSU to develop a computerized spreadsheet for entry of this data.

Another aspect of our technical support role is the collection and standardization of data for the region. We are currently developing a grant application to establish a regional data storage and GIS services center at WSU. This center would assure data standardization and keep water quality information updated and accurate. It could also provide mapping services to the counties.

A fourth function of our organization is to provide a unified voice for regional concerns as they relate to water.

In a letter sent this past July to the heads of all the state environmental agencies, our organization made several recommendations for the delivery of state funding sources. I would like to summarize those here today:

see letter, page 2

In this same letter to the state agencies, we also communicated our statement of regional priorities:

see letter, page 2

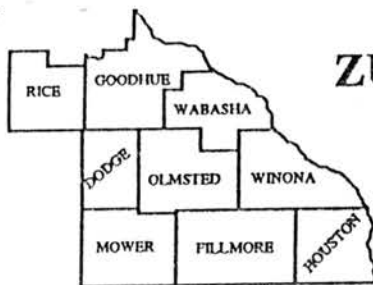
In another letter also sent in July but to Chuck Niska of the BWSR, I inquired about the possibility of the BWSR establishing a funding mechanism to encourage and support regional water planning efforts. This letter was prompted because of our organization faces a \$10,000 gap between local allocations and projected regional office expenditures in 1994.

While some of our regional office expenses have been offset by

grants, many of our administrative expenses such as auditing and financial services do not qualify as grant line-item expenses. Two of our active grants do not allow any reimbursement for administrative costs, including staff time. As expenses have increased since our program began in 1987, so have the responsibilities of the regional office. While our Joint Powers Board strongly supports the concept of regional water planning, county governments are limited in their ability to pledge increased financial support at a time when they are confronted with additional state environmental mandates.

I have outlined to you today the important role of the region in supporting local water planning. I encourage you to consider direct state financial support for regional efforts where strong local commitment has been demonstrated.

Finally, I would like to acknowledge the BWSR and the taxpayers of the state of MN for their past and continuing support of local water planning. Although your agency is very small, the staff have always been very generous with their assistance to our region. Thank you.



ZUMBRO/ROOT RIVER JOINT POWERS BOARD AND WATER RESOURCES ADVISORY COMMITTEE

Winona State University P.O. Box 5838 Winona, Minnesota 55987-5838 Tel (507) 457-5223
Fax (507) 457-5681

Charles E. Niska
Board of Water and Soil Resources
155 S. Wabasha St. Suite 104
St. Paul, MN 55107

July 22, 1992

Dear Mr. Niska,

I am inquiring as to the possibility of the Board of Water and Soil and Resources establishing a funding mechanism to encourage and support regional water planning efforts. As you may know, the nine counties of southeastern Minnesota formed the Zumbro/Root River Joint Powers Board in 1987 with the intention of strengthening local water planning through watershed-based support. Since then, each participating county has pledged \$2500/year along with extensive in-kind contributions toward this regional effort. At this level of funding, however, we will be facing deficits in our operating budget in the near future. In 1993, we face a \$10,000 gap between local allocations and projected regional office expenses (see attached "General Fund Budget vs. Expenditures").

While some of our regional office expenses have been offset through grant allocations, many of our administrative expenses such as auditing and the financial services of our fiscal agent do not qualify as grant line-item expenses. Two of our active grants do not allow any reimbursement for administrative costs, including staff time. At the same time that there has been an overall rise in the cost of our customary expenses due to inflation, the regional office has become responsible for more and more activity as local water planning moves into the implementation phase. While the Joint Powers Board strongly supports the concept of regional water planning, county governments are limited in their ability to pledge increased financial support at a time when they are confronted with additional state environmental mandates and a recessionary climate.

The importance of regional water planning should not be underestimated. Regional planning assures uniformity of data collection, public education, and regulation, provides a regular forum for the exchange of ideas and information, and helps to keep county staff charged with varying responsibilities focused

With assistance from Winona State University Water Resource Center

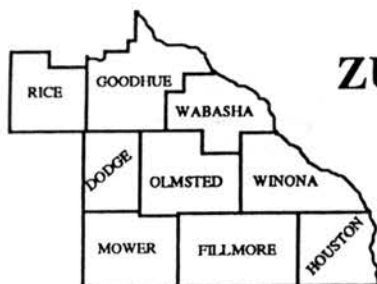
on their water plans. Water planning based on hydrologic units makes good scientific as well as political sense. I encourage you to consider direct state financial support for regional efforts where strong local commitment can be demonstrated.

Sincerely,

Bea Hoffmann

Bea Hoffmann
Executive Director

cc: Jim Birkholz
Eric Mohring
Dave Peterson
Doug Thomas



ZUMBRO/ROOT RIVER JOINT POWERS BOARD AND WATER RESOURCES ADVISORY COMMITTEE

Winona State University P.O. Box 5838 Winona, Minnesota 55987-5838 Tel (507) 457-5223
Fax (507) 457-5681

Mr. Ron Harnack
Board of Water and Soil Resources
155 S. Wabasha St. Suite 104
St. Paul, MN 55107

July 23, 1992

Dear Mr. Harnack,

As Chairman of the nine-county Zumbro/Root River Joint Powers Board (Z/RR JPB) dedicated to regional water quality planning, I would like to apprise you of our newly stated regional priorities for water planning in Southeastern Minnesota. I would also like to share with you some of our suggestions for future funding mechanisms. Our organization believes that this type of communication can help your agency make water resource decisions at the state level which best meet local and regional needs.

STATEMENT OF REGIONAL PRIORITIES

Our prioritization process involved input from several levels. The initial prioritizing began at the county level with input from policy and technical committees comprised of citizens and water planning staff. A regional summary of the matrix attached to the 1992 Base Grant application entitled, "Comprehensive Local Water Planning Implementation Activities" was also used in the decision-making process. Individual county priorities were compiled and discussed to formulate the final regional priorities. These regional priorities were then brought before the full Z/RR JPB and Water Resources Advisory Committee for discussion and approval.

Regional rankings were first established within the three major categories of land resources, land uses, and water plan implementation activities as presented in the matrix mentioned above. These three categories were then integrated to produce the following statement of priorities for 1992:

Protect groundwater and wetland resources through inventory, mapping, education, and dissemination of information relating to the following land use activities (not ranked):

Individual and Community Sewage Treatment Systems

Sealing of Abandoned Wells and Well Construction

Solid and Hazardous Waste

Feedlots

Urban and Rural Runoff
(including soil erosion and chemical usage)

RECOMMENDATIONS FOR FUNDING MECHANISMS

The nine-county Joint Powers Board and associated staff are aware of the challenges associated with allocating state funds for water planning when those funds are limited and water quality problems are of such large magnitude. With this in mind, we would like to suggest alternative funding mechanisms which we believe would more efficiently utilize those limited resources, thereby benefitting both the region and the state.

