



Minnesota Board of Water and Soil Resources.
Minutes.

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DATE: June 19, 1995

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

FROM: Ronald D. Harnack, Executive Director

SUBJECT: June 28, 1995 BWSR Meeting

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, June 28, 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.

JUNE BOARD MEETING AGENDA SUMMARY

CONSENT AGENDA - N/A

OLD BUSINESS

A. LEGISLATIVE UPDATE

1. **WETLAND CONSERVATION ACT:** The attached memo to local governments is the best assessment of the legislative actions. It is my intent to have a proposal redrafted that has support of the interested groups and to market that with each organization so that if a special session is held, for whatever reason, the WCA amendments could be considered and passed. In addition, staff will be initiating rule amendments that would compliment passage of any legislation in a timely manner. **DISCUSSION & INFORMATION.**
2. **COUNTY & METRO WATER PLANNING:** The attached information provides a detailed assessment of the changes and application for the coming years. Key elements were the extension authority, the simplification of processes between the metro, county and groundwater timeframes, financial assistance to high tax capacity counties, clarification of project and plan implementation assessments, metro water plan prioritization and clarification of authority. **INFORMATION.**

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3. **WATERSHED DISTRICTS:** The key amendments provided more clarification for watershed districts plans, clarification of the role of advisory committees, elimination of formal appeals on permits, BWSR advisory role and appeal role on watershed district rule making, and clarification of watershed district authority relating to projects impacting state lands. **INFORMATION.**
4. **SOIL & WATER CONSERVATION DISTRICT TERM COMPATIBILITY:** The legislation allows individuals to hold concurrent terms as SWCD supervisor, and township and city offices where those local governments have a population of less than 2500. We had estimated that there were about 15-20 supervisors that also held city or township offices in violation of election laws. This change should address all those conflicts. This change is not applicable in the counties of Hennepin, Anoka, Washington or Ramsey. **INFORMATION.**
5. **ENVIRONMENTAL REORGANIZATION:** The Governor signed a bill that included development of a report on environmental reorganization. There are two phases: a) state agency report due January 15, 1996 and; b) special purpose local government report due December 15, 1995; specifically soil and water conservation districts, watershed districts, water management organizations and lake improvement districts. BWSR's role is open for discussion, however, unless there is a directed outcome, BWSR is an appropriate agency to lead the local special district report in cooperation with the local governments involved. The Board's perspective on the role of BWSR needs discussion and decision if not this month, certainly next month. **DISCUSSION.**

B. BUDGET FOR FY96-97

1. **SWCD GENERAL SERVICES GRANTS:** The plus side of the legislative session is that BWSR did receive: a) an additional \$2500/SWCD/year/96 and \$5000/SWCD/year/97 for general services support. The current allocation to SWCD's reflects the adjustment, although the Board has not had an opportunity to formally act on the policy options. The Board may want to look at the remaining allocation for next year and consider something other than equal distribution in recognition of need or some other appropriate factors. **DISCUSSION.**

2. **ANNUALIZATION OF TECHNICAL ASSISTANCE TO DISTRICTS/BWSR:** The appropriation increase for the annualization of the engineering teams for the Joint Powers Agreements (JPA) and for related engineering support in BWSR. BWSR's portions is couched in relation with the rest of the budget needs. **DISCUSSION.**
 3. **METRO WATER MANAGEMENT:** An additional appropriation was authorized in support of metro water management. This also is couched in relation with the rest of the budget needs. **DISCUSSION.**
 4. **OVERALL BIENNIAL BUDGET:** The overall budget is very slim and the increases are generally offset by the lack of appropriations for salary adjustments, inflation, achievement increases and rent adjustments. Over the next two years we will need to do as much as possible to reduce our costs in the areas of: in-state travel, out-state travel, general expenses, special meeting costs, purchased services, etc. The management team will be reviewing and instituting some internal cost reductions and I will be asking the Board to review, discuss and decide on some priorities for BWSR and asking that the Board consider every other month Board meetings. The attached information gives a perspective of the biennial budget. **DISCUSSION.**
- C. **NATURAL RESOURCES BLOCK GRANTS/WETLANDS/MINNESOTA RIVER:** The five northern counties that did not adopt the Wetland Conservation Act (WCA) did not respond to the request to do so by June 1, in order to secure their WCA allocation. In addition, some counties did not want to receive their entire allocation. Therefore, so that BWSR did not lose the dollars, they were redistributed in accordance with the WCA/COE GP-17 general permit and WCA comprehensive plan requests of the 15 local governments. In addition, there is a \$20,000 grant to the Minnesota River Joint Powers Organization to assist them. This JPA will be very instrumental in providing guidance in the Minnesota River watershed initiatives. These are consistent with the challenge requests of those local governments, however, there is a change from the previous allocation presented to the Board. **INFORMATION.**

NEW BUSINESS

- A. **GENERAL SERVICES GRANTS:** This is normally a consent calendar item, however since the grants reflect the increased appropriation to the SWCD's and involves some additional policy direction based on the legislation this comes before you as a decision item. The basic criteria and formula has not changed. The increases reflect the \$2500/year/district newly appropriated. In addition, the grant agreements reflect

BWSR Members, Advisors and Staff
June 19, 1995
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a legislative provision that counties cannot reduce their allocation to SWCD's for general services without having the natural resources block grants reduced an equivalent amount. **DISCUSSION & DECISION.**

- B. VALLEY BRANCH WATERSHED DISTRICT PLAN AMENDMENTS:** The attached information summarizes the amendments to the districts plan. There has been some conflict relating to the water level controls of the lakes in the district. In fact, a request for hearing had been requested prior to the Board's action. However, staff feels that the conflict issues appear to be resolved and a hearing may not be needed. The staff review has been completed and it is recommended that the Board approve the plan amendment. **DISCUSSION & DECISION.**
- C. AREA II STRATEGIC PLAN AND ANNUAL WORK PLAN:** Each biennium Area II joint powers organization comes before the Board for approval of their two-year plan of action. Staff have worked with the Area II Directors and their staff to develop an annual work plan for review and approval by the Board. Staff recommends approval of the workplan and related grant \$'s. **DISCUSSION & DECISION.**
- D. SNAKE RIVER WATERSHED JOINT POWERS ORGANIZATION:** As most of you recall the watershed district petition for the Snake River has been pending for about two and a half years. In April, I met with the Pokegama Lake Association, the petitioners, and received their Board's approval to withdraw the petition. The action was the last resolution needed to lay the watershed district petition to rest. The Pokegama Lake Association's action was taken with the understanding that the BWSR would continue to provide some oversight of the JPA, that the JPA has made significant progress in development of a plan of action and made a commitment to financial and staff support for implementation of the plan, and that if the JPA falters, the Association would file a new petition for a watershed district. The staff have worked hard with the parties and their focus is on addressing the problems of the watershed in a cooperative and coordinated manner. The presentation by the JPA is intended to provide the Board with an update of the activities and commitment of the Snake River Watershed Joint Powers Board to addressing the water resource issues of the area. **DISCUSSION.**

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 28th!

RDH:mja
Enc.

OFFICIAL COMMUNICATION
FROM THE OFFICE OF THE GOVERNOR OF THE STATE OF MINNESOTA

ARNE H. CARLSON
GOVERNOR



JOANNE E. BENSON
LT. GOVERNOR

FOR IMMEDIATE RELEASE
June 20, 1995

CONTACT: Cheryl Talberg
296-0077 (O)

GOVERNOR CARLSON APPOINTS TO BOARD OF WATER & SOIL RESOURCES

Governor Arne H. Carlson today appointed Barbara Uppgaard to the Board of Water & Soil Resources. Barbara Cobb, a present board member was named chair.

Appointee: **BARBARA COBB**
Residing: St. Mary's Point
Position: Chair
Replacing: James Nielsen
Term expires: June 30, 1996

Appointee: **BARBARA UPPGAARD**
Residing: Pequot Lakes
Position: Citizen Member
Replacing: James Nielsen
Term expires: January, 1999

The Board of Water & Soil Resources coordinates the water and soil resources management activities of local units of government through educational activities, approval of local plans, administration of state grants and cost-sharing contracts.

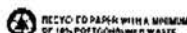
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Cyndy Brucato
Deputy Chief of Staff
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**BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET, CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
JUNE 28, 1995**

- 9:00 A.M.
- I. CALL MEETING TO ORDER
 - II. ADOPT AGENDA
 - III. APPROVAL OF MINUTES OF APRIL 26, 1995
 - IV. REPORTS
 - Chairman's Report
 - 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
 - V. CONSENT AGENDA - N/A
- 9:30 A.M.
- VI. OLD BUSINESS
 - A. Legislative Update - Ron Harnack
 - 1. Wetland Conservation Act
 - 2. County and Metro Water Planning
 - 3. Watershed Districts
 - 4. Soil and Water Conservation District Term Compatibility
 - 5. Environmental Reorganization
 - B. Budget for FY 96-97 - Ron Harnack
 - 1. SWCD General Services Grants
 - 2. Annualization of Technical Assistance to Districts/BWSR
 - 3. Metro Water Management
 - 4. Overall Biennial Budget
- 10:30 A.M.
- C. Natural Resources Block Grants/Wetlands/Minnesota River - Wayne Zellmer
 - VII. NEW BUSINESS
 - A. General Services Grants - Wayne Zellmer
 - B. Valley Branch Watershed District Plan Amendments - Bruce Sandstrom

Noon

LUNCH

1:00 p.m.

C. Area II Strategic Plan and Annual Work Plan - Kerry Netzke, Area II Coordinator

1:30 p.m.

D. Snake River Watershed Joint Powers Organization - Keith Grow

E. Status of East Ottertail SWCD Financial Investigation - Jim Birkholz

VIII. ADVISORY COMMENTS

- Kim Benson-Johnson, Department of Health
- Paul Burns, Department of Agriculture
- Jim Anderson, Minnesota Extension Service
- Wayne Anderson, Pollution Control Agency
- Wayne Edgerton, Department of Natural Resources
- Bill Hunt, NRCS
- Pat Wulff, MLA
- Jim Schafer, MASWCD
- Rick Reimer, MACDE
- Franklin Denn, MAT
- Vern Johnson, MAWD

IX. BOARD ISSUES - discussion, comments, action needed

X. NEXT BOARD MEETING - July 26, 1995 in Duluth

3:00 p.m.

ADJOURN

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

BOARD MEMBERS PRESENT:

Jim Rossman, Ted Lovdahl, LeRoy Stensgaard, Darrell Bruggman, Ginny Imholte, Dwain Otte, Kathy Roer, Barb Cobb, Glenn Annexstad, Tim Hvidsten, Marvell Tripp.

BOARD MEMBERS ABSENT:

Jim Nielsen

AGENCY MEMBERS PRESENT:

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

OTHERS PRESENT:

Jim Schafer and D'Wayne DeZiel, Minnesota Association of Soil and Water Conservation Districts (MASWCD)
Dave Weirens, Association of Minnesota Counties (AMC)
Roger Mussetter, Natural Resources Conservation Service (NRCS)
Franklin Denn, Minnesota Association of Townships (MAT)

STAFF PRESENT:

Ron Harnack, Doug Thomas, Barbara Liukkonen, Greg Larson, Jeff Nielsen, Mary Mueller, Eric Mohring, Al Kean, Wayne Zellmer, Marybeth Block, and Mary Jo Anderson.

