

Minnesota Board of Water and Soil Resources. Minutes.

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Minnesota Board of Water & Soil Resources

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DATE: February 14, 1995

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

FROM: Ronald D. Harnack, Executive Director

SUBJECT: February 22, 1995 BWSR Meeting

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, February 22, 1995 beginning at 9:00 a.m. The meeting will be held in the BWSR conference room at One West Water Street, St. Paul. The agenda and informational materials are enclosed for your review. Following is some background information regarding the agenda items.

CONSENT AGENDA ITEMS/DECISION ITEMS

*** PINE SWCD DISTRICT BOUNDARY CHANGE -** The Pine SWCD requests the change so that the supervisors districts conform to the county commissioner districts. Staff recommends approval.

*** ECOSYSTEM CHARTER FOR THE GREAT LAKES-ST. LAWRENCE BASIN -** Staff recommends endorsement of the charter. The charter sets forth a series of principles, findings and related action items to guide management of the Great Lakes - St. Lawrence Basin.

OLD BUSINESS:

*** STATE REVOLVING LOAN FUND - ADMINISTRATIVE COSTS -** Since last months meeting there has been significant discussion relating to the eligibility of administrative costs (JPA meetings, JPA per diem and expenses, clerical support) as part of the engineering team grants. Staff recommends authorizing grant recipients to use up to 5% of the grant for related administrative costs. **DECISION ITEM.**

*** LEGISLATIVE POLICY ISSUES RELATING TO WETLANDS -** As the legislative session moves forward there is continued discussion relating to amendments to the Wetland Conservation Act. The agency bill will be completed this week and introduced later this week or early next week. One other bill has been introduced that has significant implications for the BWSR and increases the potential for significant losses of wetlands as well as providing for a number of the issues raised by the Wetland Heritage Advisory Committee (WHAC) and BWSR. Most of the policy

issues are addressed in the policy document attached and the summary of the presentation before the House Environment and Natural Resources Committee. Although the legislative process will require compromise, negotiation and hard positions on all issues, it may not prove prudent to serve us well to discuss some of the policy issues options. **DISCUSSION.**

*** LEGISLATIVE BUDGET STATUS -** We have had one hearing before the House Finance Committee; the Senate Finance Committee hearing on BWSR's budget is scheduled in early March. The administration budget for the environmental agencies that appropriates LCMR $'s for programs has received a lot of debate. Although we have received good responses to the needs of the agency during committee discussions we cannot be too optimistic. Therefore, policy and procedure refinement discussions with the Board will need to continue to address resource and staffing limitations. **DISCUSSION.**

*** POLICY LEGISLATION -** The watershed district and metro water management legislative proposals should clear the Governor's office this week. Discussion with legislators suggest that the issues are generally understood and supported; however, there is genuine concern relating to anything that would or could require an increase in taxes even if it is locally supported. **DISCUSSION.**

NEW BUSINESS:

*** GRASS LAKE WETLAND RESTORATION PROJECT -** On occasion there are very large projects that are above and beyond the means of the normal sign-up for RIM. Grass Lake is one of those projects. A description of the project is enclosed. Some policy issues for consideration:

1) Recent policy of the Board is to only take wetland restoration projects where all of the landowners participating and the wetland restoration is technically feasible. This ensures that the actual restoration will in fact get accomplished in a reasonable timeframe. The Board could adjust the policy for this large project and continue to piece meal the acquisition, however actual restoration of the wetland would be years away.

2) The Board could opt to seek special legislative funding for the project, however under the current bonding six- year plan the $'s would likely come out of the same base as we have now. Staff recommendation is to authorize the $950,000 for the acquisition of Grass Lake wetland basin as part of the joint effort reflected in the plan. Getting all the landowners support and the participation and commitment from the other partners is a significant achievement on the part of the Kandiyohi SWCD and BWSR RIM staff. **DECISION.**

If you have additional agenda items or require additional information please feel free to give me a call. Travel safely, I look forward to seeing you on the 22nd!

BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET, CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
FEBRUARY 22, 1995
AGENDA

9:00 a.m.

1. Call Meeting to Order

2. Adopt Agenda

3. Minutes of January 25, 1995

4. REPORTS
   - Chairman's Report - Jim Nielsen
   - Executive Director's Report - Jim Birkholz
   - Education Committee - Tim Hvidsten
   - Feedlot Advisory Committee - Jim Rossman
   - Soil Conservation Committee - Glenn Annexstad
   - Dispute Resolution Committee - Kathy Roer

9:30 a.m.

5. CONSENT AGENDA ITEMS
   - Pine County SWCD Request for Nomination District Boundary Change
   - Ecosystem Charter for the Great Lakes-St. Lawrence Basin

9:45 a.m.

6. OLD BUSINESS
   - State Revolving Fund - Wayne Zellmer
   - Legislative Update - Jim Birkholz
     - Appeals - WCA and Watershed District
     - WCA Bill Comparison
     - Watershed District Bill
     - Water Management Organization Bill
   - Budget Status - Jim Birkholz

11:00 a.m.

7. NEW BUSINESS
   - Grass Lake Project - Tom Wenzel
   - RIM Easement Violation Introduction - Jim Birkholz

8. ADVISORY COMMENTS
   - Paul Burns, Department of Agriculture
   - Wayne Edgerton, Department of Natural Resources
   - Fred Bergsrud, Minnesota Extension Service
   - Wayne Anderson, Pollution Control Agency
   - Kim Benson-Johnson, Department of Health
   - Steve Chick, NRCS
   - Pat Wulff, MLA
   - Jim Schafer, MASWCD
   - Rick Reimer, MACDE
   - Franklin Denn, MAT
   - Vern Johnson, MAWD

9. Board Issues - discussion, comments, action needed

10. Next BWSR Meeting - March 22, 1995

Noon

Adjourn

BOARD OF WATER AND SOIL RESOURCES
CONFERENCE ROOM
ONE WEST WATER STREET
ST. PAUL, MINNESOTA 55107
FEBRUARY 22, 1995
PRELIMINARY AGENDA

9:00 a.m.

1. Call Meeting to Order

2. Adopt Agenda

3. Minutes of January 25, 1995

4. REPORTS
   - Chairman's Report - Jim Nielsen
   - Executive Director's Report - Ron Harnack
   - Committee Reports
     - Education Committee - Tim Hvidsten
     - Feedlot Advisory Committee - Jim Rossman
     - Soil Conservation Committee - Glenn Annexstad
     - Dispute Resolution Committee - Kathy Roer

9:30 a.m.

5. CONSENT AGENDA ITEMS
   - A. Pine County SWCD Request for Nomination District Boundary Change
   - B. Ecosystem Charter for the Great Lakes-St. Lawrence Basin

9:45 a.m.

6. OLD BUSINESS
   - Legislative Policy Options for WCA - Ron Harnack
   - State Revolving Fund - Wayne Zellmer
   - Budget Status - Ron Harnack
   - Legislative Update - Ron Harnack

11:00 a.m.

7. NEW BUSINESS
   - Grass Lake Project - Tom Wenzel

8. ADVISORY COMMENTS
   - Paul Burns, Department of Agriculture
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   - Bill Hunt, NRCS
   - Pat Wulff, MLA
   - Jim Schafer, MASWCD
   - Rick Reimer, MACDE
   - Franklin Denn, MAT
   - Vern Johnson, MAWD

9. Board Issues - discussion, comments, action needed

10. Next BWSR Meeting - March 22, 1995

Noon

Adjourn

BOARD OF WATER AND SOIL RESOURCES
CONFERENCE ROOM
ONE WEST WATER STREET, SUITE 200
ST. PAUL, MINNESOTA 55107
JANUARY 25, 1995

BOARD MEMBERS PRESENT:
Jim Nielsen, Barb Cobb, Howard Peterson, Warren Rodning, Dwain Otte, Marv Tripp, Barb Uppgaard, Glenn Annexstad, Tim Hvidsten, Ted Lovdahl, Kathleen Roer, and Jim Rossman.

AGENCY MEMBERS PRESENT:
Wayne Anderson, Pollution Control Agency (PCA)
Fred Bergsrud, U of M/Extension Service (MES)
Wayne Edgerton, Department of Natural Resources (DNR)
Mark Dietrich, Department of Agriculture (MDA)

AGENCY MEMBER ABSENT:
Kim Benson-Johnson, Department of Health

OTHERS PRESENT:
Jim Schafer, D'Wayne DeZiel, Bob Pigeon, Minnesota Association of Soil and Water Conservation Districts (MASWCD)
Joan Miska, Wetland Heritage Advisory Committee (WHAC)
Jim Miska
Larry Zdon, PCA
Pat Wulff, Minnesota Lakes Association (MLA)
Dave Weirens, Association of Minnesota Counties (AMC)
Tim Kelly, Coon Creek Watershed District
Rich Reimer, Minnesota Association of Conservation District Employees (MACDE)
Mike Robertson
Franklin Denn, Minnesota Association of Townships (MAT)
Steven Chick, Natural Resources Conservation Service (NRCS)
El Tinklenberg
Dean Rebuffoni, Star Tribune
Erv Berglund, DNR/Waters
Dave Moran, WHAC
Judy Bellairs, Sierra Club
Doug Fischer, Anoka County Highway Department
Joe Preiner, Minnesota Land Rights Association (MLRA)
Vernon Johnson, Minnesota Association of Watershed Districts (MAWD)
Doug Norris, DNR/Fish & Wildlife
Keith Hanson, Minnesota Power

STAFF PRESENT:
Jim Birkholz, Ron Harnack, Barbara Ohman, Wayne Zellmer, Eric Mohring, Mary Jo Anderson, Greg Larson, John Jaschke, Bruce Sandstrom, Doug Thomas, Susan Tsakakis.

Chairman Nielsen called the meeting to order at 9:05 a.m.

** 95-01 **Adopt Agenda** - Moved by Howard Peterson, seconded by Marv Tripp, to adopt the agenda as presented. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

** 95-02 **Approve Minutes of December 7, 1994 -** Howard Peterson stated that a change is needed on page four; the last line on the page should be deleted, as it is carried over on the top of page five. Moved by Howard Peterson, seconded by Marv Tripp, to approve the corrected minutes of December 7, 1995, as circulated. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

Jim Rossman entered the meeting at 9:10 a.m.

Reports

Chairman's Report - Jim Nielsen welcomed the members to the new location. Chairman Nielsen attended the Environmental Quality Board meeting. Ron Harnack is at Capitol this morning.

Education Committee Report - Tim Hvidsten reported that the Education Committee will be meeting in February.

Feedlot Committee - Jim Rossman reported that the Feedlot Advisory Committee met for first time yesterday; this was an organizational meeting with Commissioners Elton Redalen and Chuck Williams in attendance.

Dispute Resolution Committee (DRC) - Kathy Roer reported that the DRC did not hear any appeals this month; there are appeals pending. The DRC meets the second Thursday in February.

Consent Agenda Items:

- Federal Well Sealing Cost-Share - Eric Mohring
- Forest Lake WMO Boundary Change - Barbara Ohman
- Cottage Grove Ravine Watershed District Name Change - Barbara Ohman
- Cottage Grove Ravine Watershed District Petition to Amend Manager Terms - Barbara Ohman

- Resolution to Receive Federal Flood Disaster Reimbursement - Wayne Zellmer
- Goodhue SWCD Request for Change in Headquarters - Jim Birkholz

** 95-03 Moved by Jim Rossman, seconded by Barb Cobb, to approve the above listed consent agenda items. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard and Nielsen. Opposed: None. Carried.

Jim Rossman suggested adding page numbers to the information in the board member's packet.

Minnesota River Citizen's Advisory Committee's Report to MPCA - Jeff Nielsen introduced representatives of the Minnesota River Citizen's Advisory Committee: Garfield Ekberg, Marcie McLaughlin, George Boody, Brett Smith, Ken Albrech, and Larry Granger. The Citizen's Advisory Committee (CAC) reported on their activities and summarized recommendations. Jeff Nielsen reported on the BWSR's involvement and recommended initiatives. Barb Uppgaard commended the Citizen's Advisory Committee on their efforts. Chairman Nielsen thanked the committee for their work and for coming before the BWSR; he stated that BWSR needs help from CAC as much as CAC needs BWSR's help.

Chairman Nielsen called for a break in the meeting at 10:20 a.m. The meeting reconvened at 10:40 a.m.

Forestry/Wetland Best Management Practices (BMPs) - Mike Phillips, DNR/Forestry, introduced representatives of the Forestry BMP Wetland Task Force: Keith Hanson, Minnesota Power; and Don Arnosti, Audubon Society. Mike distributed a list of task force members and also a draft proposal on

** 95-04 standards for the Board's information. Discussion followed. Moved by Dwain Otte, seconded by Barb Cobb, that the BWSR endorse the concept of BMPs for wetlands and the implementation there of. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

Wetland Heritage Advisory Committee Report - Chairman Nielsen thanked Joan Miska for her work and efforts as Chair of the WHAC. Joan is not seeking reappointment to WHAC. Joan Miska commended BWSR staff John Jaschke and Greg Larson for their excellent work with the committee; and also thanked Bill Clapp from the Attorney General's Office, for his efforts. Joan introduced WHAC member Dave Moran. Joan reported that many

hours have been spent by WHAC; the debate and the consequent recommendations reflect the diversity of Minnesota; as implementers and the public gain experience, more changes will probably be needed in the future; the committee voted unanimously to support full funding for WCA implementation and urges the BWSR to pursue full funding for its implementation. WHAC will continue to meet twice a year to consider changes.

** 95-05 Moved by Ted Lovdahl, seconded by Jim Rossman, to receive the WHAC report. Greg Larson reported on the recommended changes. Barb Uppgaard commended the WHAC for the work they have done to bring this before the BWSR. Barb Cobb supports and accepts the recommendations of WHAC with changes reflecting staff comments of January 19, 1995. She is concerned with the use of the word "guidelines" and concerned about lack of rulemaking.

Wayne Edgerton commented on DNR's concerns on WHAC recommendations regarding: 1) Comprehensive Wetland Protection and Management; 2) Cash Banking; 3) Replacement Credit. Lawrence Zdon commented on PCA concerns.

Discussion followed. Discussion focused on the need for rules. Board member's voted on Lovdahl's motion to receive the WHAC report. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

Chairman called for a recess in the meeting until 1:15 p.m.

Discussion continued on the WHAC recommendations regarding the Wetland Conservation Act (WCA).

** 95-06 Moved by Barb Uppgaard, seconded by Kathy Roer, that BWSR request emergency rulemaking authority on WCA. Discussion followed. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Roer, Tripp, Uppgaard, and Nielsen. Opposed: Peterson, Rodning, Rossman. Carried.

Consensus of BWSR is that they share staff concerns as stated in document dated January 19, 1995. The BWSR also recognizes the policy options presented as a reflection of the key wetland issues and acknowledged the written concerns of the advisor agencies and Association of Minnesota Counties. The staff is to be guided by these in the legislative process.

Status Report of Appeals - Ron Harnack gave a brief status report on appeals. Moved by Marv Tripp, seconded by Kathleen Roer, to hold pending the Bracchi & Finn vs. Rice Creek Watershed District (RCWD) appeal until judicial proceedings relating to the RCWD plan is completed. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

** 95-07

Moved by Jim Rossman, seconded by Barb Cobb, for the Dispute Resolution Committee (DRC) to hear the Spartz vs. Minnehaha Creek Watershed District appeal. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

** 95-08

Chairman Nielsen asked if BWSR wants to take a position at this time regarding the BWSR's role on appeals. Discussion reflected that BWSR should not continue appeals if we're not given resources to carry it out. Roer suggested informal mediation of watershed district appeals as an alternative.

Crow Wing SWCD Request for Nomination District Boundary Change - Jim Birkholz presented the request of the Crow Wing SWCD nomination district boundary change. Staff recommends approval of the change. Moved by Barb Uppgaard, seconded by Ted Lovdahl, to approve the Crow Wing SWCD request for nomination district boundary change. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

** 95-09

Grants Allocation:

•Engineering Grants - Wayne Zellmer reported on the Non-Point Engineering Assistance Grant Management Plan and proposed two-year funding based on current appropriations and EPA grant. Ten of eleven grant applications have been received. Staff recommends approval of the grant. Moved by Barb Cobb, seconded by Dwain Otte, to accept staff recommendation for approval of the engineering grants. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

** 95-10

•FY95 Cost-Share Rollover - Wayne Zellmer presented the FY95 Cost-Share Program Rollover Requests. Staff recommends approval of the allocation. Moved by Marv Tripp, seconded by Ted Lovdahl, to accept staff recommendation to approve the FY95 Cost-Share Rollover Allocation.

** 95-11

Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

•General Services Carry-Over - Wayne Zellmer presented the FY94-95 General Services Grant remaining balance. Staff recommends approval of the general services carry-over money. Wayne said that the money will not be carried over in the future. Moved by Warren Rodning, seconded by Barb Uppgaard, to accept the staff recommendation to approve the FY94-95 General Services Grants. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

** 95-12

Policy Legislative Proposals:

•Proposed Watershed District Act Amendments - Doug Thomas presented the proposed changes. Moved by Barb Uppgaard, seconded by Warren Rodning, to endorse the proposed amendments to the Watershed District Act, with the change that the per diem in the amendments be set at $55 a day. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

** 95-13

•Proposed Metropolitan Surface Water Management Act and Metropolitan Groundwater Planning Changes - Doug Thomas recommends approval of the proposed changes. Moved by Barb Cobb, seconded by Dwain Otte, to approve the proposed changes to Local Water Planning. Affirmative: Annexstad, Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

** 95-14

Budget Status FY96-97 - Ron Harnack distributed the Governor's Environment and Natural Resources Budget Summary and BWSR's Budget Brief for information.

Advisory Comments

•Natural Resources Conservation Service (NRCS): Steve Chick is the acting state conservationist; he will be in the position for 90 days until the position is filled.

•Minnesota Lakes Association (MLA): Pat Wulff reported that MLA now has a Governor's Affairs Committee. The committee will be attending future BWSR meetings.

•Minnesota Association of Watershed Districts (MAWD): Vern Johnson reported that MAWD will hold a training session and a legislative breakfast on March 2-3.

•Minnesota Association of Townships (MAT): Franklin Denn reported that MAT will be holding a legal seminar the next two days.

•Minnesota Association of Conservation District Employees (MACDE): Rick Reimer is the new Area 6 Director and will be the MACDE representative to attend the BWSR meetings.

Chairman Nielsen adjourned the meeting at 3:05 p.m.

Respectfully submitted,

D. James Nielsen
Chairman

PINE COUNTY SOIL AND WATER
CONSERVATION DISTRICT

103 Fire Monument Road
P.O. Box 276
Hinckley, Minnesota 55037
Telephone (612) 384-7431

MINNESOTA
SOIL AND WATER CONSERVATION DISTRICTS

January 23, 1995

JAN 25 1995

Board of Water and Soil Resources
One West Water Street, Suite 200
St. Paul, MN 55107

Dear Board Director:

Pine County Soil and Water Conservation District Board requests approval for minor changes to the boundaries of Nomination Districts I, II, IV and V as shown on attached resolution. The reason for the change is to conform with Pine County Commissioner Districts.

Thank you for your consideration.

Sincerely,

Arthur Schultz /mmm

Arthur Schultz, Secretary
Pine County Soil and Water
Conservation District

My - copy to Mark N.
for recmdtn -
February Bd mtg
RJH
1/29

REVISED
NOMINATION DISTRICTS RESOLUTION

DESCRIPTION OF BOUNDARIES

DISTRICT

I. **Townships:** Chengwatana, Pine City, Royalton **Cities:** Pine City East, Rock Creek

II. **Townships:** Brook Park, Crosby, Mission Creek, Munch, Pokegama **Cities:** Brook Park, Henriette, Pine City West

III. **Townships:** Arlone, Arna, Barry, Clover, Danforth, Dell Grove, Hinckley, Ogema, Sandstone, Wilma **Cities:** Hinckley

IV. **Townships:** Birch Creek, Bremen, Bruno, Kettle River, Norman, Pine Lake, Sturgeon Lake, Windemere **Cities:** Bruno, Denham, Finlayson, Rutledge, Sturgeon Lake, Willow River

V. **Townships:** Finlayson, Fleming, Kerrick, New Dosey, Nickerson, Park, Partridge **Cities:** Askov, Kerrick, Sandstone

CHANGES

Townships: Chengwatana from District II to I, Bruno from District V to IV
Cities: East and West Pine City reversed, Bruno from District V to IV

Great Lakes Commission

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EXECUTIVE DIRECTOR
MICHAEL J. DONAHUE, PH.D.

December 1994

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Pennsylvania Dept. of
Environmental Resources
Harrisburg, Pennsylvania

NATHANIEL E. ROBINSON
Wisconsin Dept. of
Administration
Madison, Wisconsin

Dear *ADVISOR* Reader:

I am pleased to present the enclosed *Ecosystem Charter for the Great Lakes-St. Lawrence Basin*. The Charter sets forth a shared vision for the Great Lakes-St. Lawrence Basin and a series of guideposts to achieve it. As a series of commonly held principles, findings and related action items to guide ecosystem management in the Great Lakes-St. Lawrence Basin, the Charter is a landmark document for the ecosystem approach, both regionally and globally.

As director of the Indiana Department of Natural Resources and the newly elected chair of the Great Lakes Commission, I will personally find it of value in my own activities. I trust you will also find it valuable for information/education, coordination and advocacy purposes.

The Charter's principles were drawn initially from a review of over 60 treaties, laws, policies and other agreements in the Great Lakes-St. Lawrence Basin and beyond. Preparation of the document was spearheaded by a drafting committee comprised of representatives from various public and non-governmental agencies and organizations throughout the Basin. Charter language was refined through an inclusive process, including two basinwide public comment periods, numerous state roundtables, workshops and presentations to individual organizations. During this process, hundreds of comments were received and incorporated into the final Charter.

By design, the Ecosystem Charter is "owned and operated" by the entire community of interests that subscribes to its principles. I thank all the members of the Great Lakes-St. Lawrence Basin community that participated in this very ambitious project.

Over 75 agencies, organizations and jurisdictions have already endorsed the Charter, including local, state, regional and federal agencies; tribal authorities; citizen-based environmental and conservation groups; business and industry interests; universities; research institutions and others. These are listed in the Charter addendum. If your agency or organization has not already done so, we encourage you to join with the many others in endorsing the Charter by completing and returning the enclosed Signatory Response Form at your earliest convenience. Your agency/organization name and associated statement will be added as the addendum is updated. Also, multiple copies of the Charter are available at no charge from the Great Lakes Commission.

In presenting the Charter to you, I emphasize that it is a "living document;" it will be reviewed and updated over time. Broader consensus is desired, for example, on some principles and emerging policy developments will need to be accommodated. If you wish to participate in future efforts to review/revise the Charter, please so indicate on the attached form. Should you have any questions or desire additional copies of the Charter, please contact Mike Donahue or Victoria Pebbles at 313-665-9135.

I look forward to working with you in pursuit of an ecosystem approach to management in the Great Lakes-St. Lawrence Basin.

Sincerely,

Patrick R. Raltson
Chair

Established in 1955 by interstate compact "to promote the orderly, integrated and comprehensive development, use and conservation of the water resources of the Great Lakes Basin."

Ecosystem Charter for the Great Lakes-St. Lawrence Basin

Preamble

Introduction

An "ecosystem approach" to management is being embraced by many public sector, non-governmental and citizen-based institutions in the Great Lakes-St. Lawrence Basin. This approach recognizes that the environmental and economic attributes of the Basin are fundamentally linked and interdependent, as are the goals for environmental protection and economic development. It also recognizes that resources must be managed as part of dynamic and complex communities and ecosystems, rather than as separate and distinct elements. Practicing the ecosystem approach means that all partners – government and private sector alike – understand the implications of their actions and strive to avoid unintended adverse consequences.

The Problem

Many of our laws, programs, policies and institutions support the concept of an ecosystem approach, yet application of the concept is difficult due to their often narrow, single-medium or issue-specific mandates and the inherent challenges of managing on an ecosystem basis. The problem is the absence of a single, clearly articulated statement – or charter – that explicitly defines goals for an ecosystem approach to management and ties a common thread through these many activities and mandates.

Charter Format and Objectives

The Ecosystem Charter summarizes, in a concise and convenient form, commonly held principles drawn from existing laws, treaties, agreements and policies. It includes a vision statement and a series of principles in the categories of rights and responsibilities; ecological integrity and diversity; sustainable communities; institutional relations; and public information, education and participation. It includes a series of actions that all members of the Great Lakes-St. Lawrence Basin community can endorse or undertake in support of these principles.

The Charter has three primary uses. It is a tool for promoting and periodically assessing public and private sector efforts to implement an ecosystem approach. It is a tool for information and education, offering a vision for the Great Lakes-St. Lawrence Basin Ecosystem and a means to achieve it. Finally, it is a tool for advocating the interests of the Basin Ecosystem and its inhabitants; a statement of unity acknowledging that all partners in the collective management effort – despite their differences – subscribe to a single set of fundamental principles.

The Charter is a good faith agreement among its signatories, which can include representatives from the array of public agencies, non-governmental organizations and private interests in the Great Lakes-St. Lawrence Basin. It is not a legally binding document, nor does it replace or otherwise affect implementation of existing laws, agreements and policies. Rather it showcases these initiatives, highlights their implementation and, in so doing, promotes an ecosystem approach to management in the Great Lakes-St. Lawrence Basin.

Charter Foundation

The foundation for the Ecosystem Charter is a heritage of binational cooperation to ensure the informed use, management, conservation and protection of the Great Lakes-St. Lawrence Basin Ecosystem. The Charter builds upon landmark agreements such as the U.S.-Canada Boundary Waters Treaty of 1909, which established procedures for avoiding or otherwise addressing transboundary resource management and related environmental problems, and the Great Lakes Water Quality Agreement, which commits the two countries to restoring and maintaining the chemical, physical and biological integrity of the waters of the Great Lakes Basin Ecosystem. Through these and many other initiatives, regional leadership has pioneered the ecosystem approach to resource and environmental management, conservation and protection. The Ecosystem Charter, as a statement of shared principles and related actions for an array of stakeholders, represents an important step forward in this approach. The Charter will help guide future actions to enhance and sustain the environmental health and economic viability of the world's greatest freshwater system. In so doing, it can serve as a model in North America and globally.

Charter Process

The Charter is a living document; it will be reviewed and revised periodically to ensure that it reflects current thinking on the ecosystem approach. It offers a means for assessing progress and provides the guidance needed for further efforts. A broad cross section of agencies, organizations and associations contributed to the draft of the Charter, and the document itself is "owned" by all signatories. The Great Lakes Commission, as a coordinating agency, will provide ongoing support in the distribution, use and updating of the Charter, including specific opportunities for periodic review and assessment of progress.

Charter Signatories

Any organization, agency or governmental jurisdiction that subscribes to these principles is invited to be a signatory to the Ecosystem Charter. Signatories agree to use the Charter as guidance in the development of their work plans and priorities, as a means to enhance communication and cooperation with others, and as a means for assessing progress toward a shared vision for the Great Lakes-St. Lawrence Basin Ecosystem. Signatories accept the overall intent of the Charter and agree to pursue principles and related actions that are consistent with their individual mandates and priorities, and within available resources. Signatories will prepare a brief statement that describes their agency/organization's commitment to the Charter, and actions to be taken to support implementation. These statements will be included in the Charter addendum and updated periodically to assess past progress and guide future efforts.

Ecosystem Charter for the Great Lakes-St. Lawrence Basin

Vision

Our Vision is a Great Lakes-St. Lawrence Basin Ecosystem...

Where all people consider and conduct themselves as part of their Ecosystem;

Where all people recognize the fundamental and inextricable link between economic well-being and the health of the Ecosystem;

In which all beneficial organisms can thrive free from preventable ecological threats to their well-being;

Where environmental degradation is a legacy of the past and a basis for remedial action;

That exists as an evolving natural and cultural system that can successfully adapt to change;

In which use of natural resources is compatible with conservation of such resources;

That maintains the integrity of the Ecosystem and accommodates appropriate development;

That is a rich mosaic of waters and lands, of natural areas and places of human activity, and of different peoples who govern themselves in various ways;

That nurtures an abundance and diversity of plant and animal species in their natural communities and habitats as well as in specially protected and rehabilitated sites;

That embraces the concept of sustainable development by meeting the needs of this generation without compromising the ability of future generations to meet their needs;

Where all people and their governments act as stewards and are committed to informed action and supportive policy decisions;

In which a shared governance process, among diverse and respected traditions, provides an accessible and equitable basis for responsible actions and accountability among all people and their institutions.

Principles

I People in the Great Lakes-St. Lawrence Basin have a right to live in an ecosystem that supports their health and well-being as well as that of diverse communities of beneficial organisms.

II People have the right to use natural resources and ecological processes for economic purpose and enjoyment, commensurate with the responsibility to rehabilitate and maintain the integrity of the Great Lakes-St. Lawrence Basin Ecosystem.

III The environmental and human health risks related to activities and resource uses shall be assessed and characterized, where possible, by those who propose them in the interest of demonstrating that such activities will not cause undue harm to the Ecosystem.

IV The chemical, physical and biological integrity of the Great Lakes-St. Lawrence Basin Ecosystem shall be achieved by understanding, respecting, rehabilitating and protecting ecological processes and natural resources and by identifying and maintaining genetically diverse plant and animal communities within the Ecosystem.

V An ecosystem approach to management that involves rehabilitating and protecting ecological processes and resources of the Basin Ecosystem shall be fully and widely adopted, based on the understanding that human activities, natural resources and ecological processes are interdependent and parts of a unified whole.

VI A coordinated, multi-disciplinary research agenda is necessary to improve understanding of the scientific, social and economic dimensions of the Great Lakes-St. Lawrence Basin Ecosystem.

VII The environmental quality of the Great Lakes-St. Lawrence Basin Ecosystem shall be improved by virtually eliminating the discharge or release of persistent bioaccumulative toxic substances into the Basin Ecosystem.

VIII The natural fluctuations of the levels and flows within the Great Lakes-St. Lawrence River System shall be accommodated to the extent possible, while maintaining appropriate water use and related coastal activities.

IX Societal needs for a healthy Ecosystem and economy shall be addressed by promoting the sustainable use of renewable natural resources.

X Biological diversity is an essential element of Ecosystem integrity, and shall be supported so that plant and animal populations may flourish in natural communities and habitats as well as in specially protected and rehabilitated sites.

XI Ecosystem integrity and the economic well-being of human communities are interdependent; achieving and protecting ecosystem integrity is, therefore, an essential part of economic activity within the Basin.

XII Industry in the Great Lakes-St. Lawrence Basin is a key partner in achieving and protecting Ecosystem integrity; industry support for and implementation of environmental, conservation and safety standards and practices is necessary.

XIII Cooperation is essential among government entities, including federal, state, provincial, Native American authorities/First Nations, regional and local governments, if the principles of this Charter are to become public policy priorities.

XIV Great Lakes-St. Lawrence Basin Ecosystem governance and management shall emphasize partnership arrangements among government entities, the private sector, citizen organizations and other interests.

XV Timely, accurate and accessible information shall be provided to the public regarding all planned activities that may significantly affect the Great Lakes-St. Lawrence Basin Ecosystem.

XVI Stewardship of the Great Lakes-St. Lawrence Basin Ecosystem shall be fostered through educational efforts that promote greater understanding of the Ecosystem, the problems and opportunities facing it and policies and programs designed to improve, protect and manage it.

XVII Meaningful public participation in decision-making processes regarding the Great Lakes-St. Lawrence Basin Ecosystem shall be encouraged by providing opportunities for public involvement and empowerment.

Ecosystem Charter for the Great Lakes-St. Lawrence Basin

Rights and Responsibilities

Access to clean water, clean air, and healthy and productive soils is a fundamental right of all individuals within the Great Lakes-St. Lawrence Basin. This right implies a shared responsibility for the informed use, management, conservation and protection of the Basin's water and related land and air resources. The integrity of the Ecosystem and the physical health, economic well-being and quality of life of its human element must be enhanced and maintained for the current and future generations.

I People in the Great Lakes-St. Lawrence Basin have a right to live in an ecosystem that supports their health and well-being as well as that of diverse communities of beneficial organisms.

Findings:
The natural world has intrinsic value; it is the basis for life on earth and is essential to human well-being. Activities that degrade its water, air and land resources threaten the health of the Ecosystem and, hence, its ability to support the health and well-being of those dependent upon it. The fundamental right of all people to a healthy environment is a basis for sustainable development and environmental protection.
This principle shall be addressed by:
• Recognizing that the Ecosystem is comprised of both human and non-human elements, and that the latter have an intrinsic value apart from any value humans may receive from them.
• Accepting responsibility to conduct themselves, individually and collectively, in ways that support a healthy ecosystem consistent with the principles set forth in this Charter.

II People have the right to use natural resources and ecological processes for economic purpose and enjoyment, commensurate with the responsibility to rehabilitate and maintain the integrity of the Great Lakes-St. Lawrence Basin Ecosystem.

Findings:
People and their governments in the Great Lakes-St. Lawrence Basin are stewards of the Ecosystem; this entails a responsibility to enhance and maintain the health of the Ecosystem for the use, benefit and enjoyment of the current and future generations.
This principle shall be addressed by:
• Adopting, pursuing and promoting principles and practices of sustainable use of Ecosystem resources by businesses, agencies, organizations and individuals.
• Accepting the responsibility to minimize or prevent activities that cause environmental harm to other jurisdictions or individuals.
• Recognizing the role of the Great Lakes-St. Lawrence Basin Ecosystem in the larger global environment and taking actions, where possible, that can alleviate adverse impacts on that environment.
• Cooperating with all people in the Great Lakes-St. Lawrence Basin Ecosystem and in other biogeographical regions to achieve mutual objectives consistent with this Charter.

III The environmental and human health risks related to activities and resource uses shall be assessed and characterized, where possible, by those who propose them in the interest of demonstrating that such activities will not cause undue harm to the Ecosystem.

Findings: Human activities in the Basin historically have been regulated in response to demonstrable proof that those activities cause injury or harm to human health or the environment. However, achieving Ecosystem integrity is difficult if it is the sole responsibility of governments to prove that a certain activity causes harm or injury. Ecosystem protection can be enhanced by placing additional responsibility on those who are proposing such activities so that risk assessment is undertaken.
This principle shall be addressed by:
• Agreeing to examine new or proposed activities in the Great Lakes-St. Lawrence Basin to identify prospective adverse impacts and means to reduce, mitigate or eliminate them.
• Undertaking risk assessment processes that incorporate risk management strategies and effective risk communication to facilitate Ecosystem policy development and implementation.
• Maintaining or encouraging maintenance of monitoring programs to provide baseline information on the environmental impacts of resource uses.

Ecological Integrity and Diversity

Ecological integrity is a state of the Ecosystem in which ecological diversity and resilience is present, allowing the Ecosystem to sustain itself and its inhabitants. Integrity cannot be achieved, however, when irresponsible actions impair the beneficial uses of Basin resources. The extent of the threats to the Ecosystem is demonstrated by the numerous Areas of Concern designated by the Parties to the Great Lakes Water Quality Agreement. Efforts to rehabilitate and protect the Ecosystem through scientific inquiry, public policy development and management programs are essential for achieving and maintaining ecological integrity.

IV The chemical, physical and biological integrity of the Great Lakes-St. Lawrence Basin Ecosystem shall be achieved by understanding, respecting, rehabilitating and protecting ecological processes and natural resources and by identifying and maintaining genetically diverse plant and animal communities within the Ecosystem.

Findings:
Binational and national commitments have been made to restore and maintain the chemical, physical and biological integrity of the Great Lakes-St. Lawrence Basin Ecosystem. Despite some successes, the goal of Ecosystem integrity has yet to be achieved. Until that time, the health and well-being of the Ecosystem inhabitants will be compromised.
This principle shall be addressed by:
• Improving implementation of existing programs and, where appropriate, developing new ones to rehabilitate, protect and manage ecological resources and diversity within the Ecosystem.
• Providing strong citizen, government and industry support for timely and effective adoption and implementation of Lakewide Management Plans; timely and effective implementation of Remedial Action Plans for the Basin's Areas of Concern; and designation of additional Biosphere Reserve sites within the Basin.
• Increasing the binational effort to monitor aquatic species and wildlife communities in the Basin, both to sustain and rehabilitate these communities and to better understand environmental threats to human health.
• Developing, adopting and promoting strategies to integrate and expand efforts to rehabilitate and protect areas of natural beauty and ecological significance such as wetlands and dunes.

V An ecosystem approach to management that involves rehabilitating and protecting ecological processes and resources of the Basin Ecosystem shall be fully and widely adopted, based on the understanding that human activities, natural resources and ecological processes are interdependent and parts of a unified whole.

Findings:
An ecosystem approach entails an integrated, multi-resource emphasis and broad, precautionary strategies that anticipate and prevent environmental harm. This approach respects and affirms the interconnectedness of ecological processes and requires humankind to understand and conduct itself as an integrated part of the Ecosystem rather than as an entity separate from it.
This principle shall be addressed by:
• Ensuring that ecological protection and rehabilitation efforts are based on an integrated, multi-resource approach.
• Emphasizing precautionary measures that anticipate and prevent harm to human health and the environment.
• Collaborating on and coordinating environmental quality, natural resource and economic development programs to ensure that pollution control and prevention, habitat restoration and protection, forestry management, fisheries management and other actions are consistent with ecosystem-based management.
• Adopting and applying principles of an ecosystem approach to individual agency, organization and business settings.

VI A coordinated, multi-disciplinary research agenda is necessary to improve understanding of the scientific, social and economic dimensions of the Great Lakes-St. Lawrence Basin Ecosystem.

Findings:
Scientific, social and economic data and information form the basis for public policies, agreements and programs in the Great Lakes-St. Lawrence Basin Ecosystem. Yet many aspects of the Ecosystem and its dynamics are not well-understood. An enhanced, aggressive and innovative program of basic and applied research is necessary to improve understanding of the Ecosystem.
This principle shall be addressed by:
• Forming partnerships among public agencies, academic institutions, businesses and citizen organizations to conduct and coordinate basic and applied research on the Basin Ecosystem.
• Advancing pollution prevention efforts and supporting sustainable development in the Basin Ecosystem by conducting applied research on consumption attributes and production methods.
• Undertaking research initiatives, such as toxicological and epidemiological studies, that explore human health impacts of activities in the Basin Ecosystem.
• Making research results understandable to the public and useful to decisionmakers.
• Establishing new and strengthening existing capabilities and networks for the exchange of data, research results and other information relevant to the Basin Ecosystem.

VII The environmental quality of the Great Lakes-St. Lawrence Basin Ecosystem shall be improved by virtually eliminating the discharge or release of persistent bioaccumulative toxic substances into the Basin Ecosystem.

Findings:
Numerous pollution control and prevention programs and measures have been implemented, and significant reductions in particular toxics and other pollutants have occurred. However, the complexity and pervasive nature of toxic contamination calls for continued vigorous action and innovative solutions. Thus, a broad-based commitment to the above principle is needed, consistent with the objectives of the Great Lakes Water Quality Agreement.
This principle shall be addressed by:
• Implementing pollution prevention practices to eliminate and/or reduce waste generation through changes in production processes, products and packaging and through resource reuse and recycling.
• Implementing policies, programs and practices to virtually eliminate the discharge or release of persistent bioaccumulative toxic substances and to prohibit the discharge in toxic amounts of toxic substances that are not for the purpose of achieving Ecosystem integrity (e.g., lamprey control).
• Actively seeking cost-effective, benign alternatives to toxic substances and substituting them, where possible, to reduce reliance on toxic substances that threaten Ecosystem integrity.
• Supporting the development of binational objectives and measures to address air quality issues, including acid deposition, smog and airborne toxic contaminants as well as global atmospheric problems that affect the Basin, such as global warming.

VIII The natural fluctuations of the levels and flows within the Great Lakes-St. Lawrence River System shall be accommodated to the extent possible, while maintaining appropriate water use and related coastal activities.

Findings:
The freshwater resources of the Great Lakes and St. Lawrence River are interconnected and form a single hydrologic system that geographically defines the Great Lakes-St. Lawrence Basin Ecosystem. This dynamic system, which supports a variety of organisms and human activities, is naturally subject to varying levels and flows. Many ecological resources rely upon and benefit from this variance. Resource uses and economic activity in coastal and near-shore areas are highly sensitive to fluctuating levels and flows; the magnitude and direction of the fluctuation impacts different uses in different ways. Existing structures and practices that protect appropriate use and related coastal activities should be maintained, with future policy also considering adaptation to fluctuations.
This principle shall be addressed by:
• Supporting a binational process that allows all stakeholders to participate in decision-making and planning related to levels and flows and land use policies for coastal areas.
• Supporting continued improvement in the collection and maintenance of data regarding levels and flows, major uses and diversions of Basin water resources as well as associated analysis, dissemination and public policy applications.
• Developing an effective process for state/provincial and public review and consideration of diversion and consumptive use proposals, and a Basin water resources management program to ensure that relevant data and information on proposed impacts are available.

IX Societal needs for a healthy Ecosystem and economy shall be addressed by promoting the sustainable use of renewable natural resources.