1) The state has voiced their support of local water planning through the approval of Chapter 103B and the Minnesota Water Plan. The base grant concept supporting local water planning efforts has proved to be a highly effective mechanism for implementing water plans as they were proposed. However, when the state offers specific grant programs, they may or may not fit into a county's water planning schedule. We would like to suggest the concept of expanded base grants which would allow a county greater flexibility in using these state funds to implement their local water plans. Under the present funding mechanisms, counties are often in the awkward position of having to take a detour from the direction of their carefully thought-out plans in order to avoid losing funding offered by the state. This grant concept could be achieved by channeling the funds from individual grants into the base grant program. This approach would also save limited state and local staff time in grant-writing, reporting, and monitoring procedures.

2) It has come to the attention of our local water planning staff that state funding opportunities for counties can create an atmosphere of competition among counties ordinarily working cooperatively on watershed-based planning and management. We strongly urge the state to consider allowing regional application for funding where a particular grant could be equitably

allocated. Such a funding strategy would have the following advantages:

- * The concept of watershed-based planning would be supported and enhanced. This type of planning recognizes that all counties who contribute to a surface watershed or groundwater system must be involved in mutual resource protection activities.
- * Cooperation among counties in a region would be encouraged. The elimination of competition for the same resources would enhance creativity and the sharing of ideas during the grant-writing process.
- * By writing one regional grant instead of nine individual county grants, there would be a savings of staff time in grant administration activities at both the county and state level. The staff time of highly trained hydrologists and hydrogeologists could then be used to offer direct technical assistance to counties.
- * The burden on county staff of having several grants all due on one day would be eliminated.

3) Where feasible, small grants for related purposes should be combined into one Request for Proposal. For example, a more efficient use of staff time could be achieved by combining the separate grants for abandoned well inventory, abandoned well prioritizing, and abandoned well sealing. In addition, consider staggering the dates when grants are due so that staff have more time to devote to individual grants as the Request for Proposal is issued.

4) Each new grant implementation adds many hours of administrative responsibilities to already over-burdened local and regional staff. Consider a policy that would allow administrative costs to be covered by grant funds on all grants.

5) To maximize the input and the quality of a grant application, please issue Requests for Proposals (RFP's) far enough in advance of their due date so that there is sufficient time to bring together technical and policy committees to confer at the county level and for water plan coordinators to meet at the regional level. RFP's which are presented in a format which is straightforward and which do not require repetition of information will also yield higher quality grant applications. Perhaps RFP's could be tested with a pilot county before being distributed state-wide.

We appreciate your consideration of our priority issues and suggestions for funding mechanisms. If you would like further clarification of any of our comments, our staff and elected officials would be more than willing to meet with you at your convenience.

Sincerely,

Donald O. Peterson
Chairman

**BOARD OF WATER AND SOIL RESOURCES
ROOM 112, STATE CAPITOL
ST. PAUL, MINNESOTA 55155
NOVEMBER 18, 1992**

APPOINTED MEMBERS PRESENT

Jim Nielsen
John Boulton
Barbara Cobb
Jack Graba
Howard Peterson
Jim Rossman
Don Warner
Sharon Clark
Don Ogaard
John Brooks, Jr.

APPOINTED MEMBERS ABSENT

Warren Rodning
Dwain Otte

AGENCY MEMBERS PRESENT

Wayne Anderson, Minnesota Pollution Control Agency (MPCA)
Paul Burns, Department of Agriculture (MDA)
Tom Lutgen, Department of Natural Resources (DNR)
Kim Benson-Johnson, Department of Health (MDH)

AGENCY MEMBERS ABSENT

Fred Bergsrud, U of M/Extension Service

OTHERS PRESENT

John Brach, Soil Conservation Service (SCS)
D'Wayne DeZiel, Minnesota Association of Soil and Water Conservation Districts (MASWCD)
Pat Wulff, Lake Management Association (LMA)
Keith Hanson, Minnesota Power

STAFF PRESENT

Ron Harnack
Doug Thomas
Mary Jo Anderson

Meeting Called to Order - Chairman Nielsen called the meeting to order at 9:03 a.m.

92-72 **Adopt Agenda** - Moved by Graba, seconded by Warner, to adopt the agenda as presented. Affirmative: Boulton, Brooks, Jr., Clark, Cobb, Graba, Nielsen, Ogaard, Peterson, Rossman, and Warner. Opposed: None. Carried.

92-73 **Approval of Minutes of October 22, 1992** - Moved by Clark, seconded by Cobb, to approve the minutes of October 22, 1992, as circulated. Affirmative: Boulton, Brooks, Jr., Clark, Cobb, Graba, Nielsen, Ogaard, Peterson, Rossman, and Warner. Opposed: None. Carried.

Chairman's Report - Chairman Nielsen attended the Environmental Initiative Meeting. Chairman Nielsen stated that the Department of Natural Resources (DNR), the Pollution Control Agency (PCA), and the Department of Agriculture (MDA) continue to meet to discuss the BWSR's future. Chairman Nielsen stated that the Environmental Quality Board (EQB) meets tomorrow, and possibly this issue will be resolved at that time.

Chairman Nielsen briefly commented on the concept of sustainable development, meaning the wise use of resources.

Chairman Nielsen commented on the memo from Bill Clapp regarding board members attendance and involvement at the wetland informational hearings. He stated that there is a preconceived notion that members will be careful about what they say when they attend the hearings on how they participate in them.

Chairman Nielsen authorized Barbara Cobb to attend the Minnesota Association of Soil and Water Conservation Districts (MASWCD) convention; Warren Rodning to attend the Minnesota Association of Watershed Districts (MAWD) convention; and Dwain Otte to attend the Association of Minnesota Counties (AMC) convention. Other board members attending conventions will do so on behalf of their organizations and affiliations.

Chairman Nielsen commented on the various BWSR committees. If committee members have ideas on specific policy issues and other business over the next year please contact Chairman Nielsen or Ron Harnack.

Executive Director's Report - Ron Harnack gave an update on the Commission on Reform and Efficiency (CORE). The preliminary recommendations from CORE will be coming out in December; this will be discussed at the December BWSR meeting.

Ron stated that deputy commissioners' meetings on the findings of CORE regarding consolidation of grants to local units of government resulted in the opinion that these block grants would build base capability, rather than a program-by-program approach. Ron stated that Governor Carlson's basic instinct is to cut the cost of government - while still spending money in the best way to serve the people of Minnesota.

Ron reported that the first Wetland Conservation Act informational meeting was held last night in Mankato. Thirty-two people attended representing local officials; good discussion at the meeting. Ron reported on the schedule of informational meetings: November 18 in Marshall; November 19 in Rochester; November 24 in Brainerd; November 30 in Alexandria; December 1 in Duluth and Detroit Lakes; December 2 in St. Paul; and December 3 in Grand Rapids and Thief River Falls. Ron stated that public hearings will be held December 7 in Alexandria; December 9 in Thief River Falls; December 10 in Grand Rapids; December 14 in Marshall; December 15 in Mankato; and December 17 in St. Paul. Ron stated that Greg Larson and/or John Jaschke will be attending each meeting. Concerns include a strong support for banking and increased costs involved in administering the act. News releases have been sent out to media and local units of government listing the schedules of informational meetings and public hearings. Board members were asked to let Ron know what meeting they plan to attend so the BWSR would be represented at each meeting.