BWSR Meeting Minutes
April 26, 1995
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Vice-Chair Jim Rossman called the meeting to order at 9:00 a.m.

Jim Rossman reported that Jim Nielsen will not be in attendance today. Jim reported that the newly appointed chair of BWSR, Joe Day, was not qualified as chair because he is a state employee; a new appointment as chair will be made. Ron Harnack is at a hearing at the Capitol this morning.

Newly appointed board members were introduced: LeRoy Stensgaard, Ginny Imholte, and Darrell Bruggman.

COMMITTEE REPORTS

Feedlot Committee - Jim Rossman reported that the Feedlot Committee will meet on May 31.

Dispute Resolution Committee (DRC) - Kathy Roer stated that the hearing scheduled for May 11 has been postponed until June 8.

95-26 **ADOPT AGENDA** - Moved by Dwain Otte, seconded by Marvell Tripp, to adopt the agenda as presented. Affirmative: Annexstad, Bruggman, Cobb, Hvidsten, Imholte, Lovdahl, Otte, Roer, Rossman, Stensgaard, and Tripp. Opposed: None. Carried.

95-27 **MINUTES OF MARCH 22, 1995** - Moved by Barb Cobb, seconded by Dwain Otte, to approve the minutes of March 22, 1995, as circulated. Affirmative: Annexstad, Bruggman, Cobb, Hvidsten, Imholte, Lovdahl, Otte, Roer, Rossman, Stensgaard, and Tripp. Opposed: None. Carried.

CONSENT AGENDA ITEM

95-28 -Well Sealing Grant Allocations - Eric Mohring explained the well sealing program and reviewed the application procedure. Staff recommends approval of the Well Sealing Cost-Share Grant Program Allocations. Moved by Marvell Tripp, seconded by Glenn Annexstad, to approve the Well-Sealing Cost-Share Grant Program Allocation. Affirmative: Annexstad, Bruggman, Cobb, Hvidsten, Imholte, Lovdahl, Otte, Roer, Rossman, Stensgaard, and Tripp. Opposed: None. Carried.

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OLD BUSINESS

Legislative Update - Doug Thomas reported that wetland amendments to the Wetland Conservation Act passed in the House last week and will be before the Senate this week. Watershed district amendments passed in the House and are on the Senate floor for action. Water Planning Act amendments passed in the House and are in the Senate Rules Committee.

Budget - Doug stated that the BWSR's base level budget will be the same for the 1996-97 biennium as it is for the current biennium. He also commented on appropriations. The budget bill has passed out of the House and Senate and will go to conference committee.

NEW BUSINESS

-BWSR/MES Educational Activities - Barb Liukkonen updated members on her present activities in northern Minnesota. Barb distributed informational brochures to members.

Vice-Chair Rossman called for a break in the meeting at 9:45 a.m. The meeting reconvened at 9:55 a.m. Ron Harnack returned from the Capitol.

Greg Larson updated the board and highlighted the major issues of comparison on House File #787 and Senate File #483 - wetlands legislation. Senate floor action is expected this week.

Minnesota River Cost-Share Initiative - Jeff Nielsen introduced the Blue Earth River Basin Initiative (BERBI) committee members: Linda Meschke, Jerry Voyles, Mary Mueller, Gary Wehrenberg, and Ray Phelps. The committee distributed a report to the board. BERBI requests \$300,000 from the Special Minnesota River Basin Fund to continue the accelerated cost-share effort in the Blue Earth River basin. Discussion followed.

Redwood-Cottonwood Rivers Control Area (RCRCA) - Bob Finley, LeRoy Stensgaard, Jeff Bommersbach and Bruce Berger were introduced and Bob gave an overview of the RCRCA and requests \$200,000 from the Special Minnesota River Basin Fund to continue the accelerated cost-share effort in the Blue Earth River basin. Informational materials were distributed to members.

Mound Creek Watershed Project (Cottonwood SWCD) representatives were not available to attend the BWSR meeting, so Jeff Nielsen requested \$94,568 of cost-share funding on behalf of the Mound Creek Watershed \$94,568 of cost-share funding. Discussion followed.

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Ron Harnack stated that in June when applications are received for allocations, these three programs will be included in the process. Members desired to see more information on each initiative's efforts to meet the goal of water quality enhancement i.e. phosphorus loading reduction and reduction in sediment yield to surface waters. Staff was directed to follow-up. Rossman thanked everyone for coming in today to explain their programs.

OTHER BUSINESS

Ron Harnack briefly stated that the next few weeks will be extremely busy in the Legislature. BWSR has been reasonably successful thus far in comparison to other agencies. Ron commended staff for their assistance while he has been at the Capitol. Ron welcomed the new board members and looks forward to working with them.

ADVISORY COMMENTS

- Department of Health (MDH): Kim Benson-Johnson thanked BWSR for approving the well sealing allocations and welcomed new members.
- Department of Natural Resources (DNR): Wayne Edgerton stated that the Legislature is interested in ecosystem- based management in Minnesota. DNR needs to develop a plan on how to approach this system.
- Department of Agriculture (MDA): Paul Burns briefly commented on the loan application process.
- Minnesota Extension Service (MES): Jim Anderson stated that this is his first official meeting as the MES representative.
- Pollution Control Agency (PCA): Wayne Anderson welcomed the new members.
- Natural Resources Conservation Service (NRCS): Roger Mussetter briefly commented on the national and state level reorganization and the changes that will be occurring. Bill Hunt was selected as state conservationist, although he has to reapply for the position.
- Minnesota Association of Soil and Water Conservation Districts (MASWCD): Jim Schafer welcomed new board members. MASWCD is dealing with customer service and marketing issues. Jim thanked Dwain Otte and Jim Birkholz for their attendance in Washington, D.C., to meet with the Minnesota Congressional Delegation with MASWCD representatives.
- Minnesota Association of Townships (MAT): Franklin Denn stated that hearings on annexation will be held. Sustainable development hearing will also be held, time and places to be announced.

Ron Harnack commented on expense reports; he asked members to submit their expense claims every few months rather than hold them for several months. Expense claims for this fiscal year must be submitted by the July BWSR meeting at the latest.

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Page Five

Ron gave a brief staff update. Marybeth Block transferred to Dave Behm's position. Tim Fredbo is the new RIM coordinator and will be starting on May 3. Barbara Ohman is on maternity leave; Ellen Sones from Hennepin Conservation District is working on a part-time basis to assist with the workload while Barbara is out. NRCS engineer Justin Jeffrey is transferring under an inter-agency agreement.

Ron reported that the July meeting will be held in Duluth, July 25-26, details will be available later.

Ted Lovdahl commended Barb Liukkonen for her efforts in northern Minnesota.

It was requested that the Conservation Reserve Program and Farm Program status be on the next board meeting agenda for discussion.

Vice-Chair Rossman adjourned the meeting at 12:05 p.m.

Respectfully submitted,

Jim Rossman
Vice-Chair



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June 9, 1995

To: WMO Chairs and Presidents

From: Bruce Sandstrom, Supervisor
BWSR Metro Region

Re: 1995 Legislation, Planning Grants

There have been a number of recent legislative changes and other related developments that will affect the second generation plan development efforts of watershed management organizations. The major changes are covered in Chapter 184 of the Laws of 1995 (H.F. 1238, copy enclosed). The effective date of the legislation is August 1, 1995. The following items should be of special interest to you.

1. **Department of Agriculture is a state review agency.** MS 103B.205 was amended to add the Minnesota Department of Agriculture as a state review agency for the review of metro water management plans. (See lines 21-23 of page 1 of C. 184)
2. **Improved plan review process.** The plan review process now provides for a concurrent 60-day for all review agencies. (See lines 3-8 of page 9 of C. 184)
3. **Public hearing on draft plan.** The WMO must hold a public hearing on the draft plan no sooner than 30 and no later than 45 days after the 60 day review period of the draft plan. (See lines 2-5 of page 10 of C. 184)
4. **Final review period for changes to draft plan.** The state review agencies have a 45 day period to review the changes to the draft plan that result from the review of the draft and the input received from the public hearing. (See lines 20-36 on page 10 and lines 1-11 on page 11 of C. 184)
5. **Clarification of use of tax for projects.** MS 103B.241 was revised to clarify that the ad valorem tax authorized under that section could be used to fund projects identified in a plan in addition to the cost of preparing a plan. (See lines 3-7 on page 13 of C. 184)
6. **Clarification of use of WMO taxing authority.** MS 103B.211 was clarified so that it is clear that a joint powers WMO can levy taxes to accomplish it's purposes and implement it's plan so

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long as the joint powers agreement includes that authority. (See lines 31-36 on page 2 of C. 184)

7. **Development of WMO plan priority schedule.** MS 103B.241 was revised to require the BWSR to develop a priority schedule for the development of second generation WMO plans. The BWSR will soon be developing a strategy that allows for the orderly development and review of second generation plan in consideration of on-going WMO planning efforts and input from the state review agencies and the metropolitan council. The law also provides that if a WMO submits a plan for review prior to the time-line set by the priority schedule, the plan is approved by default if the BWSR fails to adjust the priority schedule. Existing plans remain will remain in full force and effect until the time the BWSR informs a WMO of the need to revise its plan pursuant to the priority schedule. (See lines 10-36 on page 5 and lines 1-4 on page 6 of C. 184)
8. **Grants may be awarded directly to WMOs.** MS 103B.3369 was revised to give the BWSR new authority to award grants directly to WMOs (including planning grants). It is the intent of the BWSR staff to recommend that our Board consider awarding planning grants to WMOs that are high on the plan priority list for the purpose of developing second generation plans. The timing and amount of the grants will be set in the future after consultation and in coordination with the Metropolitan Council with respect to their water quality grant program. (See lines 18-20 on page 22 of C. 184)
9. **Metro counties will be eligible for base grants.** All metro counties will be receiving a base grant in the amount of at least \$18,750 for implementation of surface or ground water management plans. It will be up to individual WMOs to lobby their counties for any share of this funding. (See lines 1-10 on page 23)
10. **BWSR will be developing model second generation plans.** The BWSR was recently notified that it had received a grant from the Metropolitan Council to develop two model second generation "509" plans. The BWSR intends on developing one model for a primarily rural WMO and one model for a WMO in the developing urban fringe. The BWSR desires to identify two WMOs that are willing to allow the BWSR to act as their consultant in the context of a state/local partnership to develop their second generation plans and use them as a model. If no willing and suitable WMOs are identified, the alternative would be to develop generic model plans based fictitious watersheds.

It is the hope of the BWSR that the above recent changes and developments will result in a more expedient timely plan review process, higher quality second generation plans and lowered costs to WMOs in fulfilling their responsibilities with respect to watershed planning.

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June 9, 1995

In furtherance of these goals, **I request that each WMO complete the enclosed survey and return it to me as soon as possible.** The Metropolitan Council and the state review agencies desire to review the information we receive from this survey to begin discussions on establishing the priority schedule for plan submittal and to develop a strategy for financial assistance for plan development.