Findings:
Renewable resources such as forests, wildlife and fisheries, have been threatened by poor land use practices, overharvesting, habitat degradation and the introduction of harmful non-native species, among others. Numerous measures have been taken to check, reverse or compensate for this damage, but the availability and quality of renewable resources remain threatened. A binational commitment to the management of such resources must recognize the need for remedial actions as well as long-term planning and management on a compre-

hensive Basinwide basis.
This principle shall be addressed by:
• Consulting and coordinating with affected jurisdictions when renewable resource management decisions will significantly affect their interests.
• Incorporating renewable resource needs and management objectives into broader environmental quality policies and programs.
• Developing measures to predict and assess the effects of renewable resource management practices on environmental protection efforts and economic activity.

X Biological diversity is an essential element of Ecosystem integrity, and shall be supported so that plant and animal populations may flourish in natural communities and habitats as well as in specially protected and rehabilitated sites.
Findings:
The Basin Ecosystem supports an abundance of plant and animal species including naturalized non-native species. However, the natural biological diversity once found in the Ecosystem has been substantially altered, both by intentional and unintentional introductions and other cultural factors, some beneficial and some harmful. Efforts to rehabilitate habitat and preserve species variety, particularly that of native species, are an important part of efforts to achieve Ecosystem integrity.
This principle shall be addressed by:
• Developing strategies for the conservation of biological diversity, particularly for native species, and integrating those strategies into plans and practices concerning economic activities, environmental protection and resource management.
• Nurturing biological diversity and reducing habitat fragmentation by encouraging the establishment of publicly owned protected areas, networks of protected areas and stewardship by private landowners.
• Modifying land use practices and other human activities to prevent the loss of biodiversity and habitat.
• Preventing new introductions of nonindigenous nuisance species and controlling existing ones.

Sustainable Communities

In a sustainable society, a fundamental and inextricable linkage exists between economic activity and the natural ecosystem. Sustainable economic activity meets the needs of the present generation without compromising the ability of future generations to meet their own needs, and respects the limits imposed by the capacity of the Ecosystem to absorb the impact of human activities. Adopting principles of sustainability at the community and Basin levels will promote long-term economic viability and continued improvements in environmental quality.

XI Ecosystem integrity and the economic well-being of human communities are interdependent; achieving and protecting ecosystem integrity is, therefore, an essential part of economic activity within the Basin.
Findings:
Natural resources within the Great Lakes-St. Lawrence Basin Ecosystem supply tens of millions of people with drinking water; support a multi-billion dollar recreation/tourism industry; provide habitat for thousands of plant and animal species; offer transportation and manufacturing opportunities; and support an extensive agricultural industry. To ensure that natural resources in the Basin Ecosystem continue to provide such benefits, economic strategies and activities must ensure that essential ecological processes are maintained, natural resources are used sustainably, biological diversity is conserved and infrastructure investment is appropriately pursued.
This principle shall be addressed by:
• Incorporating principles of sustainability in relevant public and private sector plans and programs that reflect an appropriate balance between ecosystem protection and economic development.

XII Industry in the Great Lakes-St. Lawrence Basin is a key partner in achieving and protecting Ecosystem integrity; industry support for, and implementation of, environmental, conservation and safety standards and practices is necessary.
Findings:
The Great Lakes-St. Lawrence Basin is one of the most industrialized areas of the world. Economic development has created a high standard of living and quality of life for residents. As members of the Great Lakes-St. Lawrence community, industry (including the manufacturing, transportation and agricultural sectors) recognizes that its performance and contribution to the economy depends on a healthy Great Lakes-St. Lawrence Basin Ecosystem. Accordingly, through supporting and maintaining environmental, conservation and safety standards and practices, industry can help improve its workforce, the communities where facilities exist and workers live, and its long-term profitability.
This principle shall be addressed by:
• Supporting an active role for business and industry in environmental policymaking.
• Encouraging the development of information programs to demonstrate that environmental management is good for business and can improve profitability.
• Encouraging the development of cost accounting and pricing mechanisms that determine the real cost of goods and services based on production and marketing costs, as well as costs of environmental management associated with their production, use and disposal.
• Encouraging the development and use of innovative conservation, environmental protection and related pollution prevention mechanisms by business and industry, including the incorporation of economically and environmentally sustainable practices in management and operations.
• Ensuring effective communication between industrial facilities and local communities to provide information on local impacts and environmental management practices.

Institutional Relations

Two federal governments, eight U.S. states, two Canadian provinces, numerous regional agencies, thousands of local governments, many Native American authorities/First Nations and a multitude of other governmental entities have some legal authority or responsibility for matters pertaining to the Basin Ecosystem. The complexity and sophistication of the "institutional ecosystem" for Basin governance has garnered global recognition. Cooperative and collaborative relations among these jurisdictions, in partnership with business and industry, citizen organizations and all other Basin interests, are needed if Ecosystem integrity is to be achieved and maintained.

XIII Cooperation is essential among government entities, including federal, state, provincial, Native American authorities/First Nations, regional and local governments, if the principles of this Charter are to become public policy priorities.
Findings:
Institutional arrangements in the Great Lakes-St. Lawrence Basin Ecosystem can provide innovative opportunities for addressing complex ecological problems, but they can also be rigid, fragmented and even contradictory. The most effective means of overcoming institutional barriers and ensuring the integrity of the Ecosystem is through cooperative, coordinated and collaborative policies and programs agreed upon and implemented by Basin jurisdictions.
This principle shall be addressed by:
• Using the principles of the Charter as a basis to develop common objectives consistent with extant agreements, policies and laws, directed at achieving and maintaining the integrity of the Basin Ecosystem.
• Consulting with affected jurisdictions and other interested parties regarding the development and/or consideration of proposals with Basinwide implications.
• Working to ensure that public and private sector activities are consistent with international, binational and regional obligations and agreements regarding the Basin Ecosystem.
• Continuing the practice and tradition of binational dispute management and resolution in the Basin Ecosystem.
• Ensuring that public policies are based on mutual respect and justice for all peoples, free from any discrimination or bias.

XIV Great Lakes-St. Lawrence Basin Ecosystem governance and management shall emphasize partnership arrangements among government entities, the private sector, citizen organizations and other interests.
Findings:
The interdependence of the economy and the environment amplifies the consequences of the individual and collective actions of all agencies, organizations, businesses and individuals within the Basin Ecosystem. Their mutual interests must be explicitly acknowledged and partnerships developed to pursue public and private sector actions that benefit the Basin Ecosystem.
This principle shall be addressed by:
• Supporting existing partnerships that integrate interests and management approaches in the Basin Ecosystem, such as Remedial Action Plans and Lakewide Management Plans.
• Implementing binational agreements and initiatives, such as the Great Lakes Water Quality Agreement and the Convention on Great Lakes Fisheries, in such a way that recognizes broader issues of shared concern, including habitat protection, fisheries management, shoreline protection, biodiversity and water quantity management.
• Supporting full implementation of relevant federal, state and provincial laws and programs, and securing requisite resources to accomplish stated goals.
• Developing partnerships among Basin interests to address commonly identified problems and to harmonize institutional relationships and authorities.
• Basing Ecosystem policies and programs on the findings of sound scientific research.
• Evaluating current and prospective policies and programs on the basis of their consistency with, and responsiveness to, the principles of the Charter and the goals and objectives of relevant Basin laws and agreements.

Public Information, Education and Participation

Public participation is the cornerstone of the development of public policies that promote a clean environment, strong economy and high quality of life in the Great Lakes-St. Lawrence Basin. Such participation ensures that the needs and concerns of interested individuals are heard, understood and incorporated into the policymaking process. In order to participate effectively in that process, residents must be informed of political, ecological, social and economic issues in the Basin Ecosystem. This requires timely, accurate and accessible information; a forum in which to voice concerns; and a mechanism to become involved in policymaking and implementation efforts.

XV Timely, accurate and accessible information shall be provided to the public regarding all planned activities that may significantly affect the Great Lakes-St. Lawrence Basin Ecosystem.
Findings: Timely information enables the public to respond to current issues and opportunities in an appropriate time frame; accurate information enables the people to make informed decisions about their interests and concerns; and accessible information allows for all interested persons to obtain the desired information with relative ease. Programs that reflect these qualities help promote informed public policy, efficient and effective implementation and strong partnerships among Basin interests.
This principle shall be addressed by:
• Gathering timely, accurate and meaningful information about the state of the Basin Ecosystem and monitoring and reporting on progress in implementing programs consistent with the principles of the Charter and other relevant laws and agreements.
• Supporting full and equal access to public data, policies and related information concerning current and prospective conditions of the Basin Ecosystem and the associated impact of proposed actions.
• Creating and supporting formal information links to ensure ongoing and substantive dialogue on, and dissemination of data and information, relating to the Basin Ecosystem.

XVI Stewardship of the Great Lakes-St. Lawrence Basin Ecosystem shall be fostered through educational efforts that promote greater understanding of the Ecosystem, the problems and opportunities facing it and policies and programs designed to improve, protect and manage it.
Findings:
Education in ecological, economic, social and political matters relating to the Basin Ecosystem broadens the basis for enlightened public opinion and responsible conduct by all who make, implement or otherwise affect public policy. Education on such matters is a life-long process; it must be pursued by children and adults alike, and in both classroom and nonformal settings. Further, it must be multi-disciplinary and integrative, allowing all interested individuals to understand the basic elements and processes of the Basin Ecosystem; how various actions affect them; how the public policymaking process functions; and how the individual can make a difference.
This principle shall be addressed by:
• Establishing and enhancing Great Lakes-St. Lawrence education programs and curricula in both classrooms and non-traditional settings, with a special focus on at-risk groups.
• Encouraging coordination of and partnerships among educators in the Basin to ensure that educational efforts are consistent, comprehensive and accessible.
• Establishing and/or maintaining permanent systems to disseminate and promote the use of education materials.
• Improving stewardship of the Basin Ecosystem by educating themselves and others about the needs of a healthy Ecosystem, and opportunities to address these needs through individual and collective action.

XVII Meaningful public participation in decision-making processes regarding the Great Lakes-St. Lawrence Basin Ecosystem shall be encouraged by providing enhanced opportunities for public involvement and empowerment.
Findings:
All people should have the opportunity for informed participation in the development, implementation and evaluation of public policies that affect the Basin Ecosystem. Meaningful public participation requires the public to be an active partner in the decision-making process, including the identification and assessment of issues.
This principle shall be addressed by:
• Developing and maintaining decision-making processes that promote and encourage active and informed public participation.
• Identifying and using resources, such as information networks and other communication technology, through which public participation can be enhanced.
• Planning and engaging in outreach efforts to increase public access to and use of those resources.
• Taking advantage of current and prospective means to further people's knowledge of the Basin Ecosystem and opportunities to enhance environmental health, economic well-being and quality of life.

Glossary

beneficial organisms: Organisms inhabiting the Great Lakes-St. Lawrence Basin Ecosystem that are not known to threaten ecosystem integrity or otherwise have any harmful impacts on the Ecosystem or the beneficial uses of ecosystem resources.

beneficial uses: Those activities that are dependent on the chemical, physical and biological integrity of the waters of the Great Lakes system; the impairment of which is identified under Annex 2 of the Great Lakes Water Quality Agreement.

bioaccumulative: Any substance that has the ability to bioaccumulate, where bioaccumulate means the retention of a chemical in the tissues of an organism as a result of uptake from all routes of exposure (i.e., absorption, consumption).

biological diversity/biodiversity: The full range of variety and variability within and among living organisms and the natural associations in which they occur.

ecological processes: The flow of energy and nutrients (including water) through an ecosystem.

ecosystem: An interacting system consisting of groups of organisms and their non-living or physical environment, which are highly interrelated.

ecosystem approach: An approach to perceiving, managing and otherwise living in an ecosystem that recognizes the need to preserve the ecosystem's biochemical pathways upon which the welfare of all life depends in the context of multifaceted relationships (biological, social, economic, etc.) that distinguish that particular ecosystem.

ecosystem-based management: Stewardship of our living natural resources to maintain the functional integrity of large, complex environmental units called ecosystems. Ecosystem-based management is an active process that emphasizes the maintenance of biological diversity, of natural relationships among species, and dynamic processes that make ecosystems sustainable.

ecosystem integrity: The ability of an ecosystem to maintain its organization (i.e., structures, processes, diversity) when confronted with environmental disturbance and change.

Great Lakes-St. Lawrence Basin: The watershed, including all land and freshwater (both surface and ground water) within the confines of the drainage area defined by topographic high points surrounding the five Great Lakes and the St. Lawrence River to Beaupré, Québec.

Great Lakes-St. Lawrence Basin Ecosystem: The interacting system consisting of groups of organisms and their non-living or physical environment, which are highly interrelated, as it pertains to the Great Lakes-St. Lawrence Basin.

hydrologic system: A group of interrelated surface and ground water bodies or forces within the same drainage basin.

integrated, multi-resource approach: Collaborative management (e.g., rehabilitation, protection) by individuals with expertise in all relevant fields of ecosystem resources with full recognition of the interdependence of such resources.

naturalized species: A species adapted to an environment outside its normal historic range.

nonindigenous/non-native species: A species that enters an ecosystem beyond its historic range. These species also are known as "exotic."

nonindigenous nuisance species: A nonindigenous species that threatens the diversity or abundance of native species or otherwise threatens ecosystem integrity or commercial, agricultural and/or recreational activities dependent on it.

persistent toxic substance: Any substance that can cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological or reproductive malfunctions or physical deformities in any organism or its offspring; or which can become poisonous after concentration in the food chain or in combination with other substances; or that has a half-life in water greater than eight weeks, where half-life means the time required for the concentration of a substance to diminish to one-half of its original value in a lake or other water body.

stewardship: The careful and responsible management of ecosystem resources entrusted to humans in the interest of achieving and protecting ecosystem integrity for its intrinsic value and/or for the benefit of current and future generations.

sustainable community: A community where the natural environment and its human inhabitants interrelate in a manner that maintains ecosystem integrity and provides a high quality of life for humans.

sustainable development: Development that meets the needs of the present without compromising the ability of future generations to meet their own needs, and respects the limits imposed by the capacity of an ecosystem to absorb the impact of human activities.

sustainable use (of resources): Consumption or employment of a resource which, all other factors being equal, does not cause depletion that harms the resource or constitutes a threat to ecosystem integrity.

Development of the Ecosystem Charter was coordinated by the Great Lakes Commission, with funding support from the Joyce Foundation. Please contact the Commission for any of the following: additional copies; how to become a signatory; list of current signatories; procedures for future charter revisions; or related matters. Address: the Great Lakes Commission, The Argus II Building, 400 Fourth St., Ann Arbor, MI 48103-4816
Phone: 313-665-9135 Fax: 313-665-4370 E-mail: glc@great-lakes.net Printed on 10% post-consumer paper.

An Ecosystem Charter for the Great Lakes-St. Lawrence Basin

ADDENDUM

SIGNATORIES AND STATEMENTS

November 7, 1994

The following is a listing of agencies and organizations that have signified their endorsement of the Ecosystem Charter. By signing, they agree to use the Charter as guidance in the development of their work plans and priorities, as a means to enhance communication with others, and as a means for assessing progress toward a shared vision for the Great Lakes-St. Lawrence Basin Ecosystem. Signatories will pursue principles and related actions that are consistent with their individual mandates and priorities and within available resources.

This listing represents signatories to date. It will be periodically updated to include additional signatories (and associated statements) secured over time. Signatories recognize that the Ecosystem Charter is a "living document" that will be periodically reviewed and revised in the interest of both expanding the breadth of the community of signatories, and addressing evolving Basin issues and needs.

Bruce Trail Association

Canadian Shipowners Association

Canandaigua Lake Watershed Task Force

Center for a Sustainable Great Lakes

The Ecosystem Charter for the Great Lakes-St. Lawrence River Basin is an important document which adds to the understanding of "ecosystem approach" to management within the Great Lakes-St. Lawrence River Basin Ecosystem. Our preference would be that a "human ecosystem approach" be taken that would focus on the management of human activities within the Basin to insure the long-term sustainability of the Great Lakes-St. Lawrence River Basin Ecosystem as a definable human ecosystem. With such an approach the issues related to "sustainable development" become moot. The Charter is a good beginning. It needs to be revisited and revised as our understanding of the relationship between people and the Great-St. Lawrence River improves.

Chocolay Watershed Project, Marquette Conservation District

City of Monroe, Michigan (Water Department)

Conserver Society of Hamilton District

Ducks Unlimited Canada

For the past 20 years Ducks Unlimited Canada has been a leader in conserving Great Lakes coastal wetlands. These are among the Continent's most important environments which have suffered significant damage due to improper water regulation, dyking, introduction of exotic species and pollution. The rehabilitation and management of these habitats will continue to be of the highest priority for Ducks Unlimited Canada.

Ecology and Environment, Inc.

Ecovision Associates

Erie-Western Pennsylvania Port Authority

Freshwater Foundation

Global Tomorrow Coalition

Grand Traverse Band of Ottawa and Chippewa Indians

Grand Traverse Bay Watershed Initiative

Grand Valley State University Water Resources Institute

Great Lakes Environmental Research Laboratory, National Oceanic and Atmospheric Administration (NOAA)

Great Lakes Pollution Prevention Centre

The Ecosystem Charter for the Great Lakes/St. Lawrence Basin reflects the concepts essential for the prevention of pollution. As a living document, it offers a focus for all sections of society to take action towards a conscious goal based on a single set of fundamental principles.

Great Lakes Tomorrow (U.S. Directors)

Griesinger Films, Inc.

The Ecosystem Charter is a revolutionary document. Griesinger Films supports every effort to operationalize sustainability. We will continue to provide video productions that help establish the intellectual ecological/economic underpinnings for a healthy biosphere.

Huron River Watershed Council

To achieve this vision for the Great Lakes, the principles of this Charter must be applied to each smaller component of the ecosystem. These principles will guide the Huron River Watershed Council's efforts to restore and protect the ecological integrity of the Huron River system--a tributary to Lake Erie and the Great Lakes-St. Lawrence Basin.

Illinois Delegation to the Great Lakes Commission

Illinois-Indiana Sea Grant Program, University of Illinois

Indiana Delegation to the Great Lakes Commission

Indiana Department of Natural Resources

Indiana University-Bloomington, School of Public and Environmental Affairs

International Great Lakes St. Lawrence Mayors' Conference

The International Great Lake St. Lawrence Mayors' Conference was established in 1987 to provide a forum for discussion and advocacy on economic and environmental issues pertaining to the Great Lakes St. Lawrence River system. These world-class water resources provide a common bond among the shoreline communities and an opportunity for local units of government to participate in relevant resource policy development. For this reason, the Mayors' Conference is pleased to be an Ecosystem Charter signatory. The Mayors' Conference adopted a resolution on September 15, 1994 endorsing the Charter, recognizing it as among "the first steps toward the principles of a true ecosystem approach to management."

Izaak Walton League, Minnesota Division

Kahnawake Environment

Kent Environmental Council

The Kent Environmental Council enthusiastically endorses the principles affirmed in the Ecosystem Charter. We are engaged in a study of the vital signs and indicators of sustainable development as they would apply in our immediate locale, and will publish our findings in an effort to strengthen and unify the movement in support of ecological integrity in Kent and Portage Counties.

Keweenaw Bay Indian Community

Lake Michigan Marina Development Commission

Lake Michigan Marina Development Commission, a commission of mayors from Indiana's shoreline cities of Hammond, Whiting, East Chicago, Gary, Portage and Michigan City, was established by the Indiana General Assembly ten years ago to spur marina and economic development along the state's shoreline on Lake Michigan and two navigable tributaries. The Marina Commission recognizes that preservation of the natural environment, improvement of water quality and sustainable development are inherent in successful marina development and critical to human health and well-being. The Marina Commission endorses the concepts that are set forth in the Ecosystem Charter and looks to them to serve as a benchmark for assessing progress and providing guidance for future efforts on the Indiana shoreline and throughout the Great Lakes/St. Lawrence Basin.

Lake Superior Center

Lake Superior Center seeks to engage large numbers of the general public and make them responsive to the economic, recreational, biological, aesthetic and spiritual worth of Lake Superior. This is done with the belief that the creation of a "public will" is essential along with research and regulation in the future of Lake Superior. This is done through exhibits, trips and programs. No affinity for the Lake is assumed in the audience. We seek to expand the "family" rather than only address kindred spirits.

The Ecosystem Charter for the Great Lakes-St. Lawrence Basin is consistent with the the view that Lake Superior Center holds for the Basin. Principle XVI and VII are statements and methods that are specific areas of performance for Lake Superior Center.

Land and Water Systems Partnership (Institute for Water Research, Center for Remote Sensing, Michigan State University)

League of Women Voters of Michigan

The League of Women Voters of Michigan sees the Ecosystem Charter as an important step in promoting an ecosystem approach to management. Its ultimate significance depends upon its use by the signatories and others. LWV will use it as a starting point in advocacy on Great Lakes issues. The open and cooperative process by which the Ecosystem Charter was drafted should serve as a model for future Great Lakes efforts.

League of Women Voters of Minnesota

League of Women Voters of New York

Michigan Association of Conservation Districts

Michigan Attorney General's Office

Michigan Delegation to the Great Lakes Commission

Michigan Environmental Defense

Michigan State Section, American Water Resources Association

The Michigan State Section of the American Water Resources Association (AWRA) will support and promote the Ecosystem Charter for the Great Lakes-St. Lawrence Basin by ensuring that the Section's activities are consistent with the Charter and by providing a forum where issues related to the Charter can be discussed and debated. The Michigan State Section of AWRA will advance the principles of the Charter by promoting water resources education, research and management, by collecting and disseminating information, knowledge and data concerning all aspects of water resources and by fostering the rational and objective promotion, development, utilization and management of Michigan's water resources. The Michigan State Section of AWRA will network and cooperate with appropriate governmental institutions, private interests and other water resources organizations interested in promoting and advancing the Great Lakes Ecosystem Charter for the Great Lakes-St. Lawrence Basin.

Michigan State University Extension

Minnesota Delegation to the Great Lakes Commission

Minnesota Department of Natural Resources

Minnesota Sea Grant

The Charter will be a valuable educational tool for Minnesota Sea Grant. Much of the strength of the Ecosystem Charter lies in the very process of its initial creation. As a consensus document, it reflects the fact that very diverse interests were able to come to agreement on sound ecosystem management principles for the Great Lakes-St. Lawrence Basin. Given the complexity of the many layers of government, initiatives, and regulations affecting the region, the Charter provides a necessary central framework from which to evaluate the success of our efforts to maintain and improve the environmental quality of the Great Lakes-St. Lawrence Basin.

Muskegon County Soil Conservation District

National Association of Conservation Districts, North Central Region

The 189 conservation districts in the Great Lakes-St. Lawrence Basin have been working since the late 1930s to correct land and water abuses from mankind's activities. Districts recognize the delicate balance that exists in this natural system and the need for economic activities that often upset this balance. Districts will find the 17 principles an excellent starting point in refining the work they began over 50 years ago.

National Biological Survey, Great Lakes Science Center

National Park Service, Midwest Region

The Charter's vision statement and principles clearly support and reinforce the mission of the National Park Service in the Great Lakes-St. Lawrence Basin. It is with much satisfaction, therefore, that the National Park Service becomes a signatory to this Charter. We welcome the opportunity to work closely with other Charter signatories in pursuing an ecosystem management approach in the Great Lakes-St. Lawrence Basin.

Nature's Niche: Citizens for Sustainable Re-creation

Nature's Niche advocates interdependence and mutuality in all relationships. The Charter exemplifies these ideals of integrative complementarity. Currently, there is much excitement and hope for an emerging ethos of global responsibility for which the Charter is a catalyst.

A highlight for Nature's Niche in 1993 was participation in the nine day event of the Council for a Parliament of the World's Religions, held in Chicago, Illinois. To date in 1994, attention has principally focused upon collaboration with Jean Feraca of Wisconsin Public Radio's Ideas Network. The Charter's effort to meld ecological fittedness with spirituality is an over-arching ideal of all citizens who embrace sustainable re-creation.

New York Delegation to the Great Lakes Commission

The New York State delegates to the Great Lakes Commission support the concept and the process for developing an Ecosystem Charter for the Great Lakes/St. Lawrence River Ecosystem and the Vision statement included in the Charter. We recognize that the Principles and the Findings are the basis for discussion on how the Charter could be implemented in the Great Lakes Basin and that continuing discussions among agencies and stakeholders will provide the communication needed to gain consensus on addressing the Ecosystem Charter in New York State.

New York Rivers United

New York Rivers United believes the Ecosystem Charter for the Great Lakes-St. Lawrence Basin provides an excellent basis for enhancement and maintenance of all aspects of the Basin Ecosystem. The principles set forth in the Ecosystem Charter will assist us in setting goals for our activities in conservation, restoration and enhancement of New York State's river systems.

Northland College

Northland College and its Sigurd Olson Environmental Institute endorse the Ecosystem Charter for the Great Lakes Basin because its principles parallel our interest in, and commitment to, partnerships dedicated to positive solutions of problems. Northland is a college of about 800 students who come from 45 states and ten other countries to study at its campus near the shores of Lake Superior in Ashland, Wisconsin. Founded in 1892 in the cutover Northern forest, the College has always been committed to the liberal arts as the appropriate tool for understanding the world. For a generation now, since 1971, it has added an institutional emphasis on the environment -- across both traditional and innovative curricular programs and as caretakers of a physical environment that extends beyond Northland College's campus. The Sigurd Olson Environmental Institute has, since 1972, been the environmental outreach arm of Northland College working in areas of environmental education, fresh water and forest ecosystems education and involvement.

Northwest Indiana Forum, Inc.

The Northwest Indiana Forum is pleased to endorse the Ecosystem Charter, and would like to suggest several issues for future discussions concerning ecosystem issues. As outlined in our correspondence of September 29, 1994, we suggest future discussion concerning tenet 4 of the vision statement, monitoring programs referenced in Principle III, Lakewide Management Plans referenced in Principle IV, the financing of research referenced in Principle VI, and pollution prevention referenced in Principle VI.

Northwest Michigan Resource Conservation &Development Council, Inc.

Ohio Coastal Resources Management Project, Inc.

The Ohio Coastal Resource Management Project (OCRMP) will use the principles outlined in the Charter as we approach public policy issues relating to the Lake Erie Basin from a citizen perspective. The vision statement reflects the increasing common interest each user has in this resource of statewide, regional and national importance. OCRMP will use the Charter to increase public knowledge and understanding of coastal issues, to promote stewardship of Ohio's north coast through systematic analysis of resource issues, and to develop and recommend solutions to existing management problems. It is time for all of us to work together to put these principles into practice, taking practical steps toward an ecosystem approach to restore and enhance the integrity of the Lakes and to direct our efforts toward sustainable development.

Ontario Federation of Anglers and Hunters

Pennsylvania Delegation to the Great Lakes Commision

Pennsylvania Fish and Boat Commission

Pine Grove Township (Van Buren County) Michigan

The Ecosystem Charter for the Great Lakes-St. Lawrence Basin is a document which shows understanding of the system, what needs to be done to correct problems and prevent harm now and in the future, and gives relatively clear directives about the processes required to carry out the plan in the form of information, education and public participation. It is up to each of us now not to put the document on the shelf, but rather to use it as our guide in every action pursued in our State: if our action does not help the ecosystem, we at least have to make sure our actions do not hurt the ecosystem. We wholeheartedly endorse the Charter.

Portage Land Association for Conservation and Education (PLACE)

PLACE applauds the vision of the Ecosystem Charter for the Great Lakes-St. Lawrence Basin. We will use it as a foundational document to educate our members, fellow citizens and leaders of the importance of working towards a sustainable society.

St. Joseph River Basin Commission-Indiana

Saint Lawrence Aquarium & Ecological Center Inc.

Saint Lawrence-Eastern Ontario Commission

The Charter formalizes in writing the philosophy the Commission has pursued informally. The explicit statement of the ecosystem approach will be incorporated in the Statement of Commission Philosophy, Annual Work Program, and other documents used in the management of the resources of the Great Lakes-St. Lawrence Ecosystem.

Saint Lawrence Economic Development Council (SODES)

The mandate of the St. Lawrence Economic Development Council (SODES) is to represent the St. Lawrence maritime community and promote its economic interests. SODES endorses the Charter's Vision and supports Principles I,V,VI,VII, IX, X, XI, XII, XIV, XV and XVI. Since SODES believes that economic concerns and St. Lawrence issues are not fully reflected in all the principles and supporting statements, it can give only partial support to the Charter. SODES looks forward to working with Great Lakes and St. Lawrence Basin interests in addressing these issues of concern and thereby improving the Charter in the future.

Saint Lawrence Seaway Development Corporation

Sault Ste. Marie Tribe of Chippewa Indians

Save the Dunes Council

The Save the Dunes Council is a conservation organization founded in 1952 to preserve and protect the Indiana Dunes for public use and enjoyment. We support the concepts outlined in the Ecosystem Charter, recognizing the importance of an ecosystem approach to resource management. A tremendous opportunity exists in the Great Lakes Basin to maintain biodiversity and to restore degraded areas, while promoting sensible economic development. The Ecosystem Charter can serve as a road map for this effort. The Save the Dunes Council intends to utilize these principles as we build consensus for sustainable development in Northwest Indiana.

Seaway Review

Seaway Review has covered maritime issues in the Great Lakes-St. Lawrence Basin for 25 years. Over that period the magazine has always believed that environmental stewardship and economic growth are compatible goals for the region. The Ecosystem Charter for the Great Lakes-St. Lawrence Basin represents an affirmation of this position and proof that, working together, all stakeholders in the Great Lakes-St. Lawrence Basin can find consensus. *Seaway Review* enthusiastically endorses the letter and spirit of the Charter and will be fully supportive of its use as a guideline in future policy development.

Sigurd Olson Environmental Institute

(See Northland College for statement)

State University of New York, Albany

State University of New York, Buffalo, Office of Vice President for Research

State University of New York, Central Office

Trout Unlimited

University of Minnesota, College of Natural Resources

University of Toronto, Institute of Environmental Studies

U.S. Coast Guard, Ninth District

The Ninth District of the United States Coast Guard is responsible for marine safety and marine environmental protection in all of the United States waters of the Great Lakes and St. Lawrence Basin. The Ninth District is both a provider of services to, and a regulator of waterborne commerce and recreation in the Great Lakes. The basic principles of the Charter, which recognize both the right to use the resources of the lakes and the responsibility to preserve the integrity of the lakes, serve as a good summary of the competing principles which the Ninth District observes when balancing its service and regulatory missions in an increasingly complex ecological, economic and political environment.

U.S. Department of Agriculture, Soil Conservation Service

U.S. EPA Office of Superfund, Emergency Response Section (Grosse Ile, MI)

U.S. Fish and Wildlife Service, Regions 3 & 5

The Ecosystem Charter will support the goals, objectives, and action strategies the U.S. Fish and Wildlife Service is developing in the Great Lakes Ecosystem Plan. The two documents are complementary and good vehicles toward solidification of strong partnerships. We share a goal of sustainable development for the Great Lakes, and believe the Charter principles facilitate sound resource management decisions.

Waterfront Regeneration Trust (Toronto)

The Charter confirms the fundamental and inextricable linkage between economic activity and the environment, that everything is connected and that people are part of nature and not separate from it. It follows that we are responsible for our actions to ourselves, to other people, to other generations and to other species. The Trust will use the Charter as a guiding context for our work on the North shore of Lake Ontario. Stewardship of this magnificent and invaluable resource is basic to our environmental health, economic well-being and quality of life.

Wayne State University

February 14, 1995

ACTION ITEM REGARDING STATE REVOLVING FUND

Issue: Implementation of non point source engineering assistance may be compromised due to SWCD budgets being unable to support increased expenses by SWCD supervisors and staff as they attend meetings of the joint powers board and administer the grant.

Background: In January, the BWSR authorized $865,000 of grants to 11 joint powers boards for hiring 11 engineers and 11 technicians. Based on budgets submitted by the joint jowers boards, personnel and associated costs such as transportation and communications are covered by the BWSR grant. In addition, BWSR is making a bulk purchase of surveying and design equipment for the joint powers groups. Nevertheless, many joint powers groups have indicated that (already tight) SWCD budgets cannot accomodate the additional meetings and administrative duties of SWCDs necessary for proper functioning of the joint powers boards and grant administration.

Recommended staff action: **Allow joint powers groups to use an amount not exceeding 5 percent of the total grant for expenses of SWCDs necessary to administer the joint powers boards and grant agreement.**

Fiscal impact: The amount available in fiscal year 1995 per joint powers board is approximately $3800.00. This represents a reallocation of money granted to them. Expectations concerning performance of the joint powers boards have not changed.

January 25, 1995

POLICY CONSIDERATIONS

The legislative process requires that staff take positions on behalf of the agency. With that in mind, the following items are presented for your consideration.

Rules (Options)

- Formal rulemaking will take at least 9 months to complete.

- Emergency rulemaking authority takes about 8 weeks. Emergency rulemaking must be followed by formal rulemaking.

- No further rulemaking leaving statutory interpretation to the BWSR.

- No further rulemaking needed assuming that the legislature passes very specific amendments that do not require interpretation.

Appeals (Options)

- Eliminate appeals to BWSR; let appellants seek relief through the courts.

- Require the BWSR to offer mediation rather than appeal services.

- Require an administrative law judge to hear appeals rather than BWSR.

- Provide an opportunity for BWSR to require a bond from appellants to defray the cost of the appeal.

Deminimus (Options)

- Should the 400 square feet apply to the entire shoreland area or only to the building setback area?

- Should deminimus amounts be different than those suggested by the WHAC?

- Should a cumulative limit of (say 5%) be placed on the exemption to prevent entire wetland basins from being eliminated in piecemeal fashion over time?

Replacement Credit (Options)

- Should farmed wetlands, currently exempt under WCA, be eligible for replacement credit and deposit in the wetland bank if vegetatively restored? If so, what percent credit should they receive?

- Should upland buffer around replacement wetlands be eligible for replacement credit and deposit in the wetland bank? If so, what percent credit should they receive?

- Should wetlands restored under a now terminated USFWS easement be eligible for replacement credit and deposit in the wetland bank? If so, what percent credit should they receive?

Cash Banking (Options)

- Should the state subsidize wetland mitigation where there is an inequity between land values of the impact county and replacement county? If so, how should the price of mitigation be determined (appraisals, tax statements or predetermined values)?

- Should the above scenario be limited to just those counties with >80 presettlement wetlands?

- Should cash banking be limited to public transportation projects?

- Should BWSR manage this arrangement or should MnDot (if cash banking is limited to public transportation projects) administer the program?

Replacement Ratio (Options)

- Maintain current requirements

- Require 2:1 for wetland creation and 1:1 for wetland restoration

- Other ratios?

Notice Requirements (Options)

- Project sponsors should wait 10 to 30 days after the LGU decision before commencing their project.

- The waiting period should be eliminated.

STATUS AND EXPERIENCES OF THE WETLAND CONSERVATION ACT

* **MOST UNITS OF GOVERNMENT HAVE ADOPTED**

- 400+ units of government have adopted
- many contracts & agreements delegating implementation
- 5 counties have not adopted
- 50% of counties have delegated to swcd's implementation
- watershed districts & WMO's are administering for cities
- most larger cities have adopted & implementing

* **TRAINING**

- several wetland delineation training session conducted
- local government staff trained and certified
- interagency, state & federal, training team and certification coarses have been formalized
- several administrative training session held for local elected officials and staff
- 100's of meetings with elected officials & staff to educate and assist in program (50% of BWSR field staff effort is WCA in north, central & metro)

* **LOCAL GOVERNMENT IMPLEMENTATION**

- estimated 3500 projects reviewed in 1994
- 42.9% exemptions or no-loss determinations
- 42.9% **avoided**
- 7.1% minimized & replacement
- 7.1% replacement
- 7 appeals to BWSR
- 240+ enforcement actions
- several court actions on violations
- 2 district court actions pending
- swcd clearinghouse success

* **PERMENANT WETLANDS PRESERVE**

- demand for program far exceeds $'s
- PWP are lower priority than RIM reserve
- 258 easements\10,384 acres
- no requests for compensation for denial to date

* **WETLAND PRESERVATION AREAS**

- will be incorporated in second generation water plans in next 5 years, no participation to date

* **STREAMLINING & ONE-STOP SHOPPING**

- joint notice & application (WCA, DNR, COE)
- federal\state interagency agreement
- federal agency interagency agreement
- Pres. Clinton executive order

Minnesota Board of Water & Soil Resources

- federal general permit 16 & 17
- swcd's success as clearinghouse

* **MITIGATION BANKING**

- 50.8 acres deposited & reserved for holders
- 14.9 acres recently approved for deposit & reserved by holders
- 990 acres of projects in some phase of restoration
- banking credits $300 to $10,000 per acre

* **Program has been a significant factor in protecting wetlands, minimizing losses from drainage and filling, increased awareness of wetlands functions & values, increased coordination of federal & state agencies & local governments. Considering the scope and complexity and interest in the program I feel it has been a significant success. However, the success can only be enhanced if we recognize the program weaknesses and move to refine the program as we gain additional experiences.**

KEY ISSUES RAISED DURING THE FIRST YEAR OF ADMINISTRATION

* **ELIMINATION OF LAYERS OF GOVERNMENT:** Too many agencies are involved in the wetland regulation process. At the federal level: **Corps of Engineers, Natural Resources Conservation Service (formerly the Soil Conservation Service), Environmental Protection Agency;** and at the state level: **DNR, PCA, & BWSR;** and at the local level: **County, Watershed District, Township, City, & Soil & Water Conservation District.**

- **SOLUTION OPTIONS**
  - # changes federal clean water act
  - # changes to the federal farm bill
  - # eliminate inconsistencies between state programs
  - # clearly define roles at state & local government
  - # assumption of federal 404 program

* **CREATE FLEXIBILITY TO ACKNOWLEDGE REGIONAL DIFFERENCES:** The state wetland resources are not the same north, south, east, west and central; rural and urban; or agriculture, forestry, and lakes. Therefore there is a need to have the program flexible enough to taylor the management to the uniqueness of the resource regionally. Last years changes were too limiting to be of significant flexibility to address regional differences.

- **SOLUTION OPTIONS**
  - # provide greater flexibility through statute changes
  - # provide flexibility through local water planning process
  - # provide flexibility through the rule process

* **STREAMLINE PROCEDURE:** The efforts last year helped reduce

process delays and frustration. However, additional streamlining is to reduce the notification process, prevent unnecessary delays, promote timely replacement plan approval or denial; and to create a more responsive and appropriate appeal process.

- **SOLUTION OPTIONS**
  - # eliminate the waiting period after decision
  - # clarify who recieves notice of decision
  - # make notification similar to current program of local government, ie shoreland and floodplain
  - # clarify the appeal timeframe
  - # clarify appeal process
  - # use ALJ for appeals
  - # use the courts for appeals

* **INEQUITY OF LAND VALUES IS BARRIER TO MITIGATION:** In northern counties with the majority of the wetland base existing there is little opportunity for wetland restoration to achieve replacement. Current land values vary widely statewide and cost of doing replacement in another part of the state is "comparably" very expensive.

- **SOLUTION OPTIONS**
  - # modify banking program to address land value variation
  - # allow for modified replacement in 80% counties
  - # provide function & value replacement rather than acre
  - # allow for 1% of RIM Reserve wetland restoration acre to be banked as credits and purchased, at cost, with reimburesment to the RIM Reserve account

* **DEMINIMUS IS TOO SMALL & NOT REFLECTIVE OF SIGNIFICANCE OF IMPACT:**

- **SOLUTION OPTIONS**
  - # modify according to % of wetlands in county
  - # recognize importance of shoreland areas
  - # consider type of activity public vs private

* **LOCAL GOVERNMENT LIABILITY & PROPERTY RIGHTS**

- **SOLUTION OPTIONS**
  - # state assume all liability for court awards
  - # state legal & technical support
  - # state assume all legal contests
  - # compensation to landowners should be increased
  - # taxes should be reduced to reflect use

* **STATE FUNDING FOR PROGRAM INSUFFICIENT**

- **SOLUTION OPTIONS**
  - # increase grant $'s for program from 50% to 100%

* **WHAC REPORT & RECOMMENDATIONS**

comprehensive plan
- classify wetlands based on function & value
- vary sequencing
- replacement based on function\value vs acreage
- part of local water plan
- adoption as official controls

appeals
- petition process
- bonding for local government & BWSR

deminimus
- 400 sq ft in shoreland setbact & in less than 80%
- 1000 sq ft in 50% to 80%
- 7500 sq ft in greater than 80%

notice
- reduce waiting period
- streamline notification for small projects
- modify who gets notice

sequencing
- on-site sequencing for small projects

replacement credits
- make restored wetlands on shortterm agreement eligible
- under comp plan credit for:
    * increasing biodiversity
    * buffer areas adjacent to replacement wetlands
    * vegatative restoration of wetlands

violations
- double replacement requirements for violations

liability
- state shall pay court awards
- state shall support with legal & technical assnt.

wetland replacement
- satisfy by paying to a statewide bank
- state does replacement
- cost based on market value of created upland

DATE: February 10, 1995

TO: Water and Soil Resources Board Members

PREPARED BY: Tom Wenzel, Design Engineer - Conservation Easement Programs

BACKGROUND:

On January 30th, 1995 the Kandiyohi Soil and Water Conservation District made a request to the BWSR to consider special funding through the RIM Reserve Program to facilitate a large wetland restoration project in their county (see Attachment A). As defined in the FY 95-96 Conservation Easement Program Work Plan, a project of this magnitude is considered a "special project" and special legislative appropriation or Board funding approval is necessary. A special legislative appropriation was sought during the fall of 1994, but was not supported by the Governor's office.