Ron gave a brief budget update. He reported that he, Jim Nielsen and Barbara Cobb met with the Finance Committee regarding the BWSR's budget. Chairman Nielsen reported that the governor's chief of staff stated, "it's up to the BWSR to let the Governor know what your pet projects are." Chairman Nielsen will be working with staff and board members to discuss this.

Ron gave a brief update on the Schestak appeal regarding the Sauk River Watershed District. Ron has been in contact with the Sauk River Watershed District. He stated that Schestak's concern is that he did not get enough information on the appeal process. Ron stated that in the public interest of the appeal there is hope for resolution soon.

Ron commented that the BWSR's Dispute Resolution Committee has a copy of draft rules that Bill Clapp has put together for board members' review and comment. Doug Thomas and Al Kean will be working with Bill Clapp on the draft rules.

Ron reported that DNR has put together a draft workbook for water and wetland permits. The workbook is intended to assist local units of government through the water/wetland permit process. The BWSR's Agency Coordination Committee has received a copy of the workbook for review and comment. Board members are asked to work with Wayne Edgerton on this, with input to him by the first of the year.

Education Committee Report - Don Ogaard reported that the BWSR's Education Committee met last week. Barbara Luikkenon presented her work plan to the committee. They discussed the following issues at the meeting: 1) Conservation Ethics for Leaders; 2) outlook for the future regarding the BWSR's education position; 3) public awareness; and 4) the draft State Plan for Environmental Education being developed by the Office of Environmental Education.

Ron Harnack reported that Dave Behm has returned to his previous position as programs

and policy analyst. Marybeth Block, previously from Kandiyohi SWCD, has been hired as the RIM Easement Coordinator.

Root River SWCD Discussion - John Boulton reported that BWSR staff and members met on November 10 with the Root River SWCD regarding the improvement of RIM program issues. Root River SWCD requests a \$200,000 base grant to implement their RIM program; this being temporary versus perpetual. Boulton requests that the BWSR authorize staff to research Root River's proposal for a decision by the BWSR at the December meeting. Barbara Cobb stated that she was very impressed with Root River SWCD's proposal. Barbara commended BWSR staff Dave Peterson, Al Kean, and Marybeth Block for their assistance on this issue. Ron Harnack stated that he would like this worked out very quickly. Customer service is needed statewide to make this process more successful, improved, and efficient. Ron stated that it was premature for the BWSR to take action next month. Staff will research this, look at pilot issues, options, and considerations and the BWSR will review it at that time. Moved by Boulton, seconded by Cobb, that the Root River SWCD be a pilot project, not to fund a specific project, but fund a project to get something done; staff to research this as a test case which may lead to a change statewide in the RIM program and report to the full BWSR in December. Affirmative: Boulton, Brooks, Jr., Clark, Cobb, Graba, Nielsen, Ogaard, Peterson, Rossman, and Warner. Opposed: None. Carried.

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92-74

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

Local Water Planning Grants and Challenge Grants - Doug Thomas reported that the formula for base grants was developed by the legislature. Moved by Boulton, seconded by Rossman, to approve the base grants for local water planning as presented. Affirmative: Boulton, Brooks, Jr., Clark, Cobb, Graba, Nielsen, Ogaard, Peterson, Rossman, and Warner. Opposed: None. Carried.

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92-75

Doug presented four options for awarding challenge grants to local water planning. He asked members to give any comments to Doug or Chuck Niska. Doug's overheads and informational materials on the challenge grants will be sent out to board members. Chairman Nielsen asked if staff are satisfied with funds given out for the Wetland Conservation Act.

Don Ogaard stated that prioritization is needed at the local level. Doug Thomas will make recommendations and come before the full BWSR, staff will notify counties of the change in funds.

Strategic Plan Outline for Water Planning - Doug Thomas briefed the BWSR on issue statements relating to each of the BWSR's statutory responsibilities for local government natural resource planning programs. Doug also presented a staff issue paper and proposal

for a strategic plan to assess BWSR/local government planning programs. Staff propose that the BWSR endorse a committee approach to evaluate all BWSR related local government planning authorities, identify goals and objectives, recommend future BWSR policy, and establish a set of specific actions necessary to implement changes. Discussion followed. Howard Peterson commented that the management of groundwater use, should be from a regional, aquifer point of view. Barbara Cobb suggested that Met Council be added to the committee. Tom Lutgen, DNR; Wayne Anderson, MPCA; Kim Benson-Johnson, MDH; and Paul Burns, MDA; are all interested in having representation on the committee. John Boulton suggested adding the Minnesota Association of Townships. Don Ogaard stated that an issue of who is in charge needs to be addressed. D'Wayne DeZiel stated that MASWCD is the driving force over state agencies. Chairman Nielsen stated that somebody may lose turf. Rossman stated that there is a need to go beyond the political boundaries here. Ogaard stated that a methodology of delineation of duties is needed to accomplish flood control issues. DeZiel recommended meeting with MASWCD, MAWD, and AMC, to come up with good answers that might solve issues. Chairman Nielsen asked the BWSR to go forward on this; members approach him before December 10 with input so a proposal will be ready for the December meeting.

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92-76

Water Plan Approvals - Doug Thomas presented and recommended approval of the St. Louis, Lake, and Wright Counties' Water Plans. Moved by Cobb, seconded by Clark, to approve the St. Louis County, Lake County, and Wright County Water Plans. Affirmative: Boulton, Brooks, Jr., Clark, Cobb, Graba, Nielsen, Ogaard, Peterson, Rossman, and Warner. Opposed: None. Carried.

Snake River Watershed District Petition Update - Ron Harnack reported that he met with petitioners on November 16 to discuss the joint powers agreement and outline of watershed district issues with respect to financing and citizen participation. Ron stated that most of the counties are supportive, although Kanabec County and Pine County have been reluctant. The county boards will meet next week to deliberate; Ron expects resolutions from each county in December. A sub-committee was designated to work with Doug Thomas and Dan Steward to write a joint powers agreement. Ron stated that they are now waiting for counties to come back with their action. Howard Peterson stated that there's a good faith commitment to the joint powers agreement. Ron stated that the Kanabec, Pine, and Chisago County water plans come before the BWSR next month. Howard Peterson stated the stipulated agreement time ran out as of last June 30; a time limit needs to be given, 60 - 90 day maximum, to come out with a final product.

Advisor Comments

-Lake Management Association (LMA), Pat Wulff: The LMA held their annual conference October 2-3; 350 people in attendance. The title of the conference was "Building Coalitions for Actions." Pat stated that the MLA is striving for citizens to fight for resource management.