For your information, no revisions to the Wetland Conservation Act were passed this session although most everyone agrees that certain improvements need to happen. The BWSR will be working with the various factions at every opportunity prior to the next legislative session to work towards legislative changes that will get through both houses and achieve the governor's signature.

In addition, all WMOs should be aware of the fact that the legislature enacted legislation that mandates a study resulting in recommendations for the reorganization of state environmental agencies and certain local special purpose districts. Chapter 248 of the Laws of 1995 (copy enclosed) specifically requires the governor and legislature to develop plans for the reorganization of state agencies and local government special purpose districts, including WMOs. The resulting recommendations of the plans must be submitted to the legislature by December 15, 1995. As many of you know this issue has been a topic of past legislative sessions. All past similar proposals eliminates the BWSR as a free standing agency and places all or portions of the functions of the BWSR in either the Department of Natural Resources, the Pollution Control Agency and/or the Department of Agriculture. (See Article 5, C. 248)

If you have any questions, please feel free to contact me at 297-4958.

Encl. C. 184
C. 248
Survey

cc Jack Frost, Met Council
Celine Lyman, MPCA
Bruce Olson, MDH
Ken Wald, MDR Planning
Dale Homuth, MDNR Waters
Kathleen Wallace, MDNR Metro Region
Paul Burns, MDA
BWSR Staff, Haertel, Harnack, Birkholz, Thomas
BWSR Board Members: Cobb, Otte, Roer

s:wmo.mem

WMO 2nd GENERATION 509 PLAN SURVEY

1. Name of WMO: _____
2. What month and year does your current plan expire? _____
3. What is the status of your 2nd generation plan? (circle one)
 - a. Haven't started
 - b. Process 1/4 completed
 - c. Process 1/2 completed
 - d. Process 3/4 completed
4. What is your anticipated date of completion? _____
5. What is the estimated cost of your WMO's 2nd generation plan? _____
6. Would your WMO be willing to enter into a partnership with the BWSR to assist in the development of your 2nd generation plan with the intent of using it as one of the two model plans that the BWSR intends to develop?
 - a. No
 - b. Possibly Yes
 - c. Definitely Yes
7. Are you aware of any city, county, or WMO that may have personnel that are experienced in watershed or comprehensive planning that might be willing to place on a mobility assignment for one to two years with the BWSR to work on the model plan project? If yes, please elaborate:

8. Please provide us with any comments, pro or con, as to the value of grant funds from the Met Council or the BWSR towards the development of your 2nd generation plan.

9. On the reverse, please critique the strategy (pros and cons) of developing a priority schedule for the completion of 2nd generation plans as has been directed by the legislature.

(see address on letterhead)



Local water planning Update



June 15th
1995

Enclosed with this update you will find:

- A summary of the 1995 legislative amendments to the water planning act.
- A summary of the water plan review process, including model notices, news release, and agency contacts for the preliminary state agency review.
- MPCA information on groundwater sampling.

ADOPTED AMENDMENTS TO THE MN WATER PLANNING ACT 103B
1995 SESSION LAW, CHAPTER NO. 184

The following summary of Chapter 184, amendments to the MN water planning act are for greater Minnesota counties only. All changes are effective August 1, 1995.

Comprehensive Local Water Planning 103B.301

Section 24 - 25. **Scope of Plans.** Changes include:

- ** Effective dates of plans. The effective date of a plan is now a period of time specified in the plan that is more not less than five years but not greater than ten years. The period that the plan will be effective for will begin on the date of BWSR approval. This action eliminates the requirement for all plans to end on a date divisible by five, such as 1995 or 2000.
- ** Allows counties to request up to a two year extension on their existing water plan. Extensions will have to be a formal request, in writing, from the county and be received by BWSR before December 31, 1995 for current plans. BWSR staff will be developing criteria in the next two months to assist in approving requests for extensions.
- ** Adds requirement that plans must include objectives for stormwater management for developing areas. This requirement was adopted as a compromise to the repeal of the previous stormwater provisions in 103B.3365. Guidance that you have received to date on stormwater management for developing areas is consistent with this change and should be used.

Local Water Resources Protection and Management Program 103B.3365

Section 26 -28. **Base Grant Calculations.**

- ** Provides for a minimum base grant of \$18,750 for all counties regardless of tax capacity. This action will not reduce any allocation that was higher than \$18,750. This action effects 10 counties in Minnesota.

Repealer

Section 29. **Repealer.** the following items are repealed.

Water Retention. The current water retention provisions of 103B.3365 are repealed. This section is redundant in that local governments in the seven county metro area are already required to adopt official controls for both erosion and sediment control and stormwater management. In addition the myriad of federal, state and local wetland protection programs further reduce the need for this section. In greater MN water plans will require that plans include an objective and actions that address stormwater management in developing areas.

THE WATER PLAN REVIEW PROCESS

Local 60 Day Review & Preliminary State Agency Review

During local review the county must submit its draft plan to the following:

- All Cities and Townships
- Adjacent Counties
- Soil and Water Conservation District
- Watershed District (if any)
- Regional Development Commission (if any)

- BWSR Regional Board Conservationist
- State Agency Contacts (see attached list)

Note! The county must respond in writing to comments received from the state review agencies. Response letters to the agencies should be copied to your BWSR Board Conservationist.

Public Hearing

After the local 60 day local review period is over, the county must hold a public hearing on the plan. The hearing must be conducted pursuant to M.S. section 375.51 (attached). The important information is the notice requirement in subdivision 2., which requires a public notice in the official newspaper of the county not less than ten days before the meeting or public hearing, and that the notice state the subject matter and general purpose of the proposed plan. Included with this packet is a model public notice, a "fill in the blank" news release for the public hearing, and a model adoption resolution.

Final 90 Day State Review

The final 90 day review begins with the county sending 10 copies of the plan to BWSR in St. Paul, care of Doug Thomas. Along with the 10 copies the county must also send a transcript of the public hearing, copies of any written comments received on the draft plan, and a summary of changes made to the plan as a result of local review. BWSR will be responsible for distributing copies of the final plan to the state review agencies.

h:updlwp.jun/djt

375.51 ORDINANCES; ENACTMENT, PUBLICATION.

Subdivision 1. **Enactment.** In any instance in which a county board is authorized by law to enact ordinances, the ordinances shall be adopted in the manner prescribed in this section except as otherwise provided by law. A public hearing shall be held before the enactment of any ordinance adopting or amending a comprehensive plan or official control as defined in section 394.22. Every county ordinance shall be enacted by a majority vote of all the members of the county board unless a larger number is required by law. It shall be signed by the chair of the board and attested by the clerk of the board. The ordinance shall be published as provided in this section. Proof of the publication shall be attached to and filed with the ordinance in the office of the county auditor. Every ordinance shall be recorded in an ordinance book in the office of the county auditor within 20 days after its publication. All ordinances shall be suitable entitled and shall be substantially in the style: "The county board of _____ county ordains."

Subd. 2. **Notice of intention.** No county ordinance shall be enacted unless a notice of the intention to enact it has been published in the official newspaper of the county not less than ten days before the meeting or public hearing required by subdivision 1 at which it is to be considered. Public hearings may be continued from time to time and additional hearings may be held. The notice shall state the subject matter and the general purpose of the proposed ordinance. Proof of the publication of the notice shall be attached to and filed with the ordinance, if enacted, in the office of the county auditor.

Subd. 3. **Publication.** Every ordinance enacted by a county board shall be published at least once as part of the proceedings of the meeting at which the ordinance was enacted. Publication shall be made in the official newspaper of the county but additional publications, either in the official newspaper or other newspaper, may be ordered. An ordinance may be published in its entirety, or otherwise as provided in this subdivision.

To the extent of the authority described in subdivision 1, a county may incorporate in an ordinance by reference any statute of Minnesota, any administrative rule of any department of the state of Minnesota affecting the county, or any code. The term "code" as used in this subdivision means any compilation or parts of a compilation or regulations or standards prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety or general welfare.

A lengthy ordinance or ordinance which includes charts or maps need not be published in its entirety if the title and a summary of the ordinance conforming to section 331A.01, subdivision 10, are included in the publication of the proceedings of the meeting at which it is enacted, with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the county auditor. In that case and if a statute, administrative rule or a code is adopted by reference, all requirements of statute for the publication of ordinances shall be satisfied if the summary of the ordinance or the ordinance incorporating the statute, rule or code is published in the required manner and if, prior to publication, at least one copy of the entire ordinance or of the statute, rule, or code is marked as the official copy and filed for use and examination by the public in the office of the county auditor. Provisions of the entire ordinance or of the statute, rule, or code incorporated in the ordinance by reference shall be as much a part of the ordinance as if they had been set out in full in it.

(County Letterhead)

(Date)

Notice of Public Hearing

On (month, day, year) the (County Name) County Board of Commissioners together with the Water management Advisory Board hereby give notice of a public hearing regarding the draft Comprehensive Local Water Management Plan for (County Name) County as authorized under Minnesota Statutes, Chapter 103B.301.

This plan deals with both surface and ground water protection. The plan includes a general discussion of water resources in the county, an assessment of those resources, goals, objectives, and actions identified for their protection and a (5 or 10) year implementation plan. This meeting will give the public and all local governmental units an opportunity to comment on the draft plan before it is submitted to the Minnesota Board of Water and Soil Resources for final review.

The meeting will be held in (Location), (Date), (Time).



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

June 2, 1995

TO: all water plan coordinators

FROM: Susan Tsakakis, BWSR

RE: enclosed "fill in the blank" newsletter

Enclosed is a "fill in the blank" news release to help you announce your upcoming public meetings. (Although you need to publish an official notice, it's a good idea to do a news release as well.) Simply fill in the blanks as appropriate, re-type on your own letterhead, and mail or bring to your local media. Of course, feel free to adapt as needed.

WATER RESOURCES MEETING SCHEDULED

Everyone agrees that protecting our lakes, streams and drinking water is important. The question is, what's the best way to do it?

Citizens who want to have input into how this question is decided in (name of county) County should consider attending a meeting (day and date), at (time) at (location). The meeting is an opportunity to comment on the locally-drafted (county name) County Comprehensive Water Plan before it goes to the state Board of Water and Soil Resources (BWSR) for review.

"This plan addresses virtually everything relating to water in our county," said (name and title of an appropriate person to quote; maybe a county commissioner, maybe someone from the water planning task force, maybe the water plan coordinator). "Some of the most important

(more)

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topics touched upon in the plan are drinking water quality, maintaining or improving our lakes and rivers, wetlands, and flooding," (he/she) said. (NOTE: you can add or take out whatever topics are appropriate in that last quote.)

"Since the plan deals with the next (five or ten) years, citizens who want to have a voice should make a real effort to come to the meeting," (last name of person quoted above) said.

The new draft plan is a revised, updated version of a water plan approved by the county board in (year plan was approved.). The new plan assesses the success of the previous plan and evaluates whether the county should adjust its priorities. Like its predecessor, the updated plan was developed by a local task force, which included representatives from (organizations represented on the task force).