As outlined in the FY 95-96 Conservation Easement Program Work Plan, BWSR has reserved 5 percent of the available FY 95-96 funds for special projects. Of the $9 million appropriated for FY 95-96, $8.2 million is available for easement acquisition and practice installation. Five percent of $8.2 million allows $410,000 for funding of special projects.

The work plan states that "special projects will be considered by the BWSR upon receipt of a complete project outline, including the project's purpose and scope, associated costs, financial and technical partners and resource protection benefits realized with easement acquisition". Enclosed with this summary is information from the SWCD pertaining to these requirements.

The SWCD and BWSR have already secured 8 easements in the basin and are in the process of finalizing another two. These ten easements were taken to allow for the restoration of several isolated drained wetland areas in the basin. It has been determined that no other areas in the basin will be feasible to restore as isolated units. Therefore, BWSR has informed the SWCD that applications for all remaining easements must be obtained together to allow for the restoration of the "whole basin".

PROJECT SUMMARY:

Please refer to Attachment B, a recent newspaper article from the West Central Tribune.

CURRENT STATUS OF EASEMENT ACQUISITIONS:

Since 1989, BWSR has already secured or has committed to securing 388.3 acres of the basin area with perpetual conservation easements. The financial obligation for securing these acres was $342,815.52. Additional funds have been obligated to establish conservation practices on these acres. Refer to Attachment C for more information regarding the status of these existing conservation easements.

REMAINING FUNDING NEEDS AND COMMITMENTS:

The Kandiyohi SWCD has calculated that 1,037.7 additional acres of private land remain to be secured to facilitate the restoration of the whole basin. Using current payment rates, the acquisition of conservation easements on these additional acres will require approximately $950,000. This does not include any amount for the installation of conservation practices on these acres. Refer to Attachment D for more information regarding the easement needs assessment.

The restoration requirements for the Grass Lake project will be complex. In addition to the construction of an outlet structure for the project, several other drainage and grading issues will need to be addressed. Current project cost estimates for construction and vegetation establishment are in the range of $175,00 to $225,000. Commitments of approximately $200,000 have already been obtained from other project partners to help with this component of the project. Some of the more notable commitments to date are:

• US Fish & Wildlife Service	$150,000 for construction and additional dollars to fund easement acquisition where necessary. Has essentially committed one part time position to help with project coordination.
• DNR	Has essentially committed one part time position to help with project coordination.
• City of Willmar	Has unofficially committed to installing lift stations with an estimated cost between $1.5 and $2 million.
• Minnesota Waterfowl Assoc.	$50,000 for construction and easement acquisition.
• Pheasants Forever, Inc.	Has committed funding assistance for establishment of vegetative practices.
• Kandiyohi SWCD	Has appointed one full time position to serve as project coordinator and has offered to serve as project sponsor for all grant application proposals.

In addition, the Kandiyohi SCWD has committed to initiating and submitting a grant proposal to the North American Wetland Conservation Council (NAWCC) which, if approved, would reimburse BWSR for approximately half of the easement acquisition expenses. According to local agency personnel very familiar with NAWCC, this project proposal should have a very good chance of being accepted.

Therefore, in addition to the $410,000 of "special project" funds, the Kandiyohi SWCD is requesting a commitment of approximately $540,000 of additional program funds to complete the acquisition for the project. It is expected that other project partners will commit to and fund all costs associated with construction and vegetation establishment.

PROJECT CHALLENGES:

The major challenge of any project of this magnitude is securing landowner interest. As mentioned in the SCWD's letter of request, all landowners in the basin have committed to offering the state a perpetual conservation easement. The SWCD is in the process of obtaining signed applications from all eligible landowners to verify this.

Others issues remain and have yet to be fully resolved. The most notable of which is the cooperation with the city of Willmar. In conjunction with the restoration of Grass Lake, the city will need to install and operate two separate lift (pump) stations to allow for proper stormwater drainage from the city. The city has offered full support for the restoration of Grass Lake and has recognized the need to install the lift stations. However, no financial commitment for the lift stations has been made to date. The city is still investigating possible ways to finance the project which is currently estimated at $1.5 to $2 million.

Another major issue that remains is the negotiations with Williams Pipeline Company, which has a pipeline located along the basin's southern shoreline. Drainage and diversion projects which will prevent a large scale impact to their pipeline appears to be feasible. BWSR staff is currently working with Williams Pipeline Company on developing an agreement for the proposed works that all parties will be comfortable with. We do not foresee any complications at this time, however, this is a major issue that will need to be resolved if the project is to be completed.

STAFF RECOMMENDATIONS:

BWSR staff fully supports the restoration of Grass Lake and the use of conservation easement program funds to secure perpetual conservation easements on the remaining acres in the basin. However, because several key issues still need to be resolved before BWSR can secure theses remaining easements, BWSR staff recommends the following:

That the BWSR Board approves Kandiyohi SWCD's request for $410,000 of special project funds and approximately $540,000 of other available funds to secure the remaining private lands in the Grass Lake basin with RIM Reserve Conservation Easements. This approval should be conditional on the following:

a) BWSR will not be responsible for obligating any funds for the implementation of conservation practices associated with these additional conservation easements, and

b) At the BWSR August 1995 board meeting, the board will be given a project status update and if items relating to the acquisition of easements, the installation of lift stations by the city of Willmar, or negotiations with Williams Pipeline Company, are not proceeding as desired, the board will have the option of rescinding the funds approved for acquisition of the easements in Grass Lake, thereby making them available for other applicants during the fall 1995 program sign-up.

Attachment A

KANDIYOHI COUNTY SOIL AND WATER CONSERVATION DISTRICT

409-19th Ave. S.W.,
Willmar, Minnesota 56201
Telephone (612) 235-3906

MINNESOTA SOIL AND WATER CONSERVATION DISTRICTS

January 30, 1995

Ron Harnack, Executive Director
Board of Water and Soil Resources
One West Water Street
STE 200
St. Paul, MN 55107

FEB 09 1995

Dear Mr. Harnack:

The Kandiyohi Soil and Water Conservation District (SWCD) is in full support of the Grass Lake Restoration Project proposal. It is unanimous among the District Board of Supervisors and staff that we provide as much assistance as possible to you and your staff to realize this endeavor. We ask to be placed on your February 22, 1995 Board Meeting agenda to present the project.

Our RIM Program Coordinator, Loren Engelby, and Steve Erickson with the U.S. Fish and Wildlife Service (USFWS) would like to present the project proposal with Tom Wenzel of your staff. It is our understanding that a project of this magnitude must be presented in great detail as the funding commitment is the critical issue. We intend to identify the remaining acres and financial comittment needed from BWSR and will have this information available for your Board at the 2/22/95 meeting. We also intend to discuss landowner commitments, private funding for conservation practices, engineering, and the status of how the City of Willmar, Kandiyohi County, MnDOT, and other disciplines fit into the project picture.

Grass Lake was initially drained by a ditch in the early 1900's. Additional improvements have been attempted with high costs and little success since that time. At the same time, the City of Willmar has been been growing at a rapid rate. Consequently, the existing stormwater system has exceeded effective capacity. Most of Grass Lakebed is or has been used for agricultural purposes (row crops, hayland, or pasture). Financial losses due to flooding in the lakebed probably have been more severe than within the city. We have witnessed some of the City's flood events and have a clear understanding as to why these events are occurring on a more frequent basis. Basically, the rate of storm water runoff has accelerated tremendously in recent years due to rapid commercial and residential development within the city limits and increased agricultural drainage within the watershed. The outlet for all of this runoff is an open ditch which has inadequate capacity to handle peak flows. During major storm events, the entire ditch system can back up causing flooding not only within the City of Willmar, but also the 1200 acre Grass Lake basin and lands downstream. The Grass Lake basin is located immediately adjacent to Willmar on it's southeast side. (see map)

Multiple benefits will be derived by restoring the water holding capacity of the Grass Lake basin, and accordingly, the project is identified as high priority area in the Kandiyohi County Comprehensive Water Management Plan. Grass Lake is located in the upper watershed of two lake improvement initiatives, both of which cite the restoration project as a critical component for water quality improvement. Some of the project's economic and environmental benefits include:

* Protecting and improving the water quality of Lake Wagonga and Big Kandiyohi Lake downstream of Grass Lake.

* Serving as a repository for pretreated storm water runoff generated from Willmar's expanding urban landscape.

* Alleviating crop and property damage caused by frequent flooding of the basin and providing flood control for lands downstream of the basin.

* Alleviating residential property damage caused by flooding within the City of Willmar.

* Providing excellent habitat for numerous game and nongame wildlife species.

* Providing an outdoor classroom to assist with environmental education curriculums.

* Protecting and improving the water quality of Lake Wagonga and Big Kandiyohi Lake downstream of Grass Lake.

* Serving as a repository for pretreated storm water runoff generated from Willmar's expanding urban landscape.

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* Alleviating residential property damage caused by flooding within the City of Willmar.

* Providing excellent habitat for numerous game and nongame wildlife species.

* Providing an outdoor classroom to assist with environmental education curriculums.

An extraordinary window of opportunity presently exists to realize the restoration of Grass Lake. Essentially all of the landowners within the basin are ready to enroll their land into the RIM Reserve Program. The project has great momentum and has outstanding support of numerous federal, state, and local resource management agencies and organizations who have been investigating the possibility of restoring the basin since its conversion from wetland to agricultural use in the 1970's. In 1990, the Kandiyohi SWCD, City of Willmar, Kandiyohi County Commissioners, BWSR, MN Department of Natural Resources, and the US Fish and Wildlife Service formed a working committee to pursue the restoration project via conservation easements. Since 1990, BWSR has approved funding to acquire ten easements encompassing 388 acres within the lakebed. Upon the completion of a topographical survey in October 1993 and preliminary discussions with landowners in 1994, it was concluded that a whole-basin restoration was not only feasible in terms of landowner interest, it would be economical in terms of the restoration costs.

The Kandiyohi SWCD will serve as the project sponsor and has agreed to appoint Loren Engelby as the Project Coordinator. We are willing to hire additional staff as necessary to facilitate this. Supervisors and staff will help negotiate with the landowners in the basin and carry out steps required to acquire the conservation easements and establish the associated conservation practices. We will also help Loren coordinate the preparation and submittal of grant proposals to North American Wetland Conservation Act (NAWCA), possibly Environmental Protection Agency (EPA), and any other funding sources in an attempt to reimburse BWSR for part of the easement acquisition expenses. Last but not least, the Kandiyohi SWCD is willing to act as fund manager, accepting and distributing funds from the financial partners for project expenses other than easement acquisition. Thank you for your time and consideration. We hope to see you on February 22nd.

Sincerely,

Roger Rasmussen

Roger Rasmussen
Kandiyohi SWCD Chair

enc.

c: Steve Erickson, USFWS
Al Kean, Chief Design Engineer - BWSR
Tom Wenzel, Design Engineer - BWSR
Tom Fischer, Board Conservationist

WEST CENTRAL TRIBUNE

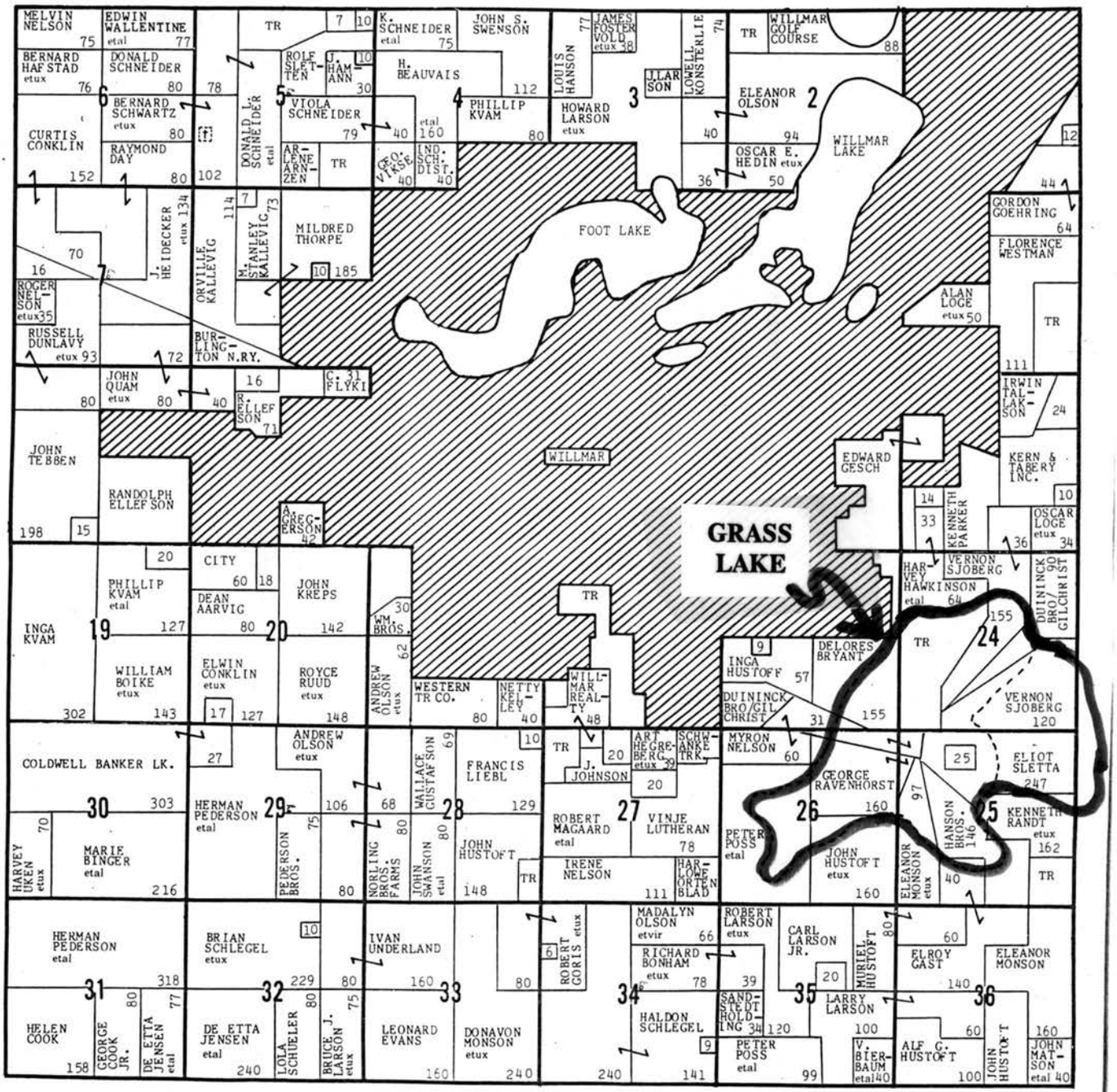
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Attachment B

Local/State

Grass Lake restoration project unveiled

By ANNE POLTA
Staff Writer

WILLMAR — Local conservation officials plan to seek approval this month from the state to go ahead with an ambitious plan to restore Grass Lake southeast of Willmar.

The project is one of the largest lake restorations ever undertaken in Minnesota and could become a national model, officials say.

In addition to helping control flooding, it will create a lake that will shelter waterfowl and other wildlife and improve the quality of the water that runs off to the south and west.

"Certainly this is going to be one of the most attractive and beneficial lake restoration projects in the state and probably in the country," said Steve Erickson of the regional U.S. Fish and Wildlife Service office. "It's a very high-quality project that's going to be noteworthy."

The project was outlined Wednesday to the Kandiyohi County Board of Commissioners, which voted to endorse the preliminary plan.

It comes before the state Board of Water and Soil Resources on Feb. 22. If approval is granted, it's expected to take at least another year to secure easements from all the surrounding property owners and to develop a detailed engineering plan. By the summer of 1997, Grass Lake may get started on its second life.

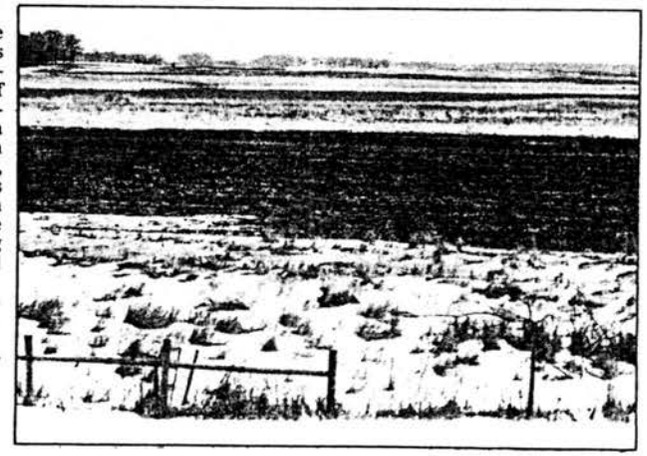
Early news accounts indicate that Kandiyohi County residents could once sail from Lake Lillian to Willmar, using a chain of existing sloughs and lakes, including Grass Lake. The growth of Willmar, coupled with a high demand for agricultural land, led to the drainage of Grass Lake some time around the turn of the century. At about the same time, extensive ditching was undertaken to drain still more land.

The former lake basin, covering 1,200 acres southeast of the Highway 71-23 bypass, has been farmed or used for pasture ever since.

Starting in the 1970s, however, the spread of Willmar to the south within the Grass Lake basin began creating more runoff, especially after a heavy rain. It grew increasingly difficult for the ditch system to handle the overflow. The result was more and more frequent flooding, both in farm fields within the Grass Lake basin and in neighborhoods on the south side of Willmar where storm water, unable to drain properly, backed up.

The situation was made worse by the flat terrain; from the outlet of one of Willmar's major storm water drains to the outlet of Lake Wagonga, five miles downstream, there is only one foot of fall.

Restoring Grass Lake was first discussed in the early 1970s, but it wasn't until about four years ago that the project began to gather steam.



Tribune photo by Bill Zimmer

This is a view of the Grass Lake basin, shot from the Highway 71-23 bypass toward the southeast. The lake, once covering 1,200 acres, was drained in the early 1900s for farmland. Local efforts are now under way to restore it to control flooding and enhance the surrounding environment.

"The landowners are in favor," said Loren Engelby, RIM (Reinvest in Minnesota) coordinator with the local Soil and Water Conservation District office. "Things have been coming together very quickly in the last two months."

The restoration project calls for reviving Grass Lake as a natural holding tank for water. A control structure on the south end will allow the water to flow out evenly through the ditch system and prevent flooding downstream.

"We're hoping that by restoring this lake basin we can help the city out and also help out the landowners," said Tom Wenzel, design engineer for the project with the Board of Water and Soil Resources. "We're able to store a major portion of water in the lake and meter it out slowly through the control structure."

He said an additional overflow system will also be installed to handle emergencies. The lake's elevation will be maintained at a constant level, with a three-foot boundary for overflow.

"We feel very confident that in a 100-year event we can hold the water within that three-foot bounds," Wenzel said.

It's estimated that once the project starts, it will take about a year for Grass Lake to reach its permanent level.

What will Grass Lake look like once it's restored? Erickson said it'll be a shallow marshlike lake, ranging from 2½ feet to 3½ feet deep, and will cover the original lake's 1,200 acres. It should become a haven for waterfowl such as herons, egrets and grebes, and attract migrating ducks, geese and swan. The restored lake will have aesthetic appeal and will offer opportunities for bird and wildlife viewing, Erickson said.

Drainage from Grass Lake should also benefit Big Kandiyohi and Wagonga lakes to the south, he said. "We're going to have much improved water coming out of Grass Lake because Grass Lake is going to act as a filter."

Development of a preliminary plan has been a process involving a number of agencies, ranging from state and federal conservation offices to the city of Willmar, the Minnesota Department of Transportation and even Williams Pipeline Co., which maintains a natural gas pipeline that skirts the lake.

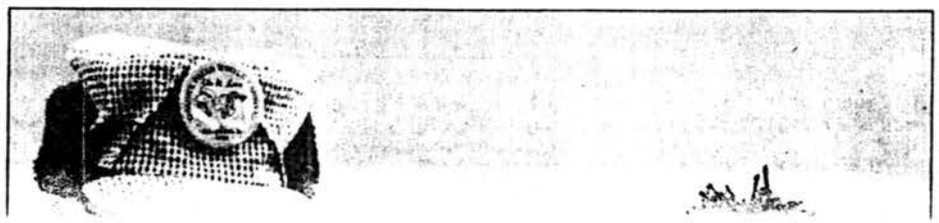
Engelby said a number of private organizations have also supported the project and made financial contributions. It's estimated that one of the main parts of the restoration project, the installation of the control structure, will cost between $100,000 and $200,000.

It'll take additional money to acquire easements, largely through the state's RIM conservation program. "It appears that the RIM program is the best option for the landowners so that's why we're pursuing it," Engleby said.

Because of repeat flooding, many of the landowners in the surrounding area have already taken much of their cropland out of production and enrolled it in RIM.

A grant through the North American Conservation Act will be sought to reimburse the state for acquiring the easements, Engelby said.

To some in Granite Falls, the free lutefisk-and-hot-dog lunch is a "sure fire way" to lure Norwegian bachelor farmers to town. Some may come from as far as Herman, Minn., and join the procession of stray cats and local trend-setters attracted to this year's lunch.



Insurance firms win workers' comp fight

Attachment C
CURRENT EASEMENT STATUS – GRASS LAKE
AS OF 2/95

LANDOWNER NAME	EASEMENT NUMBER	ACRES	*EASEMENT $'S* AMOUNT	PAYMENT DATE	*CONSERVATION PRACTICE $'S* AMOUNT	PAYMENT DATE	BALANCE REMAINING
Randt, Kenneth	34–01–88–01	29.3	$22,610.88	9–18–89	$500.00	8–21–90	$0.00
Hawkinson, Harvey	34–04–89–01	57.3	$35,428.59	1–22–92			$9,660.00
Rauenhorst, Tom	34–02–90–01	63.9	$60,784.24	1–14–92	$739.89	7–09–92	$12,587.61
Rauenhorst, Tom	34–03–90–01	40.4	$38,430.10	1–22–92	$268.33	7–17–92	$10,141.67
Rauenhorst, Tom	34–04–90–01	39.5	$37,573.98	1–07–92			$11,850.00
Rauenhorst, Tom	34–05–90–01	1.1	$1,376.36	1–09–92			$330.00
Erickson, Kornell	34–01–91–01	37.6	$31,280.67	5–24–93	$7,180.74	8–15–94	$919.26
Molenar, Paul	34–03–91–01	2.2	$1,221.86	5–25–94			$660.00
Parker/Poss Farms	34–04–93–02	90.5	$88,263.74				$21,750.00
Hustoft Estate	34–05–93–02	26.5	$25,845.10				$7,250.00
TOTALS	**10**	**388.3**	**$342,815.52**		**$8,688.96**		**$75,148.54**

Attachment D
EASEMENT NEEDS ASSESSMENT – GRASS LAKE
AS OF 2/95

LANDOWNER NAME	CROPLAND ACRES	CROPLAND RATE	CROPLAND PAYMENT AMOUNT	NON-CROPLAND ACRES	NON-CROPLAND RATE	NON-CROPLAND PAYMENT AMOUNT	TOTAL ACRES	TOTAL EASEMENT $'S
Parker/Poss Farms	160.0	$1,050.30	$168,048.00				160.0	$168,048.00
Hustoft Estate	88.0	$1,050.30	$92,426.40				88.0	$92,426.40
Irene Nelson	22.3	$1,050.30	$23,421.69				22.3	$23,421.69
Kenneth Randt	35.5	$1,050.30	$37,285.65	22.3	$700.24	$15,615.35	57.8	$52,901.00
Elroy Gast	23.5	$1,050.30	$24,682.05				23.5	$24,682.05
Eliot Sletta	181.0	$1,050.30	$190,104.30	15.0	$700.24	$10,503.60	196.0	$200,607.90
Lee Bryant	8.7	$1,050.30	$9,137.61	4.8	$700.24	$3,361.15	13.5	$12,498.76
Donavon Monson	8.2	$1,050.30	$8,612.46				8.2	$8,612.46
Monson Farms	46.0	$1,050.30	$48,313.80				46.0	$48,313.80
Duinick Brothers	12.3	$1,050.30	$12,918.69				12.3	$12,918.69
	2.0	$775.46	$1,550.92				2.0	$1,550.92
Sjoberg Family	101.1	$1,050.30	$106,185.33	105.6	$700.24	$73,945.34	206.7	$180,130.67
	63.9	$775.46	$49,551.89	3.7	$517.00	$1,912.90	67.6	$51,464.79
Harvey Hawkinson				31.6	$700.24	$22,127.58	31.6	$22,127.58
Paul Molenar				95.2	$517.00	$49,218.40	95.2	$49,218.40
TOTALS **13**	**752.5**		**$772,238.79**	**278.2**		**$176,684.33**	**1030.7**	***$948,923.13***

3/22/95

Minnesota Board of Water & Soil Resources

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DATE: March 13, 1995

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

FROM: Ronald D. Harnack, Executive Director

SUBJECT: March 22, 1995 BWSR Meeting

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, March 22, 1995 beginning at 9:00 a.m. The meeting will be held in the BWSR conference room at One West Water Street, St. Paul. The agenda and informational materials are enclosed for your review. Following is some background information regarding the agenda items.

AGENDA SUMMARY FOR MARCH 22, 1995 BOARD MEETING

AGENDA #5 - CONSENT AGENDA - There are no consent agenda items for this meeting.

AGENDA #6 - OLD BUSINESS

BUDGET UPDATE: We have completed our initial budget overview before both the Senate and House Finance Committees. Although the reception was good, the availability of $'s is very short. It appears that the allocations to the Environment Finance Committees will be less than the Governor's recommendation for the environment, maybe by as much as $10,000,000. Along with absorbing inflation and normal salary adjustments the expectations are not bright. Living within our means is the name of the game. That means less service and less programs. **DISCUSSION.**

LEGISLATIVE UPDATE:

- ***WETLAND CONSERVATION ACT (WCA):*** We have had hearings before the Senate Environment Committee and before the House Agriculture Committee, to date no action has been taken, only testimony. A working group is attempting to find some middle ground between the bills that preserves the integrity of the WCA. The group is making progress. Everyone recognizes that some type of bill needs to pass. Hopefully, this perspective will continue to help drive a compromise. **DISCUSSION.**

• ***WATERSHED DISTRICTS:*** Hearing is scheduled in the House Environment Committee on Wednesday. Discussion with members have gone well. **DISCUSSION.**

• ***METRO WATER MANAGEMENT:*** No hearing scheduled yet, but discussions have gone well. The fact that no funding may come suggests that we consider other alternatives to keep within our means and resources. Some discussions with the Metro Council appears to provide an opportunity to streamline some of the plan elements at the WMO level and Met Council would ensure that the WMO plan gets integrated with the update of the cities landuse plans. **DISCUSSION.**

• ***BASE FUNDING FOR SWCD's:*** The first hearing on the MASWCD bill is this week. It will be a good opportunity to develop some greater awareness of the roles of SWCD's and the important part they play in delivering conservation to landowners of the state.

AGENDA ITEM #7: NEW BUSINESS

TIMBER HARVEST IN MINNESOTA, ENVIRONMENTAL IMPACT STATEMENT (EIS): The state has recently completed the forestry EIS for the state. Mike Kilgore will review the significant findings of the effort and what is being recommended to manage the resources in a sustainable manner. **DISCUSSION.**

GRANT SWCD RIM EASEMENT VIOLATION: A landowner has been found to have willfully violated a RIM easement by harvesting hay from the parcel. Negotiations at the Grant SWCD and BWSR field staff level have not been successful. We will be requesting the Attorney General's Office council assigned to BWSR to assist and initiate appropriate action to bring the violation to an appropriate resolution. The law requires that the state receive treble damages and restoration of the easement. Staff requests the Board's support in this approach. **DISCUSSION & DECISION.**

If you have additional agenda items or require additional information please feel free to give me a call. Travel safely, I look forward to seeing you on the 22nd!

RDH:mja
Enc.

BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET, CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
MARCH 22, 1995

AGENDA

9:00 a.m.

1. CALL MEETING TO ORDER

2. ADOPT AGENDA

3. APPROVAL OF MINUTES OF FEBRUARY 22, 1995

4. REPORTS
   - Chairman's Report - Jim Nielsen
   - Executive Director's Report - Ron Harnack
   - Education Committee - Tim Hvidsten
   - Feedlot Advisory Committee - Jim Rossman
   - Soil Conservation Committee - Glenn Annexstad
   - Dispute Resolution Committee - Kathy Roer
     - Audubon vs Nine Mile Creek Watershed District
     - Spartz vs Minnehaha Creek Watershed District
     - Levine et al. vs Minnehaha Creek Watershed District
     - Fridley vs Rice Creek Watershed District

5. CONSENT AGENDA ITEMS - Nothing on consent

9:30 a.m.

6. OLD BUSINESS
   - Budget Update - Ron Harnack
   - Legislative Update - Ron Harnack
     - Wetland Conservation Act (WCA) Comparisons
     - Watershed District (WD) Bill Summary
     - Water Management Organization (WMO) Bill Summary

10:00 a.m.

7. NEW BUSINESS
   - Timber Harvest in Minnesota, Environmental Impact Statement (EIS) Executive Summary - Mike Kilgore, DNR
   - Grant SWCD Rim Easement Violation - Pete Waller

8. ADVISORY COMMENTS
   - Kim Benson-Johnson, Department of Health
   - Paul Burns, Department of Agriculture
   - Jim Anderson, Minnesota Extension Service
   - Wayne Edgerton, Department of Natural Resources
   - Wayne Anderson, Pollution Control Agency

(continued)

ADVISORY COMMENTS (continued)

- Steve Chick, NRCS
- Pat Wulff, MLA
- Jim Schafer, MASWCD
- Rick Reimer, MACDE
- Franklin Denn, MAT
- Vern Johnson, MAWD

9. BOARD ISSUES - discussion, comments, action needed
   - BWSR Meeting and Tour
     - Lake Superior, Duluth
     - Little Falls, Area 2
     - Marshall, Area 5, September

10. NEXT BWSR MEETING - April 26, 1995

Noon ADJOURN

BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET, CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
MARCH 22, 1995

PRELIMINARY AGENDA

9:00 a.m.

1. CALL MEETING TO ORDER

2. ADOPT AGENDA

3. APPROVAL OF MINUTES OF FEBRUARY 22, 1995

4. REPORTS
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   - Wayne Anderson, Pollution Control Agency

ADVISORY COMMENTS (continued)

- Steve Chick, NRCS
- Pat Wulff, MLA
- Jim Schafer, MASWCD
- Rick Reimer, MACDE
- Franklin Denn, MAT
- Vern Johnson, MAWD

9. BOARD ISSUES - discussion, comments, action needed
   - BWSR Meeting and Tour
     - Lake Superior, Duluth
     - Little Falls, Area 2
     - Marshall, Area 5, September

10. NEXT BWSR MEETING - April 26, 1995

Noon ADJOURN

Minnesota Board of Water & Soil Resources

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MAR 13 1995

Date: March 10, 1995

To: Ron Harnack, Executive Director

From: Pete Waller, Board Conservationist PW

RE: Violation of RIM Easement # 26-02-88-01

There is a willful violation of RIM easement #26-02-88-01 in Grant County that the SWCD and I have been unable to resolve. I recommend that it be presented to the State Board March 22nd, as Jim Birkholz 'warned' the Board in February that there was a violation and that it would presented in full in the near future.

The SWCD and I followed the non-compliance/violation procedure outlined in the Handbook, but we've not resolved the situation. I recommend that the matter be turned over to the Attorney General's office.

Enclosed are the Corrective Actions Plan and a coniology. If you'd like to discuss the situation I'd be glad to bring you up to date.

c: Joe Montonye, Grant SWCD
Ron Shelito, BWSR-Brainerd
Jim Birkholz & Al Kean, BWSR-St. Paul

WR-01107-01 (8/94) EASEMENT ID # 26-02-88-1

CORRECTIVE ACTION PLAN

-- STATUS VERIFICATION --

☐ LANDOWNER IS NOW IN COMPLIANCE *(check here to certify that the non-compliance or violation has been resolved).*

☐ LANDOWNER IS NOT IN COMPLIANCE *(see Corrective Action Plan).*

☒ LANDOWNER DID NOT RESPOND within 30 days of his/her receipt of the *Corrective Actions Transmittal*

Lore H. Allen — SWCD Signature — 11/19/94 — Date

To correct the easement violation the landowner shall take the following actions:

Item	Deadline
1) Cease haying any areas within the easement boundary.	Immediately
2) Pay restitution to the State of Minnesota in the amount of $2,378.25 Restitution is based on Minnesota statutes section 103F.515, subd. 9.	Immediately
~~3) Pay restitution for tons of hay (amount of hay harvested from the PIK [illegible] to the Minnesota Department of Natural Resources [illegible]~~ Pete Walla 3-9-95	~~Immediately~~

We, the undersigned, do hereby agree that implementation of this *Corrective Action Plan* will resolve the easement violatio

J.P. Montgomery District Manager — SWCD Signature, Title — 11-19-94 — Date

Landowner Signature — Date

LANDOWNER: You must sign this form in the space above and return it to the SWCD within 10 working days of the SWC signature. Failure to agree to the *Corrective Action Plan* will place you in a Violations status, subject to possible legal actio

-- CERTIFICATION OF LANDOWNER REFUSAL TO COOPERATE --

(To be completed by the SWCD if the landowner does not agree to the corrective action plan or does not implement its provisions)

On behalf of the Grant Soil and Water Conservation District, I hereby declare that the *Correcti Action Plan* described herein has been sent via United States Postal Service Registered Mail to the landowner and that t landowner refuses to acknowledge and/or implement the corrective actions within the required timelines.

Donald J Waldhand — SWCD Chair Signature — 12/15/94 — Date

Summary of Rodney Jochim RIM Violation
RIM # 26-02-88-1
By: Pete Waller
Date: 3-9-95

HISTORY

2-19-93: Fluegel (Jochim's lawyer) requests "arrangement" to release about 10 ac from 15 ac RIM contract.

3-4-93: SWCD responds asking for 1) justification & 2) DNR recommendation of change.

4-19-93: Fluegel requests recommendation of change from Kevin Kotts DNR Wildlife Manager.

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PRESENT VIOLATION

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The Transmittal was not returned within 30 days.

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There was no response therefore it became a violation status.

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MARSHALL LAW OFFICES

BOX 097
BARRETT, MINNESOTA 56311

Kent D. Marshall
Lawyer

March 13, 1995

Peter Waller
Board Conservationist
217 South 7th Street
Suite 202
Brainerd MN 56401-3660

Transmitted by Fax

RE: Rodney Jochim
RIM Easement No. 26-02-88-01

Dear Mr. Waller:

Thank you for your letter of March 9, 1995. I would very much like to settle this matter by having my client send you a check. However, my client simply does not have that amount of money and has been unsuccessful in his attempts to borrow the money from the bank. I am representing him on a volunteer basis and I can assure you that he simply is incapable of coming up with $2,000.00.

I know that you may be entitled to treble damages in this case. However, the actual damages are $792.75 and I would suggest that it would be appropriate to resolve this case for that amount rather than to put my client into a bankruptcy situation. I believe that he could come up with that amount of money and if your office would settle the matter for that amount I will assist him in getting a draft sent to you immediately.

Sincerely,

Kent D. Marshall
KDM/cb
cc: Joe Montoyne

Minnesota Board of Water & Soil Resources

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Suite 104
St. Paul, MN 55107
(612) 296-3767
Fax (612) 297-5615

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Brainerd, MN 56401-3660
(218) 828-2383
Fax (218) 828-6036

Southern Region:

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Highway 15 S.
New Ulm, MN 56073
(507) 359-6074
Fax (507) 359-6018

1200 S. Broadway
Room 144
Rochester, MN 55904
(507) 285-7458

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Marshall, MN 56258
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Fax (507) 537-6368

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MAR 13 1995

Date: March 10, 1995

To: Ron Harnack, Executive Director

From: Pete Waller, Board Conservationist PW

RE: Violation of RIM Easement # 26-02-88-01

There is a willful violation of RIM easement #26-02-88-01 in Grant County that the SWCD and I have been unable to resolve. I recommend that it be presented to the State Board March 22nd, as Jim Birkholz 'warned' the Board in February that there was a violation and that it would presented in full in the near future.

The SWCD and I followed the non-compliance/violation procedure outlined in the Handbook, but we've not resolved the situation. I recommend that the matter be turned over to the Attorney General's office.

Enclosed are the Corrective Actions Plan and a coniology. If you'd like to discuss the situation I'd be glad to bring you up to date.

c: Joe Montonye, Grant SWCD
Ron Shelito, BWSR-Brainerd
Jim Birkholz & Al Kean, BWSR-St. Paul

Summary of Rodney Jochim RIM Violation
RIM # 26-02-88-1
By: Pete Waller
Date: 3-9-95

HISTORY

2-19-93: Fluegel (Jochim's lawyer) requests "arrangement" to release about 10 ac from 15 ac RIM contract.

3-4-93: SWCD responds asking for 1) justification & 2) DNR recommendation of change.

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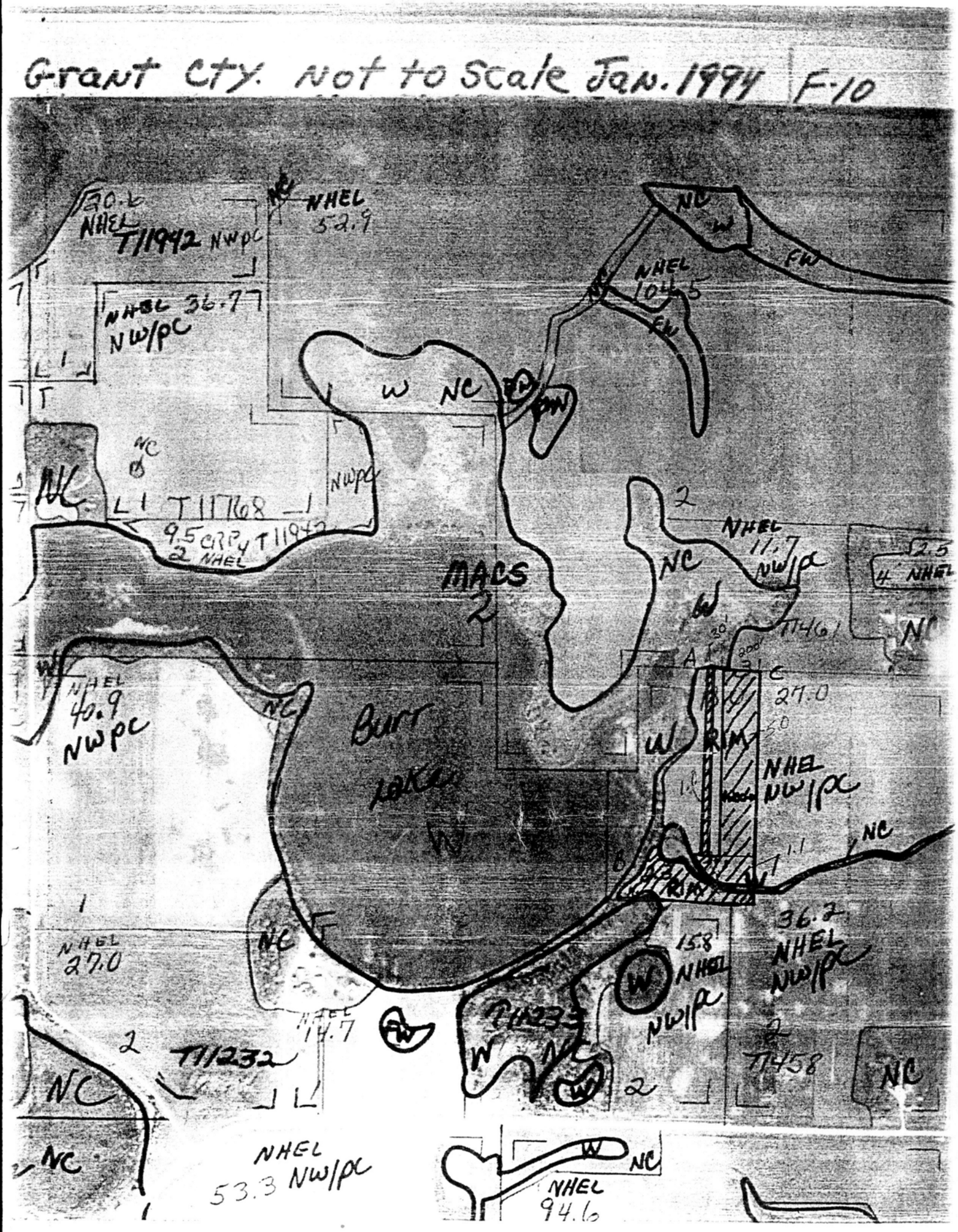
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Grant Cty. Not to Scale Jan. 1994 F-10
30.6 NHEL T11942 NWPC
NHEL 52.9
NHEL 36.7 NW/PC
NC
W
FW
NHEL 04.5
L1 T11768
9.5 CRPY T11942 2 NHEL
MACS
NHEL 11.7 NW/PC
T11461
2.5 4 NHEL
NHEL 40.9 NWPC
Burt Lake
27.0
NHEL NW/PC
NHEL 27.0
14.7
15.8 NHEL NW/PC
36.2 NHEL NW/PC
T11232
T11458
NHEL 53.3 NW/PC
NHEL 94.6

Minnesota Board of Water & Soil Resources

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March 9, 1995

MAR 13 1995

CERTIFIED MAIL

Mr. Rodney Jochim
RR 2 Box 48
Herman, MN 56248

RE: Violation Status of RIM Easement # 26-02-88-01

Dear Mr. Jochim:

After reviewing the Corrective Actions Plan, dated November 11, 1994, a decision has been made, by myself in consultation with Grant Soil & Water Conservation District (SWCD) personnel, to wave the third action item, donating 19.6 tons of hay, required to correct the easement violation. Note on the attached Corrective Actions Plan I have crossed out the third item, signed and dated it.