-Soil Conservation Service (SCS), John Brach: There is a change in the federal wetland

definition rules, although SCS doesn't know what that change is at this time. John stated that Gary Nordstrom will be going to Washington, D.C., in December for a meeting on the agency reorganization plan.

-Minnesota Association of Watershed Districts (MAWD), Howard Peterson: The MAWD's annual convention is scheduled for December 3-5, at Cragun's Conference Center in Brainerd.

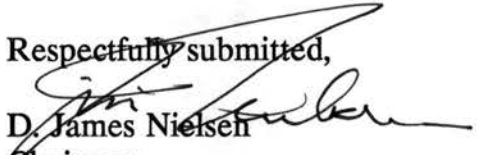
-Minnesota Association of Soil and Water Conservation Districts (MASWCD), D'Wayne DeZiel: The MASWCD's annual convention is scheduled for December 6-8, at the Radisson South in Bloomington. He asked board members to let him know if they plan to attend the convention so they can be recognized and acknowledged at the sessions.

Barbara Cobb commended Howard Peterson on the excellent presentation he made at the Lake Management Association meeting.

Ron Harnack stated that he would like board members to look at the calendar for the upcoming year, to address issues, budget, committee structure, meeting dates, and discuss this at the December meeting.

92-77 Moved by Ogaard, seconded by Brooks, Jr., to adjourn the meeting at 12:05 p.m. Affirmative: Boulton, Brooks, Jr., Clark, Cobb, Graba, Nielsen, Ogaard, Peterson, Rossman, and Warner. Opposed: None. Carried.

Respectfully submitted,


D. James Nielsen
Chairman

**BOARD OF WATER AND SOIL RESOURCES
ATTENDANCE ROSTER**

	NAME	AFFILIATION	PHONE #
1.	KEITH HANSON	MN POWER	218-722-2641 EA3658
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Mankato

STATE UNIVERSITY

The Water Resources Center
MSU Box 70
P.O. Box 8400
Mankato, Minnesota 56002-8400
(507) 389-5492

South Central Minnesota County Comprehensive Water Planning Project

Blue Earth
More, Alvis
Brown
Griebel, Charles
Steffel, Martin
Cottonwood
Jungas, Frank
Elg, Kenneth
Faribault
Johnson, Forrest
Brown, Thomas
Freeborn
Schewe, Herb
Hajek, George
Jackson
Yonker, Edward
Gentz, Milford
LeSueur
Culhane, Bob
Mager, Clarence
Martin
Kahler, Char
Baumhoefner, Herb
Nicollet
Albrecht, Kenneth, Chair
Schimmel, Bill
Sibley
Beck, Donald
Bauer, Leo
Steele
Oeltjenbruns, Lester
Rhoades, L.R., Dusty
Waseca
Doyle, George
Condon, Calvin
Watsonwan
Sawatzky, Paul
Reckow, Lester
SWCD
Anderson, Merle
Ex-Officio
Anderson, Lester A.
Project Director
Quade, Henry W.

DATE: November 17, 1992

TO: Jim Nielsen, Chair
MN BWSR
155 South Wabasha St.
Suite 104
St. Paul, MN 55107

FROM: Henry Quade, Director
MSU Water Resources Center
Project Director, SCMCCWPP

RE: Regional Funding

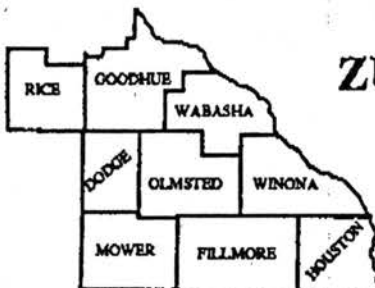
We in South Central Minnesota/13 counties are in strong support of utilizing the BWSR excess Base/Challenge money of 1992 for regional funding. We feel that this will set a precedent for funding the regions which are already functional and are critical to the County Water Planning process. Each region can best determine its priority needs and these may vary with time.

We have discussed this proposed use of the funds with our county commissioners and county technical committee and all are in support.

cc: Commissioner Ken Albrecht
Chair, SCMCCWPP

Rick Hanna, Chair
Technical Committee
SCMCCWPP





ZUMBRO/ROOT RIVER JOINT POWERS BOARD AND WATER RESOURCES ADVISORY COMMITTEE

Winona State University P.O. Box 5838 Winona, Minnesota 55987-5838 Tel (507) 457-5223
Fax (507) 457-5681

Jim Nielson, Chairperson
MN Board of Water and Soil Resources
155 S. Wabasha St.
Suite 104
St. Paul, MN 55107

November 17, 1992

Dear Mr. Nielson,

As you consider your allocation of funding sources for the next biennium, I again encourage the Board to consider the use of these funds for the support of regional water planning programs. As I mentioned in my letter to Mr. Niska and in my presentation to the Board on October 22 in Rochester, regional water planning has already proven its potential to enhance and support local efforts in many ways. Regional water planning can provide standardization of data collection and data management, provide staff training tailored to the specialized environmental needs of a region, provide a forum for exchange of information and ideas and a means to present a unified voice regarding regional water quality concerns.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Bea Hoffmann".

Bea Hoffmann
Executive Director

**BOARD OF WATER AND SOIL RESOURCES
ROOM 112, STATE CAPITOL
ST. PAUL, MINNESOTA 55155
DECEMBER 16, 1992**

APPOINTED MEMBERS PRESENT

Jim Nielsen
John Boulton
Barbara Cobb
Jack Graba
Howard Peterson
Jim Rossman
Don Warner
Sharon Clark
Don Ogaard
John Brooks, Jr.
Warren Rodning
Dwain Otte

AGENCY MEMBERS PRESENT

Paul Burns, Department of Agriculture (MDA)
Brad Moore, Department of Natural Resources (DNR)
Jim Anderson, U of M/Extension Service

AGENCY MEMBERS ABSENT

Kim Benson-Johnson, Department of Health (MDH)
Wayne Anderson, Pollution Control Agency (PCA)

OTHERS PRESENT

D'Wayne DeZiel, Allan Oehlke, MASWCD

STAFF PRESENT

Ron Harnack
Jim Birkholz
Doug Thomas
Ron Shelito

Jim Lemmerman
Bill Best
Susan Tsakakis
Dave Behm

Dan Steward
Dale Krystosek
Barbara Liukkonen
Mary Jo Anderson

Meeting Called to Order - Chairman Nielsen called the meeting to order at 9:00 a.m.