Anyone who is interested in reviewing the draft plan prior to the meeting can get a copy at (location where a copy can be picked up) or by calling (phone).

For more information on the meeting, or if you have comments but are unable to attend, contact (local water plan coordinator) at (phone number).

###

**Adoption and Implementation
After BWSR Approval**

RESOLUTION

WHEREAS, The (County Name) County Board of Commissioners has been notified by the Minnesota Board of Water and Soil Resources that the (County Name) County Comprehensive Local Water Management Plan has been approved according to Minnesota Statutes Chapter 103B.301 and associated MCAR rules 9300:

NOW, THEREFORE BE IT RESOLVED, the (County Name) County Board of Commissioners hereby adopts and will begin implementation of its approved comprehensive water plan.

BE IT FURTHER RESOLVED, after the adoption of the local comprehensive water management plan, the (County Name) County Board shall amend existing water and related land resources plans and official controls as necessary to conform them to the applicable and approved comprehensive water plan.

BE IT FURTHER RESOLVED, after the adoption of the local comprehensive water management plan, (County Name) County shall notify local units of government within the County of the adoption of the plan or amendments. The local units of government are required to submit existing water and related land resources plans and official controls to the county board for review.

BE IT FURTHER RESOLVED, Within 180 days, the (County Name) County Board shall review the plans and official controls submitted and identify any inconsistencies between the local plans and official controls and local comprehensive water management plan. The (County Name) County Board shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the local comprehensive water management plan.

BE IT FURTHER RESOLVED, if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after receiving the county's recommendations to appeal the recommendations to the state board.

BE IT FURTHER RESOLVED, After receiving the recommendations of the (County Name) County Board, or resolution of an appeal, a local unit of government has 180 days to initiate revisions to its plans and official controls. The new or revised plans and official controls must be submitted to the (County Name) County Board for review and recommendations.

Adopted _____, 19__

Chairman of County Board

Attest: _____
County Auditor

MPCA STAFF CONTACTS FOR COUNTY LOCAL WATER PLANNERS

COUNTIES: Aitkin, Carlton, Cook,
Itasca, Koochiching, Lake, St. Louis

Heidi Bauman
MPCA
320 West 2nd Street, Room 704
Duluth, MN 55802
Phone: 218-723-4953

COUNTIES: Benton, Cass, Chisago,
Crow Wing, Isanti, Kanabec, Mille Lacs,
Morrison, Pine, Sherburne, Stearns, Todd,
Wadena, Wright

Ceil Stetson
MPCA
1601 Minnesota Drive
Brainerd, MN 56401
Phone: 218-828-6068

COUNTIES: Douglas, Grant, Otter Tail,
Pope, Stevens, Traverse, Wilkin

Jack Frederick
MPCA
714 Lake Avenue, #220
Detroit Lakes, MN 56501
Phone: 218-846-0734

COUNTIES: Becker, Beltrami, Clearwater,
Hubbard, Lake of the Woods, Mahanomen

Bruce Paakh
MPCA
714 Lake Avenue #220
Detroit Lakes, MN 56501
Phone: 218-846-0747

COUNTIES: Clay, Kittson, Marshall,
Norman, Pennington, Polk, Red Lake,
Roseau

Willis Mattison
MPCA
714 Lake Avenue #220
Detroit Lakes, MN 56501
Phone: 218-846-0748

COUNTIES: Big Stone, Chippewa,
Cottonwood, Jackson, Kandiyohi, Lac Qui
Parle, Lincoln, Lyon, McLeod, Meeker,
Murray, Nobles, Pipestone, Redwood,
Renville, Rock, Swift, Yellow Medicine

Muriel Runholt
MPCA
700 North 7th Street
Marshall, MN 56258
Phone: 507-537-7137

COUNTIES: Blue Earth, Brown, Dodge,
Faribault, Fillmore, Freeborn, Goodhue,
Houston, LeSueur, Martin, Mower,
Nicollet, Olmsted, Rice, Sibley, Steele,
Wabasha, Waseca, Watonwan, Winona

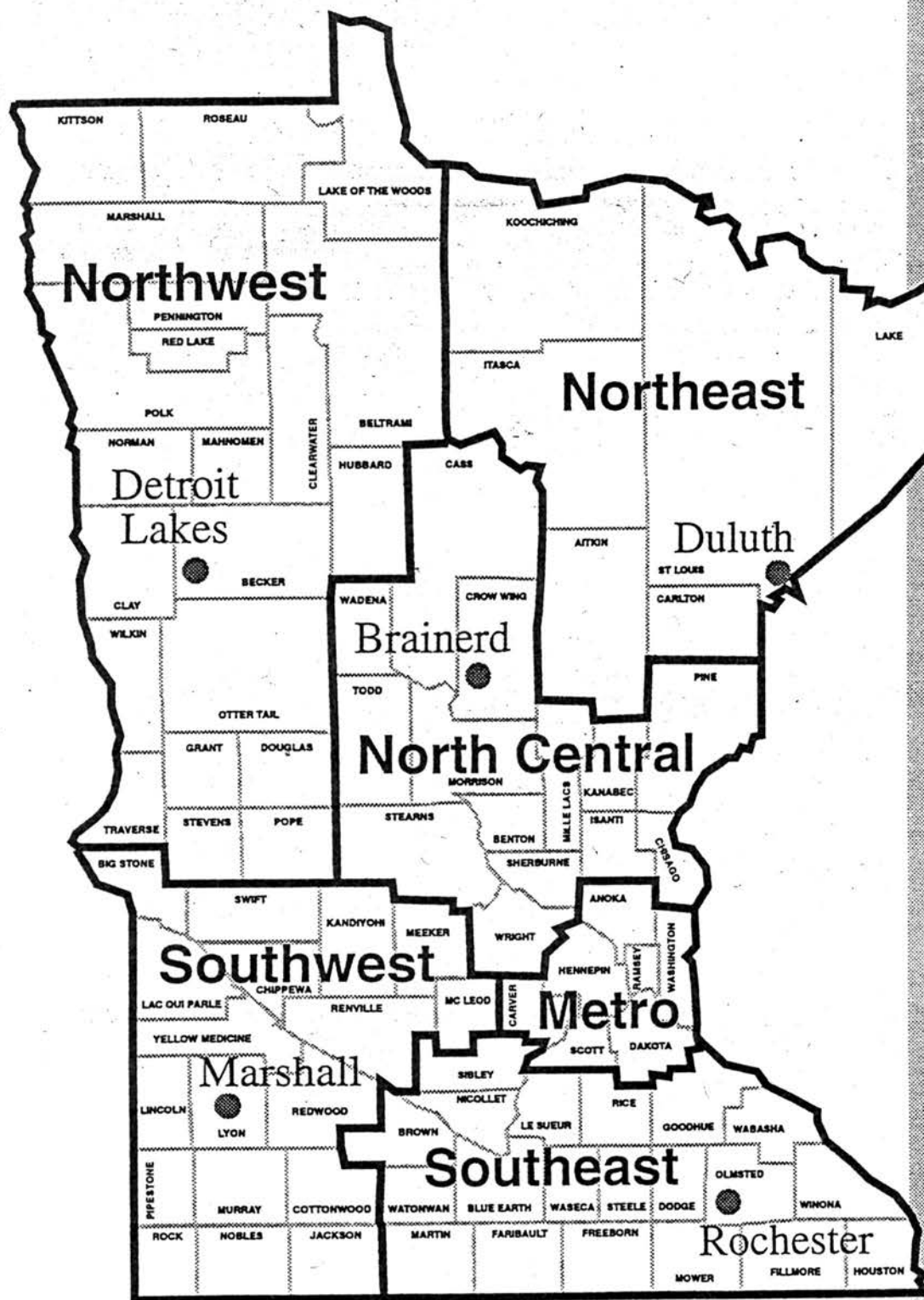
Lee Ganske
MPCA
2116 Campus Drive SE
Rochester, MN 55904
Phone: 507-285-7343

April 6, 1995



Minnesota Pollution Control Agency

520 Lafayette Road N.
St. Paul, MN 55155-4194
612-296-6300 or 800-657-3864



MPCA Regional Offices:

Northeast Region
Duluth Government Services Center
Room 704
302 W. 2nd St.
Duluth, MN 55802
218-723-4660

North Central Region
1601 Minnesota Dr.
Brainerd, MN 56401
218-828-2492

Northwest Region
Lake Avenue Plaza
714 Lake Ave.
Suite 220
Detroit Lake, MN 56501
218-847-1519

Southwest Region
700 N. 7th St.
Marshall, MN 56258
507-537-7146

Southeast Region
2116 Campus Dr. S.E.
Rochester, MN 55904
507-285-7343

TTY users may contact any
staff through the agency's
teletypewriter 612-282-5332
or 800-627-3864

DNR Region Contacts

DNR Contact in St. Paul:

Ken Wald
DNR Office of Planning
(612)296-4790
6xx DNR Building
St. Paul, MN 55155

Region 1:

Paul Swenson, Bemidji

Region 2:

John Gunther, Grand Rapids

Region 3:

Aitkin County
Benton County
Chisago County
Crow Wing County
Isanti County
Kanabec County
Mille Lacs County
Morrison County
Pine County
Sherburne County
Stearns County
Todd County
Wadena County
Wright County

Kit Nelson, Fisheries-Aitkin
Jim Lilienthal, Fisheries-Little Falls
Paul Renard, Wildlife-Cambridge
Ron Morriem, Waters-Brainerd
Mike Mueller, Waters-Cambridge
Doug Rowlett, Forestry-Mora
Lonnie Thomas, Waters-Brainerd
Gary Johnson, Wildlife-Little Falls
Roger Hugill, Fisheries-Hinckley
Mike Mauer, Wildlife-St. Cloud
Dan Lais, Waters-St. Cloud
Tim Crocker, Waters-Little Falls
Dennis Hanson, Wildlife-Brainerd
Paul Diedrich, Fisheries-Montrose

Region 4:

Big Stone County
Blue Earth County
Brown County
Chippewa County
Cottonwood County
Faribault County
Jackson County
Kandiyohi County
Lac qui Parle County
Le Sueur County
Lincoln County
Lyon County
McLeod County

Doug Kingsley, Fisheries
Leo Getsfried, Waters/Bob Kaul, Trails
Greg Johnson, Forestry
Jeff Miller/Ken Bonnema
Jim Sehl, Waters
Joel Anderson, Wildlife
Randy Markl, Wildlife
Skip Wright, Waters
Steve Merchant, Wildlife
Hugh Valiant, Fisheries
Larry Kramka, Waters
Paul Otto, Parks/Bob Meyer, Wildlife
Lee Sundmark, Fisheries

Region 4 cont..