A landowner who willfully violates the term of the conservation easement is liable to the state for treble damages. In this case the value of the harvested hay was calculated by the Minnesota Extension Service to be $792.75, therefore treble damages are $2,378.25. See attached valuation of hay harvested and calculation sheet for details.

Because this is a willful violation, the remaining items listed on the Corrective Actions Plan are still required. Mr. Jochim, to bring this matter to an end the attached Corrective Actions Plan should be signed, returned by March 20th to the Grant SWCD with a $2,378.25 check made out to the State of Minnesota. If the violation is not resolved on or before March 20th, March 22nd the violation will be presented to the Board of Water and Soil Resources to be referred to the State Attorney General to commence legal action to enforce the provisions of the conservation easement.

Mr Jochim, if you or your attorney wish to discuss the issue with me, I can be reached by phone at 218-828-2564 or at 217 South 7th Street, Suite 202, Brainerd, MN 56401.

Sincerely,

Peter Waller

Peter Waller
Board Conservationist

c: Kent D. Marshall, Marshall Law Offices, Barret, MN
Joe Montonye, Grant SWCD, Elbow Lake
Jim Birkholz & Al Kean, BWSR, St. Paul

WR-01107-01 (8/94) EASEMENT ID # 26-02-88-1

CORRECTIVE ACTION PLAN

– STATUS VERIFICATION –

☐ LANDOWNER IS NOW IN COMPLIANCE *(check here to certify that the non-compliance or violation has been resolved).*

☐ LANDOWNER IS NOT IN COMPLIANCE *(see Corrective Action Plan).*

☒ (XX) LANDOWNER DID NOT RESPOND within 30 days of his/her receipt of the *Corrective Actions Transmittal*

SWCD Signature ______ Date 11/19/94

To correct the easement violation the landowner shall take the following actions:

Item	Deadline
1) Cease haying any areas within the easement boundary.	Immediately
2) Pay restitution to the State of Minnesota in the amount of $2,378.25 Restitution is based on Minnesota statutes section 103F.515, subd. 9.	Immediately
~~3) Donate 10.6 tons of hay (amount of hay harvested from the RIM easement area) to the Minnesota Department of Natural Resources [illegible] tons of [illegible]~~ Pete Waller 3-9-95	~~Immediately~~

We, the undersigned, do hereby agree that implementation of this *Corrective Action Plan* will resolve the easement violati

SWCD Signature, Title ______ District Manager Date 11-19-94

Landowner Signature ______ Date ______

LANDOWNER: You must sign this form in the space above and return it to the SWCD within 10 working days of the SWC signature. Failure to agree to the *Corrective Action Plan* will place you in a Violations status, subject to possible legal acti

– CERTIFICATION OF LANDOWNER REFUSAL TO COOPERATE –

(To be completed by the SWCD if the landowner does not agree to the corrective action plan or does not implement its provisions)

On behalf of the Grant Soil and Water Conservation District, I hereby declare that the *Correc Action Plan* described herein has been sent via United States Postal Service Registered Mail to the landowner and that t landowner refuses to acknowledge and/or implement the corrective actions within the required timelines.

SWCD Chair Signature ______ Date 12/15/94

3-13-95 Most recent communication from Mr. Jochim's attorney. Since this correspondence the Corrective Action Plan was modified by BWSR to not require a donation of hay.

MARSHALL LAW OFFICES

BOX 097
BARRETT, MINNESOTA 56311

Kent D. Marshall
Lawyer

February 7, 1995

Peter Waller
Suite 202
217 South Seventh Street
Brainerd MN 56401-3660

RE: Rodney Jochim

Dear Mr. Waller:

Thank you for your letter of February 2, 1995. Unfortunately, even if Mr. Jochim could agree to the corrective action being requested, he does not have that amount of money; he does not have the ability to borrow that amount of money and he has absolutely no way of donating 20 tons of hay. Mr. Jochim and I are both a little bit curious about how anyone has arrived at 20 tons of hay. The amount of grassland that was cut didn't yield anything close to that and in fact we believe that a more accurate figure would be around 500 bales. In any event, Mr. Jochim does not have 20 tons of hay and he does not have the ability to purchase it and donate it. One of the reasons that he attempted to utilize the grassland was because he was without sufficient hay to feed his dairy herd.

As I have indicated in my correspondence to the local SWCD, there is very little doubt but that this appears to be an intentional violation. However, Mr. Jochim's culpability is substantially reduced, in my opinion, by advice from an attorney that cutting it would be an acceptable practice. This information was forwarded to the local SWCD after the matter had been sent to you. It is my belief that if the local SWCD would have had this information available to them, they may have offered to negotiate this matter a bit more reasonably. In any event, I would still like to work something out to avoid having this matter sent to the Attorney General's Office but Mr. Jochim is not in a position to meet the demands and I would therefore, ask that you reconsider the offer that was forwarded to the local SWCD.

Sincerely,

Kent D. Marshall
KDM/cb
cc: Rodney Jochim

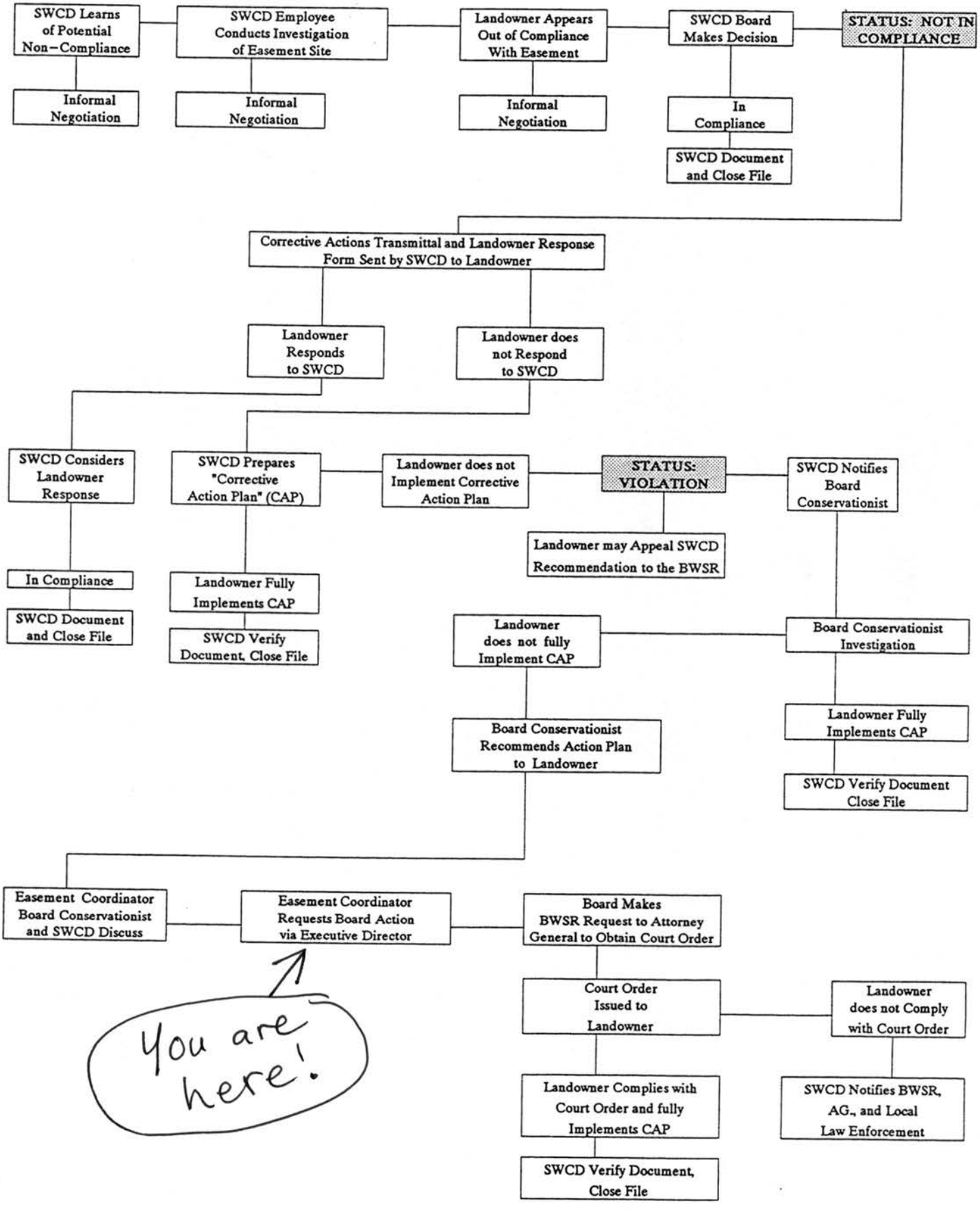
103F.515 exerpt from Reinvest in Minnesota Resources Act

Subd. 9. Enforcement and damages. (a) A landowner who violates the term of a conservation easement or agreement under this section, or induces, assists, or allows another to do so, is liable to the state for treble damages if the trespass is willful, but liable for double damages only if the trespass is not willful. The amount of damages is the amount needed to make the state whole or the amount the landowner has gained due to the violation, whichever is greater.

(b) Upon the request of the board, the attorney general may commence an action for specific performances, injunctive relief, damages, including attorney's fees, and any other appropriate relief to enforce sections 103F.505 to 103F.531 in district court in the county where all or part of the violation is alleged to have been committed, or where the landowner resides or has a principal place of business.

Laws 1990, c. 391, art. 6, § 73. Amended by Laws 1991, c. 354, art. 10, § 3; Laws 1992, c. 415, § 3.

D. FLOWCHART OF NON-COMPLIANCE / VIOLATION PROCEDURES



MINNESOTA EXTENSION SERVICE

UNIVERSITY OF MINNESOTA
GRANT COUNTY

411 First St. SE
P.O. Box 1099
Elbow Lake, MN 56531-1099
(218) 685-4820
FAX (218) 685-4817

SUBJECT: VALUATION OF HAY HARVESTED ON RIM ACRES

LOCATION: SECTION 2, MACSVILLE TOWNSHIP, GRANT COUNTY, MINNESOTA

Upon viewing the RIM ground in question, and the standing grass and winrowed hay I have arrived at the following estimates.

A. The one acre strip of straight grass appeared to have only been harvested one time this year with an estimated yield of 1.15 tons and a value of $30 per ton. Total value = $34.50

B. The 3.2 acre parcel that had been harvested at least twice this season has an estimated yield of 2.25 tons per acre with a $35 per ton value. Total value = $252.

C. The final parcel consisting of 5 acres of an alfalfa grass mix that had been harvested at least twice this season also has an estimated yield of 2.25 tons per acre with a value of $45 per ton.
Total value = $506.25

Total of all three parcels - 9.2 acres 19.6 tons hay $792.75 value

Yields were based on Minnesota Ag Statistics for Grant County and prices are based on the current hay market.

Sincerely,

Bret Oelke

Bret Oelke , Extension Educator, Grant County

The University of Minnesota, including the Minnesota Extension Service, is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, color, creed, religion, national origin, sex, age, marital status, disability, public assistance status, veteran status, or sexual orientation.

Valuation of Harvested Hay on R11

Area	Acreas	Hay Type	Cuttings	Yield	$/T	Total
A	1.0	grass	1	1.15	$30/-	34.5
B	3.2	alfalfa & grass	2	2.25	35	252.
C	5.0	alfalfa & grass	2	2.25	45	506.-
total	9.2			19.6		792.7

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

PHONE NO. FILE NO.

Kevin Kotts
DNR Area Wildlife Manager
701 1/2 Iowa Ave.
Morris, MN 56267
(612) 589-1030

Michael M. Fluegel
Fluegel, Helseth, McLaughlin,
Anderson and Brutlag, chartered
215 Atlantic Avenue
Morris, MN 56267

Dear Mr. Fluegel,

This letter contains my recommendations concerning the RIM easement on the property of Mr. and Mrs. Jochim in Section 2, township 127N, range 43W, Grant County, Minnesota.

In regards to wildlife found in Grant County I cannot recommend that this land be released from the RIM easement. My recommendation for this property is based on my opinion of the value of this property for native and introduced wildlife found in Grant county.

Grassland areas in west central Minnesota are valuable as nesting cover for a number of game and non-game wildlife species. Grasslands are particularly important to nesting pheasants and waterfowl. Corn has very little value as nesting cover. Alfalfa fields are attractive to nesting wildlife but may be more harmful than crop fields. Alfalfa attracts nesting birds but many are still incubating their eggs when the first cutting is taken. Both the nest and the hen may be destroyed when the alfalfa is cut.

Burr Lake, the wetland adjacent to the Jochims' RIM easement is mostly open water but it also has emergent vegetation. It normally has water throughout the summer. The combination of vegetation and open water makes this wetland attractive to local waterfowl. The proximity of the RIM easement to the wetland likely makes it even more attrative to waterfowl.

In summary, I think that wildlife interests are best served by keeping the Jochim RIM easement in grassland cover. I don't think planting trees at this location will benefit wildlife greatly. I recommend that the Jochim RIM easement not be changed or ammended.

Sincerely,

Kevin Kotts

Kevin Kotts

AN EQUAL OPPORTUNITY EMPLOYER

Minnesota Wetland Report

1994

The Minnesota Board of Water and Soil Resources

Includes information from:
The Minnesota Board of Water and Soil Resources
The Minnesota Department of Transportation
The U.S. Fish and Wildlife Service
The U.S. Army Corp of Engineers

March 1995

MINNESOTA WETLAND REPORT - 1994
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S:TABLE.WET

Minnesota Wetland Report - 1994

I. Introduction

The Wetland Conservation Act of 1991 requires a report to the Legislature on the status of implementation of state laws and programs relating to wetlands and information on the quantity, quality, acreage, types and public value of wetlands in the state. This is the second report prepared under this mandate of the act.

In addition to information on wetland impacts resulting from the Wetland Conservation Act, this report includes information on wetland activities resulting from the Reinvest in Minnesota (RIM) Reserve Program and the Permanent Wetland Preserves Program. It also includes information on wetland activities that occurred through the actions of the Minnesota Department of Transportation, the U.S. Army Corps of Engineers, the U.S Fish and Wildlife Service, and non-profit and private organizations.

II. Implementation of the Wetland Conservation Act

In 1991, the Legislature approved the Minnesota Wetland Conservation Act (WCA), the goal of which is to promote no-net-loss of wetlands and to protect the benefits wetlands provide. The benefits cited in the law include conserving surface waters, maintaining and improving water quality, preserving wildlife habitat, providing recreational opportunities, reducing runoff, providing for floodwater retention, reducing stream sedimentation, contributing to improved subsurface moisture, helping moderate climatic change, and enhancing the natural beauty of the landscape.

The act moves toward its no-net-loss goal by requiring persons proposing to drain or fill a wetland to first try to avoid disturbing the wetland; second, try to minimize any impact on the wetland; and finally, to replace any lost wetland functions and values (MN Statute 103A.202). Certain wetland activities are exempt from the act, allowing projects with minimal impact or projects located on land where certain pre-established land uses are present to proceed without regulation.

The act took effect with an interim program beginning in 1992 and became fully effective in January 1994. The program is administered by local government units (LGUs) with oversight provided by the Board of Water and Soil Resources (BWSR). Department of Natural Resources (DNR) Conservation Officers enforce the law.

Successes

Data collected from the first full year of WCA implementation indicates a number of successes, the most significant of which is the frequency with which proposed wetland projects were re-worked to avoid wetlands entirely. Of the over 5000 non-exempt project proposals, 72 percent resulted in avoidance of any impacts to wetlands (see Appendix A and Appendix B). Where wetland impacts were unavoidable, nearly 400 acres of wetland were replaced. Clearly, the program is achieving its goal of protecting Minnesota wetlands.

Another success worth noting is the increased abilities of more than 400 local governments (see Appendix C) to manage the program. The $1.63 million in state funding allocated in 1994 as part of the Natural Resources Block Grants to counties was complemented by

local matching funds, for a total program cost of $2.25 million. This funding, combined with BWSR support in training and participation on local technical evaluation panels, allowed local governments to implement the program cost-effectively. In many cases, the WCA was incorporated into existing land use programs.

A third success is the implementation of a wetland banking program, which provides a mechanism for planned wetland replacement and exchanges of wetland credits developed by prior restoration and creation projects (see Appendix D). This type of replacement gives those needing to drain or fill wetlands more options and flexibility.

Although these successes are important, local government experiences during 1994 clearly indicate the need for some changes to the state laws and rules (Minnesota Chapter 8420) governing the act. The legislatively-created Wetland Heritage Advisory Committee (WHAC) met four times between November 1994 and January 1995 and developed recommendations for legislative changes to the WCA that would: 1.) streamline the procedural requirements; 2.) provide flexibility for local governments to tailor wetland protection measures based on an assessment of their unique local resources; 3.) provide some relief for areas of the state where wetland resources are abundant; and, 4.) capitalize on regulatory simplification opportunities. These and other modifications to the law are being considered by the 1995 Minnesota Legislature.

ENFORCEMENT

DNR conservation officers enforce the law. In 1994, conservation officers issued approximately 300 cease and desist orders to stop unapproved work until approval was given. Approximately 90 restoration orders were issued with assistance from the soil and water conservation districts (SWCDs).

COMPENSATION

The WCA includes a provision (MN Statute 103G.237) which provides compensation, in the form of payment for a permanent conservation easement, to landowners who have a legitimate replacement plan denied. No compensation claims were made in 1994.

APPEALS

The act also has an administrative appeals provision (MN Statute 103G.2242). In 1994, five appeals were filed and heard by the BWSR Dispute Resolution Committee, requiring about 300 hours of BWSR staff time. The results of the four completed appeals (the fifth one is pending) included two decisions affirming a local government decision, one decision overturning a local government decision and one decision remanding the decision back to the local government unit.

III. IMPLEMENTATION OF OTHER PROGRAMS RELATING TO THE RESTORATION & REPLACEMENT OF WETLANDS

STATE PROGRAMS

Reinvest in Minnesota (RIM) Reserve Program: One of the components of the RIM Reserve program pays landowners to restore legally drained wetlands and adjacent uplands to their native condition. In conjunction with the restoration, the state acquires a conservation easement to perpetually protect the restored lands. RIM Reserve is

administered by the BWSR and implemented by soil and water conservation districts (SWCDs) at the local level.

In 1994, 2,850 acres were enrolled into the easement program, restoring 65 basins and 1,140 wetland acres. The majority of restorations are located in the prairie pothole region of the state. Since its beginning in 1986, the program has restored 541 wetland basin totalling 5,750 acres. Appendix E of this report provides the program's yearly enrollment statistics.

Permanent Wetland Preserve Program: This program was established by the Wetland Conservation Act and began in 1992. Like RIM Reserve, it is administered by the BWSR and implemented by soil and water conservation districts at the local level. To date, 276 easements have been acquired under the program, perpetually protecting 11,225 acres of existing type 1, 2, 3 and 6 wetlands.

Minnesota Department of Transportation: Mn/DOT is required to mitigate any wetland losses or impacts that occur in conjunction with state highway projects. The agency reported the replacement of 7.1 wetland acres for 1994.

Minnesota Department of Natural Resources: No information reported. An addendum to the report will be developed after this information is compiled.

FEDERAL PROGRAMS

U.S. Army Corps of Engineers, Department of the Army: The Corps has oversight responsibility for Section 404 of the Clean Water Act, regulating the excavation or filling of wetlands. During 1994, the agency estimates approximately 1,200 acres of wetlands were created or restored to mitigate impacts to 700 acres of wetlands authorized by the permitting process. The agency is in the process of developing a tracking database and stresses that the above figures are estimates. No accurate acreage information is available for actions or approvals prior to 1994.

U.S. Fish and Wildlife Service, Department of the Interior: The U.S. Fish and Wildlife Service (USFWS) administers several programs aimed at restoring wetlands on private and public lands. The USFWS places high priority on projects that will benefit migratory waterfowl and strives to restore sites as close as possible to their former status (i.e., restoring a partially drained wetland to its pre-drainage condition). In 1994, the USFWS restored approximately 3,161 acres on 939 public and private sites. The USFWS estimates that it has restored 9,372 wetland sites, totalling 30,377 acres, in Minnesota since 1987. These figures include restorations completed on acres enrolled in U.S. Department of Agriculture's 10 year Conservation Reserve Program (CRP).

Natural Resource Conservation Service (FORMERLY THE SOIL CONSERVATION SERVICE), U.S. Department of Agriculture: No information reported.

NON-PROFIT AND PRIVATE ORGANIZATIONS: Many private and non-profit conservation organizations are involved in wetland preservation and restoration projects, often by providing partnership funds on cooperative projects with state and federal programs. Also, many local sporting groups and private landowners restore or preserve wetlands for their own benefit and use.

IV. SUMMARY OF WETLAND GAINS & LOSSES

Although the record-keeping for wetland gains has improved over the last several years, it is still nearly impossible to estimate the amount of losses for activities that impact wetlands but do not require approvals or permits. Some examples of wetland impacts that result in wetland losses are:

- exemptions from the Wetland Conservation Act
- exemptions and nationwide permits from the U.S. Army Corps of Engineers Federal 404 Program
- non-agricultural wetland impacts approved by the U.S. Department of Agriculture for farm program participants
- unreported violations of all programs

As difficult as it is to estimate wetland gains and losses on an acreage basis, it is even more difficult to measure the functional gains and losses of wetland projects. Wetlands are important because of how they function in the hydrologic system; qualitative information on wetland functions, while more relevant than total acreage, is not available. Moreover, the measure of gains and losses on a nationwide or even statewide basis is much less important than those measures for a local community or watershed. Tracking wetland losses and gains only matter if there is a goal being targeted. Such goals are best developed and achieved through planning efforts of local communities, with support and oversight by the state and federal partners.

Despite the impressive wetland gains reported in the previous section and increased public awareness of the importance of wetlands, significant losses continue as noted above. Consequently, it is not possible to say that the goal of no-net-loss has been achieved on a statewide basis. Assessment of wetland losses and gains at the local level are strongly encouraged. Wetland protection and management that accounts for the unique state of the natural resources of a particular community are benefits of this process.

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Minnesota Wetland Conservation Act 1994 Summary of Local Government Activity

	BWSR WCA Grant	Total WCA Administration Expenses	No. of Restoration Orders	No. of Technical Evaluation Panel Meetings	No. of landowner contacts in 1994	No. of projects where wetland was avoided	A. Number of acres avoided	No. of projects where wetland impact was minimized	B. Number of acres minimized	No. of projects where wetlands were replaced via a replacement plan	C. Number of acres replaced	Wetland type most often impacted	Wetland type most often used for replacement	Average size of WCA project (acres unless specified)	*Total acreage protected or replaced [Total of A, B, and C]*	Most Common Project Descriptions (e.g. roads, lakeshore development)
Aitkin	$19,200.00	$28,800.00	4	6	120	100	200	10	19	0	0	2 & 6	3	.1	219	Roads to Lakeshore Development
Anoka	$36,000.00	$47,946.90	18	20	661	236	355	108	50	112	18.9	1, 2, 3	3, 4, 5	.66	423.90	Development, Roads
Becker	$16,700.00	$38,519.00	1	8	36	12	10	2	1	3	.5	2	3	.2	11.50	Roads, Building Sites
Beltrami	$36,000.00	$34,800.00	4	2	246	1	.01	1	.3	1	1.3	2, 6	2, 6	.81	1.61	Access Roads
Benton	$36,000.00	$58,000.00	6	15	300	84	90	27	17.50	33	27.5	1, 2, 6	2	.08	135	Roads, Driveways Building Sites
Big Stone	$10,000.00	$13,398.00	0	6	14	2	4.3	0	0	0	0	N/A	N/A	2.2	4.3	Lakeshore and Roads
Blue Earth	$19,200.00	$38,400.00	7	3	540	20	80	0	0	0	0	N/A	N/A	4	80	Shoreland, Ag, Residential
Brown	$10,000.00	$15,300.00	0	0	37	3	5	0	0	0	0			1.7	5	Ag Tiling, Developments
Carlton	$19,200.00	$38,400.00	0	2	100	87	87	13	13	0	0	1, 6, 7		1	100	Roads
Carver	$36,000.00	$45,165.00	0	1	17	9	13.7	1	.6	3	5.6	2	2	1.9	19.9	Residential, High School, Industrial
Cass	$36,000.00	$73,360.00	3	3	194	130	9.5	36	2.6	28	2.05	6	3, 4	.1	14.15	Lakeshore, Roads
Chippewa	$10,000.00	$19,337.00	1	3	20	1	.5	1	1	1	2	3	1, 2	1.00	3.50	Roads
Chisago	$26,700.00	$37,980.00	3		450	100	15	75	10	0				0	25	Driveways, Residential
Clay	$16,700.00	$1,000.00	0	0	15	0	0	0	0	0	0			0	0	Roads
Clearwater	$19,200.00	$27,457.38	0	0	48	9	17.5	9	50.6	6	17.2	2	4	.9	85.3	Roads, Homesites, Ditches
Cook	$12,200.00	$9,132.00	0	2	1000	335	335	0	0	2	0.75	6, 7	3, 4, 6	1	335.75	Roads, Driveways, Building Sites
Cottonwood	$10,000.00	$10,000.00	0	5	4	1	1	0	0	0	0				1	Development
Crow Wing	$36,000.00	$72,007.48	10	18	629	574	57	55	6	7	0.70	6	3	.1	63.70	Roads, Access Paths
Dakota	$36,000.00	$68,000.00	4	15	64	10	20	11	22	24	52	2	3	2.1	94	Driveways, Ponds, Development
Dodge	$16,700.00	$4,328.00	1	5	11	2	5	0	0	1	3.17	2, 3	2, 3	3	8.17	Roads
Douglas	$19,200.00	$13,117.58	3	2	189	40	10.8	12	1.4	6	3.6	2	2, 3	.5	15.8	Roads, Lakeshore Development
Faribault	$10,000.00	$6,250.00	0	2	30	30	120	0	0	0	0	1, 2		4	120	Roads, Urban
Fillmore	$10,000.00	$20,000.00	0	0	25	1	.5	1	.5	0	in progress			.5	1	Roads, Development, Ag Drainage
Freeborn	$10,000.00	$10,000.00	0	3	256	253	150	256	100	3	5	2, 3	2, 3	1.7	255	Roads, Commercial Development
Goodhue	$16,700.00	$34,187.96	1	3	75	5	10	0	0	1	15	2	2	15	25	Roads, Development, Drainange
Grant	$10,000.00	$23,177.00	1	3	38	6	5	0	0	2	1	3	3	.5	6	Lakeshore
Hennepin	$36,000.00	$72,000.00	20	15	500	50	400	36	36	36	34	2, 3	3	1	470	Roads, Driveways
Houston	$12,200.00	$18,000.00	0	6	23	12		2	0	1	5.2	1, 2, 3	1, 2, 3		5.2	Ag Land, Shoreland Improvements
Hubbard	$26,700.00	$19,910.00	9	5	70	25	3	12	5.7	3	3.9	3, 6, 7	3, 4	1.3	12.6	Lakeshore Development, Roads
Isanti	$26,700.00	$27,500.00	0	3	225	125	25	2	5	1	2	5	6	2	32	Roads
Itasca	$19,200.00	$72,020.00	2	1	180	52	27	26	16	5	4.1	6, 7	4, 5	1	47.1	Highway, Lake Home Access
Jackson	$10,000.00	$20,000.00	0	0	2	1	5.5	0	0	0	0			5.5	5.5	
Kanabec	$26,700.00	$53,400.00	3	6	28	3	.3	3	7.8	7	12.1	6	4	2	20.2	Golf Course, Roads
Kandiyohi	$19,200.00	$8,531.85	0	10	87											Driveways
Kittson	$16,700.00	$900.37	0	3	19	0	0	0	0	0	0	2, 6	N/A		N/A	Road Building and Maintenance
Koochiching	$19,200.00	$3,470.00	0	0		0	0	0	0	0	0	6	0	0	0	Driveways, Development
Lac Qui Parle	$10,000.00	$17,599.00	1	3	1027	1	3.8	0	24.7	0	0	1, 2		4.07	29	Roads, Ag Use, Development
Lake	$16,700.00	$0,000.00	0		20						2				2	

	BWSR WCA Grant	Total WCA Administration Expenses	No. of Restoration Orders	No. of Technical Evaluation Panel Meetings	No. of landowner contacts in 1994	No. of projects where wetland was avoided	A. Number of acres avoided	No. of projects where wetland impact was minimized	B. Number of acres minimized	No. of projects where wetlands were replaced via a replacement plan	C. Number of acres replaced	Wetland type most often impacted	Wetland type most often used for replacement	Average size of WCA project (acres unless specified)	*Total acreage protected or replaced (Total of A, B, and C)*	Most Common Project Descriptions (e.g. roads, lakeshore development)
Lake of the Woods	$26,700.00	$38,395.77	1	2	73	12	59	6	14	1	2.5	2, 3	3, 4	2	75.50	Rural Housing, Cabins, Roads
Le Sueur	$16,700.00	$6,645.96	0	0	16	4	3.5	1	1	0	0	2		1	4.5	Roads, Ag Development
Lincoln	$10,000.00	$16,971.36	0	3	6	6	6.5	0	0	0	0	3	N/A	1	6.5	Roads, City
Lyon	$10,000.00	$11,800.00	0	1	35	3	1	2	1	1	2	2	2	1	4	Industrial Park, Developments
McLeod	$16,700.00	$9,859.00	3	9	28	4	4.3	1	.05	3	5.1	2, 3	2, 3	1	9	Roads
Mahnomen	$12,200.00	$25,000.00	0	5	50	20	20	2	3	1	1	3	3	1	24	Development, houses, parking
Marshall	$19,200.00	$9,563.00	0	0	100	0	0	0	0	0	0	6	3, 4		0	Roads
Martin	$10,000.00	$20,000.00	0	2	165	30	25	15	10	2	6	2	2	1.2	41	Roads, Residential
Meeker	$19,200.00	$14,228.20	1	2	15	14	35	0	0	1	1.2	3	3	2.5	36.2	Development
Mille Lacs	$19,200.00	$38,451.00	25	4	98	60	18	15	2	19	5	2	3	.25	25	Driveways, Building Sites
Morrison	$26,700.00	$32,900.00	6	1	298	270	137.5	20	15	5	9.24	2, 6, 7	4	.6	162	Driveways, Lakeshore
Mower	$12,200.00	$19,500.00	2	2	62	15	45	0	0	0	0	1, 2		3	45	Housing Development, Drainage
Murray	$10,000.00	$10,000.00	0	2	13	4	3.0	0	0	0	0	3		1	3.0	Lakeshore
Nicollet	$16,700.00	$26,516.00	0	19	34	2	9	2	2	0	0	1, 2	N/A	4	11	Roads, Residential
Nobles	$10,000.00	$15,000.00	0	2	225	2	1.2	0	0	0	0			.6	1.2	Ag Drainage Projects
Norman	$12,200.00	$24,500.00	0	3	150	28	200	0	0	0	0	N/A	N/A	4	200	Roads, Lakeshores, Roads
Olmsted	$26,700.00	$39,560.00	2	10	46	2	9	1	2	1	1	2	1	1	12	Development, Roads
Otter tail	$19,200.00	$27,391.44	7	10	86	30		25		1	.17	2, 3, 6	3	.17	0	Roads, Ag Land, Shoreland
Pennington	$16,700.00	$5,000.00	0	0	50	0	0	0	0	0	0			0	0	None
Pine	$26,700.00	$53,572.17	7	8	274	175	40	15	3.5	11	15.18	2, 4	3, 4	.5	58.68	Roads
Pipestone	$10,000.00	$20,000.00	0	0	30	15	70	1	5	0	0	N/A	N/A	5	75	Drainange and Fill
Polk	$16,700.00	$34,980.00	2	2	248	17	47	0	0	2	.7	1, 2, 3	?	.4	47.7	Roads, Lakeshore, Ditches
Pope	$12,200.00	$30,330.27	3	6	500	3	.85	0	0	0	0			.25	.85	Roads, Lakeshore
Ramsey	$26,700.00	$36,128.25	9	44	219	81	81	7	7	9	42	2, 3, 4	2, 3, 4	4.7	130	Residential
Red Lake	$12,200.00	$24,400.00	0	1	10	9	2.7	1	.9	1	1.6	3	4	1.4	5.2	Roads
Redwood	$10,000.00	$11,500.00	0	0	7	7						1, 3		3		Roads
Renville	$10,000.00	$15,860.00	8	8	26	8	24	12	10.8	6	12.8	1, 2	2	3.6	48	Development
Rice	$19,200.00	$38,400.00	4	1	63	29	175	0	0	1	2.32	4	6	2.5	177.32	Roads Development
Rock	$10,000.00	$20,000.00	0	1	20	3	17	0	0	1	2	2	3	5	19	General Development
Roseau	$26,700.00	$29,662.27	1	6	20							2, 6, 7	2, 6			Roads, Ag. Drainage, Residential
North St. Louis	$13,350.00	$11,115.00	2	11	117	114	61	2	1.5	4	10.5	3, 6, 7	3, 4	1	73	Residential/Commercial Develop.
South St. Louis	$13,350.00	$23,536.50	1	8	75	73	2.5	1	.01	7	0.90	1, 2, 6	2, 3	.1	3.41	Development
Scott	$36,000.00	$96,000.00	6	20	450	200	400	75	250	30	15	2	4	1	665	Subdivisions, Roads
Sherburne	$36,000.00	$56,734.00	4	4	550	100	15	6	5	5	1.08	2, 3, 6, 7	3, 4	.16	21	Roads, Driveways
Sibley	$12,200.00	$12,200.00	0	3	250	250	100	20	100	0	0	1, 2	N/A	2.5	200	Roads, Cropland
Stearns	$26,000.00	$105,000.00	12	3	300	40		3	3	3	14	3	3	.5	17	Lakeshore, Access
Steele	$12,200.00	$12,454.74	2	5	139	31	65	2	.5	pending	0	1, 2		1	65.5	Roads, Development
Stevens	$10,000.00	$5,985.00	0	2	8	6	5	0	0	2	1.2	1, 2, 3	1, 2, 3	1	6.2	Roads, Development
Swift	$12,200.00	$8,517.00	0	2	13	1	2	1	2	1	4.02	1, 2	2, 3	4	8	Farm Drainage, Road Repairs
Todd	$19,200.00	$22,790.00	4	6	62	39	20	7	4	1	.25	2	3	.25	24	Lakeshore
Traverse	$10,000.00	$1,369.67	0	0	2	1	3	0	0	0	0			3	3	?
Wabasha	$12,200.00	$6,606.06	0	3	18	0	0	0	0	0	0	0	0	0	0	Road Projects, Subdivision

	BWSR WCA Grant	Total WCA Administration Expenses	No. of Restoration Orders	No. of Technical Evaluation Panel Meetings	No. of landowner contacts in 1994	No. of projects where wetland was avoided	A. Number of acres avoided	No. of projects where wetland impact was minimized	B. Number of acres minimized	No. of projects where wetlands were replaced via a replacement plan	C. Number of acres replaced	Wetland type most often impacted	Wetland type most often used for replacement	Average size of WCA project (acres unless specified)	*Total acreage protected or replaced (Total of A, B, and C)*	Most Common Project Descriptions (e.g. roads, lakeshore development)
Wadena	$16,700.00	$26,119.94	1	5	36	15	70	4	2.7	5	1	7	3	1	73.7	Roads, Drainage
Waseca	$12,200.00	$15,020.00	0	0	86	24	78	0	0	0	0			.5	78	Access Roads and Development
Washington	$36,000.00	$29,844.42	5	5	85	26	356	2	.4	2	.8	2/7	2	.4	357.2	Private Drives, Roads
Watonwan	$10,000.00	$5,317.00	0	0	3	1	16.8	0	0	0	0	N/A	N/A	0	16.8	Roads, Ag, Lakeshore & Streams
Wilkin	$10,000.00	$1,020.00	0	0	1	0	0	0	0	0	0	3	0	0	0	Roads
Winona	$12,200.00	$27,946.74	1	2	12	1	3	1	.01	1	7	7	2	3	10	Ag, Development
Wright	$36,000.00	$50,812.50	8	8	170	16	5.75	22	30	5	13	2	1, 2	.75	49	Access Roads, Public Roads
Yellow Medicine	$10,000.00	$8,864.09	0	1	709	0	0	0	0	0	0	1, 2	N/A	0	0	Roads, Building Sites, Ditches
TOTALS:	**$1,629,500.00**	**$2,246,118.54**	**224**	**421.00**	**13,333**	**4,111**	**4,294.21**	**961**	**842.37**	**418**	**398.13**			**1.55**	**5569.21**	

Report Compiled by the Minnesota Board of Water and Soil Resources (3/7/95)

N/A=Not Applicable

Blank Spaces=unreported information from LGU's

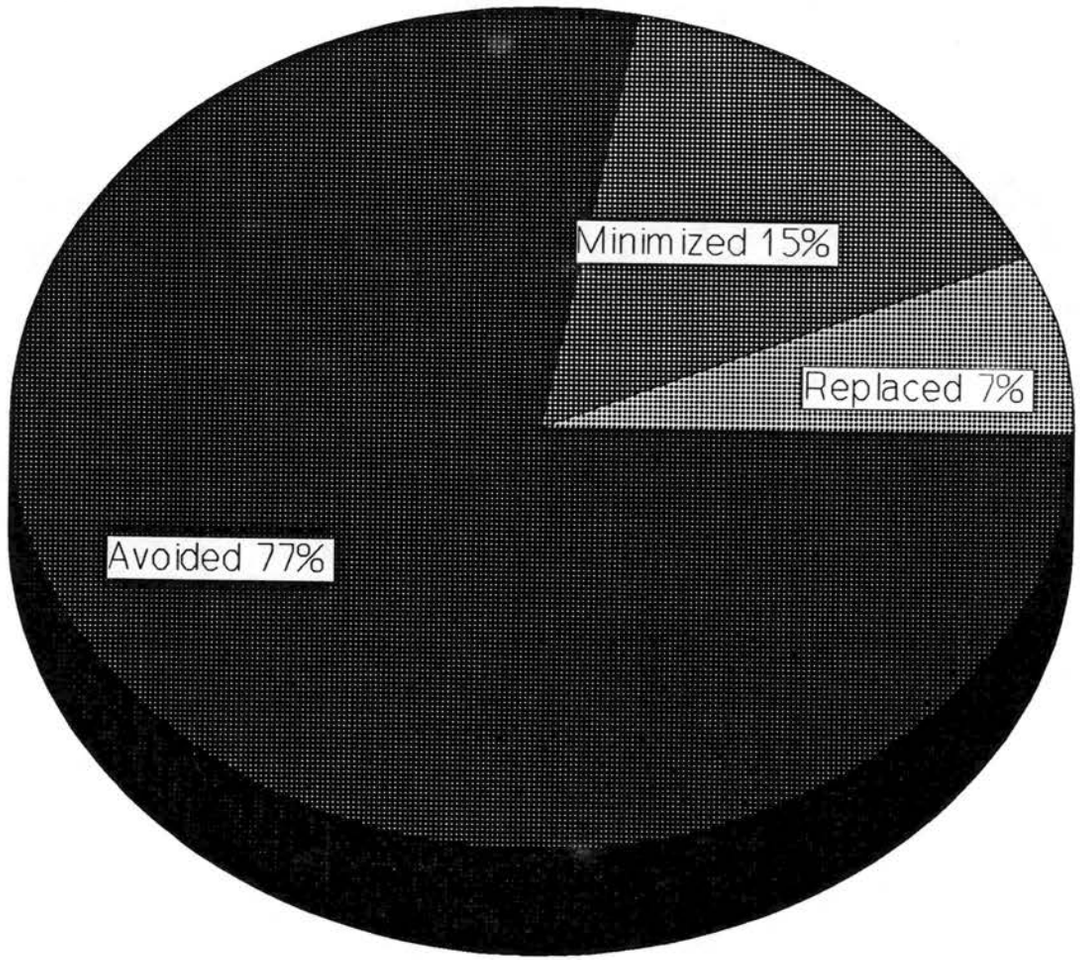
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Minnesota Wetland Conservation Act 1994

(projects)