**** 92-78** **Adopt Agenda** - Moved by Peterson, seconded by Warner, to adopt the agenda as presented. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

**** 92-79** **Approval of Minutes of November 18, 1992** - Howard Peterson stated that changes need to be made on page three regarding the Wetland Conservation Act informational meetings. It should read, "Concerns include a strong support for banking and concern for increased costs involved in administering the act." Also, Howard stated that on page three referring to the BWSR's Agency Coordination Committee members were asked to work with Wayne Edgerton. Dwain Otte stated that John Boulton attended the Association of Minnesota Counties (AMC) convention in Dwain's place. Moved by Otte, seconded by Graba, to approve the minutes of November 18, 1992, as corrected. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

Chairman's Report - Chairman Nielsen stated that he had a brief report today. He attended the Wetland Conservation Act public hearing on wetland rules in Mankato December 15, 1992. He stated that there was good conversation on ag land definitions.

Executive Director's Report - Ron Harnack stated that the Board Member Update is in their packets for information.

Ron reported on the appeal before the BWSR regarding Sauk River Watershed District and Mr. Schestak. An agreement to resolve this appeal is in the packet for board members' information. The total cost under the agreement is \$423.00 to the watershed district. The Sauk River Watershed District Board passed a resolution endorsing this as a satisfactory solution to all parties involved.

Ron stated that monthly breakfast meetings have been held with federal and state agencies to discuss issues of concern such as impoundments in the Red River Valley.

Ron briefly summarized the cost-share program allocation based on formula. Each year, a certain amount of the allocation is returned to the BWSR, and is then allocated in a special rollover allocation. Proposals for rollover allocations will be brought before the BWSR in January.

Ron stated that good meetings have been held with the BWSR budget committee. The Department of Finance has made a decision to pull agencies (DNR, MPCA, BWSR) together to develop a framework for consolidating and streamlining the delivery of grants to local units of government.

BWSR Committee Reports

Education Committee - Don Ogaard reported that he, Dwain Otte and Sharon Clark attended a meeting last week relating to the Environmental Education Plan, specifically regarding the Production Landowner Section. Al Withers, Department of Agriculture, and Don scheduled a one-time meeting with commodity groups and interest groups who are involved in agricultural production. Clark was disappointed with the number of commodity groups that didn't attend. However, it was a successful meeting with those attending representing for those not attending. Good discussion took place and a report was drafted. Chairman Nielsen would like to review the report and bring it before the BWSR and then possibly schedule another meeting.

Advisory Council on Wells and Borings - Warren Rodning reported that he attended a meeting held December 1.

Feedlot Advisory Committee - Jim Rossman reported that Feedlot Advisory Group (FLAG) committee of PCA met last week. A mission statement was established and they are now setting goals and objectives to meet the mission statement. Chuck Williams, MPCA commissioner, attended the meeting. Jim Rossman would like to see the BWSR get away from the regulatory permitting process and compliance and make progress to feedlots. Important issues discussed were education, seepage from storage structures, and the possibility of a rules revision. Discussion followed. Al Kean and Brad Matlack have met with PCA on the feedlot issue. Policy decisions need to be made before staff can work on projects. How can the BWSR initiate these decisions? At the February BWSR meeting, the board will focus on the important feedlot issues and clearly define them so staff can work on this. Rossman stated that this issue is in a vacuum-political decisions are being made that don't help or resolve issues. Harnack stated he would put this on the January BWSR agenda for a review of perspectives and constraints from a policy and technical standpoint. Whose job is it to make the system work? asked Rossman. Harnack stated that PCA has lead responsibility, although there isn't a significant focus or overall plan. Chairman Nielsen, Harnack, and Rossman will meet with Chuck Williams to discuss this meeting. Harnack stated that the Legislative Water Commission meets in January and feedlots is an agenda item - that's an opportunity for ideas to be addressed.

Agency Coordination Committee - Howard Peterson suggested that the full BWSR look at the report for action in January. A timeline is needed. Peterson stated that this is a good faith effort.

Chairman Nielsen stated that committees have been functioning very well - he would like to continue with the committee structure in 1993. If members have thoughts or interests to be involved in a certain committee, contact Ron or Chairman Nielsen.

Water Plan Approvals - Doug Thomas reported that a subcommittee (Dwain Otte, Sharon Clark, Howard Peterson, Jack Graba) met with staff (Doug Thomas, Dan Steward, and Bill

Best) yesterday to review the water plans. Each county was represented at the meeting. Dwain Otte introduced those representatives from each county.

92-80 - Lake of the Woods - committee and staff recommends approval. Moved by Brooks, seconded by Warner to approve the Lake of the Woods County Water Plan. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

92-81 - Chisago - committee and staff recommends approval. Moved by Rossman, seconded by Clark, to approve the Chisago County Water Plan. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

92-82 - Pine - committee and staff recommends approval for the Pine County Water Plan. Moved by Warner, seconded by Brooks, to approve the Pine County Water Plan. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

92-83 - Kanabec - committee and staff recommends approval for the Kanabec County Water Plan. Moved by Graba, seconded by Cobb, to approve the Kanabec County Water Plan. Affirmative: Boulton, Brooks, Clark, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

Snake River Watershed District Summary - Doug Thomas read the summary and explained that a draft agreement has been prepared by the Snake River counties representing a good effort in achieving many of the elements of the legal joint powers agreement. Doug stated that with a little more work a joint powers agreement which meets both the need of the counties and the wishes of the BWSR can be reached. Chairman Nielsen directed staff to continue working on this so a joint powers agreement can be finalized. Discussion followed on the deadline date. It was decided that the starting date to work on this is January 1, with a deadline of date March 15. The lake association that initiated the Snake River Watershed petition and BWSR members will review the joint powers agreement. Moved by Peterson, seconded by Otte, that the Snake River Watershed District joint powers agreement start date is January 1, deadline date is March 15. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried. Doug will update BWSR at February meeting.

92-84

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

Wetlands Update - Greg Larson stated that 150 people has been the average attendance at each meeting. The biggest frustration for Greg is using the meetings to come up with a better product - well over 90 percent of the comments and frustrations are statements - only a handful of comments are for specific changes. After the comment period closes on

December 31, all written comments will be given to the administrative law judge, Judge Allan Kline. The BWSR will probably receive his report in mid-January. Since the December 17 St. Paul meeting may be cornerstone meeting where agencies/organizations makes their final comments, he expects to have a flood of comments. Very worthwhile, good meetings - publicity definitely paid off. John Jaschke distributed summaries of the Wetland Conservation Act (WCA) public information meetings and hearings. These summaries will be presented to Judge Kline. All hearings had at least one board member present. Judge Kline made it clear at each hearing that the BWSR has the final review on this. Brooks asked if written comments sent in to Judge Kline would be considered. Greg stated that Judge Kline said that they would be considered as long as the comments are received by December 31. Chairman Nielsen stated that BWSR would receive the administrative law judge's comments with particular emphasis on the five areas of concern and take it from there. Ron stated that the BWSR as a whole has to be comfortable with the conclusions of the administrative law judge when the BWSR sees it in its entirety. Chairman Nielsen said he would consider it a failure if the BWSR just rubber stamps the administrative law judge's decision - it needs to be reviewed in its entirety. Brooks would like to see the report, with Greg and John available for a two-day period or so to discuss and comment on this. Chairman Nielsen stated that BWSR will not start at ground zero in this process. Don Ogaard asked if members could write their comments and send them to Judge Kline. Harnack stated that it's not appropriate, as they are BWSR members and they may put themselves in a position where they would be ineligible to vote on a final decision regarding the rules. Discussion followed. Rodning commended the staff on their work on this. If members have particular thoughts on issues contact Greg or John before December 31.