Martin County
Meeker County
Murray County
Nicollet County
Nobles County
Pipestone County
Redwood County
Renville County
Rock County
Sibley County
Swift County
Waseca County
Watonwan County
Yellow Medicine County

Bob Davis, Fisheries
LeRoy Dahlke/Dave Anderson
Perry Loegering, Wildlife
Dennis Simon, Wildlife
Bob Chance, Trails/Jim Sehl, Waters
Rick White, Parks/Larry Kramaka, Waters
Don Schultz, Wildlife
Gregg Soupir, Trails/Lowell Jaeger, Parks
Perry Loegering, Wildlife
Len Braun/Tim Knellwolf
Dave Soehren, Wildlife
Christie Nixon
Leo Gatsfried, Waters/Patricia Peltier
Bruce Gilbertson/Steve Merchant

Region 5:

Dodge County
Fillmore County
Freeborn County
Goodhue County
Houston County
Mower County
Olmsted County
Rice County
Steele County
Wabasha County
Winona County

Mitch Shields
John Kelly, Forestry
Elaine Feikema
Bill Huber, Waters
Randy Mell, Forestry
Jeff Green
Jack Heather, Wildlife
Bob Bezek, Waters
Jeanine Vorland, Wildlife
Larry Gates
John Huber

Department of Agriculture

Mark Zabel

90 West Plato Blvd.

St. Paul, MN 55107

(612)297-3491

Department of Health

Kim Benson-Johnson

Metro Square Building, Suite 220

P.O. Box 64975

St. Paul, MN 55164-0975

(612)215-0816

Minnesota Geological Survey

Barb Palen

2642 University Avenue

St. Paul, MN 55114

(612)627-4780

Now Available!

MINNESOTA POLLUTION CONTROL AGENCY GROUND WATER SAMPLING GUIDANCE:

Development of Sampling Plans, Protocols and Reports January 1995 Version

This new Minnesota Pollution Control Agency Ground Water Sampling Guidance document replaces the 1986 "Procedures for Ground Water Monitoring: Minnesota Pollution Control Agency Guidelines". The new document contains simple recommended outlines for "Development of Sampling Plans, Protocols and Reports". The outlines are supported by recommendations for filling them out. An example of how an outline can be filled out to create a detailed, step-by-step sampling protocol is included.

The new guidance document focuses on sampling monitoring wells at contaminated sites. However, an entire chapter addresses sampling water supply wells. Other related topics are addressed in less detail. Since sampling scenarios can vary substantially, detailed background information including alternative procedures, equipment, technical discussions and recommended reading are provided. Recommendations for submittal, review and approval of sampling plans for regulatory programs are also included. The extensive list of references is complemented by a thorough bibliography of "Important Ground Water Monitoring Considerations".

The following features are included:

- ◆ Approximately 250 pages of text and illustrations
- ◆ Laminated covers and closed, wire-loop binding for durability
- ◆ User-friendly features:
 - Divider tabs allow quick access to desired information in each main part of the document
 - "Quick Start" tips at the beginning of each main part of the document
 - Detailed Index
 - Overview Table of Contents at beginning of document
 - Highly detailed Table of Contents for each chapter
 - Handy cross-references that give specific page numbers for finding supplementary information
- ◆ In the back pocket:
 - Photocopy masters of new forms for recording field data
 - Four page (photocopy masters) Field Work Check List
- ◆ On computer diskette, detailed, ready-to-edit copies of the following:
 - Example Sampling Protocol
 - Master Template For Ground Water Analysis
 - Ground Water Sampling Field Work Check List

To order your copy, fill out the order blank on the reverse and mail to the address shown on the reverse of this page or fax your order to us at (612) 296-9707 or (612) 296-8717. *Mail-in-orders with check enclosed will be given first priority.* Send a check for \$19.75 made out to "Minnesota Pollution Control Agency". If you do not send a check, you will be billed \$19.75 for the guidance document.

You may also call in your order to a voice mail system at (612) 296-8570 beginning March 1, 1995. When placing telephone orders speak slowly and clearly. Include your Name, Organization and complete address. Spell out your name and address verbally to ensure accuracy. Please give us your telephone number so we can verify your address, if necessary.

MAIL TO:

MPCA Ground Water Sampling Guidance Document
c/o Sandy Karnowski
Minnesota Pollution Control Agency
Ground Water and Solid Waste Division
Program Development Section
520 Lafayette Road North
St. Paul, MN 55155-4194

Name _____

Please send _____ Copies @ \$19.75 per copy

Organization _____

_____ I have enclosed a check for \$ _____

Address _____

_____ Please bill me for _____ copies of the document

City _____

Telephone # (____) _____

State, zip _____

Announcing the arrival

of

The IGWIS *Sample Component*

The MPCA Integrated Ground Water Information System (IGWIS) serves as the central repository for ground water quality data for the MPCA. It also serves as a technical tool to assist the MPCA in monitoring, evaluating, and enforcing ground water quality. The IGWIS Facility and Station Components have been operational for several years and provide ownership, well installation/construction information, stratigraphy, and extensive locational information. Currently there are approximately 4000 wells and borings available in IGWIS.

The IGWIS Sample Component (ISC) is now available and provides a method to consolidate and manipulate the physical and analytical results of ground water sampling. Important features and benefits of the ISC are:

- Works in conjunction with the MPCA '95 Ground Water Sampling Guidance -- The data fields needed by the ISC, to record ground water sampling, are a small sub-set of the data available on the forms that accompany the MPCA '95 Ground Water Sampling Guidance.
- Simplified data gathering -- Partially completed forms can be saved. Complete the forms as data becomes available. Review Process Codes (RPC) show confidence and completeness of the data.
- Simplified data entry -- Allows user entry of information related to the collection of a sample, physical parameters, and analytical results. Electronic entry of laboratory results will soon be supported.
- Accepts QA/QC samples -- Allows entry of QA/QC samples, their analytical results, and the association between the QA/QC sample and each sample it affects.
- A PC "Front End" to IGWIS -- To simplify and speed entry of IGWIS facility and station data, a PC based data entry and validation program is being developed. This program will provide: point-and-click selection of valid codes, extensive data validation, in-depth context sensitive help, and an export function for electronic data transfer to IGWIS. The program creates x-base format file understood by many PC database programs. It may be a starting point for your own ground water quality database. The program should be available to those outside the MPCA by late spring ('95).

For additional information please contact the IGWIS Program Coordinator, Henry Waldenberger, at 612-296-9439.

Executive Summary - IGWIS Sample Component

The Integrated Ground Water Information System Sample Component (ISC) provides a method to consolidate and manipulate physical and analytical results of ground water sampling. The ISC organizes data into three functional data layers: Sampling Event layer, Sample Layer, Analytical Report Layer.



Figure 1) ISC -- Functional Data Layers

The Sampling Event Layer is data associated with the site's physical condition and security, the collection of samples, and field measurable parameters.

The Sample Layer is data associated with the actual sample: type, depth, preservative method, medium, etc. In addition, the same level of data is provided for QA/QC samples including multi-event blanks such as Trip Blanks.

The Analytical Report Layer is data returned by the laboratories such as "Chain of Custody" dates, instrument calibration information, analytical method, and, of course, the results of the chemical analysis. The analytical results data always contain the CAS Number, unit of measure (UoM), and a value. Additional amplifying information for an analyte is stored as qualifiers. Qualifiers may be CLP Codes, STORET Parameter Codes, laboratory qualifier codes, IGWIS Specific Codes, etc. A qualifier may have a value also.

An unlimited amount of textual information may be stored as remarks for each Sampling Event.

In addition, all screens of the ISC are supported by a multi-level context-sensitive help system. The help system provides a description of the need for and use of the current screen, the data dictionary definition for the current screen attribute (field), and valid value selections for the current attribute.

1995 Comprehensive Water Plan Updates

- * IT IS A REVISION!
- * Remember, counties are starting off with approved plans. The plan update is the next step forward in an ongoing process. All plans have deficiencies.....

Minimum Expectations:

1. Incorporating new required components into the plan:
 - wellhead protection and sensitive groundwater areas
 - stormwater management
 - designation of priority wetland areas
2. Data:
 - certainly not the focus of the revision -- some counties will update certain sections, others will do very little in this area. At a minimum it is suggested that counties update local data that has been collected since original plan completed.
3. Assessments:
 - many water plans collected a lot of data - but spent less time on assessment. The update will provide an opportunity to make a more accurate account of what is going on in the county / watershed. Assessments should be more comprehensive, maybe a little more hard hitting. Many plans across the state while identifying resource problems did not fully take the next critical step -- assessing what do we need to do to really solve this problem.
 - we all need to challenge ourselves (including the local water planning task forces and county boards) to:
 - * honestly assess the problems,
 - * identify how each problem impacts water and related resources,
 - * make some attempt to identify what is the long term effect to the county,
 - * clearly determine how to address the problem.
 - obviously it is important to address all county / watershed issues -- not picking on anything.

In summary:

- high level of active public participation is critical
- plans need to be done from a watershed context
- identify who is doing what -- clearly define the roles and responsibilities of the various lgus and other partners
- work on assessments
- establish a reasonable number of priorities

Beyond BWSR there will be involvement from:

- * MDNR
- * MPCA
- * Dept. of Health
- * Dept. of Ag.
- * Mn. Geologic Service

Through their review, agencies are not going to comment on the specific priorities or the goals, objectives & actions of the individual water plans. These are local decisions.

The agencies specific role is to assist with data and assessment. There needs to be involvement up front and throughout the revision process.