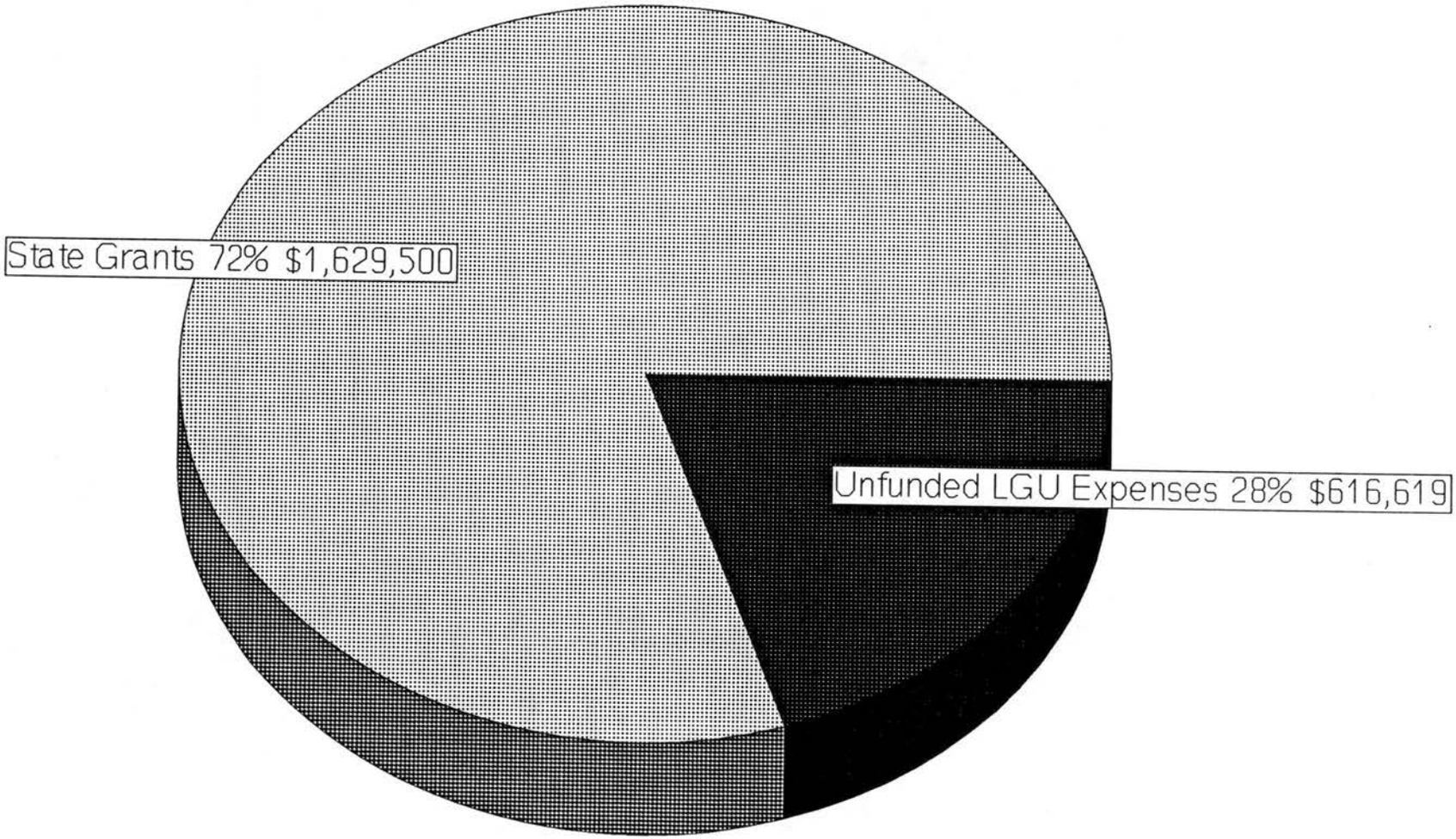
MN Wetland Conservation Act 1994

(acres)



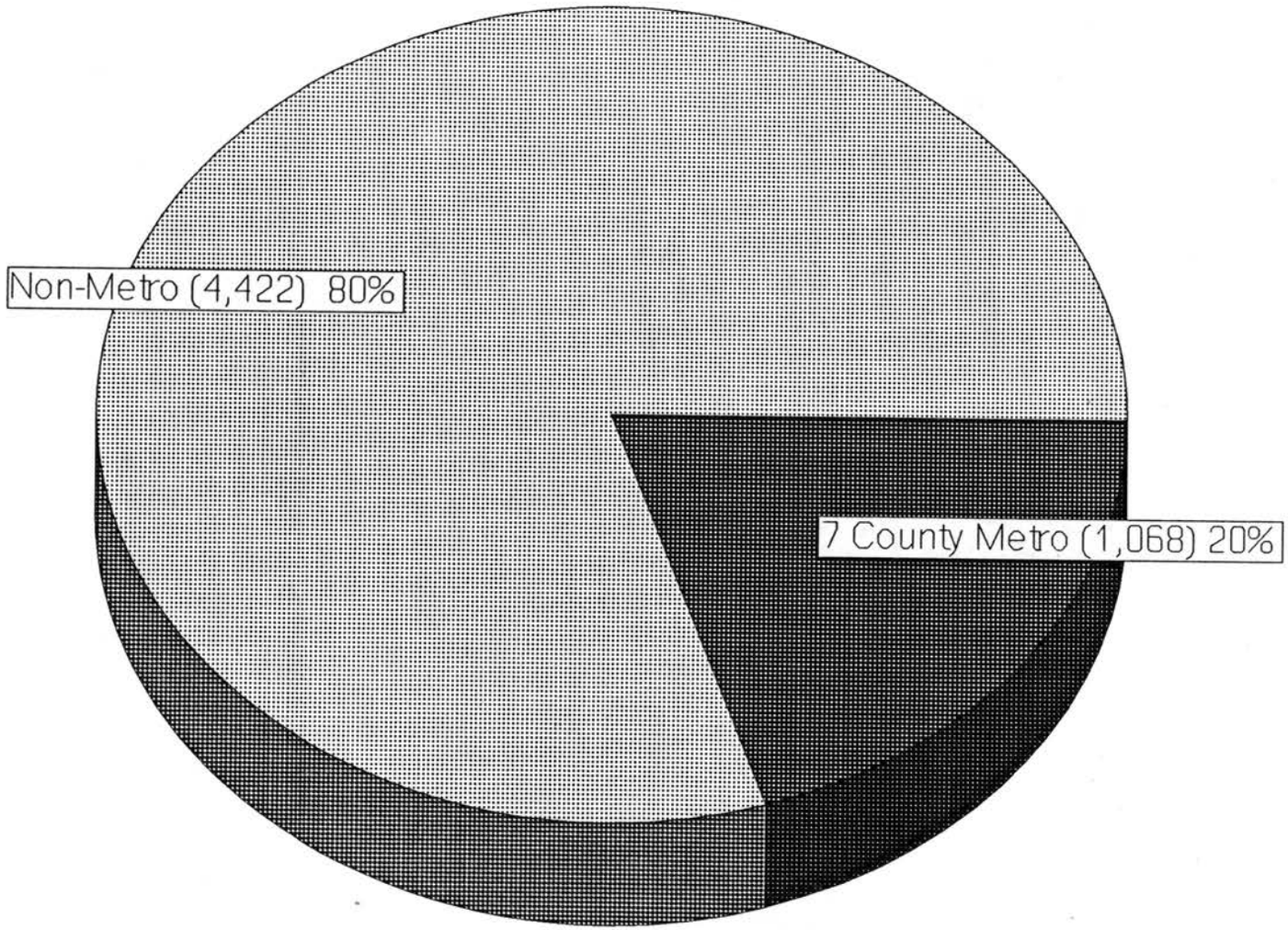
Minnesota Wetland Conservation Act

1994 funding



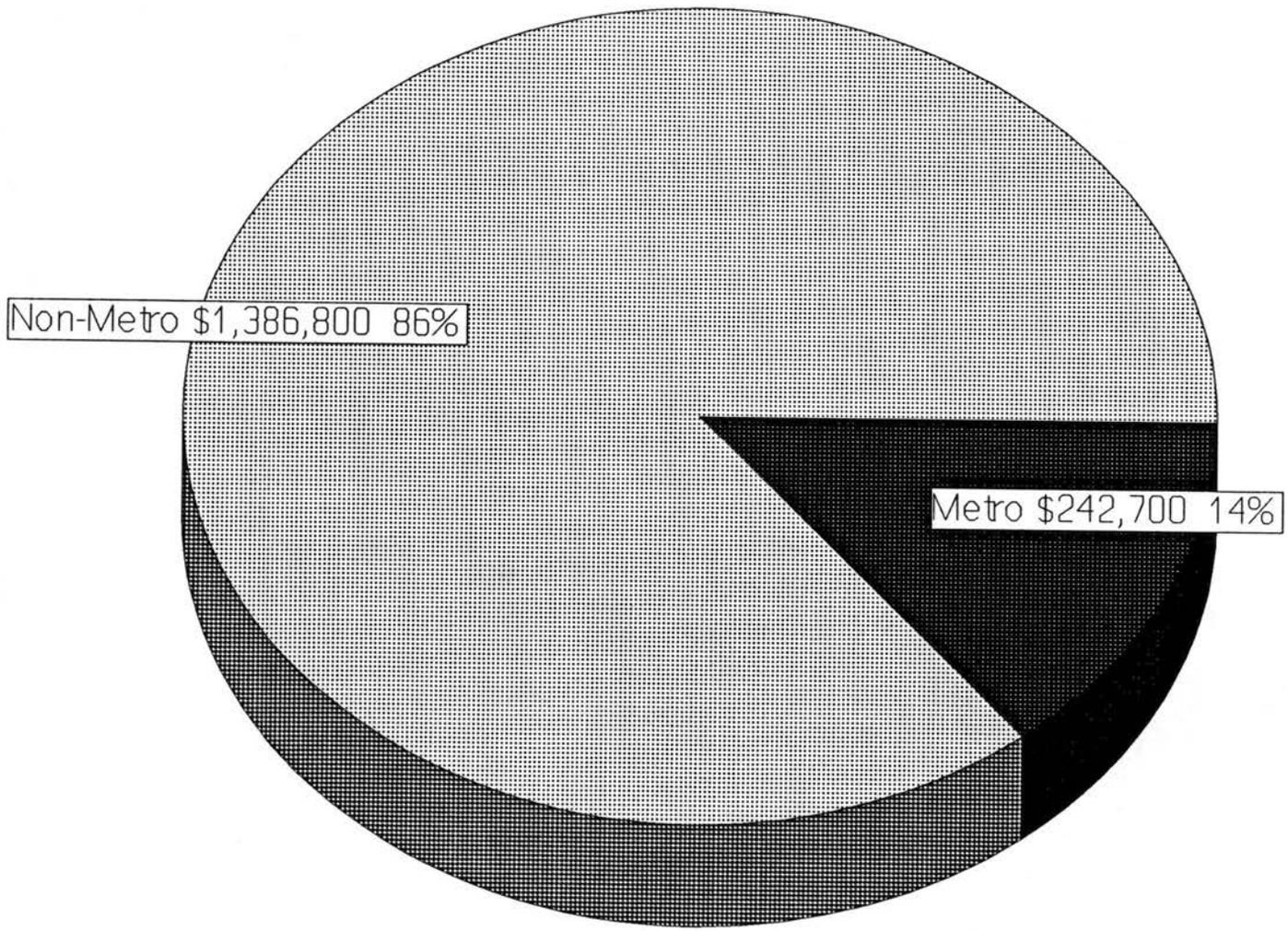
Minnesota Wetland Conservation Act 1994

(projects)



Minnesota Wetland Conservation Act 1994

funding-WCA grants



Minnesota Wetland Conservation Act

Appendix C

Local Government Units

Board of Water and Soil Resources

March 1995

LOCAL GOVERNMENT UNIT	CONTACT PERSON	PHONE NUMBER	PERMANENT
Adams, City of	Bev Nordby	(507)433-8268	Del. to Mower County 1-04-94
Afton, City of	Alex Wikstrom	(612)436-5090	Del. to Washington SWCD 1-01-94
Aitkin County	Steve Hughes	(218)927-6565	Perm. 12-21-93
Akeley, City of	Michelle Hanson	(218)732-9560	Del. to Hubbard Co. 1-12-94
Albany, City of	Jack Wimmer	(612)656-3613	Del. to Stearns Co. 1-04-94
Albert Lea, City of	Susan Miller	(507)377-4300	Perm. 5-10-94
Albertville, City of	Mark McNamara	(612)682-1933	Del to Wright SWCD 11-23-93
Alexandria, City of	Jerry Haggenmiller	(612)762-0207 or 0208	Del. Douglas Co. SWCD 12-13-93
Amboy, City of	Rick Hanna	(507)389-8384	Del. to Blue Earth Co. 3-29-94
Andover, City of	Steve Jankowski	(612)427-1410	Del. to LRRWMO/CCWD 1-01-94
Annandale, City of	Mark McNamara	(612)682-1933	Del. to Wright Co. SWCD 1-01-94
Anoka, City of	Steve Jankowski	(612)427-1410	Del. to LRRWMO 12-13-93
Anoka County/SWCD	*See appropriate WD, WMO, or City/Town*		
Apple Valley, City of	Ken Brackee	(612)953-2571	Perm. 2-01-94
Arlington, City of	Kevin Pioske	(612)237-5435	Del. to Sibley SWCD 3-08-94
Atwater, City of	Jeff Bredberg	'(612)231-6288	Del. to Kandiyohi Co. 12-31-94
Aurora, City of	Linda Cazin	(218)229-2614	Perm. 10-04-94
Austin, City of	Bev Nordby	(507)433-8268	Del. to Mower Co. 1-01-94
Avon, City of	Jack Wimmer	(612)656-3613	Del. to Stearns Co. 1-04-94
Babbit, City of	Elaine Postudensek	(218)827-3464	Perm. Perm. 1-20-94
Barrett, City of	Joyce Hanson	(612)528-2564	Perm. 1-01-94
Bassett Creek WMO	Len Kremer	(612)832-2781	Perm. 1-01-94
Battle Lake, City of	Henry Borg	(218)864-5581	Perm. 5-10-94
Baxter, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Bayport, City of	Kenneth Hartung	(612)439-2530	Perm. 12-06-93
Becker, County of	Brad Grant	(218)847-2651	Del. to Becker Co. SWCD 1-1-94
Belle Plaine, City of	David R. Iverson	(612)873-5553	Perm. 2-07-94
Belle Plaine, Township of	Carol Bauer	(612)873-6341	Perm. 01-04-94
Bemidji, City of	Chris Parthon	(218)751-3036	Del. to. Beltrami SWCD 1-01-94
Benton County	George E. Minerich	(612)968-6254 Ext. 210	Perm. 1-01-94
Benton, Township of	Harold Widmer	(612)466-2540	Perm. 1-01-94
Big Stone County	Mildred Thymian	(612)839-3136	Perm. 11-16-93
Bingham Lake, City of	David Thompson	(507)831-2060	Del. to Cottonwood Co. 1-01-94
Bird Island, City of	Larry Zupke	(612)523-1613	Del. Renville Co. 12-13-93
Blackduck, City of	Chris Parthons	(218)751-3036	Perm. 3-15-95
Blaine, City of	Tim Kelly/Kate Drewry	(612)755-0975/483-0634	Del. to Coon Crk/Rice Crk WD
Blakeley, Township of	Daniel C. Schmidts	(612)8736341	Perm. 1-03-94
Blomkest, City of	Jeff Bredberg	('(612)231-6288	Del. to Kandiyohi Co. 1-03-94
Bloomington, City of	Jim Gates	(612)881-5811	Perm.12-20-93
Blue Earth, City of	David Urbia	(507)526-7336	Perm. 11-24-93
Blue Earth County	Rick Hanna	(507)389-8384	Perm. 3-29-94
Brainerd, City of	Al Cottingham	(218)828-2309	Perm. 2-09-94
Branch, City of	Robert Morgan	(612)674-7401	Perm. 11-15-93 (Ord.)
Breckenridge, City of	Blaine C. Hill	(218)643-5854	Perm. 12-20-93
Breezy Point, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Brooklyn Center, City of	Fred Moore	(612)550-5000	Del. S. Crk./W. Miss. WMO 1-01-94
Brooklyn Park, City of	Kevin Larson	(612)493-8114	Perm. 12-13-93
Brown County	Charles Nelson	(507)359-7900	Perm. 1-06-94
Brownsdale, City of	Bev Nordby	(507)433-8268	Del. to Mower Co. 1-01-94
Brownsville, City of	Mayor John P. Hickey	(507)482-6732	Perm. 1-01-94
Brownton, City of	Todd Udvig	(612)864-5551	Del. to McLeod Co. 1-01-94
Buffalo, City of	Merton Auger	(612)682-1181	Perm. 1-24-94
Buffalo Lake, City of	Larry Zupke	(612)523-1613	Del. to Renville Co. 1-01-94
Burns Township	Penny Smeby	(612)441-1347	Perm. 9-14-93
Burnsville, City of	Paul Hokeness	(612)895-4516	Perm. 1-03-94
Byron, City of	Mark Behl	(507)775-2550	Perm. 1-01-94

Local Government Units

Board of Water and Soil Resources

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LOCAL GOVERNMENT UNIT	CONTACT PERSON	PHONE NUMBER	PERMANENT
Caledonia, City of	R. Sally Kinneberg	(507)724-5800	Del. to Houston Co. 3-14-94
Camden, Township of	Virginia Harris	(612)361-1820	Del. to Carver Co.
Carlton County	Bruce Benson	(218)384-4281 Ext. 174	Perm. 1-01-94 (Ord.)
Carver County/SWCD	*See appropriate WD, WMO, or city/town*		
Cass County	John Sumption/Tim Richardson	(218)547-3300 Ext.212	
Castle Rock Township	Richard Childs	(507)645-4038	
Cedar Lake Township	George Pexa	(612)758-2522	Perm. 1-01-94
Cedar Mills, City of	John Boe	(612)693-8949	Del. to Meeker Co. 1-04-94
Center City, City of	Patty Perreault	(612)257-1300	Perm. 1-01-94
Centerville, City of	Kate Drewry	(612)483-0634	Del. to Rice Creek WD 1-0-194
Champlin, City of	Carolyn Dindorf	(612)544-8572	Del. to Pioneer-Sarah 1-01-94
Chanhassen, City of	Diane DeSotelle	(612)937-1900 ext. 156	Perm. 1-24-94
Chaska, City of	Kermit Krouch	(612)448-2851	Perm. 1-01-94
Chaska, Township of	Virginia Harris	(612)361-1820	Del. to Carver Co. 1-94
Chippewa County	Tom Warner	(612)269-2139	Del. to Chippewa SWCD 7-01-93
Circle Pines, City of	Kate Drewry	(612)483-0634	Del. to Rice Creek WD 1-94
Clara, City of	Tom Warner	(612)269-2139	Del. to Chippewa SWCD 1-04-94
Claremont, City of	Tom Johnston/Mark Gamm	(507)374-6430	Del. to Dodge Co. 12-28-93
Clay County	Tim Magnusson	(218)299-5002	Perm. 1-01-94
Clearwater, City of	Mark McNamara	(612)682-1933	Del. to Wright SWCD 10-18-93
Clearwater, County of	Tim Penfield	(218)694-6381	Perm. 2-08-94
Cleveland, City of	Gene Krautkremer	(612)357-4879	Del. to LeSeuer Co. SWCD 2-15-94
Cloquet, City of	William J. Schlenvogt	(218)879-2507	Perm. 1-01-94
Cobden, City of	Charles Nelson	(507)359-7900	Del. to Brown Co. 1-06-94
Cold Spring, City of	Jack Wimmer	(612)656-3613	Del. to Stearns Co./1-04-94
Cokato, City of	Don Levens	(612)286-5505	Perm. 11-08-93
Cologne, City of	Susan Johnson	(612)466-2064	Perm. 2-22-94
Columbia Heights, City of	Mark Winson	(612)782-2882	Perm. 4-26-94
Columbus, Township of	Lloyd Knudson	(612)464-5194	Perm. 1-01-95
Comfrey, City of	Charles Nelson	(507)359-7900	Del. to Brown Co. 1-11-94
Cook, City of	Doug Nakari	(218)666-2200	Perm. 1-01-94
Cook County	Karen Evens	(218)387-2282	Perm. 1-01-94
Coon Creek WD	Tim Kelly	(612)755-0975	Perm. 12-27-93
Coon Rapids, City of	William R. Ottensmann	(612)780-6479	Perm. 12-14-93
Corcoran, City of	Carolyn Dindorf	(612)544-8572	Del. to Elm Creek WMO 1-01-94
Cosmos, City of	John Boe	(612)693-8949	Del. to Meeker Co. 1-04-94
Cottage Grove, City of	Gary Berg	(612)458-2824	Perm. 3-16-94
Cottonwood County	David Thompson	(507)831-5669	Perm. 12-28-93
Courtland, City of	Pamela Rivers	(507)931-6800	Del. to Nicollett Co. 1-01-94
Credit River, Township of	John Kane	(612)447-2441	Perm. 1-01-94
Crosby, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Crosslake, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing Co. 4-11-94
Crow Wing County	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Crystal, City of	William Monk	(612)537-8421	Perm. 12-7-93
Cuyuna, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Cyrus, City of	Kim W. Krueger	(6120634-5326	Del. to Pope SWCD 2-08-94
Dahlgren, Township of			Perm. 1-01-94
Dakota County/SWCD	*See appropriate City/Town/WMO*		
Danube, City of	Larry Zupke	(612)523-1613	Del. to Renville Co. 12-08-93
Darwin, City of	John Boe	(612)693-8949	Del. to Meeker Co. 1-04-94
Dassel, City of	John Boe	(612)693-8949	Del. to Meeker Co. 1-04-94
Dayton, City of	Shirley Slater	(612)427-4589	Perm. 1-01-94
Deephaven, City of	Raymond Haik	(612)939-8320/334-2609	Del. to MCWD/RPBCWD 1-01-94
Deerwood, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Delano, City of	Marlene Kittock	(612)972-0550	Perm. 1-01-94 (Ord.)
Dellwood, City of	Kate Drewry	(612)483-0634	Del. to Rice Creek WD 1-01-94

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LOCAL GOVERNMENT UNIT	CONTACT PERSON	PHONE NUMBER	PERMANENT
Detroit Lakes, City of	Larry Remmen	(218)847-5658	Perm. 1-04-94 (Ord.)
Dexter, City of	Bev Nordby	(507)433-8268	Del. to Mower Co. SWCD 2-07-94
Dodge Center, City of	Tom Johnston/Mark Gamm	(507)374-6430	Del. to Dodge Co. 12-28-93
Dodge County	Tom Johnston/Mark Gamm	(507)374-6430	Perm. 12-28-93
Douglas County	Jerry Haggenmiller	(612)762-0207 or 0208	Del. to Douglas SWCD 1-01-94
Douglas Township	Don Serres	(612)437-3814	
Duluth, City of	James E. Mohn	(218)723-3328	
Eagan, City of	Rich Brasch	(612)681-4600	Perm. 3-15-94
Eagle Lake, City of	Rick Hanna	(507)389-8384	Del. to Blue Earth Co. 3-29-94
East Bethel, City of	Sheri Anderson	(612)434-9569	
East Gull Lake, City of	Idalene Adams	(218)828-9279	
Eden Prairie, City of	Raymond Haik	(612)334-2609	Del. to NMWD/RPBCWD 1-94
Eden Valley, City of	John Boe	(612)693-8949	Del. to Meeker Co. 1-04-94
Eitzen, City of	R. Sally Kinneberg	(507)724-5800	Del. to Houston Co. 2-01-94
Elbow Lake, City of			Perm. 8-10-94
Elko, City of	Jean Benci	(612)822-3600	Perm. 5-10-94
Elk River, City of	Gary Schmitz	(612)441-7425	Perm. 1-19-94
Elkton, City of	Bev Nordby	(507)433-8268	Del. to Mower Co. 1-01-94
Elm Creek WMO	Joel Settles	(612)544-8572	Perm. 12-08-93
Ely, City of	Lee Tessier	(218)365-3224	Perm. 10-04-94
Emily, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Empire Township	Floyd Henry	(612)942-8010	Perm. 2-08-94
Eureka, Township of	Hilman Leine	(612)469-2294	Perm. 2-14-94
Evan, City of	Charles Nelson	(507)359-7900	Del. to Brown Co. 7-11-94
Eyota, City of	Kandis M. Hanson	(507)545-2135	Perm. 1-01-94
Fairfax, City of	Larry Zupke	(612)523-1613	Del. to Renville Co. 12-07-93
Fairmont, City of	Mike Nielson	(507)238-9461	
Falcon Heights, City of	Terry Maurer	(612)774-6021	
Faribault County	Gary Wehrenberg	(507)526-2300 or 2388	Del. to Faribault SWCD 10-05-93
Farmington, City of	Thomas J. Kaldunski, P.E.	(612)463-7111	Perm. 1-18-94
Fergus Falls, City of	Daryl Johnson	(218)739-2251	Perm. 3-01-94
Fifty Lakes, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Fillmore, County of	Darrell Brekke	(507)765-3878	Del. to Fillmore SWCD 1-01-94
Floodwood, City of	Susan Autio	(218)476-2751	Perm. 5-24-94
Forest Lake, City of	James C. Crawford	(612)464-3550	
Forest Lake, Town of	Charles P. Robinson	(612)464-4348	Perm. 4-25-94
Foreston, City of	Steve Girard	(6120983-2154	Del. to Mille Lacs SWCD 2-14-94
Fort Ripley, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Fosston, City of	Chuck Lucken	(218)435-1959	Del. to Polk Co. 12-28-93
Frankfort, Township of	Mark McNamara	(612)682-1933	Del. to Wright SWCD 1-01-94
Franklin, City of	Larry Zupke	(612)523-1613	Del. to Renville Co. 1-01-94
Fridley, City of	John G. Flora	(612)572-3550	Perm. 1-01-94
Freeborn County	Richard Hoffman	(507)377-5186	
Garrison, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Gaylord, City of	Kevin Pioske	(612)237-5435	Del. to Sibley SWCD 3-08-94
Gibbon, City of	Kevin Pioske	(612)237-5435	Del. to Sibley SWCD 3-08-94
Gilbert, City of	Mark St. Lawrence	(218)741-4326	Perm. 11-09-94
Glencoe, City of	Todd Udvig	(612)864-5551	Del. to McLeod Co. 1-01-94
Glenwood, City of	Kim W. Krueger	(612)634-5326	Del. to Pope SWCD 2-01-94
Golden Valley, City of	Jeff Oliver	(612)593-8034	Perm. 12-07-93
Goodhue, City of	Myrna M. Halbach, P.E.	(612)385-3104	Del. to Goodhue Co. 4-13-93
Goodhue County	Myrna M. Halbach, P.E.	(612)385-3104	Perm. 1-01-94
Good Thunder, City of	Rick Hanna	(507)389-8384	Del. to Blue Earth Co. 3-29-94
Goodview, City of	Todd Bram	(507)457-6335	Del. to Winona Co. 1-10-94
Grand Meadows, City of	Bev Nordby	(507)433-8268	Del. to Mower Co. 1-10-94
Granite Falls, City of	Tom Warner	(612)269-2139	Del. to Chippewa SWCD 1-04-94

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LOCAL GOVERNMENT UNIT	CONTACT PERSON	PHONE NUMBER	PERMANENT
Grant County	Greg Lillemon	(218)685-4967	Perm. 1-01-94
Grant, Township of	Sheila Davis	(612)426-2764	Perm. 02-02-94
Greenfield, City of	Carolyn Dindorf	(612)544-8572	Del. Pioneer Sarah WMO 1-01-94
Green Isle, City of	Kevin Pioske	(612)237-5435	Del. to Sibley SWCD 3-08-94
Greenwald, City of	Jack Wimmer	(612)656-3613	Del. to Co. of Stearns/1-04-94
Grove, City of	John Boe	(612)693-8949	Del. to Meeker Co. 2-08-94
Ham Lake, City of	Doris Nivala	(612)434-9555	Perm. 3-21-94
Hammond, City of	Jerry Dunham	(507)753-2086	Perm. 12-14-93
Hampton, City of	Kim Doffing	(612)437-7803	Perm. 12-14-93
Hampton Township	Gene Dohman	(612)463-7970	Perm. 2-14-94
Hancock Township			Del. Bevens Creek WMO 1-01-94
Hanover, City of	Mark McNamara	(612)682-1933	Del. to Wright Co. SWCD 1-01-94
Hanska, City of	Charles Nelson	(507)359-7900	Del. to Brown Co. 1-13-94
Hassan, City of	Carolyn Dindorf	(612)544-8572	Del. Elm Creek WMO 1-01-94
Hastings, City of	Mike Wozniak	(612)437-4127	Perm. 2-06-95
Hayfield, City of	Tom Johnston/Mark Gamm	(507)374-6430	Del. to Dodge Co. 12-28-93
Hector, City of	Larry Zupke	(612)523-1613	Del. to Renville Co. 12-14-93
Helena, Township of	DeAnn Croatt		Perm. 5-01-93
Henderson, City of	Kevin Pioske	(612)237-5435	Del. to Sibley SWCD 3-08-94
Hennepin County/SWCD	*See appropriate WD, WMO, city/town*		
Hermantown, City of	John Klaers	(218)729-6331	
Hibbing, City of	Joe Lopac	(218)262-3486	
Hilltop, City of	John Flora	(612)571-3450	Del. to Six Cities WMO 1-94
Hokah, City of	R. Sally Kinneberg	(507)724-5800	Del. to Houston Co. 2-01-94
Hollywood, Township of			Perm. 1-01-94
Houston, City of	R. Sally Kinneberg	(507)724-5800	Del. to Houston Co. 1-10-94
Houston County	R. Sally Kinneberg	(507)724-5800	Perm. 2-01-94
Howard Lake, City of	Mark McNamara	(612)682-1933	Perm. 1-24-94
Hubbard County	Michelle Hanson	(218)732-9560	Perm. 2-02-94
Hugo, City of	Kate Drewry	(612)483-0634	Del. to Rice Creek WD 1-94
Hutchinson, City of	Todd Udvig	(612)864-5551	Del. to McLeod Co. 1-01-94
Independence, City of	Carolyn Dindorf	(612)544-8572	Del. Pioneer-Sarah WMO 1-01-94
International Falls, City of	Gary Skallman	(218)283-9484	Perm. 1-10-94
Inver Grove Heights, City of	Curtis Gutoske	(612)450-2553	Perm. 12-13-93
Ironton, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Isanti County	Joe Basta	(612)689-5165	Perm. 1-04-94
Itasca County	Al Waller or Art Norton	(218)326-0017/6595	Del. to Itasca SWCD 11-23-93
Jackson County	Gordon Olson	(507)847-2763	Perm. 1-01-94
Jackson Township	Rose Menke	(612)445-6495	
Jeffers, City of	David Thompson	(507)831-5669	Del. to Cottonwood Co. 1-01-94
Jordan, City of	Kay Kuhlmann	(612)492-2535	Perm. 12-13-93
Kanabec County	Gregory Nikodym	(612)679-2982	Perm. 1-12-94
Kandiyohi, City of	Jeff Bredberg	(612)231-6288	Del. to Kandiyohi Co. 1-03-94
Kandiyohi County	Jeff Bredberg	(612)231-6288	Perm. 12-31-93
Kasson, City of	Tom Johnston/Mark Gamm	(507)374-6430	Del. to Dodge Co. 12-28-93
Kenyon, City of	Myrna M. Halbach, P.E.	(612)385-3104	Del. to Goodhue Co. 4-05-93
Kimball, City of	Jack Wimmer	(612)656-3613	Del. to Co. of Stearns 1-04-94
Kingston, City of	John Boe	(612_693-8949	Del. to Meeker Co. 1-04-94
Kittson County	Marilyn Gustafson	(218)843-3333	Perm. 4-05-94
LaCrescent, City of	R. Sally Kinneberg	(507)724-5800	Del. to Houston Co. 3-07-94
Lac Qui Parle County	Stan Bjorgan	(612)598-7444	Perm. 2-17-94
Lac Qui Parle SWCD	David Ludvigson	(612)598-7444	Admin.by Lac qui Parle-Yellow Bank
Lac Qui Parle-Yellow Bank WD	David Ludvigson	(612)598-7444	
Lafayette, City of	Pamela Rivers	(507)931-6800	Del. to Nicollet Co. 1-01-94
Lake City, City of	Gene Mahn	(612)565-3675	Del. to Wabasha Co. 2-08-94
Lake Crystal, City of	Rick Hanna	(507)389-8384	Del. to Blue Earth Co. 3-29-94

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LOCAL GOVERNMENT UNIT	CONTACT PERSON	PHONE NUMBER	PERMANENT
Lake Henry, City of	Jack Wimmer	(612)656-3613	Del. to Co. of Stearns 1-04-94
Lake Lillian, City of	Jeff Bredberg	(612)231-6288	Del. to Kandiyohi Co. 1-03-94
Lake of the Woods County	Gary Lockner	(218)634-1945	Perm. 1-11-94
Lake Shore, City of	Patrick M. Hastings	(218)963-2148	
Lakeville, City of	James Robinette	(612)469-4431	Perm. 1-01-94 (Ord.)
LaPorte, City of	Michelle Hanson	(218)732-9560	Del. to Hubbard Co. 1-11-94
Le Center, City of	Myles McGrath	(612)357-4450	Perm. 2-08-94
LeRoy, City of	Bev Nordby	(507)433-8268	Del. to Mower County 2-07-94
Lester Prairie, City of	Todd Udvig	(612)864-5551	Del. to McLeod Co. 1-01-94
Le Sueur, City of	Gene Krautkremer	(612)357-4879	Del. to Le Sueur Co. 1-14-94
Le Sueur County	Gene Krautkremer	(612)357-4879	Del. to LeSueur SWCD 2-07-94
Lewiston, City of	Todd Bram	(507)457-6335	Del. to Winona Co. 2-09-94
Lexington, City of	Kate Drewry	(612)483-0634	Del. to Rice Creek WD 1-94
Lincoln County	Vince Turner	(507)694-1153	Perm. 12-21-93
Linwood Township	David Thompson	(612)462-0501	
Little Falls, City of	Helen McLennan	(612)632-6606	Del. Morrison Co. SWCD
Lillydale, City of	Bernard Weitzman	(612)457-2316	Perm. 12-20-93
Litchfield, City of	Bruce Miller	(612)693-7201	Perm. 1-04-94
Long Beach, City of	Kim W. Krueger	(612)634-5326	Del. to Pope SWCD 2-09-94
Loretto, City of	Judy Thunberg	(612)479-4305	Perm. 11-03-93
Louisville, Township of	William Tech	(612)445-4820	Perm. 1-01-94
Lower Minnesota River WD	Larry Samstad	(612)445-7993	
Lower Rum River WMO	Steve Jankowski	(612)427-1410	Perm. 1-01-94
Lowry, City of	Kim W. Krueger	(612) 634-5326	Del. to Pope SWCD 3-01-94
Luverne, City of	Douglas Bunkers	(507)283-9422	
Lyle, City of	Bev Nordby	(507)433-8268	Del. to Mower Co. 1-01-94
Lyon County	Rose Anderson	(507)537-0396	Del. to Lyon SWCD 1-01-94
Madison Lake, City of	Rick Hanna	(507)389-8384	Del. to Blue Earth Co. 3-29-94
Mahnomen County	Mark Aanenson	(218)935-2987	Perm. 12-14-93
Mahtomedi, City of	John J. Olinger	(612)426-3344	
Mankato, City of	William Bassett	(507)387-8600	Perm. 1-10-94
Mankato, Township of	Rick Hanna	(507)389-8384	Del. to Blue Earth Co. 3-29-94
Mantorville, City of	Tom Johnston/Mark Gamm	(507)374-6430	Del. to Dodge Co. 12-28-93
Maple Grove, City of	James Kujawa	(612)420-4000	Perm. 12-06-93
Maple Lake, City of	Mark McNamara	(612)682-1933	Del. to Wright SWCD 1-24-94
Maple Plain, City of	Carolyn Dindorf	(612)544-8472	Del. to Pioneer-Sarah WMO 1-01-94
Mapleton, City of	Rich Hanna	(507)389-8384	Del. to Blue Earth Co. 3-29-94
Mapleview, City of	Bev Nordby	(507)433-8268	Del. to Mower Co. 1-01-94
Marine on St. Croix, City of	K. Ginger Bolin	(612)433-3636	Perm. 5-11-94
Marshan Township	Roger Fox	(612)437-5700	Perm. 2-17-94
Martin County	Linda Meschke	(507)238-3221	Perm. 1-01-94
May, Town of	Cynthia J. (Cyd) Young	(612)439-1706	Perm. 1-06-94
Maynard, City of	Tom Warner	(612)269-2139	Del. to Chippewa SWCD 1-04-94
McLeod County	Todd Udvig	(612)864-5551	Perm. 1-01-94
Medicine Lake, City of	John O'Toole	(612)540-2422	Del. to BCWMC 7-05-94
Medina, City of	Loren Kohnen	(612)473-4643	Perm. 1-01-94
Meeker County	John Boe	(612)693-8949	Perm. 1-04-94
Melrose, City of	Jack Wimmer	(612)656-3613	Del to Stearns Co. 1-04-94
Mendota Heights, City of	James E. Danielson, P.E.	(612)452-1850	Perm. 12-21-93
Middleville, Township of			Perm. 1-01-94
Milaca, City of	Walter Swalboski	(612)983-3141	Perm. 1-01-94
Milan, City of	Tom Warner	(612)269-2139	Del. to Chippewa SWCD 1-04-94
Mille Lacs County	Steve Girard	(612)983-2154	Del. to Mille Lacs SWCD 1-03-94
Mille Lacs SWCD	Steve Girard	(612)983-2154	Perm. 1-03-94
Minneapolis, City of	R. Kannankutty	(612)673-2456	Perm. 5-16-94
Minnehaha Creek WD	Raymond Haik	(612)939-8320	Perm. 12-21-93

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LOCAL GOVERNMENT UNIT	CONTACT PERSON	PHONE NUMBER	PERMANENT
Minnetonka, City of	Tim Lindquist	(612)939-8200	Perm. 12-13-93
Minnetrista, City of	R. Michael Leek	(612)446-1660	Perm. 12-20-93
Montevideo, City of	Tom Warner	(612)269-2139	Del. to Chippewa SWCD 1-04-94
Montgomery, City of	Gene Krautkremer	(612)357-4879	Del. to LeSueur Co. 3-01-94
Monticello, City of	Jeff O'Neill	(612)295-2711	Perm. 12-13-93
Montrose, City of	Mark McNamara	(612)682-1933	Del. to Wright Co. 11-15-93
Morrison County	Helen McLennan	(612)632-6606	Del. to Morrison SWCD 12-21-93
Morton, City of	Larry Zupke	(612)523-1613	Del. to Renville Co. 12-20-93
Mound, City of	Edward Shukle, Jr.	(612)472-0600	Perm. 1-01-94
Mountain Lake, City of	David Thompson	(507)831-5669	Del. to Cottonwood Co. 1-01-94
Mower County	Bev Nordby	(507)433-8268	Del. to Mower Co. SWCD 1-04-94
Mower SWCD	Bev Nordby	(507)433-8268	Perm. 1-11-94
Murray County	Lennen Nelson	(507)734-4142	Perm. 1-01-94
Nashwauk, City of	Edward Bolf	(218)885-1210	Perm. 4-01-94
Nevis, City of	Michelle Hanson	(218)732-9560	Del. to Hubbard Co. 1-11-94
New Auburn, City of	Kevin Pioske	(612)237-5435	Del. to Sibley SWCD 3-08-94
New Hope, City of	Valerie Leone	(612)531-5117	Perm. 12-13-93
New London, City of	Jeff Bredberg	(612)231-6288	Del. to Kandiyohi Co. 1-05-94
New Market, City of	Joe Molitor	(612)461-2496	Perm. 1-12-94
New Market Township	Dave Frame	(612)461-2909	Perm. 1-01-94
New Prague, City of	Jerome Bohnsack	(612)758-4401	Perm. 1-01-94
New Scandia, Township	Dolores Peterson	(612)433-2274	Perm. 1-01-94
New Ulm, City of	Charles Nelson	(507)359-7900	Del. to Brown Co. 1-01-94
New York Mills, City of	Wayne Plattson	(218)385-2213	Perm. 11-09-93 (Ord.)
Nicollet, City of	Pamela Rivers	(507)931-6800	Del. to Nicollet Co. 1-01-94
Nicollet County	Pamela Rivers	(507)931-6800	Perm. 1-01-94
Nimrod, City of	Malinda Dexter	(218)631-3195	Del. to Wadena SWCD
Nine Mile Creek WD	Raymond A. Haik, Esq.	(612)334-2609	
Nisswa, City of	Shelly A. Jay	(218)963-2402	Perm. 2-09-94
Nobles County	Shahram Missaghi	(507)372-8227	Perm. 12-08-93
Norman County	Curtis Borchert	(218)584-5169	Del. Norman Co. SWCD 12-28-93
North Mankato, City of	Diana Austin	(507)625-4141	Perm. 1-01-94
North Oaks, City of	Stephanie McNamara	(612)429-8522	Del. to VLAWMO 1-94
North St. Paul, City of	Cliff Aichinger	(612)777-3665	Del. to RWMWD/VBWD 1-05-94
Norwood, City of	Roberta Anderson	(612)467-3773	Perm. 2-14-94
Oakdale, City of	Cliff Aichinger	(612)777-3665	Del. to RWM/VBWD 12-22-94
Oak Grove, City of	Sam Lucast	(612)753-1920	Perm. 1-01-94
Oak Park Heights, City of	Barbara O'Neal	(612)439-4439	Perm. 12-27-93
Olivia, City of	Larry Zupke	(612)523-1613	Del. to Renville Co. 1-01-94
Olmstead County	Laurie Hassler	(507)289-6239	Del. Olmstead SWCD 2-24-94 (Ord.)
Osseo, City of	Gerald Butcher	(612)420-4000	Del. to SS/WM WMO 11-29-93
Otsego, City of	Elaine Beatty	(612)441-4414	Perm. 10-25-93
Ottertail, City of	Raymond Mounts	(218)367-2681	Perm. 12-18-93
Otter Tail County	William Kalar	(218)739-2271	Perm. 1-04-94
Owatonna, City of	Scott Goldberg	(507)451-4842	Del. to Steele Co. 2-15-94
Paynesville, City of	Jack Wimmer	(612)656-3613	Del. to Stearns Co. 1-04-94
Pease, City of	Steve Girard	(612)983-2154	Del. to Mille Lacs SWCD 2-07-94
Pelican Rapids, City of	Richard A. Jenson	(218)863-6571	
Pemberton, City of	Rick Hanna	(507)389-8384	Del. to Blue Earth Co. 3-29-94
Penncok, City of	Jeff Bredberg	(612)231-6288	Del. to Kandiyohi Co. 1-06-94
Pequot Lakes, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Pine City, City of	Robert Voss	(612)629-2575	
Pine County	Richard Noyes	(612)384-7431	Perm. 12-14-93
Pine River, City of	Wanda Tulenchik	(218)587-2440	
Pine Springs, City of	Karen M. Pirozzoli	(612)770-5720	Perm. 2-08-94
Pioneer-Sarah Creek WMO	Carolyn Dindorf	(612)544-8572	Perm. 7-01-93