Strategic Plan/Water Management - Doug Thomas distributed a proposed outline for a strategic assessment of BWSR/local government planning programs. Chairman Nielsen, Ron Harnack and Jim Birkholz, met with Doug after the last BWSR meeting to discuss the strategic plan. This would be a six to nine month process stated Doug. Chairman Nielsen stated that this was initiated by staff to economically streamline the planning process. Chairman Nielsen appointed a committee - Don Ogaard, Howard Peterson, Jim Rossman and Barbara Cobb as chair of the committee, to meet with Doug with a progress report drafted no later than the February meeting.

Challenge Grants - Doug Thomas distributed proposed options for the 1993 Local Water Resources Protection and Management Plan challenge grants. Doug reviewed the three options with the BWSR:

- 1) •Special consideration for St. Louis County at \$25,000. •First priority: multi or joint county applications for coordination of regional or area activities and/or implementation of projects or regional importance. •Grants of \$1700 per county. •Second priority: individual county grants for the acceleration and/or enhancement of implementation of priority actions identified in their county water plan or plans. •Applications will be ranked according to M.R. 8405.0180. •Projects will be funded until all funds are expended.

2) •Special consideration for St. Louis County at \$25,000. •First priority: multi or joint county applications for coordination of regional or area activities and/or implementation of projects of regional importance. •No dollar limit per grant application.

•Second priority: individual county grants for the acceleration and/or enhancement of implementation of priority actions identified in their county water plan or plans.
•Applications will be ranked according to M.R. 8405.0180. •Projects will be funded until all funds are expended.

3) •Applications will be accepted from any eligible county or group of counties.
•Applications will be ranked solely on the basis of the proposed project, program, or activity. •Project ranking will be done according to M.R. 8405.0180. •Projects will be funded by order of ranking until all funds are expended.

★★
92-85

Staff recommends option #1. Doug explained that if there is a balance in the account as of June 30, those funds will go back into the general fund. Moved by Rodning, seconded by Ogaard, to approve and accept option #1. Rossman spoke against this option, as St. Louis County doesn't have a proposal for the \$25,000. He is in favor of option #3. Harnack stated this is the last year of challenge grants, due to all SWCDs receiving base grants. Moved by Rodning, seconded by Ogaard, to approve option #1. Affirmative: Boulton, Brooks, Cobb, Graba, Ogaard, Peterson, Rodning, and Warner. Opposed: Clark, Otte, Rossman, Nielsen. Carried.

Education Workplan - Barbara Liukkonen reported that one-half of the yearly pilot project is up. She has been busy working on ten projects. She distributed a workplan and fact sheet for members information. "Paint the Town" brochure and stenciling project was piloted in Todd and St. Louis counties. Project materials and information will be made available to other local units of government. Chairman Nielsen suggested that BWSR/Extension should be given credit for this and noted on the fact sheet. Chairman Nielsen thanked Barbara for her efforts.

Clark reported that Sonja Farmer from Lac Qui Parle SWCD lost her home to fire.

Adjourned for lunch at 12:02 p.m. The meeting reconvened at 1:00 p.m.

Wind Erosion and Windbreaks - Jim Birkholz introduced Paul Burns, Department of Agriculture; Jim Lemmerman, BWSR Staff; Tom Kroll, DNR/Forestry; and Dave Benner, SCS. Jim Birkholz stated that Chairman Nielsen asked at a previous meeting what's being done with soil erosion, thus, this issue is being addressed today. Jim Lemmerman reviewed state cost-share documents on field windbreaks in Minnesota and found that between 1985 - 1990, 960 miles of field windbreaks were established; between 1980-1990 a survey done showed that 2,682 field windbreaks and 9,500 farmstead shelterbelts were established. The windbreak renovation session was the first in Minnesota. Paul Burns does not have any direct association with soil erosion after the BWSR left the Department of Agriculture in

1987. Ag in the Classroom program teaches the significance of soil erosion. The Ag Land Preservation Program indirectly affects soil/wind erosion. The Energy and Sustainable Ag Program is a fairly modest program supported through a grant for sustainable ag practices. Commissioner Redalen is a very good spokesman for soil erosion. Tom Kroll stated that windbreaks and trees in providing nursery stock. Dave Benner stated that SCS provides direct technical assistance to farmers and districts; landowners put 500-600 miles of windbreaks on the land each year. SCS also provides training in design and technology. Needs for the future include renovation and residue management. Jim Anderson, Minnesota Extension Service, said that Extension is involved in plant species management in soil erosion. Lemmerman stated that 76 of 91 SWCD have tree programs. Don Ogaard stated that tree planting is economics plus for production. Chairman Nielsen asked staff for recommendations on this - Birkholz sensed interest in doing something, and recommends that staff come back to full BWSR with proposals for board to consider. The recent emphasis of BWSR has been local water planning; soil erosion is an important element in this and in the Board strategic plan. It deserves renewed emphasis. Rossman asked staff to look into past and future county initiatives. Staff will report back in January or February on this.

WMO/WD Boundary Change - Bruce Sandstrom summarized the petition to change the boundary of Minnehaha Creek Watershed District and Nine Mile Creek Watershed District. Mike Eastling, Pete Willenbring, and Jim Spencely were representatives in attendance. The controversy exists because of a jurisdictional issue; the change affects on Wood Lake outlet. applying watershed district rules and WCA rules. Ron stated that a hearing must be held whether it is controversial or noncontroversial. Chairman Nielsen asked for a motion and directed staff to schedule a hearing of the Dispute Resolution Committee (DRC) if controversy exists. Chairman Nielsen asked that this be taken care of so DRC does not have to hear this. Moved by Cobb, seconded by Warner, to direct staff to schedule a hearing regarding this and refer it to the Dispute Resolution Committee. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

92-86

Chairman Nielsen stated that the executive committees of AMC, MAWD, MASWCD, and BWSR have scheduled a meeting on December 23. Chairman Nielsen appointed Barbara Cobb, Jim Rossman, and Jim Nielsen to attend.