OCT 28 1994

BOARD OF WATER & SOIL RESOURCES
110B COMPREHENSIVE WATER PLANNING
COUNTY STATUS REPORT

August 22, 1994

COUNTY	RESOLUTION TO PLAN (DATE)	PART OF REGIONAL PLANNING GROUP	SUBMITTED FOR PRELIMINARY REVIEW (DATE)	SUBMITTED FOR FINAL REVIEW (DATE)	BWSR BOARD OVERVIEW (DATE)	BWSR PLAN APPROVAL (DATE)	LOCAL PLAN ADOPTION (DATE)	SCHEDULED PLAN UPDATE (DATE)	BWSR GRANT AGREEMENT (DATE)
AITKIN	9/15/87	MH	1/01/90	4/01/90	4/25/90	6/27/90	7/10/90	1995	LCMR
BECKER	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/89	6/12/90	1995	LCMR
BELTRAMI	10/27/87	MH	6/05/89	8/09/89	8/23/89	10/25/89	11/7/89	1995	LCMR
BENTON	10/19/88	X	5/23/91	8/23/91	9/25/91	12/18/91	11/20/91	1995	2/08/90
BIG STONE	4/04/90	WC	4/16/91	9/01/91	9/25/91	12/18/91	12/03/91	1995	5/29/90
BLUE EARTH	6/24/86	SC	5/03/90	9/01/90	9/29/90	11/28/90	12/18/90	1995	LCMR
BROWN	8/24/87	SC	9/01/89	12/05/89	1/24/90	2/28/90	4/10/90	1995	LCMR
CARLTON	12/8/87	X	3/01/90	8/03/90	8/22/90	10/24/90	12/11/90	1995	3/09/90
CASS	10/9/87	MH	8/23/89	1/05/90	1/24/90	3/28/90	7/10/90	1995	LCMR
CHIPPEWA	3/05/90	WC	4/16/91	9/06/91	9/25/91	12/18/91	12/18/91	1995	5/14/90
CHISAGO	6/90	X	6/23/92	10/19/92	10/26/92	12/16/92	12/23/92	1997	6/19/90
CLAY	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/90	4/10/90	1995	LCMR
CLEARWATER	10/28/87	MH	6/05/89	8/09/89	8/23/89	10/25/89	11/21/89	1995	LCMR
COOK	12/10/91	X	6/14/93	9/01/93	9/23/93	12/9/93	12/21/93	1998	LWRPMP
COTTONWOOD	8/18/87	SC	6/01/91	9/30/91	10/23/91	12/18/91	12/23/91	1995	LCMR
CROW WING	11/3/87	MH	12/27/89	9/13/90	8/22/90	10/24/90	12/11/90	1995	LCMR
DODGE	12/22/87	RZ	8/21/89	1/01/90	1/24/90	3/28/90	4/24/90	1995	LCMR
DOUGLAS	5/24/88	X	8/15/89	11/01/89	11/22/89	2/28/90	3/27/90	1995	2/12/90
FARIBAULT	6/17/86	SC	11/14/89	6/01/90	6/27/90	8/22/90	12/11/90	1995	LCMR
FILLMORE	12/8/87	RZ	8/30/89	12/05/89	1/24/90	3/28/90	1/11/90	1995	LCMR
FREEBORN	6/23/86	SC	10/01/89	5/01/90	5/23/90	10/24/90	12/18/90	1995	LCMR
GOODHUE	12/15/87	RZ	7/31/89	12/05/89	1/24/90	2/28/90	6/19/90	1995	LCMR
GRANT	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/90	5/02/90	1995	LCMR
HOUSTON	12/8/87	RZ	9/25/89	1/5/90	1/24/90	3/28/90	4/10/90	1995	LCMR
HUBBARD	10/7/87	MH	7/05/89	10/03/89	10/25/89	12/20/89	2/07/90	1994	LCMR
ISANTI	6/90	X	10/01/92	3/03/93	3/26/93	5/26/93	6/93	2000	6/18/90
ITASCA	10/27/87	MH	4/01/90	10/02/90	8/22/90	11/28/90	12/11/90	1995	LCMR
JACKSON	6/23/86	SC	2/01/90	9/01/90	9/26/90	11/28/90	12/10/90	1995	LCMR
KANABEC	6/90	X	7/01/92	11/5/92	10/26/92	12/16/92	12/93	1995	6/24/90
KANDIYOHI	2/06/90	EC	4/25/91	9/06/91	9/25/91	12/18/91	12/18/91	1995	5/21/90
KITSON	10/6/87	RRV	8/04/89	12/01/89	12/20/89	2/28/90	4/17/90	1995	LCMR
KOOCHICHING	6/90	X	6/94						6/18/90

BOARD OF WATER & SOIL RESOURCES
110B COMPREHENSIVE WATER PLANNING
COUNTY STATUS REPORT

August 22, 1994

COUNTY	RESOLUTION TO PLAN (DATE)	PART OF REGIONAL PLANNING GROUP	SUBMITTED FOR PRELIMINARY REVIEW (DATE)	SUBMITTED FOR FINAL REVIEW (DATE)	BWSR BOARD OVERVIEW (DATE)	BWSR PLAN APPROVAL (DATE)	LOCAL PLAN ADOPTION (DATE)	SCHEDULED PLAN UPDATE (DATE)	BWSR GRANT AGREEMENT (DATE)
LAC OUI PARLE	5/90	WC	4/16/91	9/03/91	9/25/91	12/18/91	12/3/91	1995	6/04/90
LAKE	6/90	X	6/15/92	8/02/92	9/30/92	11/18/92	12/3/92	1997	6/19/90
LAKE OF THE WOODS	4/26/90	X	7/29/92	10/15/92	10/26/92	12/16/92	12/92	2000	6/15/90
LESUEUR	6/24/86	SC	8/09/90	11/02/90	--	11/28/90	12/11/90	1995	LCMR
LINCOLN	9/15/87	RC	10/29/89	6/01/90	6/27/90	8/22/90	9/04/90	1995	LCMR
LYON	10/10/87	RC	10/29/89	6/01/90	6/27/90	8/22/90	10/16/90	1995	LCMR
MCLEOD	2/06/90	EC	4/10/91	8/01/91	8/28/91	12/18/91	12/28/91	1995	4/13/90
MAHNOMEN	10/13/87	RRV	8/04/89	12/01/89	12/20/89	2/28/90	5/08/90	1995	LCMR
MARSHALL	10/20/87	RRV	8/04/89	12/01/89	12/20/89	2/28/90	5/01/90	1995	LCMR
MARTIN	6/17/86	SC	6/1/89	1/02/90	1/24/90	3/28/90	4/17/90	1995	LCMR
MEEKER	8/15/89	EC	2/22/91	6/01/91	6/26/91	9/25/91	10/9/91	1995	3/26/90
MILLE LACS	12/89	X	2/06/92	6/01/92	6/92	8/26/92	10/92	1995	3/05/90
MORRISON	10/27/87	MH	12/01/89	4/01/90	4/25/90	6/27/90	8/07/90	1995	LCMR
MOWER	12/15/87	RZ	8/04/89	12/05/89	1/24/90	2/28/90	4/10/90	1995	LCMR
MURRAY	10/10/87	RC	10/15/89	6/01/90	6/27/90	8/22/90	9/04/90	1995	LCMR
NICOLLET	7/15/86	SC	1/05/90	8/01/90	8/22/90	10/24/90	11/13/90	1995	LCMR
NOBLES	YES	X	9/20/89	2/01/90	2/28/90	4/25/90	5/22/90	1995	2/20/90
NORMAN	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/90	6/18/90	1995	LCMR
OLMSTED	YES	RZ	8/07/89	1/01/90	1/24/90	3/28/90	5/22/90	2000	LCMR
OTTER TAIL	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/90	10/10/90	1995	LCMR
PENNINGTON	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/90	5/08/90	1995	LCMR
PINE	5/90	X	8/17/92	11/3/92	10/26/92	12/16/92	12/92	2000	5/24/90
PIPESTONE	10/10/87	RC	11/22/89	6/01/90	6/27/90	8/22/90	9/12/90	1995	LCMR
POLK	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/90	4/04/90	1995	LCMR
POPE	5/90	WC	4/12/91	9/01/91	9/25/91	12/18/91	12/3/91	1995	5/23/90
RED LAKE	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/90	5/14/90	1995	LCMR
REDWOOD	10/10/87	RC	12/28/89	6/11/90	6/27/90	8/22/90	9/11/90	1995	LCMR
RENVILLE	3/01/90	EC	3/27/91	7/01/91	7/24/91	12/18/91	12/31/91	1995	4/23/90
RICE	12/8/87	RZ	8/23/89	12/05/89	1/24/90	2/28/90	4/10/90	1995	LCMR
ROCK	7/01/89	X	3/29/91	6/28/91	7/24/91	9/25/91	10/22/91	1995	1/30/90
ROSEAU	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/90	5/16/90	1995	LCMR
ST. LOUIS	12/19/89	X	9/91	7/17/92	5/92	11/18/92	12/92	2000	3/01/90

BOARD OF WATER & SOIL RESOURCES
110B COMPREHENSIVE WATER PLANNING
COUNTY STATUS REPORT

August 22, 1994

COUNTY	RESOLUTION TO PLAN (DATE)	PART OF REGIONAL PLANNING GROUP	SUBMITTED FOR PRELIMINARY REVIEW (DATE)	SUBMITTED FOR FINAL REVIEW (DATE)	BWSR BOARD OVERVIEW (DATE)	BWSR PLAN APPROVAL (DATE)	LOCAL PLAN ADOPTION (DATE)	SCHEDULED PLAN UPDATE (DATE)	BWSR GRANT AGREEMENT (DATE)
SHERBURNE	11/21/89	X	11/18/91	3/12/92	4/22/92	5/27/92	7/92	1995	3/07/90
SIBLEY	6/24/86	SC	5/09/90	9/01/90	9/22/90	11/28/90	12/11/90	1995	LCMR
STEARNS	2/3/88	*	11/28/90	4/01/91	4/24/91	6/26/91	8/06/91	1995	LCMR
STEELE	6/24/86	SC	8/24/89	5/01/90	5/23/90	7/25/90	8/14/90	1995	LCMR
STEVENS	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/90	6/21/90	1995	LCMR
SWIFT	5/90	WC	4/16/91	8/01/91	8/28/91	10/23/91	11/05/91	1995	5/24/90
TODD	9/18/89	X	4/16/91	8/01/91	8/28/91	12/18/91	11/19/91	1995	5/09/90
TRAVERSE	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/90	5/04/90	1995	LCMR
WABASHA	12/22/87	RZ	8/27/89	1/01/90	1/24/90	3/28/90	7/02/90	1995	LCMR
WADENA	1/07/92	X	3/10/93	6/07/93	6/93	8/23/93	10/5/93	2000	LWRPMP
WASECA	7/1/86	SC	10/01/89	4/01/90	4/25/90	6/27/90	11/06/90	1995	LCMR
WATONWAN	6/24/86	SC	4/89	8/01/89	8/23/89	10/25/89	12/19/89	1995	LCMR
WILKIN	YES	RRV	8/04/89	12/01/89	12/20/89	2/28/90	4/12/90	1995	LCMR
WINONA	2/23/88	RZ	9/06/89	1/05/90	1/24/90	3/28/90	6/19/90	2000	LCMR
WRIGHT	6/20/89	X	4/23/92	8/02/92	9/30/92	11/18/92	12/92	1995	2/12/90
YELLOW MEDICINE	10/10/87	RC	8/10/90	10/29/90	--	11/28/90	12/27/90	1995	LCMR
TOTALS	80	80	80	79	79	79			

RRV – Red River Valley 15 Co. Joint Powers Board

MH – Mississippi Headwaters Board, 8 Counties

RC – Redwood–Cottonwood Rivers Control Area, 6 Counties

SC – South Central Watershed Planning Project, 13 Counties

RZ – Root–Zumbro Rivers Watershed, 9 County Joint Powers Board

WC – West Central MN 5 County Group

EC – East Central MN 4 County Group

* – Stearns County is a LCMR funded planning effort

X – Independent Counties, Counties preparing plans alone

June 19, 1995

To: Ron Harnack

From: Bruce Sandstrom



Re: Approval of Valley Branch Plan Amendments

At the June 28, 1995 Board meeting I am going to be recommending the approval of amendments to the Valley Branch Valley Branch Watershed District plan. The amendments were filed prior to the effective date of the rules governing metro water planning (Chapter 8410) and so our approval can only be based on the statutory requirements. The VBWD did, however, attempt to closely follow the content, intent and spirit of the rule and so should result in a plan that is keeping with current perspectives in metro water management.

A major issue with the plan amendments has been how to deal with a specific problem relating to the outflow from Olson Lake Estates Pond. The City of Lake Elmo and ten residents had requested that the BWSR hold a public hearing on the matter. After much negotiation, the VBWD selected an option that the appellants supported. After two meetings that I participated in, all the appellants withdrew their request for a BWSR hearing. The VBWD desires to implement this project ASAP to limit the effects of the outflow from the pond upon Olson Lake and so have set a project hearing date of July 13 for the project. The major issue will be who pays for it and how much each taxpayer will pay. Barbara Ohman worked closely with the VBWD during the development phase of the amendments and the District included many of her suggested revisions.