Local Government Units

Board of Water and Soil Resources
March 1995

LOCAL GOVERNMENT UNIT	CONTACT PERSON	PHONE NUMBER	PERMANENT
Pipestone County	Kyle Krier	(507)825-5881	Del. Pipestone SWCD 1-04-94
Plato, City of	Todd Udvig	(612)864-5551	Del. to McLeod Co. 1-01-94
Plymouth, City of	Fred G. Moore, P.E.	(612)550-5080	Perm. 12-20-93
Polk County	Gary Lee/Barbara Sahl	(218)563-2975/281-6361	Perm. 1-01-94
Princeton, City of	Steve Girard	(612)983-2154	Del. to Mille Lacs Co. 4-28-94
Prinsburg	Jeff Bredberg	(612)231-6288	Del. to Kandiyohi Co. 1-11-94
Prior Lake, City of	Lanol Leichty	(612)447-4230	Perm. 1-18-94
Prior/Spring Lake WD	Peter Fryer	(612)473-4224	
Proctor, City of	John Foschi	(218)624-3641	
Racine, City of	Bev Nordby	(507)433-8268	Del. to Mower Co. 1-01-94
Ramsey, City of	Steve Jankowski	(612)427-1410	Del. to LRRWMO 1-01-94
Ramsey County/SWCD	*See appropriate WD, WMO, or City/Town*		
Ramsey-Washington Metro WD	Cliff Aichinger	(612) 777-3665	Perm. 12-22-93
Randolph, City of	Steve Pressnall	(507)645-7765	
Ravenna Township	Leo Siebenaler	(612)437-3928	
Raymond, City of	Jeff Bredberg	(612)231-6288	Del. to Kandiyohi Co. 1-10-94
Red Lake County	Wayne Weber	(218)253-4112	Del. Red Lake SWCD 1-01-94
Redwing, City of	Myrna M. Halbach, P.E.	(612)385-3104	Del. to Goodhue Co. 4-12-93
Redwood County	Marilyn Bernhardson	(507)637-2427	Del. to Redwood SWCD 12-20-93
Renville, City of	Larry Zupke	(612)523-1613	Del. to Renville Co. 12-13-93
Renville County	Larry Zupke	(612)523-1613	Perm. 12-07-94
Rice County	David Dacquisto	(507)332-6113	Perm. 3-22-94
Rice Creek Watershed District	Kate Drewry	(612)483-0634	Perm. 8-25-93
Richfield, City of	Mike Eastling	(612)861-9792	Perm. 12-13-94
Richmond, City of	Jack Wimmer	(612)656-3613	Del. to Stearns Co. 1-04-94
Riley-Purgatory-Bluff Creek WD	Raymond A. Haik	(612)334-2609	Perm. 6-01-94
Riverton, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Robbinsdale, City of	Jim Herbert	(612)832-2784	Del. BCWMO 12-07-93
Rochester, City of	John Harford	(507)285-8232	Perm. 12-21-93 (Ord.)
Rock County	Richard Dillon	(507)283-4456	Perm. 1-01-94
Rockford, City of	Ruth David	(612)477-6565	Perm. 5-12-93
Rogers, City of	Gary Eitel	(612)428-2253	Perm. 12-14-93
Rollingstone, City of	Todd Bram	(507)457-6335	Del. to Winona Co. 1-11-94
Roseau County	Russell L. Larson	(218)463-2063	Perm. 2-16-94
Rose Creek, City of	Bev Nordby	(507)433-8268	Del. to Mower Co. 1-01-94
Rosemount, City of	Henry Osmundson	(612)322-2022	Perm. 1-01-94
Roseville, City of	Steven D. Gatlin	(612)490-2200	
St. Charles, City of	Todd Bram	(507)457-6335	Del. Winona Co. 1-01-94
St. Clair, City of	Rick Hanna	(507)389-8384	Del. to Blue Earth Co. 3-29-94
St. Francis, City of	Steve Bjork	(612)753-2630	
St. Lawrence Township	Ted G. Kornder	(612)873-6449	Perm. 12-15-93
St. Louis County	John Jubala	(218)725-5242	
St. Louis Park, City of	Jim Herbert	(612)832-2784	Del. to MCWD/BCWMO 12-22-93
St. Michael, City of	Mark McNamara	(612)682-1933	Del. to Wright SWCD 1-24-94
St. Paul, City of	Lawrence R. Zangs	(612)266-9083	Perm. 2-09-94
Sacred Heart, City of	Larry Zupke	(612)523-1613	Del. to Renville Co. 12-06-93
Sandcreek Township	Marvin Klehr	(612)445-2068	Perm. 1-01-94
San Francisco, City of			Del. Bevens Creek WMO 1-01-94
Sargeant, City of	Bev Nordy	(507)433-8268	Del. to Mower Co. 1-01-94
Sartell, City of	Robert Therres	(612)253-2171	Perm. 1-10-94
Sauk Centre, City of	Jack Wimmer	(612)656-3613	Del. to Stearns Co. 1-04-94
Savage, City of	Bruce R. Bullert, P.E.	(612)890-1045	Perm. 12-08-93
Sciota Township	Ray Taylor	(507)645-8664	Perm. 3-14-94
Scott County/SWCD	*See appropriate WD, WMO, or City/Town*		
Sedan, City of	Kim W. Krueger	(612)634-5326	Del. to Pope Co. SWCD 4-04-94
Shakopee, City of	David E. Hutton, P.E.	(612)445-3650	Perm. 12-21-93

Local Government Units



Board of Water and Soil Resources

March 1995

LOCAL GOVERNMENT UNIT	CONTACT PERSON	PHONE NUMBER	PERMANENT
Sherburne County	Nancy Riddle	(612)241-2860 Ext. 46	Perm. 1-01-94
Shingle Creek WMO	Dale Claridge	(612)473-4224	Perm. 11-09-93
Shoreview, City of	David Ahrens	(612)490-4686	Perm. 5-03-93
Sibley County	Kevin Pioske	(612)237-5435	Del. to Sibley SWCD
Silver Lake, City of	Todd Udvig	(612)864-5551	Del. to McLeod Co. 1-01-94
Six Cities WMO	Michelle McPherson	(612)572-3593	Perm. 1-01-94
Skyline, City of	Rick Hanna	(507)389-8384	
Sleepy Eye, City of	Charles Nelson	(507)359-7900	Del. to Brown Co. 1-04-94
South Haven, City of	Mark McNamara	(612)682-1933	Del. to Wright SWCD 1-24-94
South St. Paul, City of	John Sachi	(612)450-8704	Perm. 1-01-94
Spicer, City of	Jeff Bredberg	(612)231-6288	Del. to Kandiyohi Co. 1-03-94
Springfield, City of	Charles Nelson	(507)359-7900	Del. to Brown Co. 12-21-93
Spring Grove, City of	R. Sally Kinneberg	(507)724-5800	Del. to Houston Co. 12-21-93
Spring Lake Township	C. L. Kaiser	(612)492-6081	Perm. 1-01-94
Spring Park, City of	Patricia Higus	(612)471-9051	Perm. 9-13-93 (Ord.)
Starbuck, City of	Kim W. Krueger	(612)634-5326	Del. to Pope SWCD 2-14-94
Stearns County	Jack Wimmer	(612)656-3613	Perm. 1-01-94
Steele County	Scott Goldberg	(507)451-4842	Perm. 1-01-94
Stevens County	Bill Kleindl	(612)589-2460	Perm. 12-16-93
Stewart, City of	Todd Udvig	(612)864-5551	Del. to McLeod Co. 1-01-94
Stewartville, City of	Larry Hansen	(507)533-4745	Perm. 8-17-93
Stillwater, City of	Ann Pung-Terwedo	(612)439-6121	
Stillwater Township	Tim Fredbo	(612)439-6361	Perm. 1-13-94 (Ord.)
Stockton, City of	Todd Bram	(507)457-6335	Del. to Winona Co. 1-11-94
Storden, City of	David Thompson	(507)831-5669	Del. to Cottonwood Co. 1-01-94
Sunfish Lake, City of	Francis B. Tiffany	(612)451-3446	Perm. 1-01-94
Swift County	Tom Anderson	(612)843-4894	Perm. 1-01-94
Taopi, City of	Bev Nordby	(507)433-8268	Del. to Mower Co. 2-07-94
Todd County	Jim Framstad	(612)732-2644	Perm. 12-13-93
Traverse County	Gene Giese	(612)563-8218	Del. Traverse SWCD 11-16-93
Trommald, City of	Keith Pohl	(218)828-7880	Del. to Crow Wing SWCD 2-09-94
Utica, City of	Todd Bram	(507)457-6335	Del. to Winona Co. 1-11-94
Vadnais Lake Area WMO	Stephanie McNamara	(612)429-8522	Perm. 12-93
Valley Branch WD	Dave Parkin	(612)736-6163	Perm. 1-27-94
Vermillion, City of	Karen Wolf	(612)437-5119	Perm. 4-05-94
Vermillion Township	Eugene Rotty	(612)437-4035	Perm. 2-15-94
Vernon Center, City of	Rick Hanna	(507)389-8384	Del. to Blue Earth Co. 3-29-94
Victoria, City of	Raymond Haik	(612)939-8320	Del. to MCWD 4-21-94
Villard, City of	Kim Krueger	(612)634-5326	Del. to Pope Co. SWCD 3-15-94
Virginia, City of	Robert P. Manzoline	(218)741-2388	
Wabasha, City of	Gene Mahn	(612)565-3675	Del. to Wabasha Co. 12-21-93
Wabasha County	Gene Mahn	(612)565-3675	Perm. 1-01-94
Waconia, City of	John Hilgers	(612)442-2184	Perm. 2-22-94
Waconia, Township of	Gene Miller	(612)466-5537	Perm. 12-15-93
Wadena County	Malinda Dexter	(218)631-3195	Del. to Wadena SWCD 10-93
Waite Park, City of	Jack Wimmer	(612)656-3613	Del. to Stearns Co. 1-04-94
Waltham, City of	Bev Nordby	(507)433-8268	Del. to Mower Co. 1-01-94
Waseca County	Marla Watje	(507)835-4831	Del. to Waseca Co. SWCD 3-01-94
Washington County/SWCD	*See appropriate WD, WMO, or City/Town*		
Waterford Township	Francis Krenik	(507)645-5011	
Watertown, City of	Sarah J. Smith	(612)955-2681	Perm. 1-11-94
Watertown, Township of	Mike Dressen	(612)955-1687	Perm. 4-01-94
Waterville, City of	Gene Krautkremer	(612)357-4879	Del. to LeSueur Co. 2-01-94
Watkins, City of	John Boe	(612)693-8949	Del. to Meeker Co. 1-04-94
Watonwan County	Gerald Engstrom	(507)375-3393	Perm. 12-21-93
Waverly, City of	Mark McNamara	(612)682-1933	Del. to Wright SWCD 1-24-94

Local Government Units

Board of Water and Soil Resources

March 1995

LOCAL GOVERNMENT UNIT	CONTACT PERSON	PHONE NUMBER	PERMANENT
Westbrook, City of	David Thompson	(507)831-5669	Del. to Cottonwood Co. 1-01-94
West Concord, City of	Tom Johnston/Mark Gamm	(507)374-6430	Del. to Dodge Co. 12-28-93
West Lakeland, Township of	John McPherson	(612)439-3754	Perm. 1-01-94
West Mississippi WMO	Dale Claridge	(612)472-4224	Perm. 11-09-93
Westport, City of	Kim W. Krueger	(612)634-5326	Del. to Pope SWCD 2-08-94
West St. Paul, City of	William Craig	(612)552-4101	Perm. 3-28-94
Wilkin County	Bruce Poppel	(218)643-3051	Perm. 1-04-94
Willmar, City of	Jeff Bredberg	(612)231-6288	Del. to Kandiyohi Co. 1-05-94
Wilton, City of	Hon. Gary Bryngelson	(218)751-4614	Perm. 2-14-94
Windom, City of	David Thompson	(507)831-5669	Del. to Cottonwood Co. 1-01-94
Winona, City of	Robert Bohant	(507)457-8200	Perm. 2-07-94
Winona County	Todd Bram	(507)457-6335	Perm. 12-23-93
Winthrop, City of	Kevin Pioske	(612)237-5435	Del. to Sibley SWCD 3-08-94
Winton, City of	Anne Jackson	(218)365-5941	Perm. 9-06-94
Woodbury, City of	Steve Kernik	(612)731-5790	Perm. 12-22-93
Woodland, City of	Ellen Sones	(612)939-8320	Del. to MCWD 1-01-94
Wright County	Mark McNamara	(612)682-1933	Del. to Wright SWCD 1-24-94
Yellow Medicine County	Lou Ann Nagel	(612)669-4442	Del. Yellow Medicine SWCD 1-01-94
Yellow Medicine SWCD	Lou Ann Nagel	(612)669-4442	Perm. 1-01-94
Young America, City of			Del. to Bevens Crk. WD
Zimmerman, City of	Lee Paulson	(612)856-4990	Perm. 1-24-94
Zumbrota, City of	Myrna Halbach, P.E.	(612)385-3104	Del. to Goodhue Co.

Appendix D

MN Wetland Conservation Act
Wetland Banking Status Report

March 9, 1995

Minnesota Board of Water & Soil Resources

I. Projects deposited in the bank.

Location (Co.)	Size(ac.)	Balance	Type	Account holder
Beltrami	2.2	0	3	* City of Bemidji
Douglas	14.0	5.6	2/3/6	* Co. Hwy. Dept.
Morrison	36.4	36.4	6	* Co. Hwy. Dept.
Morrison	2.2	2.2	4	Harold Strom
Pope	13.1	13.1	3	* Co. Hwy. Dept.
Scott	1.3	1.3	3	* Mesenbrink Const.
Wright	11.2	11.2	2/3/4	* Co. Hwy. Dept.
Wright	0.6	0.6	3	* Co. Hwy. Dept.
Waseca	45.3	45.3	2	Dixie Enevoldsen
Itasca	43.1	43.1	4	* MNDOT
Todd	168.5	168.5	3/4	* MNDOT
Douglas	3.1	3.1	3	* MNDOT
Otter Tail	13.0	13.0	3/4	* MNDOT
Scott	12.6	12.6	3	* MNDOT
Dakota	7.5	7.5	3/4	* MNDOT
Subtotal	**374.1**	**363.5**		

II. Projects ready for deposit.

Location (Co.)	Size(ac.)	Type	Project Sponsor
Wright	1.7	3/4	* Co. Hwy. Dept.
Pope	0.5	3	* Co. Hwy. Dept.
Pope	2.0	4	* Co. Hwy. Dept.
Itasca	5.1	3	Tom Hammerlund
Subtotal	**9.3**		

* not for general sale, credits to be used by account holder or sold only to county residents

III. Projects underway (some are recently initiated while others are completed and awaiting final approval)

Location (Co.)	est. Size(ac.)	Type	Project Sponsor
Aitkin	65.0	2/6	Co. Hwy. Dept.
Aitkin	?	?	private
Anoka	25	2/3	Co. Hwy. Dept.
Blue Earth	60.0	2/3/4	Co. Hwy. Dept.
Blue Earth	25.0	2/3	Co. Hwy. Dept.
Becker	52.0	2/3/4	SWCD
Becker	3.0	3	private
Benton	40.0	3/4	Co./SWCD/DNR Wildlife
Benton	43.0	3	private
Big Stone	37.5	3	Co. Hwy. Dept.
Cass	2.2	3/4	Cass Co.
Cass	5.1	3	Cass Co.
Cass	0.6	3	Cass Co.
Chisago	8.0	4	private
Clearwater	?	?	SWCD
Crow Wing	7.0	3/4	private

Dodge	?	?	Co. Hwy. Dept.
Dodge	?	?	private
Douglas	9.1	3	private
Douglas	24.0	3	private
Douglas	5.3	4	private
Fillmore	30.0	1/2	Co. Hwy. Dept.
Freeborn	3.7	3	City of Albert Lea
Goodhue	0.1	2	private
Hubbard	?	3	Co.
Itasca	10.0	3	Co., wetland restored in Grant Co.
Lake of the Woods	3.0	3	private
Lake of the Woods	6.0	3	Co.
Lake of the Woods	4.0	4	DNR Forestry
LeSueur	45.0	3	private
Martin	40.0	3	undetermined
Martin	3.0	3	undetermined
Morrison	7.0	?	private
Morrison	35.0	?	private
Norman	240.0	2/3/4	Co./Hwy.Dept
Otter Tail	65.0	2/3/4	Otter Tail Co.
Rice	?	?	Co. Hwy. Dept.
Ramsey	3.4	3/5	private (ready 7/95)
St. Louis	10.0	4/5	private (gravel pit)
Wadena	6.0	2/3/4	private
Waseca	15.0	2	private
Waseca	10.0	2	private
Washington	2.0	3	private
Winona	4.0	3	private
Winona	3.6	2	private
Wilkin	1.5	3	Wilkin Co.
Wright	13.8	3/4	private
Wright	12.5	2/3/4	private
Subtotal	**985.4**		

Many of these projects will be deposited in 1995, the others in 1996. The private projects will generate credits for general sale, while most of the public agency credits will be used for road projects and possible sale to local government unit residents.

IV. Potential Projects/Credits.

Potential for wetland restoration projects is great in the agricultural areas of the state (<50% counties) and very limited in the northern forested areas (>80% counties). For example, Grant County has 6 wetland restoration sites lined up with willing landowners who are looking for someone to make them a proposal to do wetland restorations. The $300,000 1994 bonding appropriation for the establishment of wetland banking credits has not been tapped as the bonding bill language passed last session has made the expenditure of these funds for banking credits unmanageable. If certain encumbrances are removed via legislation, then these dedicated funds may be used to develop "jumpstart" credits for public transportation projects in certain parts of the state. MNDOT has enrolled their credits into the state banking system but will likely use them all for state highway projects.

V. Cost of Credits.

"What will wetland banking credits cost?" is a question asked frequently. Market factors of supply and demand will determine the price. Location, land values, and construction method also impact the price. Currently, banking credits range from about $300 to $10,000 per acre and may be higher in the Twin City metro area.

prepared by: John Jaschke, MN Board of Water and Soil Resources, (612)297-3432

a:bank3.rep

REINVEST IN MINNESOTA (RIM) RESERVE WETLAND RESTORATION PROGRAM

YEAR	# OF EASEMENTS	# OF ACRES		# OF WETLANDS
		TOTAL	*WETLAND*	
1986	19	576.1	113.9	27
1987	44	1,170.2	425.7	62
1988	35	1,009.2	313.3	49
1989	44	1,770.5	702.5	55
1990	36	1,163.3	424.0	55
1991	96	3,372.4	1,397.1	128
1992	19	507.0	205.1	29
1993	59	2,443.8	1,019.6	71
1994	62	2,842.0	1,140.0	65
TOTALS	414	14,854.50	5,741.20	541

Note: Number of easements taken directly reflects the amount of available funding for that given year

- **Average Easement Size** = **35.8 acres**
- **Average Size of Restored Wetland** = **10.5 acres**
- **Average Upland to Wetland Ratio** = **1.6:1**
- **Average Wetland Restoration Cost** = **$340 per acre**
- **Average Upland Grass Establishment Cost** = **$78 per acre**
- **Average Tree and Shrub Establishment Cost** = **$330 per acre**
- **Average Easement Payment for Lands With Crop History** = **$567 per acre**
- **Average Easement Payment for Lands Without Crop History** = **$340 per acre**

INTERAGENCY MEMORANDUM OF UNDERSTANDING for the State of Minnesota

WETLAND REGULATORY SIMPLIFICATION

I. WETLAND BANKING

WHEREAS, landowners that have received wetland project approvals, as required by state and federal laws, rules and regulations, should have access to all applicable replacement options; and

WHEREAS, the State Wetland Bank established by the Minnesota Wetland Conservation Act, Minn. Rules Chapter 8420, provides a potential option for compensatory mitigation through wetland replacement; and

WHEREAS, the participating Federal agencies concur that the State Wetland Bank is consistent with the Corps of Engineers (Corps) and Environmental Protection Agency (EPA) Mitigation Memorandum of Agreement dated February 7, 1990 and the Generic Mitigation Banking Guidelines promulgated by EPA - Region 5 and the Corps - St. Paul District on July 10, 1991; and,

WHEREAS, benefits of use of a wetland banking program include:

1. Appropriate and perpetual mitigation, pursuant to Wetland Conservation Act requirements, is assured as wetland replacement credits will meet the principles and procedures for review, deposit, auditing and monitoring as provided for in the Wetland Conservation Act.
2. More efficient and cost-effective mitigation will be realized as landowners will be able to seek wetland replacement that would likely meet all of the agencies' requirements for compensatory mitigation.
3. A positive balance of wetland acres will be realized as wetland restoration and creation projects must be completed and deposited before credits can be withdrawn; and

WHEREAS, Wetland bank credits provide a replacement option only where the proposed use of such credits meets all of the compensatory mitigation requirements (e.g., size, type and location) of the Federal, state or local approval agency(s); and

WHEREAS, the undersigned agencies concur that the consideration of state wetland bank credits should be allowed as a potential compensatory mitigation option by landowners if such option is consistent with the approval agency's applicable compensatory mitigation requirements; and

THEREFORE, the undersigned agencies concur that it is in the public's interest to allow use of the State Wetland Bank, where appropriate, as a compensatory option, and that the respective agencies will consider state wetland bank credits in applicable and appropriate situations.

II. STATEWIDE GENERAL PERMIT(s)

WHEREAS, federal wetland policy encourages the U.S. Army Corps of Engineers to issue Regional General Permits where state and/or local government regulations duplicate those of the Clean Water Act; and

WHEREAS, Federal wetland policy (as issued on August 24, 1993) states that "...PGPs (Programmatic General Permits) are extremely useful in reducing unnecessary duplication between Federal and non-Federal regulatory programs and in generally enhancing the role of State and local governments...in decisions regarding wetlands and other aquatic resources."; and

WHEREAS, the Wetland Conservation Act, as administered by local governments and overseen by state government, overlaps the wetland protection provisions of the Federal Clean Water Act for many projects; and

WHEREAS, implementation of the Statewide General Permit(s) is intended to provide:

i.) increased efficiency for Federal, State and local government regulatory programs; and
ii.) improved service to the regulated public by establishing "one-stop shopping", at the local government level, for seeking the approvals necessary to conduct many projects impacting wetlands; and,

WHEREAS, the Wetland Conservation Act requirements and the provisions of a Statewide General Permit(s) provide for oversight of local government activities by the Federal and State Governments and affected members of the public; and

THEREFORE, the undersigned agencies concur that it is in the public's interest to develop a Statewide General Permit(s) that effectively protects wetlands while minimizing regulatory duplication.

III. COLLABORATIVE EFFORTS

WHEREAS, through Inter-Agency Wetlands Group and other joint efforts, further opportunities exist for wetland regulatory simplification and coordination, including:

1. Development of an interagency wetlands newsletter service and brochures to a wide spectrum of public and private interests; and
2. Scientific training for agency staff (conducted by an interagency team) in wetland identification and delineation; and
3. Where appropriate -- reciprocal acceptance of wetland delineations completed under each agency's respective authority, if they are conducted consistent with the techniques prescribed in the present and future versions of the *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*, the *U.S. Army Corps of Engineers Wetland Delineation Manual*, and the *National Food Security Act Manual*; and,
4. Comprehensive administrative training and guidance for agency staff implementing and complying with wetland regulations; and
5. Continued acceptance of the combined project notification/application form as a permit application form to all agencies for wetland projects; and
6. State Wetland Planning efforts; and
7. Coordination of wetland preservation and incentive programs.

THEREFORE, the undersigned agencies agree to undertake and continue these initiatives and other collaborative efforts resulting in effective wetland protection through regulatory simplification.

IV. GENERAL

1. The policy and procedures contained within this Memorandum of Understanding (MOU) do not create any rights, either substantive or procedural, enforceable by any party regarding an application for a permit or enforcement action brought by the United States or the State of Minnesota. Deviation or variance from the administrative procedures included in this MOU will not constitute a defense for violators or others concerned with any State or Federal enforcement action.

2. Nothing in this MOU is intended to diminish, modify, or otherwise affect statutory or regulatory authorities of any of the signatory agencies. All formal guidance interpreting this MOU and background materials upon which this MOU is based will be issued jointly by the agencies.

3. Nothing in this MOU will be construed as indicating a financial commitment by the signatory agencies for the expenditure of funds except as authorized by specific appropriations.

4. This MOU will take effect on the date of the last signature below and will continue in effect until modified or revoked by agreement of all signatory agencies. Any one of the signatory agencies may revoke its participation in this MOU by a 90 days prior written notice to all of the other signatory agencies. Modifications to this MOU may be made by mutual agreement and approval by all the signatory agencies. Such modifications will take effect upon signature of the modified document by all the signatory agencies.

[SIGNATURES]

Signature Date — D. James Nielsen, Chairman, Board of Water & Soil Resources

Signature Date — James T. Scott, Colonel, Corps of Engineers, District Engineer

Signature Date — Chuck Williams, Commissioner, MN Pollution Control Agency

Signature Date — Rod Sando, Commissioner, MN Dept. of Natural Resources

Signature 8/24/94 Date — Gary Nordstrom, SCS State Conservationist, USDA

Signature Date — James N. Denn, Commissioner, MN Dept. of Transportation

Signature 8/24/94 Date — for Dale Bryson, Water Division Director, Region 5 - USEPA

Signature 8-24-94 Date — Elton Redalen, Commissioner, MN Dept. of Agriculture

Signature Date — Lynn Lewis, Field Supervisor, Twin Cities Field Office - USFWS

Minnesota Board of Water & Soil Resources

WETLAND REGULATORY SIMPLIFICATION

Minnesota has a number of wetland regulatory programs which play a part in preserving the state's valuable water resources. Local government unit (LGU) administration of the recently developed state Wetland Conservation Act (WCA) provides several opportunities for wetland regulatory simplification through intergovernmental coordination, without changes to existing regulations. The benefits of regulatory simplification are improved service to the public and increased government efficiency. Specific steps toward this objective are described below.

I. COMBINED PROJECT NOTIFICATION (CPN)

In use for two years, the CPN form has been revised so that it can be accepted as a permit application by all agencies that may have regulatory jurisdiction on a project proposal. This form is available at state and federal offices and at all LGU and Soil and Water Conservation District (SWCD) offices.

II. WETLAND BANKING

The Federal and state regulatory and oversight agencies have agreed to allow project sponsors, that cannot avoid wetland impacts, to seek required compensatory wetland mitigation via the state wetland bank established by the WCA. The benefits and terms of this agreement are spelled out in the Regulatory Simplification Interagency Memorandum of Understanding (MOU) signed in August 1994.

III. STATE PROGRAMMATIC GENERAL PERMIT (GP)

The Inter-Agency Wetlands group has developed a draft GP agreement between the U.S. Corps of Engineers (Corps) and the State of MN that would eliminate the need for duplicate Corps Section 404 permit review and approval for a substantial number of projects already approved by the LGUs via WCA authority. Specifically:

1. GP-16. For projects statewide impacting less than 1/2 acre of wetland, landowners who have obtained a LGU-approved WCA replacement plan would not need further approval from the Corps. *This GP application is being held in pending status until further guidelines can be developed.*

2. GP-17. On a pilot basis, for projects in several LGUs, the acreage limit would be increased to 3 acres in item (1).

3. Landowners who obtain a Certificate of Exemption from the LGU would have the option of self-certifying a Corps Nationwide Permit (NWP) for their project according to the NWP guidelines and Regional Conditions.

* Items (1) and (2) will require individual MPCA 401 certification for projects impacting wetlands within 1000 feet of outstanding resource value waters (calcareous fens, wild and scenic rivers, Scientific and Natural Areas), trout streams and trout lakes, and will be limited to wetland impacts less than 10,000 sq. ft. in shoreland areas.

* The LGUs participating in item (2) will be selected based on criteria outlined in the pilot program application form, including such items as program experience, staff training, wetland resources and geographic distribution.

* The Public Notice for the GPs was issued in March 1994 with an expected date for implementation of GP-17 in April 1995.

LGU performance will be monitored to assess the resources and capabilities required to expand regulatory simplification efforts in the future to achieve true "one-stop-shopping".

For more information contact John Jaschke at the MN Board of Water and Soil Resources at (612)297-3432.

a:regsimp.wet (BWSR/JJ 1/12/95)

A SUMMARY OF

"PROTECTING AMERICA'S WETLANDS: A FAIR, FLEXIBLE, AND EFFECTIVE APPROACH"

August 24, 1993

INTRODUCTION

The Clinton Administration is proposing a comprehensive package of improvements to the Federal wetlands program that reflects a new broad-based consensus among Federal agencies. For years, many have argued that the Federal government badly needed to improve its wetlands program to make it fairer and more effective. But for too long, contradictory policies from feuding Federal agencies have blocked progress, creating uncertainty and confusion. This wetlands package reflects a sharp break through the past gridlock caused by warring Federal agencies and contains a balanced, common sense, workable set of improvements that will make the program simpler, fairer, better coordinated with state and local efforts and more effective at protecting wetlands.

BACKGROUND

The Nation's wetlands perform many functions that are important to society, such as improving water quality, recharging groundwater, providing natural flood control, and supporting a wide variety of fish, wildlife and plants. The economic importance of wetlands to commercial fisheries and recreational uses is also enormous.

The Nation has lost nearly half of the wetland acreage that existed in the lower 48 States prior to European settlement. The Nation's wetlands continue to be lost at a rate of hundreds of thousands of acres per year due to both human activity and natural processes. This continued loss occurs at great cost to society.

Notwithstanding the importance of wetland resources, Federal regulatory programs to protect wetlands have caused considerable controversy. Critics of Federal wetlands regulatory programs have effectively characterized those programs as unfair, inflexible, inconsistent, and confusing. Supporters of wetlands protection have responded -- with equal effectiveness -- by emphasizing the environmental and economic benefits associated with protecting the Nation's wetlands.

As both sides have voiced their strongly held opinions, the debate over Federal wetlands policy has become increasingly divisive, with agencies fighting agencies and generating enormous confusion among the public and the states and stalling needed reforms in the program. In short, wetlands policy had become one of the most controversial environmental issues facing the Federal government, slowing work on the reauthorization of the overall Clean Water Act.

THE INTERAGENCY WORKING GROUP ON FEDERAL WETLANDS POLICY

The Administration convened the Interagency Working Group on Federal Wetlands Policy in early June with the goal of developing a package of Clinton Administration initiatives to end the wetlands wars, break the deadlock over Federal wetlands policy and develop a set of workable improvements to the program. The group has been chaired by the White House Office on Environmental Policy and has included the participation of the Environmental Protection Agency (EPA), the Army Corps of Engineers (Corps), the Office of Management and Budget, and the Departments of Agriculture (USDA), Commerce, Energy, Interior, Justice, and Transportation.

The working group sought the views of a broad range of stakeholders representing all perspectives in the wetlands debate. For example, the group has received presentations that have included: a bipartisan group of eight members of the U.S. Congress; representatives of State and local government; environmentalists; the development community; agricultural interests; scientists; and others.

After listening to this broad range of interests, the working group established five principles that serve as the framework for the Administration's comprehensive package of wetlands reform initiatives.

FIVE PRINCIPLES FOR FEDERAL WETLANDS POLICY

1) The Clinton Administration supports the interim goal of no overall net loss of the Nation's remaining wetlands, and the long-term goal of increasing the quality and quantity of the Nation's wetlands resource base;

2) Regulatory programs must be efficient, fair, flexible, and predictable, and must be administered in a manner that avoids unnecessary impacts upon private property and the regulated public, and minimizes those effects that cannot be avoided, while providing effective protection for wetlands. Duplication among regulatory agencies must be avoided and the public must have a clear understanding of regulatory requirements and various agency roles;

3) Non-regulatory programs, such as advance planning; wetlands restoration, inventory, and research; and public/private cooperative efforts must be encouraged to reduce the Federal government's reliance upon regulatory programs as the primary means to protect wetlands resources and to accomplish long-term wetlands gains;

4) The Federal government should expand partnerships with State, Tribal, and local governments, the private sector and individual citizens and approach wetlands protection and restoration in an ecosystem/watershed context; and

5) Federal wetlands policy should be based upon the best scientific information available.

A COMPREHENSIVE PACKAGE OF REFORMS

Building upon these principles, the working group has developed a comprehensive package of initiatives that will significantly reform Federal wetlands policy, while maintaining protection of this vital natural resource. This package includes regulatory reforms and innovative, non-regulatory policy approaches; it includes administrative actions that will take effect immediately, and legislative recommendations for Congress to consider during the reauthorization of the Clean Water Act. The Clinton Administration looks forward to working closely with the Congress to implement this new approach to Federal wetlands policy.

The reform package includes the following initiatives:

· To affirm its commitment to conserving wetlands resources, the Administration will issue an Executive Order embracing the interim goal of no overall net loss of the Nation's remaining wetlands resource base, and a long-term goal of increasing the quality and quantity of the Nation's wetlands;

· To increase fairness in the wetlands permitting process, the Corps will establish an administrative appeals process so that landowners can seek speedy recourse if permits are denied without having to go to court;

· To make sure that decisions are made without delay, the Corps will establish deadlines for wetlands permitting decisions under the Clean Water Act;

· To reduce uncertainty for American farmers, yesterday the Corps and EPA issued a final regulation ensuring that approximately 53 million acres of prior converted cropland -- areas which no longer exhibit wetlands characteristics -- will not be subject to wetlands regulations;

· To reduce duplication and inconsistency for American farmers, the Soil Conservation Service will be the lead Federal agency responsible for identifying wetlands on agricultural lands under both the Clean Water Act and the Food Security Act;

· To close a loophole that has led to the degradation and destruction of wetlands, yesterday the Corps and EPA issued a final regulation to clarify the scope of activities regulated under the Clean Water Act;

· To emphasize that all wetlands are not of equal value, yesterday EPA and the Corps issued guidance to field staff highlighting the flexibility that exists to apply less vigorous permit review to small projects with minor environmental impacts;

· To ensure consistency and fairness, the Army Corps of Engineers, the Environmental Protection Agency, the Soil Conservation Service, and the Fish and Wildlife Service will all use the same procedures to identify wetland areas;

· To increase the predictability and environmental effectiveness of the Clean Water Act regulatory program and to help attain the no overall net loss goal, the Administration endorses the use of mitigation banks;

· To reduce the conflict that can result between wetlands protection and development when decisions are made on a permit-by-permit basis, the Administration strongly supports incentives for States and localities to engage in watershed planning;

· To provide effective incentives for farmers to restore wetlands on their property, the Administration will continue to support increased funding for the USDA's Wetland Reserve Program; and

· To help attain the long-term goal of increasing the quantity and quality of the Nation's wetlands, the Administration will promote the restoration of damaged wetland areas through voluntary, non-regulatory programs.

CONCLUSION

This package breaks the gridlock that has paralyzed wetland policy in the past and represents a major advance in reforming and improving the wetlands program nationwide. It reflects the President's broader commitment to "reinventing" government to make it more responsive, more effective and more efficient.

The critics of the wetlands regulatory program have performed a service to the country by highlighting the need for meaningful reform in the administration of wetland regulatory programs. Many of the much needed reforms contained in this package -- such as permit deadlines, an appeals process, mitigation banking, and increasing the role of state and local government in wetlands regulation -- have been proposed by those seeking improvements in the operation of the current regulatory program.

The supporters of wetlands protection have also performed a service by helping to inform the Nation of the environmental and economic importance of wetlands, a valuable natural resource that was once routinely destroyed. Their strong commitment to protecting and restoring this vital resource is also reflected in this package. For example, a loophole has been closed in Federal regulations that allowed the degradation and destruction of wetlands; the "Alaska 1% rule," which would have greatly relaxed wetlands protection in Alaska, will be withdrawn; and the Administration will draft an Executive Order affirming its commitment to the preservation and restoration of wetland areas.

By adopting an approach based upon the effective protection of an important natural resource in a manner that is fair and flexible, the Clinton Administration proposes a wetlands policy that recognizes both the value of wetland resources and the need to minimize regulatory burdens.

United States Department of Agriculture

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& SOIL RESOURCES

Interagency Statement of Principles Concerning Federal Wetlands Programs on Agriculture Lands

August 23, 1993

The Departments of Army, Agriculture, Interior, and the Environmental Protection Agency recognize fully that the protection of the Nation's remaining wetlands is an important objective that will be supported through the implementation of the Swampbuster provisions of the Food Security Act and Section 404 of the Clean Water Act. Our agencies recognize and value the important contribution of agricultural producers to society, our economy, and our environment. We are committed to ensuring that Federal wetlands programs are administered in a manner that minimizes the impacts on affected landowners to the extent possible consistent with the goals of protecting wetlands. Specifically, we are concerned that previous practices have led to confusion and inconsistent application of Federal wetlands policies on agricultural lands.

To minimize duplication and inconsistencies between Swampbuster and the Clean Water Act wetlands programs we agree to undertake the following within 120 days from the date of this agreement:

(1) The Soil Conservation Service (SCS), Army Corps of Engineers (Corps), the Environmental Protection Agency (EPA) and the Fish and Wildlife Service (FWS) will enter into a Memorandum of Agreement (MOA) which will ensure that the Nation's farmers can rely on SCS wetlands jurisdictional determinations for purposes of the Clean Water Act and Swampbuster. In accordance with the MOA, the Corps and EPA will accept written SCS wetland determinations as the final government position on the extent of Clean Water Act jurisdiction. The MOA will include provisions to ensure that agency personnel are properly trained, that standard, agreed upon methods are utilized in making such determinations and that the Corps and EPA have the ability to monitor SCS determinations, made in consultation with FWS, on a programmatic basis consistent with EPA's authority to determine the geographic scope of Clean Water Act jurisdiction. The MOA will also address enforcement responsibilities on agriculture lands to ensure that the Federal government's activities are coordinated and consistent.

(2) The SCS, Corps, EPA, and FWS will complete technical guidance for agency field staff on conducting wetlands jurisdictional determinations and for the development of mitigation on lands managed for agriculture. This guidance will provide uniform interagency procedures and ensure greater consistency between the Clean Water Act and Swampbuster programs.

(3) The Corps, in coordination with the EPA, SCS, FWS and the National Marine Fisheries Service, will propose a Nationwide General Permit for discharges associated with "minimal effects" and "frequently cropped with mitigation" conversions determined by SCS and FWS to qualify for exemption from the provisions of Swampbuster. This will provide greater certainty to the Nation's farmers that they can rely on SCS/FWS mitigation determinations. While the nationwide permit will contain appropriate conditions to ensure wetlands are properly protected, an individual review by the Corps and EPA will generally not be required.

Completion of the above initiatives within the next 120 days will ensure consistency among Federal wetlands protection programs and provide farmers with a single point of contact, the SCS, for wetlands jurisdiction and mitigation determinations. These initiatives should be viewed as a strengthening of our commitment to protect the Nation's wetlands. Effective and consistent administration of wetlands programs will help meet this commitment as well as reduce impacts on the agriculture community.