CORE Update - Ron Harnack briefly summarized CORE's report dated December 8 and December 11. Ron, Jim Nielsen, Jim Birkholz sat through part of meeting on December 8, and came away from the meeting with frustrations. Some issues addressed include: • inability of DNR and PCA to be more efficient; • field offices, co-location of agencies; permit coordination delegated to field offices; abolishment of local governments - special purpose districts; • creating natural resources districts or, • districts vested in counties or the Metropolitan Council. The CORE group is meeting on January 12 on environmental issues. The Environmental Cluster Group has been meeting regularly on restructuring state government to help guide and direct issues. It does not address townships or the hydrologic

boundary issue. It's felt that CORE has underestimated the capability of local units of government. The challenge we face is the duplication of effort among agencies. The executive committee will meet on December 23 to discuss this and look at how we can best serve these issues in the future. Saving money by restructuring government does not service the customer. Chairman Nielsen commented that none of this has reached the Governor's office. The concerns Jim has fall into two categories: 1) empowerment, the ability to let employees make decisions; CORE hasn't considered this. 2) he is concerned that if BWSR is divided up between PCA and DNR, our organizational strength is going to be lost or retarded. The ability of PCA to completely ignore issues, the DNR history of wearing the "black hat" - would impede BWSR's efforts. Nielsen said he has been impressed with work that can be done at local level, and CORE has not recognized that local capability. Chairman Nielsen stated that there are parts of the thinking that are worth reviewing - regionalization is recognized as not a very popular concept. Discussion followed. Ogaard stated that the issue will not go away - the entities were created by the Legislature initially and the Legislature envisioned BWSR as the local government-state liaison.

Advisor Comments

-MASWCD: D'Wayne DeZiel introduced Allan Oehlke as newly elected president of MASWCD. Allan commented briefly on the CORE report. MASWCD will be proactive on this.

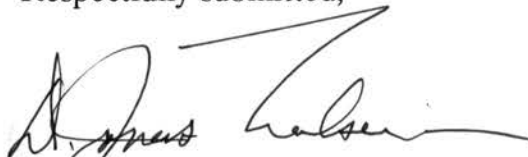
-SCS: Dave Benner is looking at restructuring also. Gary was called to Washington on the November 30th regarding indexing system to close offices. Five out of six offices in Ramsey, Koochiching, Itasca, Cass, Lake of the Woods, and Sherburne counties will be closed. Coordinated plan needs to be submitted by December 30 for Congress and the new administration.

-MAWD: Howard Peterson reported that MAWD had record attendance at their convention, December 3-5, in Brainerd.

92-87

Moved by Warner, seconded by Brooks, to adjourn the meeting at 3:05 p.m. Affirmative: Boulton, Brooks, Clark, Cobb, Graba, Nielsen, Ogaard, Otte, Peterson, Rodning, Rossman, and Warner. Opposed: None. Carried.

Respectfully submitted,



D. James Nielsen
Chairman

29

BOARD OF WATER AND SOIL RESOURCES ATTENDANCE ROSTER

	NAME	AFFILIATION	PHONE #
1.	Darryl Lochner	Lake of the Woods Co.	218-634-1945
2.	William Best	BWSR - Bemidji	
3.	Dale Krystoszek	BWSR - Bemidji	
4.	Wayne Deziel	MASWCD	
5.	Allen O'Brien	MASWCD	
6.	Lloyd Marier	Pokegama Lake Assn Pine Co.	629-7015
7.	Art. Schultz	Pine SWCD	629-2777
8.	Richard Myer	Pine SWCD	384-6815
9.	Bob Pigeon	Pine Co	612-629-2465
10.	Dick Fackler	Mille Lacs County	612-389-4689
11.	Lynda Peterson	Kanabec SWCD	618-679-3781
12.	Guss Gaud	Albion SWCD	218-768-4300
13.	Morton Hecker	Kan. Co. Wat. Plan	689-5664
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MINNESOTA RIVER VALLEY AUDUBON CLUB
Box 20400, Bloomington, Minnesota 55420

NOV 04 1992

FOR Dec 3rd
MTG

Oct. 30, 1992

James Nielsen, Chairman
Board of Water and Soil Resources
Southbridge Office Building
155 South Wabasha St., Suite 104
St. Paul, MN 55107

Dear Mr. Niewlsen,

I respectfully request that we placed on the agenda at your next board meeting. The issue which we wish to peruse in specific terms is Nine Mile Creeks Watershed District not being in compliance with Metropolitan Water Management Act (MS 103B.201 to 103B.255), and in broader terms why watershed districts within the Metro are not generally in compliance with this Act.

It is our position that the failure of watershed districts within the Metro area to ignore Board of Water and Soil Resources endangers wetland protection and allows watershed districts to act unilaterally without regulatory oversight. In addition we are concerned at the Board's reluctance to enforce this statute.

We look forward to your reply and thank you in advance for your cooperation.

Sincerely,

Dick Reynolds,
Chairman Natural Resources Committee

cc: Mr. Bob Dunn, EQB
Mr. Don Arnosti, Audubon State Representative



MINNESOTA RIVER VALLEY AUDUBON CLUB
Box 20400, Bloomington, Minnesota 55420

Oct. 30, 1992

Hubert H. Humphrey III
Attorney General
102- State Capitol
St. Paul, Mn 55155

Dear Mr. Humphrey,

We have two governmental agencies in conflict with each other over jurisdiction. The issue came to light over a Wetland, Smetana Lake Project, located within the city of Eden Prairie and the Nine Mile Creek Watershed District. We have two letters from Board of Water and Soil Resources one to the Watershed District. and one addressed to our committee from Ron Harnack, Executive Director, Board of Water and Soil Resources. Each letter clearly states that the Watershed District is not in compliance with the Metropolitan Water Management Act (MS 103B.201 to 103B.255). The watershed's position during the public hearings on this issue, by their attorney Mr. Haik, is that the district is in compliance. Our committee members contact with your office by phone with Mr. Bill Clapp confirmed to us that the watershed district is not in compliance and that it also is not in compliance with MS 103D.331 which requires the district to appoint a citizens advisory committee.

Our research indicates that most Metro Watershed Districts are also not in compliance and thus has far reaching implications to the citizens of the state, and protection of its wetlands. Metro watershed districts operate without the mandate of the public, as they are appointed rather than elected and have substantial taxing authority. Thus districts are in a position to operate unilaterally, arbitrarily, and without proper state oversight. An example is the Smentana Lake project which was objected to by the DNR, BOWSR, PCA, and the Corp and yet the project was approved by the Watershed District. As a side issue we are also concerned with the close relationships between Watershed Districts and their respective engineering firms and compliance with State competitive bidding requirements when spending state tax revenues. We recently raised these and other concerns in a meeting with the EQB Board, and following their recommendations have ask to be placed on the agenda of the next BOWSR board meeting.



MINNESOTA RIVER VALLEY AUDUBON CLUB
Box 20400, Bloomington, Minnesota 55420

The issue then has broader implications. Who is correct, and if the watersheds are not in compliance, who has the authority to force compliance? Who serves the public interest? It seems to us that the responsibility falls on your office. It has been implied that the citizens, either as individuals or as organizations must spend its own funds to litigate such issues. Therefore, insuring that government agencies comply with State Statutes falls to only those who can afford to pursue it.