Other unique aspects of the plan amendments include:

- 1) the establishment of a management classification scheme that establishes five different classes for their water bodies,
- 2) the establishment of different storm water design criteria for each management class,
- 3) the utilization of surveys of residents to help define the management classes,
- 4) the development of specific management goals and programs for 31 individual major water bodies, and
- 5) the provision for revision of their rules for consistency with the amended plan.

I will try to have a draft order prepared for approval prior to the June 28 board meeting but I can't guarantee it due to workload considerations. An order can be prepared after Board action with appropriate direction and authority from the Board, however.

a:VBWD.mem



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Fax (218) 755-4201

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Metro Region:

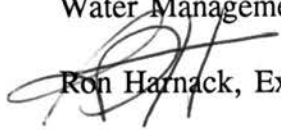
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DATE: June 5, 1995

TO: County Board Chair
Soil & Water Conservation District Chair
Watershed District President
City Council Chair
Town Board Chair
Water Management Organization Chair

FROM:  Ron Harnack, Executive Director

SUBJECT: **WETLAND CONSERVATION ACT LEGISLATION**

I am extremely disappointed to say that the long-awaited legislative efforts to address concerns with the Wetlands Conservation Act (WCA) failed on the Senate floor on Thursday, May 25. I know that many of you, particularly those who have put forth a strong effort to make the WCA work in its present form, share this disappointment.

The proposal failed for a number of reasons, but most of all because a real compromise had not been reached on a very few issues. Although general agreement had been reached on the basic concepts, the "devil was in the details," and unfortunately those last minute details did not have the support of conservation groups, the urban wetlands coalition, the agencies, the Governor or the Senate as a whole. In part, I believe that some individual special interests led to the final impasse by focusing on narrow issues rather than stepping back and considering the significant progress that the compromise bill provided. The attachment is a summary of the changes that were supported by all the groups, even though a very few wanted to see more change.

Where do we go from here? I know of no one who does not believe that legislative changes are needed in the Wetland Conservation Act. I believe that it is necessary to continue to work towards achieving the changes. I hope that after you and your peers and staff have had a chance to review "what could have been" in some detail you will agree that the changes reflected in this summary are very significant and would have addressed the concerns raised during the first year of program administration. I also realize that some of the problems stem from the rules rather than the law. Therefore, we will be initiating the rule amendment process so that rule changes can coincide with legislative changes next year.

June 5, 1995

Page Two

I will seek a broad-based coalition, representing local government (urban & rural), conservation groups, farm organizations and builders\developers to endorse a package of changes that can be passed early in the next session or in a special session. This, coupled with rule amendments, would provide the state with a Wetland Conservation Act that will be effective, efficient, address the diversity of the state and properly manage our wetland resources.

Please review and have your staff review the attached documents and provide me with additional comments that you may have. I recognize the struggle that many of you have with some of the elements of the program and sincerely believe that early next session we can achieve meaningful changes. I look forward to hearing from you.

We were able to get some flexibility for banking relating to public transportation projects. We are currently negotiating an agreement with the Minnesota Department of Transportation to provide subsidized replacement credits for the counties with more than 80 percent of their presettlement wetlands remaining. These credits would be the result of wetland restoration in the prairie pothole area and allow the greater than 80 percent counties to purchase credits from this bank at a subsidized rate. For example: if a greater than 80 percent county fills two acres for a road project and needs two acres of mitigation, the local government could purchase the two acres of mitigation from the bank credits for transportation projects at twice the value of land adjacent to the project. I hope to have this element of the program available within two months, and will advise the local governments accordingly.

Again, I hope to hear from you. Thank you for your continued efforts and support for the necessary changes to the WCA.

Attachments: Summary of supported changes to the WCA
Assessment of supported changes to the WCA
News release relating to legislative action on WCA

rdhs:media.wca

Assessment of **BWSR Supported Changes**

Minnesota Wetland Conservation Act

June 1, 1995



The compromise changes supported by BWSR, agricultural organizations, conservation groups, environmental groups, cities, many counties, builders organizations and realtors groups and the Governor's office would have made the law more workable for all areas of the state, particularly those areas with a high percentage of wetlands remaining, while maintaining a high level of resource protection.

Specifically, the supported compromise bill proposed the following:

- * Rather than focusing strictly on the acreage amount of wetlands drained or filled in a given situation, the proposed changes provided for the functional assessment of wetlands. This means that wetlands would be replaced based upon the amount of actual benefits they provide, rather than simply their size. This would help ensure the preservation of the public values of the state's wetland and water resources.
- * The proposed changes would have given local governments and citizens the opportunity to approach wetland protection as a part of a comprehensive water management strategy. To accomplish this, the Governor/Agency bill provided for the integration of wetland protection measures with the local water planning process and local zoning ordinances.
- * The legislation proposed to streamline the approval process for landowners proposing projects that impact wetlands by enabling local governments to act in a reasonable time frame. In addition, the proposed language moved closer to the goal of providing landowners with "one-stop-shopping" for project information and decisions.
- * The level of benefits wetlands provide often depends in part upon the adjacent land use. By providing additional incentives to include vegetative buffers and water quality treatment systems in these areas, this supported bill would have enhanced the water quality and wildlife habitat benefits of wetlands.
- * This supported bill proposed a strong state participation and oversight role in the development, implementation and enforcement of local government comprehensive wetland protection and management plans. This state presence is intended to ensure a fairly administered law that maintains a high level of protection for the resource.
- * By enhancing the notification and administrative appeals process, the Governor/Agency supported bill provided an avenue for concerned citizens to participate in the environmental review process to help ensure that the public maintains an active voice in the management of their resources.
- * This supported bill provided for additional incentives to local governments and landowners to preserve high priority wetlands through enhancing a tax exemption

program. Under the program, landowners who have maintained wetlands (rather than draining or filling them) would have access to some financial compensation for the value of their land.

- * A very small percentage of Minnesota wetlands are rare and sensitive calcareous fens. These unusual wetlands contain many plants that cannot exist elsewhere. In addition, calcareous fens are highly susceptible to disturbance and are nearly impossible to restore once lost. The supported bill reaffirmed the state's commitment to protecting these areas.
- * One of the most successful means of protecting wetlands in the past has been through providing landowner incentives to restore drained or altered wetlands or to preserve existing wetlands. The bill built upon those successes by providing incentives to retain restored wetlands that are eligible for drainage.

**Detailed Assessment of
BWSR Supported Changes**
Minnesota Wetland Conservation Act
June 1, 1995



This summary reflects the changes that were supported by BWSR, the Governor's office, the Minnesota Conservation Federation, the Minnesota Fish & Wildlife Alliance, Farm Bureau, Farmers Union, Agri-Growth Council, the Minnesota Audobon Chapter, Cities, Urban Wetlands Coalition, and many Counties.

Provides relief beyond the existing law for:

COUNTIES WITH MORE THAN 80 PERCENT PRESETTLEMENT WETLANDS

- * **Deminimus.**
 - Exempts **10,000 square feet** of wetland, except for types 3,4 and 5, regardless of the size of the project, outside of *shoreland wetland protection zones* defined as 1000 feet from a lake and 300 feet from a river or stream.
 - the local government may increase the deminimus amount to **1000 square feet** in counties with more than 80 percent of their presettlement wetlands remaining in the shoreland wetland protection zone in areas beyond the building setback if the wetland is isolated and is determined to have no surficial hydrologic connection to the public water.
- * **Public Roads.**
 - Exempts **two acres** outside of shoreland areas for **existing** roads.
 - allows **cash banking** for road projects at a subsidized rate requiring a payment of only twice the land value of the impacted wetland, meaning road authorities would pay about 10% of actual cost.
- * **Replacement.** Allows replacement credit for the installation of upland buffer areas and water quality treatment ponds adjacent to wetlands. (In all counties, not just those with more than 80 percent of wetlands remaining.)
- * **Wetland Planning:** may classify wetlands based on wetland function to:
 - o varying the application of sequencing standards;
 - o varying wetland replacement standards based on a functional assessment; and then
 - replace wetlands at less than a 1 acre for 1 acre ratio, provided that there is no net loss of public values and biological diversity within the plan area;

- allow additional replacement credit for any project that increases the public value of wetlands including those activities on adjacent uplands; and
 - o varying wetland exemption standards based on a functional assessment:
 - adjust the application of the type 1 and type 2/6 exemptions to non-ag land.
 - adjust the road and de minimus exemptions to reflect regional conditions.
- * **streamlines notification and approval process.**
- * **Sequencing:** Provides for determination without written alternatives analysis for small projects impacting less than 20,000 square feet. (In all counties, not just the counties with greater than 80 percent of their wetlands remaining.)
- * **Wildlife Habitat Improvement.** Exempts deposition of one-half acre of spoil resulting from excavation within a wetland for wildlife habitat improvement purposes. (In all counties, not just those with greater than 80 percent of their wetlands remaining.)

Provides relief beyond the existing law for:

AGRICULTURAL ACTIVITIES

- * **Agricultural land is defined more broadly as:**
 - (1) land used for horticultural, row, close grown, pasture, and hayland crops; growing nursery stocks, and animal feedlots; and
 - (2) contiguous land and buildings under the same ownership, including farmyards, associated with the lands listed in clause (1).
- * **Exempts type 6 wetlands** less than 2 acres on ag land.
- * Exempts type 1, type 2 and type 6 parts of larger wetlands on ag land (as per an approved conservation plan) to allow for efficient farming operations.
- * **Exempts** impacts to wetlands that have existed for less than **25 years** as part of a ditch maintenance project and affirms other drainage exemption language.
- * Allows **replacement credit** for vegetative restoration of farmed wetlands.
- * Allows **replacement credit** for maintaining wetlands restored under an expiring conservation agreement.

Provides relief beyond the existing law for:

SMALL LANDOWNERS & DEVELOPERS

- * **streamlines notification and approval process.**
- * exemptions are simplified and categorized for better understanding.
- * exempts **incidental wetlands** for private landowners.
- * exempts repair and updating of existing **individual sewage treatment systems** as necessary to comply with local, state and federal regulations.
- * **Deminimus.** Exempts the following amounts of wetlands as part of a project, that are not type 3, 4, or 5, regardless of the total amount of wetlands filled as part of a project:
 - (i) **10,000 square feet** outside of shoreland wetland protection zones in counties or watersheds with more than 80 percent of their presettlement wetlands remaining;
 - (ii) **5,000 square feet** of wetland outside of shoreland wetland protection zones in counties or watersheds with more than 50 percent and less than 80 percent of their presettlement wetlands remaining;
 - (iii) **2,000 square feet** of wetland outside of shoreland wetland protection zones in counties or watersheds with less than 50 percent of their presettlement wetlands remaining; or
 - (iv) **400 square feet of wetland in shoreland wetland protection zones** except that in counties with greater than 80 percent of their presettlement wetlands remaining the local government may increase the deminimus amount to **1000 square feet** in counties with more than 80 percent of their presettlement wetlands remaining in the shoreland wetland protection zone in areas beyond the building setback if the wetland is isolated and is determined to have no surficial hydrologic connection to the public water.
- * Allows **replacement credit** for:
 - 1. the installation of upland buffer areas; and
 - 2. water quality treatment ponds adjacent to wetlands; and
 - 3. for vegetative restoration of farmed wetlands; and
 - 4. for maintaining wetlands restored under an expiring conservation agreement.
- * Provides for **Sequencing** determination without written alternatives for small projects.
- * **Wildlife Habitat Improvement:** exempts deposition of one-half acre of spoil resulting from excavation within a wetland for wildlife habitat improvement purposes
- * Required the Lincoln-Pipestone rural water district and the DNR to develop a management plan to ensure adequate domestic water supply and environmental protection for the Burr Well Field operation.