Jim Lyons
Assistant Secretary for Natural Resources and Environment
Department of Agriculture

G. Edward Dickey
Acting Assistant Secretary of the Army for Civil Works
Department of the Army

Martha G. Prothro
Acting Assistant Administrator for Water
Environmental Protection Agency

for George Frampton, Jr.
Assistant Secretary for Fish, Wildlife and Parks
Department of the Interior

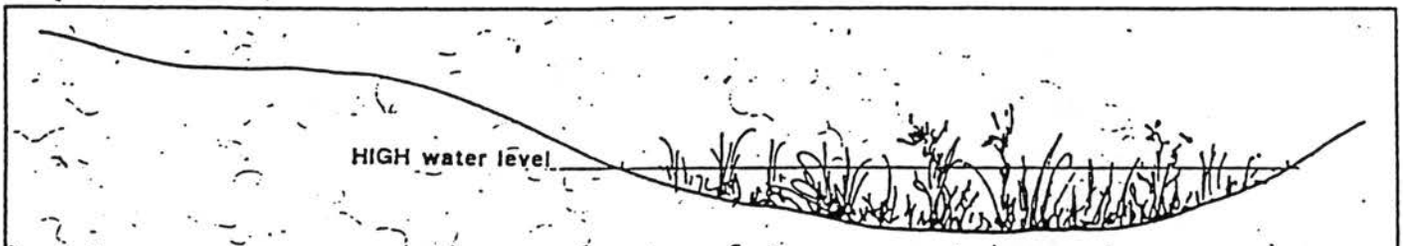
MINNESOTA WETLAND REGULATIONS	MN DNR DIVISION OF WATERS	US CORPS OF ENGINEERS	WETLAND CONSERVATION ACT	WATERSHEDS WATERSHED MGT ORG.	LOCAL ZONING	MN POLLUTION CONTROL AGENCY	USDA (1990 FARM BILL)
WETLAND DEFINITION	Public Waters Wetlands are defined by MN Statute (M.S.) 103G.005, Subd. 18; by a minimum basin size and type via the Protected Waters Inventory.	Wetlands are defined by Federal Regulations 33 CFR 328.3(b) as those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.	Wetlands are defined by M.S. 103G.005, Subd. 19, and do not include public waters and public waters wetlands as defined in Subd. 18. The 1989 FEDERAL MANUAL OF IDENTIFYING AND DELINEATING WETLANDS is used to identify and delineate wetlands.	A variety of definitions may be used in district rules.	A variety of definitions may be used in local zoning ordinances.	Wetlands are defined by MN Rule Chapter 7050.0130 as "all waters of the state that are transitional between terrestrial and aquatic systems where the water table is usually at or near the surface of the land, or the land is covered by shallow water." Wetlands must also have the three attributes of soils, vegetation, and hydrology.	Wetlands are lands that 1) have a predominance of hydric soils; 2) are inundated or saturated by surface water or groundwater .....; and 3) support a prevalence of hydrophytic vegetation.
REGULATED WETLAND TYPES (Per USFWS Circular #39)	Types 3, 4, and 5.	Types 1 through 8.	Types 1 through 8.	Various wetland typing.	Various wetland typing.	Types 1 through 8.	Types 1 through 8.
MINIMUM WETLAND SIZE	2.5 acres in incorporated areas; 10 acres in unincorporated areas.	No size minimum.	Wetland areas greater than 400 square feet.	Variable.	Variable.	No size minimum.	No size minimum.
MITIGATION	Under M.S. 103G.245, Subd. 7 if major change in the resource is justified, protected waters permits must include provisions to compensate for the detrimental aspects of change. Commonly used when governmental units make permit applications for roadway fills.	In order to receive a Section 404 permit to fill or excavate in a wetland, an applicant is generally required to perform compensatory mitigation in the form of restoring drained wetlands or the purchase and conversion of upland areas into wetlands. No net loss of wetlands.	Under M.S. 103G.222, wetlands must not be drained or filled, wholly or partially, unless replaced by restoring or creating wetlands of at least equal public value under an approved replacement plan.	Various types of mitigation may be used depending on replacement plans.	Various types of mitigation may be used depending on local ordinance.	A wetland mitigation process (which requires a sequencing) must be followed when physical alterations of wetlands results in the pollution of a wetland.	The loss of wetlands can be mitigated by restoring a converted wetland that has an equivalent value.
WETLAND BANKING	The DNR will consider replacement of wetlands using the state wetland bank if the appropriate credits are available.	The USCORE will consider replacement of wetlands using the state wetland bank if the appropriate credits are available.	Landowners may replace unavoidable wetland impacts using the state wetland bank.	Wetland banking may be an option.	Wetland banking may be an option.	The MPCA will consider replacement of wetlands using the state wetland bank if the appropriate credits are available.	The USDA will consider mitigation of wetlands using the state wetland bank if the appropriate credits are available.
TAXES	The DNR-DOW does not have any taxing authority in Minnesota.	The USCORE does not have any taxing authority in Minnesota.	BWSR does not have any taxing authority in Minnesota.	WD/WMO have taxing authority; used for conducting operations.	Local units of government have taxing authority.	MPCA does not have taxing authority in Minnesota.	The NRCS and CFSA do not have taxing authority in Minnesota.

MINNESOTA WETLAND REGULATIONS	MN DNR DIVISION OF WATERS	US CORPS OF ENGINEERS	WETLAND CONSERVATION ACT	WATERSHED DISTRICTS WATERSHED MGT ORG.	LOCAL ZONING	MN POLLUTION CONTROL AGENCY	USDA (1990 FARM BILL)
COMPENSATION	The DNR-DOW has not compensation programs relative to wetland management.	The USCORE has no known compensation program relative to wetland management.	BWSR provides compensation to eligible landowners who preserve types 1, 2, 3 & 6 wetland through the Permanent Wetland Preserve Program. RIM provides cost-share funding to landowners who propose to establish or restore wetlands. Tax break programs for wetland preservation will be available after high priority areas are identified in local water plans.	WD/WMO have no known compensation programs relative to wetland management.	Landowners may be exempted form taxes on protected wetlands. Local governments have acquired wetlands for mitigation purposes as negotiated with resource management agencies.	MPCA has no compensation program related to wetland management.	1) CRP (Conservation Reserve Program) gives landowners a monetary incentive to take environmentally sensitive land out of production for 10 years. 2) Wetlands Reserve Program (WRP) provides a 30 year or permanent easement options for farmed or converted wetlands, and for other wetlands if the functional values are enhanced.
FARMABILITY	Under M.S. 103G.231, Subd. 1, the bed of wetlands may be pastured or cropped during periods of drought if 1) dikes, ditches, tile lines or buildings are not constructed, and 2) the agricultural use does not result in drainage of the wetland. Also, fill in a wetland to accommodate wheeled booms on irrigation devices is allowed if the fill does not impede normal drainage.	USCORE does not regulate farming wetlands as long as existing conditions allow. Activities which involve the discharge of dredged or fill material into wetlands may require Corps permits. There are also exemptions for some normal farming activities.	The Wetland Conservation Act (WCA) lists several agricultural exemptions, and does not prevent landowners from farming or pasturing wetlands.	WD/WMO management plans may allow landowners to farm wetlands in periods of drought.	Local ordinances may allow landowners to farm wetlands in periods of drought.	Exemptions are the same as the USCORE for CWA regulated activities. MPCA discharge permits have no farming exemptions	The "Swampbuster" provision of the Farm Bill prohibits a landowner enrolled in the program from draining, dredging, filling or otherwise altering a wetland to make crop production possible.
VIOLATION PENALTIES	Violations of M.S. 103G.245 are punishable as a misdemeanor with fines up to $700 and/or 90 days in jail.	Criminal: fines up to $100,000 per day and 6 years in jail. Civil: fines up to $25,000 per day. Administrative: A) Class I - $10,000 per violation; B) Class II - $10,000 per day.	Violations of M.S. 103G are punishable as a misdemeanor with fines up to $700 and/or 90 days in jail. (M.S. 103G.2372)	Violations of M.S. 103D.545 are punishable as a misdemeanor with fines up to $700 and/or 90 days in jail. Violations may be enforced by criminal prosecution, injunction, action to compel performance, restoration, or other appropriate action.	Penalties may vary depending on local ordinance.	An Administrative Penalty of up to $10,000 is the final step in the "escalated enforcement matrix" which is followed upon violation of federal, state, or permit requirements pertaining to water quality. Charges for site restoration/remediation are additional. Criminal charges are possible if violation is deemed intentional.	Retroactive graduated penalties from $750 to $10,000. Loss of all farm program benefits.
APPEAL PROCESS	1) Administrative Law Judge (ALJ) hearing and recommendations, 2) DNR final order, 3) court of appeals, 4) higher courts.	1) District may reconsider permit action based on new information. 2) Suite in Federal Court. Note: Administrative process to be developed.	1) Appeal of wetland replacement plan decision by mailing notice of appeal to board within 30 days of receipt of decision, 2) Appeal heard by committee for dispute resolution, 3) ALJ hearing, 4) final order, 5) court of appeals, and 6) higher court.	Appeal of WD/WMO orders can be made to district court or secretary of BWSR. Notice of appeal must be filed within 30 days of final WD/WMO order. Board and court orders may be appealed as in other civil cases.	In the case of a county, appeals are made to the Board of Adjustment. For cities, appeals are made to either a Board of Adjustment or to the city council. Further appeals are civil actions in district court.	1) Contest violation facts, 2) seek variance from MPCA Board, and 3) court system.	1) Reconsideration by DC; 2) appeal to AC, 3) appeal to state conservationist, 4) appeal to NRCS Chief for final decision.

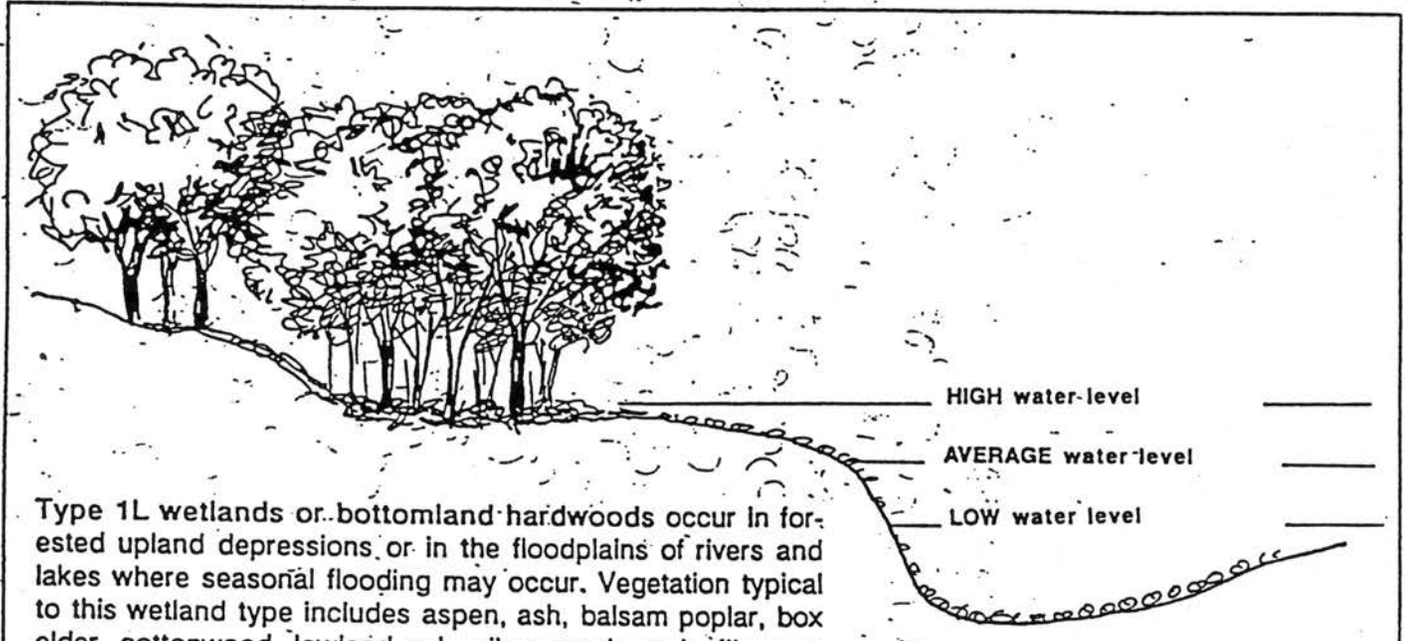
Note: None of the wetland regulations allow additional public access or trespass.

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

Type 1 wetlands are divided into two subclasses: 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 1 wetlands or seasonally flooded basins occur in upland depressions where water accumulates during periods of heavy rain or melting snow. Vegetation typical to this wetland type includes herbaceous plants such as smartweeds, sedges, grasses and weeds. Many type 1 wetlands have been converted to agricultural uses.



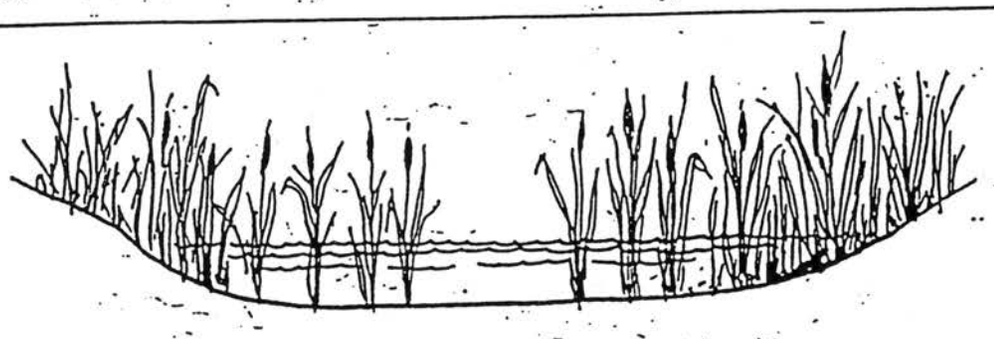
Type 1L wetlands or bottomland hardwoods occur in forested upland depressions or in the floodplains of rivers and lakes where seasonal flooding may occur. Vegetation typical to this wetland type includes aspen, ash, balsam poplar, box elder, cottonwood, lowland oak, silver maple and willow.

Type 2 / Fresh meadow



Type 2 wetlands or fresh meadows occur along the shallow edges of lakes, marshes and floodplains, or in perched depressions. The soil is usually without standing water during much of the growing season, but is waterlogged within at least a few inches of the surface. Vegetation typical to this wetland type includes grasses, sedges, rushes and various herbaceous plants.

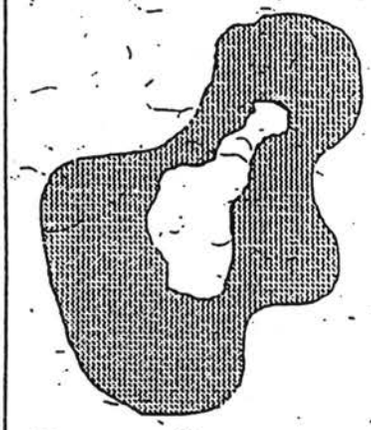
Type 3 / Shallow fresh marshes



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.

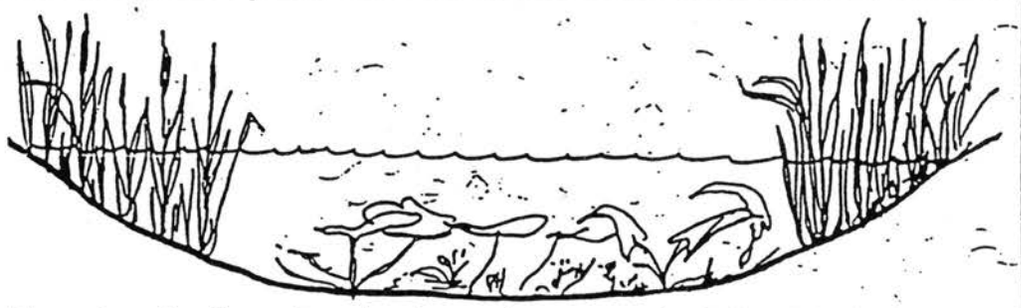
Vegetation vs. open water

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

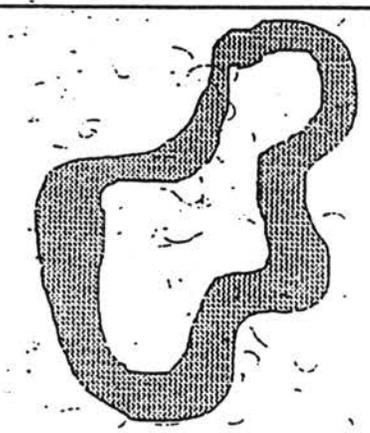


Type 3
Vegetation 50% to 100%

Type 4 / Deep fresh marshes

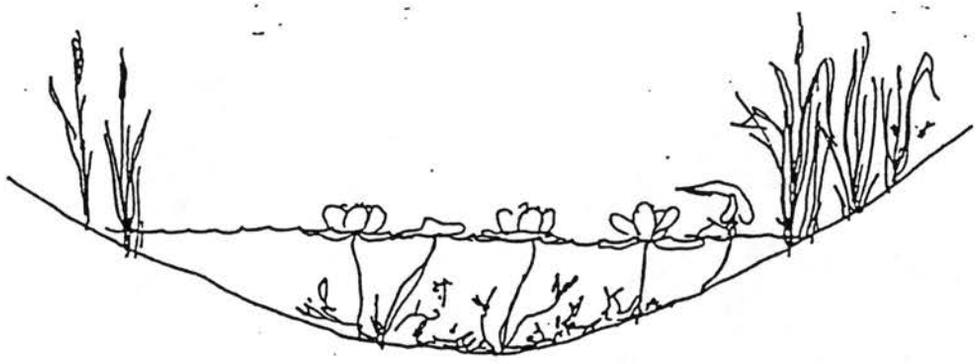


Type 4 wetlands or deep fresh meadows occur in shallow lake basins that contain a mixture of open water and emergent vegetation. The soil is covered by six inches to three feet of water during the growing season. Vegetation typical to this wetland type includes bulrush, cattail, burreed, phragmites,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

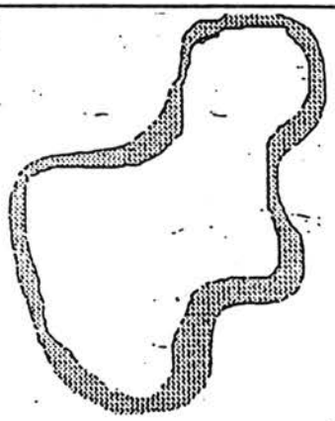


Type 4
Vegetation 15% to 50%

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.



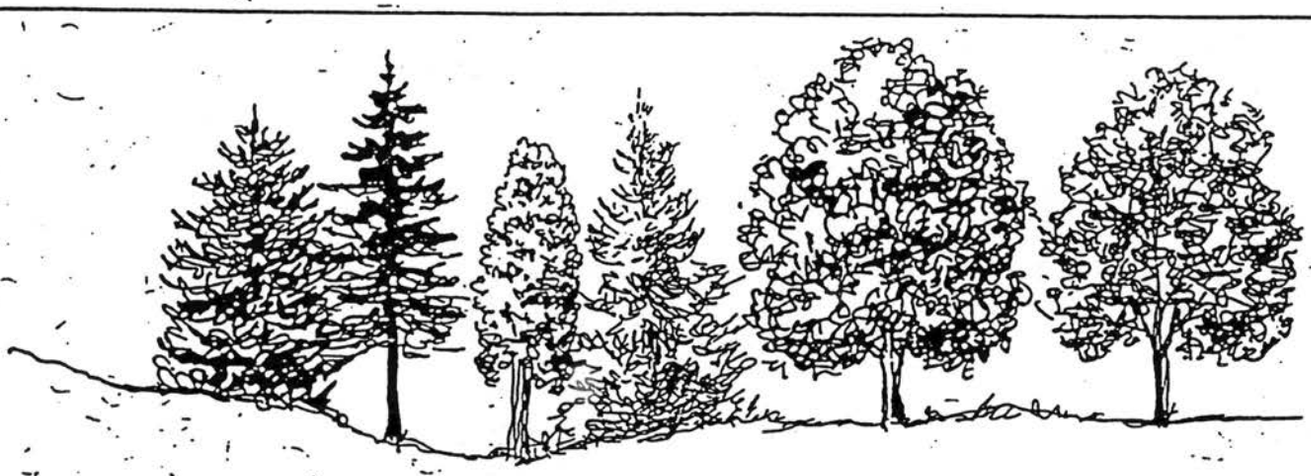
Type 5
Vegetation less than 15%

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.



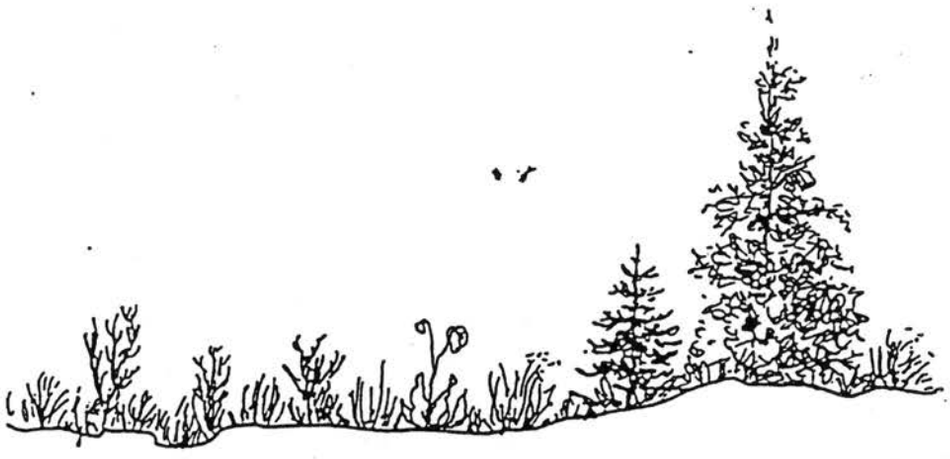
Type 7 / Wooded swamps



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 moses. 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.



Minnesota Association of Watershed Districts
Watershed Act Amendments 103D
Fact Sheet

Per Diem: Raises the per diem for watershed district manangers from $50 per day to $55 in conformity with other local governments and state boards.

Advisory Committees: Currently watershed districts have great difficulty in attracting and keeping good advisory committee members. We have requested a number of changes which prescribe minimum duties for the watershed district advisory committee.

Rules: Currently, watershed districts adopt rules with only local input. We are proposing BWSR reveiw watershed district rules. BWSR's review is advisory only.

Watershed District Plans: The Watershed District Plans are reviewed and approved by the BWSR. However, until only recently, there were no guidelines for watershed districts to follow which resulted in a wide variety and qualitiy of plans. This simply lays out in statute that watershed districts follow the BWSR's plan guidelines for new plans and and revised plans.

Appeals: Removes the BWSR from hearing appeals on permits and orders. Appeals must be heard on the record and therefore it is appropriate that legal issues are decided by a court and not a citizens board. However, new language is included to allow parities to informally resolve disputes before the BWSR Board.

Common Benefit Fund: Allows for the establishment of a common benefit fund, to finance projects that are of common benefit to the watershed district with an ad valorm tax. Projects must be identified in the plan. The ad valorm tax is restricted to 0.02418 percent of the taxable market value and capped at $125,000. The same restrictions that apply to the administrative fund.

This allows for financing of projects of common benefit such as information programs, monitoring and data collection, and implementation programs such as purple loosestrife control and weed harvesting. Traditionally, these projects can be funded through the administrative levy, but in a low tax capacity area, districts have difficulty even raising enough funds through the administrative levy to fund their administrative budget, let alone do any projects of common benefit.

This does not require watershed district to establish such a fund, only provides another tool to get the job done.

Metro Drainage Improvements: In 1990, the legislature recognized the need to simplify procedures for maintenance and improvement of drainage ditches in the seven county metro area. These changes, although helpful, did not define the relationship of alternative powers to the drainage law. The proposed changes are designed to clearly establish that drainage system maintenance and improvement in the metro area may be done irrespective of the drainage law as long as the watershed district has concurrence from the cities and towns in the district.

Assessment by Contribution: This would clarify an existing tool for watershed districts to use in non-drainage, water quality projects. It would allow watershed districts to assess all or portions of the project based on the contribution of surface water runoff, nutrients, pollutants, or other appropriate means identified in the watershed district plan, or findings related to ordering the project. This is a fairer way to assess the costs rather than simply using benefits which is targeted toward drainage projects.

The watershed district, in using this tool, is allowed (through the amendment of its plan) to create a special watershed management tax district. This establishes the area for which an assessment based on contribution would be based. This is a more equitable distribution of costs -- the alternative is a watershed wide tax or an assessment levy to benefitted property.

BOARD OF WATER & SOIL RESOURCES
SUMMARY OF PROPOSED CHANGES
TO
METROPOLITAN SURFACE WATER MANAGEMENT ACT
&
METROPOLITAN GROUNDWATER PLANNING

January 11, 1995

METROPOLITAN SURFACE WATER MANAGEMENT ACT (M.S. 103B.201)

103B.231 Watershed Plans

Effective Date of Plans - Removes dates by which organizations had to prepare plans. This has the net effect of having plans effective through 1995 or 2000. Currently 39 watershed management organizations are scheduled to revise plans in 1995.

Priority Review Schedule - Adds a new provision to the law which allows BWSR in consultation with state agencies and the metropolitan council to establish a priority review schedule. Plan revisions and plan review will be guided by the priority schedule. Existing plans would remain in full force and effect until the BWSR notifies the watershed management organization of its review date schedule.

Local and Agency Review of Plans - Modifies the existing review procedure by adding preliminary agency review at the same time as local review, and adds a requirement for a public hearing on the plan and proposed changes before the plan is submitted for the final state agency review.

Agency Sanctions - Authorizes state agencies to withhold state funding for water programs and projects and delegation of state water resource regulatory authority within the watershed from local government units. Allows BWSR to request agencies to withhold portions of state aid funding used for the installation of curb and gutter and other drainage facilities of public transportation projects within the watershed.

103B.241 Levies/Financing

Watershed Plans and Projects - Eliminate confusion over metro watershed districts ability to utilize the levy authority provided by this section for plan implementation as well as plan development. The current wording of "Notwithstanding any provision to the contrary in chapter 103D, a watershed district may levy a tax sufficient to pay the increased costs to the district of implementing sections 103B.231 and 103B.235" continues to be debated on whether it means plan development costs only or to implement the plan, including projects and programs identified in the plan.

Emergency Projects - Creates a procedure in statute to order emergency projects similar to that found in chapter 103D, and provides levy authority to pay the costs associated with the emergency work performed.

103B.245 &.247 Taxing Districts

Special Tax Districts - Changes are designed to differentiate between creation of watershed management tax districts between local units of government and watershed management organizations. Although the current language includes watershed management organizations the procedure and authorities are applicable only to local units of government, such as adoption of the tax district by ordinance, and issuance of obligations (bonds) to pay the cost incurred in making the improvement. The proposed language establishes a separate section on creation of watershed management tax districts by watershed management organizations.

Assessment Based on Contribution - Adds the authority for both watershed management organizations and local government units to apportion costs of projects based on the principal of contribution. The current language only allows for costs of projects and capital improvements to be apportioned based on the amount of benefit a property receives from the project or improvement. Apportionment of costs based on contribution is a fairer method than benefit in that it recognizes the amounts or proportions of water, nutrients or pollutants that are generated from a particular parcel, and recognizes the differences between the types of land uses and how they proportionally contribute both runoff and associated pollutants. This concept is extremely important to the success of water quality improvement projects in the region.

METROPOLITAN GROUNDWATER MANAGEMENT (M.S. 103B.255)

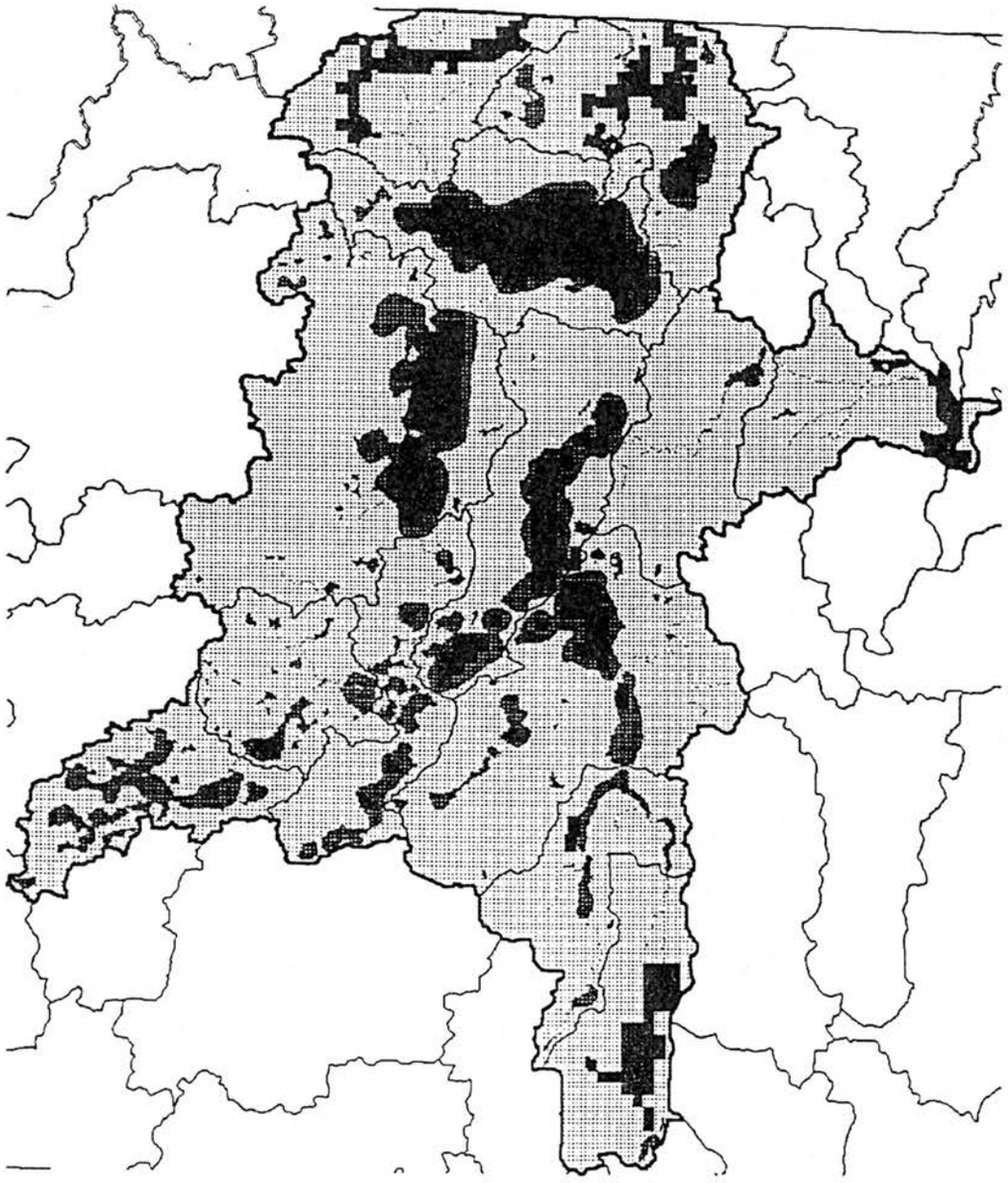
103B.255 Groundwater Plans

Local and Agency Review of Plans - Adopts a review process consistent with the proposed change to metropolitan surface water management Act.

County Review - Provides authority to countties to review and comment on local municipal plans.

H:SUMLWC.103

ASSESSMENT AREA
BASED ON BENEFIT



BENEFITTED PROPERTY

PROPERTY NOT BENEFITTE

WATER

5.00 mi 10 mi

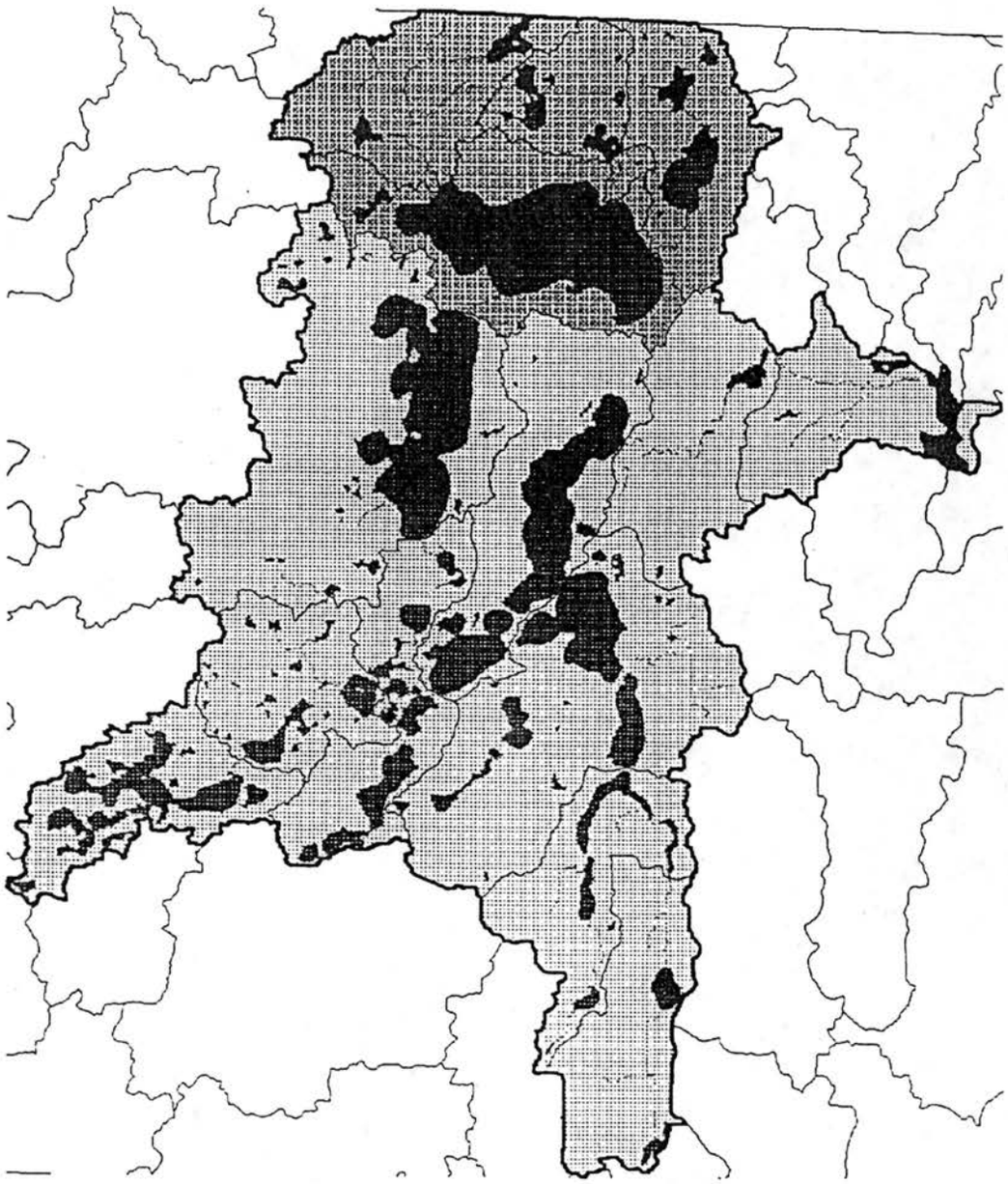
VATER & SOIL RESOURCES
Vater Street, Suite 200
55107

DESCRIPTION:USGS MINOR WATERSHEDS

Minnesota Board of Water & Soil Resources

LOCAL WATER PLANNING INITIATIVE

ASSESSMENT BY CONTRIBUTION



NOT CONTRIBUTING

CONTRIBUTING

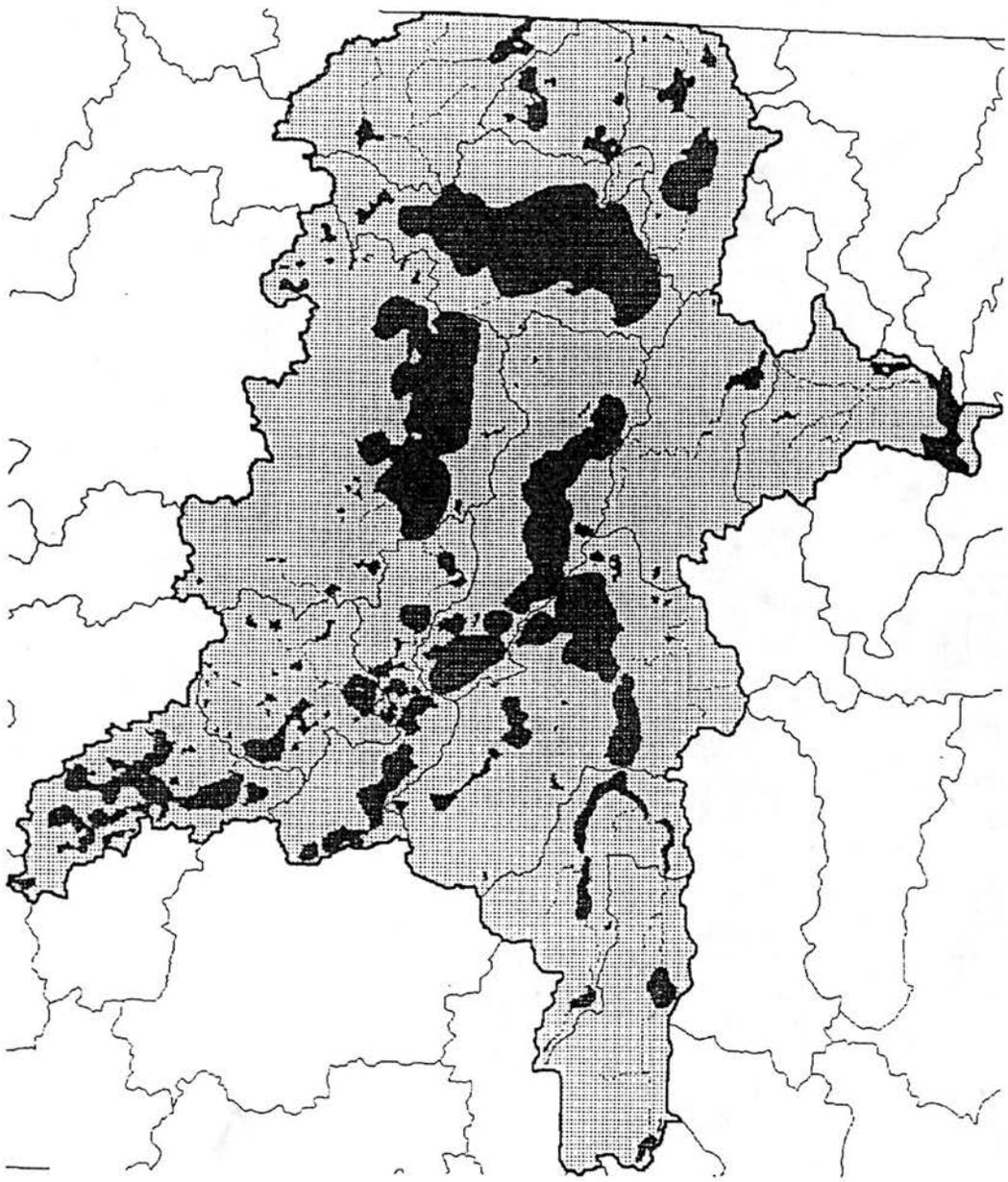
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WATER & SOIL RESOURCES
Water Street, Suite 200
55107

DESCRIPTION:USGS MINOR WATERSHEDS

Minnesota Board of Water & Soil Resources

AD VALOREM



ASSESSMENT AD VALOREM

0 5.00 mi 10 mi

OF WATER & SOIL RESOURCES
st Water Street, Suite 200
MN 55107

DESCRIPTION:USGS MINOR WATERSHEDS

Minnesota Board of Water & Soil Resources

p Additional

DRAFT AMENDMENTS TO METRO SURFACE WATER MANAGEMENT
H.F.1238/S.F.897

-The intent of these changes is to allow communities to prepare their local water management plan within the comprehensive planning process, thus tying water management to land use planning.

Amend and delete 103B as follows:

103B.211 Joint Powers Watershed management Organization

Subdivision 1. Authority. (a) Any agreement under section 471.59 to jointly or cooperatively manage or plan for the management of surface water in a watershed delineated pursuant to subdivision 2, as required by sections 103B.205 to 103B.255, may provide, in addition to other provisions authorized by section 471.59, for a joint board having:

(1) the authority to prepare, adopt, and implement a plan for the watershed meeting the requirements of section 103B.231;

~~(2) the authority to review and approve local water management plans as provided in section 103B.235;~~

(3) the authority of a watershed district under chapter 103D to regulate the use and development of land in the watershed when one or more of the following conditions exists:

(i) the local government unit exercising planning and zoning authority over the land under sections 366.10 to 366.19, 394.21 to 394.37, or 462.351 to 462.364, does not have a local water management plan approved and adopted in accordance with the requirements of section ~~103B.235 or has not adopted the implementation program described in the plan~~ 473.859, subd. 3;

(ii) an application to the local government unit for a permit for the use and development of land requires an amendment to or variance from the adopted local water management plan or implementation program of the local unit; or

(iii) the local government unit has authorized the organization to require permits for the use and development of land;

(4) the authority of a watershed district under section 103D.625, to accept the transfer of drainage systems in the watershed, to repair, improve, and maintain the transferred drainage systems, and to construct all new drainage systems and improvements of existing drainage systems in the watershed, provided that: (i) projects may be carried out under the powers granted in sections 103B.205 to 103B.255 or chapter 103D or 103E; and (ii) proceedings of the board with respect to the systems must be in conformance with the watershed plan adopted under section 103B.231; and

(5) other powers necessary to exercise the authority under clauses (1) to (3), including the power to enter into contracts for the performance of functions with governmental units or persons.