We ask our office to reconfirm your opinion, as previously expressed to us by phone, that the Watershed District is not in compliance with these state statutes. We also again request that you exercise whatever power and authority your office holds to enforce compliance of state statutes by all metro watershed districts on behalf of the public. We are prepared to provide you with whatever assistance we can along with copies of any correspondence and other documentation as necessary.

We look forward to your prompt reply and thank you in advance for your cooperation

Sincerely,

Dick Reynolds,
Chairman, Natural Resources Committee

cc: Mr. Lee Paddock, Attorney Generals Office
Mr. Bill Clapp, Attorney Generals Office
Mr. Bob Dunn, EQB
Mr. James Nielsen, Board of Water and Soil Resources
Mr. Don Arnosti, Audubon State Representative

Dec Bd MTR

MEMORANDUM

November 18, 1992

TO: Board members
FROM: Marybeth Block, Easement Programs Coordinator
Dave Behm, Programs & Policy Analyst
RE: RIM/PWP 92-01 Easement Allocations

RIM Reserve Program:

The following guidelines were followed to determine allocations:

- 1) fulfill existing commitment to Tri-County Conservation Project (TCCP) of at least 100 acres (TCCP desired 223 acres, 199.4 acres were funded);
- 2) each SWCD's highest priority water quality related application was funded;
- 3) each wetland restoration application was funded;
- 4) easements adjacent to a funded water quality related application (see #2 above) that would further enhance overall water quality benefits were funded; and
- 5) ensure at least 50% of funded acres were within the FY93 priority area of the Minnesota River watershed
(priority acres = 816.1 acres = 53.6%)
(total acres = 1,521.0 acres)

Applications received = 139 (4,821.0 acres; \$3,507,438.70)

Applications funded:

TCCP = 6 = 199.4 acres = \$114,724.19 (all in Meeker SWCD)

- 3 wetland restorations (with crop history)
- 3 riparian cropland areas

Priority area wetland restorations =

- 4 with crop history = 110.7 acres = \$122,801.27
- 3 without crop history = 86.5 acres = \$ 62,420.27

Priority area riparian lands:

(based on highest local priorities)

- 11 cropland = 579.1 acres = \$494,300.83

Priority area marginal agricultural lands:

- 1 (adjacent to a riparian cropland) = 9.3 acres = \$8,275.32

Non-Priority area wetland restorations = (excludes TCCP)

- 5 with crop history = 161.3 acres = \$198,661.75
- 4 without crop history = 64.4 acres = \$ 44,377.76

Non-Priority area riparian lands: (excludes TCCP)

(based on highest local priorities)

- 8 cropland = 216.7 acres = \$150,666.01
- 3 pastured hillsides = 62.1 acres = \$ 46,177.84

Non-Priority area marginal agricultural lands:

- 1 (adj. to wetland restoration) = 31.5 acres = \$32,244.03

-more-

PAGE TWO

RIM/PWP EASEMENT ALLOCATIONS FOR 92-01

Permanent Wetland Preserves:

Applications received = 111 (3,715.1 acres; \$2,082,818.81)

Applications funded = 40 (1,174.0 acres; \$ 725,146.32)

Low priority applications = 48 (1,675.4 acres; \$ 908,078.16)

- many will likely be funded upon:

- 1) submission of more complete application information,

- 2) addition of adequate buffer area, and/or

- 3) enrollment of additional minimal wetland basin acreage from adjacent landowners

- balance of applications will be held to compare with applications to be received upon February 1 and June 1 deadlines (issues include: prior drainage/maintenance rights which may affect easement area in future, riverine wetland complexes not adequately protected, riverine wetland complexes with low susceptibility to drain/fill activities, etc.)

Ineligible applications = 23 (865.7 acres; \$ 449,594.33)

- lacked whole basin protection

- not hydrologically isolated from much larger, ineligible wetland basin

Root River SWCD

REINVEST ... INVEST IN MINNESOTA (RIM) RESERVE
PILOT PROJECT PROPOSAL

Reinvest in Minnesota (RIM) reserve program was introduced in 1986 as a result of the Governor's task force on revitalizing Minnesota's economy. RIM Reserve combined forces of agricultural groups, wildlife organizations, businesses and government in a joint effort to promote and protect Minnesota's natural resources, a key factor in Minnesota's economic base.

While the concept is good, there has been a number of stumbling blocks in the administration and implementation of this program.

The following proposal is designed to streamline the delivery process and create a more useable and efficient tool in Resource Management throughout Minnesota.

OBJECTIVES:

1. Increase program flexibility to address local resource problems.
2. Provide local control over program delivery.
3. Reduce administrative cost of program.
4. Improve availability of RIM reserve as an effective tool in resource management.

ACTIONS:

- A. BWSR provides goals for a state wide program.
- B. Local SWCD's provide eligibility criteria, prioritization, and implementation based on statewide goals and local needs.
- C. Local SWCD's provide an attorney for title insurance and easement review.*
- D. BWSR provides funding for easement acquisition, conservation practices, installation and maintenance, and administrative cost.
- E. BWSR evaluates RIM program.

* necessary forms determined at the local level.

PLAN OF WORK FISCAL YEAR 94 (JULY 1, 1993 - JUNE 30, 1994)

A. RIM reserve goals developed at state level (BWSR)

B. Local priorities and eligibility guidelines set by SWCD based on the following:

- *statewide goals as provided by BWSR
- *local resource protection needs as determined by local screening committee. (i.e. target areas such as mini-watersheds, areas subject to urban development, stream buffer strips)
- *physical conditions of proposed site (i.e. topography, land use, geologic sensitivity, location)

C. District staff review and process application, easements and conservation plans for SWCD board approval.

SWCD provides attorney for title insurance and easement review. Payment incentive will be provided for perpetual easements. Limited duration easements will be considered on high priority sites

Easements will be reviewed monthly and awarded based on merit.

D. BWSR provide \$200,000 for fiscal year 1994 (July 1, 1993 - June 30, 1994)

to be allocated as follows:

Easements:	\$130,000
Practice :	\$ 60,000
Administrative Costs (5%)	\$ 10,000*

to be allocated to Root River SWCD by August 15th

*(includes title insurance, application process, plan development easement recording. Administrative costs for easements after enrollment year to be covered by BWSR General Services Grant.)

Regional BWSR Representative will participate in screening committee meetings and provide annual review of program.

By allowing Local administration and program flexibility to address local resource needs, the RIM Reserve Program will more effectively respond to concerns of resource managers while simultaneously achieving state wide goals.

We are confident that this proposal will revitalize the RIM Reserve Program and is necessary to assure its continued success.

Time Line:

Goals to the District.....August 1
Allocation from BWSR.....August 15
Screening Committee priorities setSeptember 1
Application Begins.....September 1
SWCD action within 45 days of application date.
Easement recorded within 90 days of approval.
Payment to landowner within 30 days of recording.