(b) The board of water and soil resources shall adopt rules prescribing minimum requirements for the content of watershed management organization joint powers agreements.

(c) Decisions by a joint powers board may not require more than a majority vote, except a decision on a capital improvement project, which may require no more than a two-thirds vote.

~~103B.235. LOCAL WATER MANAGEMENT PLANS.~~

~~Subdivision 1. **Requirement.** (a) After the watershed plan is approved and adopted, or amended, pursuant to section 103B.231, the local government units having land use planning and regulatory responsibility for territory within the watershed shall prepare or cause to be prepared a local water management plan, capital improvement program, and official controls as necessary to bring local water management into conformance with the watershed plan within the time period prescribed in the implementation program of the watershed plan and, as necessary, shall prepare or cause to be prepared amendments to the local comprehensive plan.~~

~~(b) Each town within the counties of Anoka, Carver, Dakota, Scott, and Washington authorized by general or special law to plan and regulate the use of land under sections 462.351 to 462.364 shall by resolution determine whether to prepare the local water management plan itself or to delegate all or part of the preparation of the plan to the county.~~

~~(c) Towns within counties that have adopted comprehensive plans applicable to the town must use county preparation of their plan to the maximum extent possible.~~

~~Subd. 2. **Contents.** (a) Each local plan, in the degree of detail required in the watershed plan, shall:~~

~~(1) describe existing and proposed physical environment and land use;~~

~~(2) define drainage areas and the volumes, rates, and paths of stormwater runoff;~~

~~(3) identify areas and elevations for stormwater storage adequate to meet performance standards established in the watershed plan;~~

~~(4) define water quality and water quality protection methods adequate to meet performance standards established in the watershed plan;~~

~~(5) identify regulated areas; and~~

~~(6) set forth an implementation program, including a description of official controls and, as appropriate, a capital improvement program.~~

~~(b) The board of water and soil resources shall adopt rules establishing minimum local plan standards and a model environmental management ordinance for use by local government units in implementing local water plans. The standards apply to plan amendments made to conform to changes in the watershed plans that are adopted under the board rules required by section 103B.231, subdivision 6.~~

~~Subd. 3. **Review.** After consideration but before adoption by the governing body, each local unit shall submit its water management plan to the watershed management organization for review for consistency with the watershed plan adopted pursuant to section 103B.231. The organization shall approve or disapprove the local plan or parts of the plan. The organization shall have 60 days to complete its review. If the organization fails to complete its review within the prescribed period, the local plan shall be deemed approved unless an extension is agreed to by the local unit.~~

~~Subd. 4. **Adoption and implementation.** After approval of the local plan by the organization, the local government unit shall adopt and implement its plan within 120 days and shall amend its official controls accordingly within 180 days.~~

~~Subd. 5. **Amendments.** To the extent and in the manner required by the organization, all amendments to local water management plans shall be submitted to the organization for review and approval in accordance with the provisions of subdivision 3~~

~~for the review of plans. HIST: 1990 c 391 art 2 s 12; 1990 c 601 s 21~~

103B.237. Consistency of local plans and controls with the watershed plan

Requirement. Local units of government shall amend existing comprehensive plans and official controls as necessary to conform them to the applicable approved comprehensive water plan and the requirements of section 473.859.

103B.245. SPECIAL TAX DISTRICT.

Subdivision 1. **Watershed management tax district.** (a) Any local government unit planning for water management under sections 103B.231 and ~~103B.235~~ 473.859, subd.3., (5) may establish a watershed management tax district in the territory within the watershed, for the purpose of paying the costs of the planning required under sections 103B.231 and ~~103B.235~~ 473.859, subd.3., (5)..

(b) Any local government unit which has part of its territory within a watershed for which a plan has been adopted in accordance with section 103B.231 and which has a local water management plan adopted in accordance with section ~~103B.235~~ 473.859, subd.3. (5) may establish a watershed management tax district in the territory within the watershed or a subwatershed unit in the watershed, for the purpose of paying capital costs of the water management facilities described in the capital improvement program of the plans and for the purpose of paying for normal and routine maintenance of the facilities.

(c) A county or counties required by section 103B.231, subdivision 3, to prepare, adopt, and implement a watershed plan shall apportion the costs of planning, capital improvements, and maintenance proportionate to benefits. The county may apportion the costs among the subwatershed units in the watershed, or among the statutory and home rule charter cities and towns having territory in the watershed, and for this purpose may establish more than one watershed management tax district in the watershed.

(d) Notification of new watershed management districts established under this subdivision must be made to the county auditor by July 1 in order to be effective for taxes payable in the following year.

-Amend 473.859, subd.3 as follows:

(5) a local water management plan, prepared in conformance with an approved and adopted, or amended, watershed plan pursuant to section 103B.231, as necessary to meet the time period prescribed in the implementation program of the watershed plan, and updated according to the time periods specified in 462.355, subd. 1(a). including the following elements:

(i) a description of existing and proposed physical environment and land use;

(ii) a definition of drainage areas and the volumes, rates, and paths of stormwater runoff;

(iii) an identification of areas and elevations for stormwater storage adequate to meet performance standards established in the watershed plan;

(iv) a definition of water quality and water quality protection methods adequate to meet performance standards established in the watershed plan;

(v) an identification of regulated areas; and

(vi) an implementation program, including a description of official controls and, as appropriate, a capital improvement program.

Amend section 473.859, subd. 4(1)

(1) a description of official controls, addressing at least matters of zoning, subdivision, water supply, surface water management, and private sewer systems, and a schedule for the preparation, adoption, and administration of such controls;

Amend section 473.859, subd.6

Subd. 6. **Plan review.** (1) The Council shall, by January 1, 1994, prepare guidelines for the preparation of water supply plans required in subdivision 3, clause (4). The plans must be submitted to the council by January 1, 1996. The council shall review the plans under section 473.175, subdivision 1, after submitting them to affected counties that have adopted groundwater plans under section 103B.255 for their review and comment.

(2) The council will review the local water management plan as an amendment to the local comprehensive plan under 473.175, subdivision 1, and adopted council policies

on plan review. The watershed management organization can comment on the conformity of the water components in the local comprehensive plan with its watershed plan within the first 45 days of council review.

Amend Sec. 17. [103B.252] [EMERGENCY PROJECTS] of current bill

Subdivision 1. [GENERAL AUTHORITY.] Notwithstanding any provisions to the contrary in chapter 103D, and 103G, a local government unit or watershed management organization which has an approved and adopted plan may undertake emergency projects under this section.

h:103metro

UNIVERSITY OF MINNESOTA

Twin Cities Campus

Office of the Vice President
Institute of Agriculture, Forestry and Home Economics

201 Coffey Hall
1420 Eckles Avenue
St. Paul, MN 55108-1030
612-624-4777
Fax: 612-625-0286

March 3, 1995

Mr. Jim Nielsen, Chair
Board of Water and Soil Resources
1 West Water Street
Suite 200
St. Paul, MN 55107

Dear Mr. Nielsen:

As you may know, Fred Bergsrud of our Department of Agricultural Engineering has recently taken new responsibilities here at the University of Minnesota as Acting Associate Director for the Minnesota Extension Service. You may also know that as a result of this new appointment, he has resigned as the University representative to the Board of Water and Soil Resources.

With this in mind, I have asked Dr. Jim Anderson of our Soil Science Department to be our new BOWSR representative. Jim has a distinguished record in working with many groups on water quality and soil related issues. His address and telephone number are as follows:

Dr. James Anderson, Professor
Department of Soil Science
S501 Soils Building
University of Minnesota
St. Paul, MN 55108
(612) 625-8730

With this change, please have the BOWSR. mailings sent to Jim Anderson now instead of Fred Bergsrud. I hope this meets with your approval, please call me if you have questions.

Sincerely,

C. Eugene Allen

C. Eugene Allen
Provost, Professional Studies

c: Jim Anderson
Fred Bergsrud
Mike Martin
Dick Hemmingsen
H.H. Cheng
Gary Lemme
Gary Gardner

State of Minnesota
Department of Finance

400 Centennial Building
658 Cedar Street
St. Paul, Minnesota 55155
Voice: (612) 296-5900
TTY/TDD: (612) 297-5353 or
Greater Minnesota 800-627-3529
and ask for 296-5900
Fax: (612) 296-8685

January 30, 1995

To: Ronald Harnack, Executive Director
Water & Soil Resources Board

Fr: Laura M. King
Commissioner

Re: Legislative Audit Recommendations - Audit Report No. 94-48

This letter will confirm that your agency has now complied with the requirements established by the Department of Finance for follow-up to Legislative Audit Reports.

The latest quarterly report from your agency concerning the audit for the period July 1, 1991 through February 28, 1994 included items for which you were requested to report corrective action to the Governor. In light of actions taken by your agency, we are now satisfied that every reasonable effort has been made to comply with those audit recommendations.

Thank you for your cooperation. Please contact us if you have any remaining concerns regarding the issues raised in these audit findings.

cc: Governor's Office
James Nobles, Legislative Auditor
Executive Budget Officer

JAN 31 1995

AN EQUAL OPPORTUNITY EMPLOYER

State of Minnesota
Department of Finance

400 Centennial Building
658 Cedar Street
St. Paul, Minnesota 55155
Voice: (612) 296-5900
TTY/TDD: (612) 297-5353 or
Greater Minnesota 800-627-3529
and ask for 296-5900
Fax: (612) 296-8685

January 30, 1995

To: Ronald Harnack, Executive Director
Water & Soil Resources Board

Fr: Laura M. King LMK
Commissioner

Re: Legislative Audit Recommendations - Audit Report No. 94-56

This letter will confirm that your agency has now complied with the requirements established by the Department of Finance for follow-up to Legislative Audit Reports.

The latest quarterly report from your agency concerning the audit for the three years ended June 30, 1993 included items for which you were requested to report corrective action to the Governor. In light of actions taken by your agency, we are now satisfied that every reasonable effort has been made to comply with those audit recommendations.

Thank you for your cooperation. Please contact us if you have any remaining concerns regarding the issues raised in these audit findings.

cc: Governor's Office
James Nobles, Legislative Auditor
Executive Budget Officer

4/26/95

Minnesota Board of Water & Soil Resources

One West Water Street
Suite 200
St. Paul, MN 55107
(612) 296-3767
Fax (612) 297-5615

Field Offices

Northern Region:
394 S. Lake Avenue
Room 403
Duluth, MN 55802
(218) 723-4752
Fax (218) 723-4794

3217 Bemidji Avenue N.
Bemidji, MN 56601
(218) 755-4235
Fax (218) 755-4201

217 S. 7th Street
Suite 202
Brainerd, MN 56401-3660
(218) 828-2383
Fax (218) 828-6036

Southern Region:
Highway 15 S.
Box 756
New Ulm, MN 56073
(507) 359-6074
Fax (507) 359-6018

40–16th Street SE
Suite A
Rochester, MN 55904
(507) 285-7458
Fax (507) 280-2875

Box 267
1400 E. Lyon Street
Marshall, MN 56258
(507) 537-6060
Fax (507) 537-6368

Metro Region:
One West Water Street
Suite 250
St. Paul, MN 55107
(612) 282-9969
Fax (612) 297-5615

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DATE: April 19, 1995

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

FROM: Ronald D. Harnack, Executive Director RDH

SUBJECT: April 26, 1995 BWSR Meeting

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, April 26, 1995 beginning at 9:00 a.m. The meeting will be held in the BWSR conference room at One West Water Street, St. Paul. The agenda and informational materials are enclosed for your review. Following is some background information regarding the agenda items.

SUMMARY OF APRIL BOARD MEETING AGENDA

INTRODUCTION OF NEW MEMBERS:

* Joe Day, Chair, Citizen Member
* Ginny Imholte, Pelican River Watershed District Manager
* LeRoy Stensgaard, Pipestone County Commissioner
* Darrell Burggman, Aitkin County Commissioner

JIM NIELSEN RECOGNITION: I have enjoyed working with Jim these last four years. He has provided strong leadership and elevated the recognition of the agency within the Governor's office and with other agencies. I wish him continued success in his legal profession and in his hunting escapades.

CONSENT AGENDA:

*** WELL SEALING GRANT ALLOCATIONS:** The Board approved the criteria for the well sealing grants previously. Staff has reviewed the applications and recommends Board approval of the allocation. **DECISION ITEM.**

OLD BUSINESS:

*** LEGISLATIVE UPDATE:**

Budget: The budget for the environmental agencies has been adopted by the committees and is going to the floor of both houses. Attached is a summary of the allocations relating to BWSR.

Policy legislation for watershed districts and water planning is on the floor of both houses and has been passed by the house and is pending action in the senate. The wetlands bills are both waiting floor action. The house will hear the bill on 4/19/95 and the senate next week. A summary of the two bills is attached. A conference committee will settle the differences.

NEW BUSINESS:

*** BWSR/MES EDUCATION UPDATE:** Twice a year we ask Barb to review with the Board some of her activities in the northern region. Although it does not appear that we can expand this effort to the southern or metro regions we can continue to build on the successes in the northern counties.

*** MINNESOTA RIVER ACCELERATED COST-SHARE REVIEW:** The special allocations for the cost-share program in the Minnesota River will be reviewed by the respective grant recipients. The success of the these grants will have a bearing on the future allocations in the Minnesota River.

If you have additional agenda items or require additional information please feel free to give me a call. Travel safely, I look forward to seeing you on the 26th!

RDH:mja
Enc.

BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET, CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
APRIL 26, 1995

9:00 A.M.

1. CALL MEETING TO ORDER

2. ADOPT AGENDA

3. APPROVAL OF MINUTES OF MARCH 22, 1995

4. INTRODUCTIONS OF NEW BOARD MEMBERS
   - Joe Day
   - Ginny Imholte
   - LeRoy Stensgaard
   - Darrell Bruggman

5. RECOGNITION OF JIM NIELSEN

6. REPORTS
   - Chairman's Report - Jim Nielsen/Joe Day
   - Executive Director's Report - Ron Harnack
   - Education Committee - Tim Hvidsten
   - Feedlot Advisory Committee - Jim Rossman
   - Soil Conservation Committee - Glenn Annexstad
   - Dispute Resolution Committee - Kathy Roer

7. CONSENT AGENDA ITEM
   - Well Sealing Grant Allocations - Eric Mohring

8. OLD BUSINESS
   - Legislative Update/Policy and Budget - Ron Harnack

9. NEW BUSINESS
   - Minnesota River Cost-Share Initiative - Jeff Nielsen
     - BERBI
     - RCRCA
     - Wellner-Hageman Watershed (Cottonwood SWCD)
   - BWSR/MES Educational Activities - Barb Liukkonen

10. ADVISORY COMMENTS
    - Kim Benson-Johnson, Department of Health
    - Paul Burns, Department of Agriculture
    - Jim Anderson, Minnesota Extension Service
    - Wayne Edgerton, Department of Natural Resources
    - Wayne Anderson, Pollution Control Agency

ADVISORY COMMENTS (continued)

- Bill Hunt, NRCS
- Pat Wulff, MLA
- Jim Schafer, MASWCD
- Rick Reimer, MACDE
- Franklin Denn, MAT
- Vern Johnson, MAWD

11. BOARD ISSUES - discussion, comments, action needed

12. NEXT BWSR MEETING - May 24, 1995

NOON ADJOURN

BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET, CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
MARCH 22, 1995

BOARD MEMBERS PRESENT:
Jim Nielsen, Warren Rodning, Dwain Otte, Barb Cobb, Ted Lovdahl, Barbara Uppgaard, Howard Peterson, and Jim Rossman.

BOARD MEMBERS ABSENT:
Glenn Annexstad, Tim Hvidsten, Kathy Roer and Marvell Tripp.

AGENCY MEMBERS PRESENT:
Wayne Anderson, Pollution Control Agency
Kim Benson-Johnson, Department of Health
Wayne Edgerton, Department of Natural Resources

AGENCY MEMBERS ABSENT:
Jim Anderson, Minnesota Extension Service
Paul Burns, Department of Agriculture

OTHERS PRESENT:
Jim Schafer, Minnesota Association of Soil and Water Conservation Districts (MASWCD)
Rick Reimer, Minnesota Association of Conservation District Employees (MACDE)
Dave Benner, Natural Resources Conservation Service (NRCS)
Franklin Denn, Minnesota Association of Townships (MAT)

STAFF PRESENT:
Ron Harnack
Jim Birkholz
Mary Jo Anderson

Chairman Nielsen called the meeting to order at 9:05 a.m.

** 95-23 **Adopt Agenda** - Moved by Rodning, seconded by Lovdahl, to approve the agenda as presented. Affirmative: Cobb, Lovdahl, Otte, Peterson, Rodning, Rossman, Uppgaard and Nielsen. Opposed: None. Carried.

** 95-24 **Minutes of February 22, 1995** - Moved by Peterson, seconded by Otte, to approve the minutes of February 22, 1995, as circulated. Affirmative: Cobb, Lovdahl, Otte, Peterson, Rodning, Rossman, Uppgaard, and Nielsen. Opposed: None. Carried.

Reports

Executive Director's Report - Ron Harnack stated that the governor has not yet made any board member appointments to BWSR. Ron attended a National Association of State Conservation Agencies (NASCA) meeting in Atlanta in February to discuss restructuring USDA and state/local units of government. Jim Birkholz will be going to Washington, D.C., next week with Minnesota Association of Soil and Water Conservation Districts (MASWCD) to meet with the congressional delegation to discuss farm programs and legislative issues.

Budget Update - Ron Harnack and Barb Cobb attended the Senate budget meeting; significant issues and concerns on the BWSR budget were addressed. The Senate and House received the administration's recommendations for environmental allocations, which are a three to five percent reduction for environmental agencies.

Legislative Update - Ron Harnack briefed members on legislation as it refers to the Wetlands Conservation Act (WCA); watershed districts (WDs); soil and water conservation districts (SWCDs) base funding; and water management organizations (WMOs). Reorganization is again back on the table; Senator Laidig introduced a bill to abolish BWSR and place responsibilities in the Department of Natural Resources or reconstituted Environmental Quality Board. Discussion followed.

Feedlot Advisory Committee Report - Jim Rossman reported that the Feedlot Advisory Committee met on February 24 and will meet again on March 31. The committee is addressing the following issues of concern: redefining permitting; an administrative plan needs to be structured for counties on the permitting process; how to deal with odor problems; and an overview of forestry EIS has been discussed.

Chairman Nielsen called for a break in the meeting at 9:55 a.m. The meeting reconvened at 10:05 a.m.

Timber Harvest in Minnesota, Generic Environmental Impact Statement (GEIS) - Mike Kilgore, Department of Natural Resources (DNR), updated the BWSR on GEIS on forest management. He explained that about a year ago the EQB chair and commissioner of DNR formed a roundtable group of 25 people who met every other week from May to November. The roundtable group issued a comprehensive strategy report for implementing forestry management. The governor's recommended budget allocates $4.25 million for this program. BWSR would administer cost-share assistance for forest stewardship under this program. Chairman Nielsen thanked Mike for informing the Board of this program.

Grant SWCD Reinvest In Minnesota (RIM) Easement Violation - Jim Birkholz explained that a landowner has been found to have willfully violated a RIM easement by harvesting hay from the parcel. Negotiations with the landowner by the Grant SWCD and by BWSR field staff have not been successful. Jim explained the flowchart of non-compliance/violation procedures. Staff recommends that the BWSR request action from the Attorney General to obtain a court order to prevent further haying and to continue to seek payment of damages. The law requires that the state receive treble damages and restoration of the easement. Moved by Otte, seconded by Rodning, that the BWSR accept staff's recommendation to request action from the Attorney General to obtain a court order. Affirmative: Cobb, Lovdahl, Otte, Peterson, Rodning, Rossman, Uppgaard and Nielsen. Opposed: None. Carried.

** 95-25

Advisory Comments

- Pollution Control Agency: Wayne Anderson briefly commented on the positive action taking place with cooperative agencies.

- Department of Natural Resources: Wayne Edgerton stated that DNR is developing a plan for sustainable agriculture practices and updated conservation plans for lands in the state. The overall plan must be submitted to the Legislative Commission on Minnesota Resources (LCMR) and the Environmental Quality Board (EQB) by September 1, 1995. BWSR is invited to participate in a planning meeting on April 19 at the Department of Agriculture.

Chairman Nielsen stated that he and Ron Harnack met with Dennis Anderson, outdoor writer for the Minnesota Star & Tribune, on concerns they share on local management and ecosystem based management.

Barb Cobb and Jim Birkholz asked DNR and PCA representatives to check the status of their respective agency comments regarding the Nine Mile Creek Watershed Management Plan. The agencies were asked to submit their comments on the plan by the end of this month.

•Minnesota Association of Soil and Water Conservation Districts (MASWCD): Jim Schafer reported that the theme for the 1995 state convention is "Conservation 2000." Jim thanked the BWSR for allowing Jim Birkholz to go to Washington, D.C., next week with MASWCD to meet with the congressional delegation. MASWCD is intending to form a marketing and public relations committee to assist the SWCDs to become visible and pro-active.

•Natural Resources Conservation Service (NRCS): Dave Benner stated that Bill Hunt reports for duty as the new state conservationist on March 23. He's been deputy conservationist in Pennsylvania.

•Minnesota Association of Townships (MAT): Franklin Denn stated that this is a busy time of year, during the legislative session. MAT is sponsoring fifteen short courses for township officers.

•Minnesota Association of Conservation District Employees (MACDE): Rick Reimer reported that MACDE from Area 5 and 6 met to exchange ideas. MACDE met on March 8. A two day training session will be held in Alexandria.

Upcoming Board Meetings

- Duluth (Comfort Inn), July 25-26. A tour will be held on Tuesday with the BWSR meeting on Wednesday.
- Marshall in September.
- April 26 in St. Paul.

Chairman Nielsen adjourned the meeting at 11:15 a.m.

Respectfully submitted,

D. James Nielsen
Chairman

MINNESOTA BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET
SUITE 200
ST. PAUL, MINNESOTA 55107

612-296-3767

BOARD MEMBERS

Name and Address of Member	Appt. Designation	Term Expires	Telephone
Joseph B. Day, **Chair,** 5025 Power Dam Road, NE, Bemidji, 56630	Citizen	01-01-96	218-755-3825
Dwain Otte, 606 Zanmiller Drive West, Northfield, 55057	SWCD	01-01-96	507-645-4370
Ted Lovdahl, Jr., Route 1, Box 142, Effie, 56639	SWCD	01-06-97	218-743-3686
Tim Hvidsten, Route 1, Box 117, Stephen, 56757	SWCD	01-05-98	218-478-3503
Ginny L. Imholte, 720 South Shore Drive, Detroit Lakes, 56501	Watershed	01-04-99	218-847-4433
Barbara A. Cobb, 2170 Itasca Ave. S., St. Mary's Point, 55043	Watershed	01-01-96	612-436-8953
Marvell J. Tripp, 1422 So. Shore Dr., Worthington, 56187	Watershed	01-05-98	507-376-6975
Darrell Bruggman, HCR 4, Box 38, McGregor, 55760	Co. Commr.	01-04-99	507-246-5291
James Rossman, 7000 - 70th Street, Oronoco, 55960	Co. Commr.	01-05-98	507-282-2890
LeRoy Stensgaard, Box 118, Ruthton, 56170	Co. Commr.	01-06-97	507-658-3681
Glenn Annexstad, RFD 3, Box 35, St. Peter, 56082	Citizen	01-01-96	507-246-5207
Kathleen Roer, 2232 Tamarack Drive, Long Lake, 55356	Citizen	01-06-97	612-475-0789

In addition to the above members, five ex officio nonvoting members are provided by the Departments of Agriculture, Health, Natural Resources, the University of Minnesota, and the Pollution Control Agency.

News Release

Minnesota Board of Water & Soil Resources

For immediate release:
Thursday, April 13, 1995
For further information contact:
Susan Tsakakis, (612) 297-1893

Minnesota Board of Water and Soil Resources, One West Water Street, Suite 200, St. Paul, MN 55107

APPOINTMENTS MADE TO RESOURCE MANAGEMENT BOARD

Governor Arne Carlson recently announced four new appointments, including a new chair, to the Minnesota Board of Water and Soil Resources (BWSR), a state agency that assists local governments with natural resource management.

The appointments are Pipestone County Commissioner LeRoy Stensgaard, Ruthton; Aitkin County Commissioner Darrell Bruggman, McGregor; Pelican River Watershed District Manager Ginny Imholte, Detroit Lakes; and Joe Day of Bemidji. Day will serve as the BWSR's new chair.

Stensgaard has served on the Pipestone County Board for 10 years. His activities in the area of soil and water conservation include serving as chair of the Pipestone County Water Plan Task Force and as chair of the Redwood-Cottonwood Rivers Control Area joint powers board. He is also active in the Association of Minnesota Counties (AMC). He replaces Barbara Uppgaard of Crow Wing County.

Bruggman is serving his second term as an Aitkin County Commissioner. He is a member of AMC's Environment and Natural Resource Policy Committee and serves on an Ordinance Review Committee for the Mississippi Headwaters Board. He replaces Warren Rodning of Nicollet County.

(more)

Imholte has served on the board of the Pelican River Watershed District since 1991. She has been active in the Lake Detroiter's Lake Association and the Becker County Coalition of Lake Associations. She replaces Howard Peterson of Riley-Purgatory-Bluff Creek Watershed District.

Day is currently executive director of the Indian Affairs Council. He is a former Department of Natural Resources (DNR) employee, where his positions included Indian liaison and administrator of the DNR's north central region. He has also worked as the director of administration for the Minnesota Chippewa Tribe. He will serve as a citizen member of the BWSR and replaces Jim Nielson of Long Lake as chair.

"I'm looking forward to working with these qualified individuals," said Ron Harnack, executive director of the BWSR. "I'm confident that their experience and commitment will be valuable assets to our board's mission," he said.

Of the BWSR's 17 members, 12 are appointed by the governor. These 12 must include three county commissioners; three soil and water conservation district supervisors; three watershed representatives; and three citizen members. The remaining five members are nonvoting and represent the University of Minnesota, the Minnesota Pollution Control Agency, the Minnesota Department of Natural Resources, the Minnesota Department of Health, and the Minnesota Department of Agriculture.

Programs administered by the BWSR include the Reinvest in Minnesota (RIM) Reserve Program; the state Erosion Control Cost-Share Program; and the Wetlands Conservation Act.

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Voting members of the BWSR now include: Joe Day, Bemidji; Dwain Otte, Northfield; Ted Lovdahl, Effie; Tim Hvidsten, Stephen; Ginny Imholte, Detroit Lakes; Barbara Cobb, St. Mary's Point; Marvell Tripp, Worthington; Darrell Bruggman, McGregor; Jim Rossman, Oronoco; LeRoy Stensgaard, Ruthton; Glenn Annexstad, St. Peter; and Kathleen Roer, Long Lake.

ENVIRONMENT AND NATURAL RESOURCES FINANCE
FY 1996-97 ALLOCATIONS-OTHER AGENCIES
($'s in thousands)

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1														
2	AGENCY\PROGRAM		item			estimated	GOVERNOR'S RECS			HOUSE ALLOCATIONS			program	agency
3		current spending\decision items	type & #	page	fund	FY1995	FY1996	FY1997	FY1996-97	FY1996	FY1997	FY1996-97	check	check
4														
5														
6	***WATER AND SOIL RESOURCES BOARD***													
7	CURRENT SPENDING(by fund)			265	EVT	0	0	0	0	0	0	0		
8					GEN	13,976	13,147	13,147	26,294	13,147	13,147	26,294		
9					MNR	0	0	0	0	0	0	0		
10					EVT-STAT	29	0	0	0	0	0	0		
11					GEN-STAT	50	0	0	0	0	0	0		
12					FED	857	856	856	1,712	856	856	1,712		
13	DECISION ITEMS													
14		LCMR-new allocaitons	A-var	263	EVT		390		390			0		
15		LCMR-Gov alternatives	G-2226	268-271	EVT		2,080		2,080			0		
16														
17		SRF-annualized new program	A-310	263	GEN		220	220	440	220	220	440		
18		General services grant increase			GEN					200	200	400		
19														
20		LCMR-new allocaitons	A-var	263	MNR		535		535			0		
21		LCMR-Gov alternatives	G-2226	272-3	MNR		1,187		1,187			0		
22														
23	***WATER AND SOIL RES. BD. TOTAL(by fund)***													
24				265	EVT	0	2,470	0	2,470	0	0	0		
25					GEN	13,976	13,367	13,367	26,734	13,567	13,567	27,134		
26					MNR	0	1,722	0	1,722	0	0	0		
27		SUBTOTAL- DIRECT APPROPRIATIONS				13,976	17,559	13,367	30,926	13,567	13,567	27,134		
28					EVT-STAT	29	0	0	0	0	0	0		
29					GEN-STAT	50	0	0	0	0	0	0		
30					FED	857	856	856	1,712	856	856	1,712		
31	***WATER AND SOIL RES. BD. TOTAL(all funds)***					14,912	18,415	14,223	32,638	14,423	14,423	28,846	28,846	28,846
32												28,846		
33														
34	***DEPARTMENT OF AGRICULTURE***													
35														
36	***Protection Services Program***													
37	CURRENT SPENDING(by fund)			289	EVT	88	0	0	0	0	0	0		
38					GEN	7,400	7,563	7,563	15,126	7,563	7,563	15,126		
39					MNR	239	0	0	0	0	0	0		
40					SGSR	605	0	0	0	0	0	0		
41					SR	8,759	8,707	8,707	17,414	8,707	8,707	17,414		
42					ENV	273	269	269	538	269	269	538		
43					SR-STAT	7,172	6,926	6,926	13,852	6,926	6,926	13,852		
44					FED	1,982	1,570	1,532	3,102	1,570	1,532	3,102		
45					ENV-STAT	710	710	710	1,420	710	710	1,420		
46					AGENCY	82	1	1	2	1	1	2		
47	DECISION ITEMS													
48		Biological Control,(Gov's alt. LCMR)	G-2225	299	EVT		880		880			0		
49														
50		Food Handler Fee increase	A-805	288	GEN		507	507	1,014	101	190	291		
51		Agency reallocations	A-856	277	GEN		(466)	(466)	(932)	(466)	(466)	(932)		

ENVIRONMENT AND NATURAL RESOURCES
FY 1996-97 ALLOCATIONS - AG
($ in thousands)

AGENCY\PROGRAM current spending\decision items	item type & #	page	fund	estimated FY1995	GOVERNOR'S RECS FY1996	GOVERNOR'S RECS FY1997	GOVERNOR'S RECS FY1996-97	SENATE ALLOCATIONS FY1996	SENATE ALLOCATIONS FY1997	SENATE ALLOCATIONS FY1996-97	DIFFERENCE FROM GOV FY1996	DIFFERENCE FROM GOV FY1997	DIFFERENCE FROM GOV FY1996-97
WATER AND SOIL RESOURCES BOARD													
CURRENT SPENDING(by fund)		265	EVT	0	0	0	0	0	0	0	0	0	0
			GEN	13,976	13,147	13,147	26,294	13,147	13,147	26,294	0	0	0
			MFR	0	0	0	0	0	0	0	0	0	0
			EVT-STAT	29	0	0	0	0	0	0	0	0	0
			GEN-STAT	50	0	0	0	0	0	0	0	0	0
			FED	857	856	856	1,712	856	856	1,712	0	0	0
DECISION ITEMS													
LCMR-new allocations	A-var	263	EVT		390		390	390		390	0	0	0
LCMR-Gov alternatives	G-2226	268-271	EVT		2,080		2,080	0		0	(2,080)	0	(2,080)
SRF-annualized new program	A-310	263	GEN		220	220	440	220	220	440	0	0	0
Base-level funding incease			GEN					500	500	1,000	500	500	1,000
Metro Water Planning			GEN					150	150	300	150	150	300
LCMR-new allocations	A-var	263	MFR		535		535	535		535	0	0	0
LCMR-Gov alternatives	G-2226	272-3	MFR		1,187		1,187	0		0	(1,187)	0	(1,187)
WATER AND SOIL RES. BD. TOTAL(by fund)													
		265	EVT	0	2,470	0	2,470	390	0	390	(2,080)	0	(2,080)
			GEN	13,976	13,367	13,367	26,734	14,017	14,017	28,034	650	650	1,300
			MFR	0	1,722	0	1,722	535	0	535	(1,187)	0	(1,187)
SUBTOTAL- DIRECT APPROPRIATIONS				13,976	17,559	13,367	30,926	14,942	14,017	28,959	(2,617)	650	(1,967)
			EVT-STAT	29	0	0	0	0	0	0	0	0	0
			GEN-STAT	50	0	0	0	0	0	0	0	0	0
			FED	857	856	856	1,712	856	856	1,712	0	0	0
WATER AND SOIL RES. BD. TOTAL(all funds)				14,912	18,415	14,223	32,638	15,798	14,873	30,671	(2,617)	650	(1,967)
											0	0	0
DEPARTMENT OF AGRICULTURE													
Protection Services Program													
CURRENT SPENDING(by fund)		289	EVT	88	0	0	0	0	0	0	0	0	0
			GEN	7,400	7,563	7,563	15,126	7,563	7,563	15,126	0	0	0
			MFR	239	0	0	0	0	0	0	0	0	0
			SGSR	605	0	0	0	0	0	0	0	0	0
			SR	8,759	8,707	8,707	17,414	8,707	8,707	17,414	0	0	0
			ENV	273	269	269	538	269	269	538	0	0	0
			SR-STAT	7,172	6,926	6,926	13,852	6,926	6,926	13,852	0	0	0
			FED	1,982	1,570	1,532	3,102	1,570	1,532	3,102	0	0	0
			ENV-STAT	710	710	710	1,420	710	710	1,420	0	0	0
			AGENCY	82	1	1	2	1	1	2	0	0	0
DECISION ITEMS													
Biological Control,(Gov's alt. LCMR)	G-2225	299	EVT		880		880	880		880	0	0	0
Food Handler Fee Increase	A-805	288	GEN		507	507	1,014	101	190	291	(406)	(317)	(723)
Agency reallocations	A-856	277											

Senate Finance
Steve Ernest
4/10/95 5:03 PM

Comparison between H.F. 787 (Rep. Willard Munger, Duluth) and S.F. 483 (Sen. LeRoy Stumpf, Thief River Falls).

as of April 18, 1995

SHORELAND PROTECTION:

Both bills raise the threshold at which the Wetland Conservation Act (WCA) kicks in, i.e., the maximum number of wetland acres that can be impacted before the wetland falls under the WCA's regulations. (Once a project does fall under the WCA regulations, the project sponsor must explore and document attempts to first, AVOID the wetland entirely; and second, MINIMIZE any impacts on the wetlands. Any wetland area that is drained or filled must be replaced.) In current law, this threshold is 400 square feet everywhere; i.e., any project affecting less than 400 square feet is "too small" and does not need to abide by the act's requirements. This threshold is particularly important in shoreland areas, as shoreland wetlands are considered key to protecting the water quality of the lakes and rivers they abut. In addition, shoreland areas provide important fish and wildlife habitat.

House File 787

H.F. 787 maintains the current threshold of 400 square feet within a shoreland area (defined as within 1,000 feet of a lake or 300 feet of a river).

Senate File 483

S.F. 483 would raise the threshold to 1,000 square feet WITHIN BUILDING SETBACK AREAS. It does NOT use the shoreland area definition. This is key because building setback areas are generally only 50 to 200 feet. Shoreland area is defined as 1,000 feet (for lakes) and 300 feet (for rivers). So not only is the threshold much higher under S.F. 483, that threshold would only apply within 50-200 feet of the shoreline. Once outside the 50 to 200 foot building setback area, an even higher threshold would apply.

OTHER THRESHOLD NUMBERS:

As discussed above, both bills increase the maximum number of wetland acres that can be impacted before the project sponsor must abide by the Wetland Conservation Act. In current law, the threshold is 400 square feet, with no distinctions for different counties or shoreland areas. The thresholds below do not apply to shoreland areas (in H.F. 787) or to building setback areas (in S.F. 483)---see above.

H.F. 787 makes the following changes:

- raises the threshold to 1,000 square feet for counties with 50%-80% of their presettlement wetlands remaining
- raises the threshold to 7,500 square feet for counties with more than 80% of their presettlement wetlands remaining.
- maintains the 400 square foot threshold in counties with less than 50% of their presettlement wetlands remaining

S.F. 483 raises the thresholds as follows:

- raises the threshold to 5,000 square feet in the counties with less than 80% of their presettlement wetlands remaining
- raises the threshold to 10,000 square feet for counties with more than 80% of their presettlement wetlands remaining

DITCHES:

Under the WCA as it currently stands, wetlands that have been in existence for LESS than 20 years can be drained without replacement for repair or maintenance of ditches. Wetlands that have existed for more than 20 years cannot be drained for ditch repair or maintenance without replacement. This time frame was a compromise between those who wanted absolutely no draining and filling and those who believed that any draining and filling done in conjunction with ditch work should be exempt. The idea behind the compromise is that any ditch maintenance or repair that requires draining or filling a wetland that has existed for more than 20 years is not really repair or maintenance; it is in essence a new project.

H.F. 787 maintains the law as it currently stands.

Under S.F. 483, a broad exemption is granted to wetlands drained or filled for maintenance and repair of ditches, no matter how long the wetlands have existed.

STATE OVERSIGHT:

H.F. 787 provides additional flexibility for local governments by allowing them to develop wetlands management plans to reach the goals of the WCA, rather than adhering strictly to the rules laid out by the state. However, it does provide for state oversight by requiring state approval of the plans.

S.F. 483 also gives local governments more flexibility in developing their own local wetlands management plans; however, it does not provide for any state oversight.

ROADS:

Currently, the WCA requires that new road construction projects must also follow the AVOID-MINIMIZE-REPLACE sequence laid out in the law. The one difference is that wetlands drained or filled for new road construction can be replaced anywhere in the state, rather than only in specific areas, as is required for all other replacements.

H.F. 787 maintains the current law in relation to new road construction, but lowers the replacement ratio from 2:1 to 1:1 for all public transportation projects, including new public road construction and repair and maintenance of current roads.

S.F. 483 provides an exemption to the Wetland Conservation Act for any wetlands drained or filled for new road construction, as long as those wetlands fall under the Army Corps of Engineers' nationwide permit #14. Under that permit, one-third of an acre (not to exceed 200 lineal feet) may be drained or filled for new road construction. So the change would have the net effect of allowing for the draining or filling of one-third of an acre (up to 200 lineal feet) of wetland for those new roads that fall under the nationwide permit #14.

Since most new roads do NOT fall under the nationwide permit #14, the potential exemption for existing roads (see PUBLIC/PRIVATE INFRASTRUCTURE below) could have a more significant impact than this proposed exemption.

PUBLIC/PRIVATE INFRASTRUCTURE:

H.F. 787 adds an exemption for draining or filling wetlands for repair and maintenance of individual sewage treatment systems.

H.F. 787 also lowers the replacement ratio for all public transportation projects, including repair and maintenance of roads, from 2:1 to 1:1.

S.F. 483 provides a very broad exemption for maintenance and repair of public and private infrastructure, which could potentially include roads, bridges, culverts, etc.

ENFORCEMENT:

The Wetland Conservation Act is currently enforced by DNR conservation officers.

H.F. 787 maintains the current law.

S.F. 483 allows for a county to assume enforcement of WCA in lieu of the DNR.

WETLAND TYPES:

In the current law, all type one wetlands (except bottomland hardwoods, which are woody wetlands along stream and river corridors) on agricultural land and up to two acres of type two wetlands on agricultural land are exempt and can be drained without replacement. Types one and two wetlands are often considered "nuisance" wetlands and are generally easy to drain and farm. Type one wetlands hold water during only a brief time in a given year; type two wetlands are saturated to the surface but rarely hold standing water. With both types, water is not readily apparent, thus contributing to the view that they are not wetlands.

H.F. 787 maintains the current law.

S.F. 483 makes two significant changes:
1) it would expand the exemption to allow for the draining or filling of type one wetlands (except bottomland hardwoods) on all lands, not just agricultural lands.

2) In addition, it would allow for the draining or filling of all type one wetlands (except bottomland hardwoods) and up to two acres of type two wetlands (on ag lands) that are part of other wetlands. This is important because often the outlying areas of larger wetlands with significant benefits are type one or two wetlands, even though the majority of the wetland may be a type three or four. Draining or filling these type one or two "boundary" wetlands significantly decreases the benefits provided by the larger wetland.

COUNTY LIABILITY:

One of the major concerns of counties has been the fear that they could get sued by a landowner over the Wetlands Conservation Act. Both the House bill and the Senate bill address this concern.

Under H.F. 787, the state would provide legal and technical support in defense of the WCA. It also says that the state is liable for court awarded financial awards resulting from a landowner being unable to use his or her property (i.e., a "takings" issue).; and provides a process for the Legislature (acting through the Legislative Claims Commission) to act upon a bill appropriating funds to pay those costs. Both bodies of the Legislature must approve this appropriation and it must be signed by the governor before it can become law.

S.F. 483 would also have the state assume liability for incidents in which a county is sued by a landowner who believes that the WCA is preventing him or her from using their own property (i.e., a "takings" issue). However, S.F. 483 would not use the Legislative Claims Commission as a conduit for these claims; this is, in effect, an open-ended appropriation.

written by Susan Tsakakis, Board of Water and Soil Resources
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