Provides relief beyond the existing law for:

PUBLIC ROADS

- * **reduces minimum replacement ratio** from 2:1 to 1:1 statewide when replacement is done via restoration of wetlands. The replacement ratio in counties with more than 80 percent of their presettlement wetlands remaining can be lower than 1:1 if adjusted via a local wetland plan.
- * allows greater than **80 percent counties to do subsidized cash banking** for road projects at a reduced rate requiring a payment of only twice the land value of the impacted wetland (approx. 10 percent of actual cost).
- * **exempts** projects on existing roads;
 - (a.) **two acres** outside of shoreland wetland protection zones in counties and watersheds with greater than 80 percent of their presettlement wetlands remaining; and
 - (b.) **one acre** outside of shoreland wetland protection zones in counties and watersheds with greater than 50 percent and less than 80 percent of their presettlement wetlands remaining; and
 - (c.) **one-half acre** outside of shoreland wetland protection zones in counties and watersheds with less than 50 percent of their presettlement wetlands remaining.
- * sequencing not required within the road right-of-way.
- * **streamlines notification and approval process.**
- * Allows **replacement credit** for:
 - 1. the installation of upland buffer areas; and
 - 2. water quality treatment ponds adjacent to wetlands; and
 - 3. for vegetative restoration of farmed wetlands; and
 - 4. for maintaining wetlands restored under an expiring conservation agreement.

Provides relief beyond the existing law for:

LOCAL GOVERNMENT FLEXIBILITY

Allows local governments to adopt **local comprehensive wetland protection and management plans** which, after approval by the board of water and soil resources, provide an alternative to the rules governing the wetland conservation act while retaining no-net-loss of public values. The plans offer the following specific relief from the rules *beyond* that provided by changes elsewhere as noted above:

* local governments may **classify wetlands** based on wetland function; this assessment forms the basis for:

- varying the application of **sequencing** standards;
- varying wetland **replacement** standards; based on the functional assessment local governments may replace at less than a 1 acre for 1 acre ratio, provided that there is no net loss of public values;
- allowing local governments to:
 - (i) allow **additional replacement credit** for any project that increases the public value of wetlands including those activities on adjacent uplands; and
 - (ii) **adjust** the application of the type 1 and type 2/6 **exemptions** to non-ag land.
 - (iii) **adjust** the application of the road and **deminimus exemptions**.

* To ensure local governments that **state agencies will participate in the planning process**, state agencies may only comment on issues outside of their authority if they participate in the planning process from the outset. Further, in determining the merit of an agency comment, the board of water and soil resources must consider the involvement of a state agency in the development of a local wetland plan.

* State agencies operating within the plan area must notify the local government of their actions.

* Board **rules are not required** to guide the development or approval of a local wetland plan.

* Plans will be consistent with the local water planning process and incorporated into ordinances.

* Board disapproval of a plan requires a statement of deficiency and will result in a hearing in the local government. The board's decision can be appealed to court.

* Counties are given the option of participating in the Wetland Preservation Program which provides a property tax exemption to landowners owning wetlands in High Priority Areas as identified in their local water plans. The state reimburses the county for the lost tax revenue.

Provides relief beyond the existing law for:

LOCAL GOVERNMENT COMPENSATION

Requires the state to pay claims against, and assist in the defense of, the local government if they are properly implementing the law and a court awards a takings or damages claim against the local government.

s:relief.WCA
BWSR/JJ 5-27-95, 11:10 a.m.



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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June 7, 1995

TO: all LGUs
FROM: Susan Tsakakis, BWSR
RE: enclosed news release

I've received some request from LGUs interested in publicizing the recent demise of the bill amending the Wetland Conservation Act (WCA). If you are interested, feel free to fill the blanks in the news release below as appropriate, re-type on your letterhead, and mail or bring to your local media. Adapt it as you wish.

I will be mailing out a similar news release to all media next week, but I wanted to give you the chance to do it locally first. If you do send out the enclosed release, your local media will just ignore the one from me.

News Release

For immediate release:

(date)

For further information contact:

(name and phone of a contact person)

NO CHANGES TO WETLANDS ACT APPROVED THIS YEAR

Despite nearly universal agreement that Minnesota's Wetland Conservation Act (WCA) needs changes, the act will remain in its present form for at least another year: the Legislature adjourned last week without approving a bill amending the act.

"Obviously, we're extremely disappointed," said Ron Harnack, executive director of the Board of Water and Soil Resources (BWSR), the state agency responsible for administering the act. "We worked

(more)

hard to get input from all the affected parties and believed that we had a good compromise bill that would have made the law more workable and still protected our resources," Harnack said.

(Name and title of your county chair, SWCD chair, or whoever is appropriate-- make sure you get permission from them), agreed with Harnack's assessment. "This bill would have gone a long way toward addressing our concerns about the act," (last name) said.

Since it was approved in 1991, developers, local governments and others have complained that the WCA is too restrictive and bureaucratic. The law basically requires that anyone wishing to drain or fill a wetland look at ways to avoid the wetland entirely or at least minimize the impact on the wetland. Wetland area that is drained or filled must be replaced.

The compromise bill, which was supported by the BWSR and Governor Arne Carlson, failed because various special interest groups focused on narrow, specific issues, rather than looking at the significant improvements that the bill would have made, Harnack said. Some of those improvements include:

- the bill would have given local governments a great deal more flexibility by allowing them to develop their own wetland protection and management plans based on the public value of wetlands, rather than just the amount of acreage;
- the bill would have reduced the replacement ratio for wetlands filled for state road projects from 2:1 to 1:1 and provided for state-subsidized replacement for road projects in counties with more than 80 percent of their presettlement wetlands remaining;
- the bill would have allowed for draining and filling of some additional

(more)

agricultural wetlands without replacement;

- the bill would have required the state to pay any court-ordered claims against a local government that was successfully sued by someone claiming that the government had effectively "taken" his or her land; and
- the bill would have increased the amount of wetland that could be drained or filled for a project before requiring replacement; and
- the bill would have streamlined the replacement plan process by eliminating notice requirements and waiting periods before a replacement plan could be approved.

However, the compromise bill would have still provided a high degree of resource protection and maintained the original act's commitment to a goal of no net loss of the quantity, quality or biological diversity of the state's wetlands, Harnack said. The bill did not loosen strict provisions about draining or filling shoreland wetlands--considered key to preserving water quality--and also added new incentives for landowners to restore previously drained wetlands and preserve existing wetlands.

The compromise legislation was a significant improvement from the current act, and it's unfortunate that it failed, (last name of person from your county quoted above) agreed. "By not passing anything, we're in the same situation we were in before," (he/she) said. "We were really hoping for some changes."

Despite the controversy surrounding the Wetland Conservation Act, it has been successfully moving Minnesota toward its goal of preserving wetlands. Data gathered from local governments throughout the state indicates that more than 5,000 acres of wetlands were preserved, created or restored throughout Minnesota last year because of

(more)

the act. In addition, the Permanent Wetlands Preserve Program, a separate program created in the act, has preserved about 11,225 acres of wetland since the act was passed.

Harnack stressed that amendments to the Wetland Conservation Act are still a priority. BWSR will work to bring together interested parties, including conservation groups, the League of Minnesota Cities, developers, property interests, the Association of Minnesota Counties, agricultural groups, and others, to address the few issues that contributed to the failure to amend the act this year. Harnack said he hopes to have compromise legislation worked out for early introduction and passage in the regular 1996 session or in a special session, if one is called.

###

FY96 BUDGET PROJECTIONS
GENERAL FUND - ADMIN.

OBJ Code	LINE ITEM	FY96 APPROPRIATION	FY96 OBLIGATION ESTIMATES	FOOTNOTES	SURPLUS OR <SHORTAGE>
01	Salaries, Classified	\$2,246,000	\$2,104,000	1,2,3,4	\$142,000
02	Salaries, Unclassified	72,000	119,000		<47,000>
03	Parttime/seasonal/Student Wkr.	125,000	24,000		101,000
04	Severance/Vac. Payoff/Reloc.	0	0		0
07	Overtime	0	2,000	5	<2,000>
08	Misc. Payroll (Per Diem)	19,000	19,000		0
09	Misc. Benefits (Wrks. Comp., Unemployment)	0	14,000		<14,000>
10	Rent	128,000	188,000		<60,000>
11	Advertising	3,000	4,000		<1,000>
12	Repairs	6,000	12,000		<6,000>
14	Printing	48,000	48,000		0
16	Prof./Tech. Service Contracts	80,000	34,000		46,000
17	Data Processing	0	3,000		<3,000>
18	Purchased Services	45,000	37,000		8,000
20	Communications	93,000	93,000		0
21	In State Travel	218,000	203,000		15,000
22	Out State Travel	17,000	17,000		0
24	Employee Relocation Expenses	0	0		0
29	Fees and Fixed Charges	13,000	5,000		8,000
30	Supplies	63,000	67,000		<4,000>
40	Equipment	15,000	15,000		0
		\$3,191,000	\$3,008,000		+183,000

Salaries

Appropriation \$2,462,000
 -Est. Obligation 2,282,000
 + 180,000

Supplies and Expenses

Appropriation \$729,000
 -Est. Obligation 726,000
 +3,000

FOOTNOTES:

- 1) Assumes current BWSR staffing level (as of June 95)
- 2) Assumes a 3% cost-of-living adjustment effective 7/1/95
- 3) Assumes 5 student workers @ \$4,800 each
- 4) Assumes 4 RIM staff currently paid from Bond Funds will continue to be paid from Bond Funds
- 5) Based on Actual FY95 Expenditure Levels

****NOTE** Please keep in mind that salary obligation for 2nd year (FY97) will increase by an assumed 3% cost-of-living adjustment amounting to an additional \$67,000 without any new hires or other personnel changes.

05/17/95

[REVISOR] PER/DE CCRSP0106

Post-It™ brand fax transmittal memo 7671		# of pages → 2
To	From	
Tom Schwankl	Lyle Mueller	
Co.	Co.	
BWSR	Finance	
Dept.	Phone #	
	6-7642	
Fax #		
7-5615		

1 Sec. 6. BOARD OF WATER AND
2 SOIL RESOURCES

F496
13,719,000

F497
13,947,000

3 \$5,353,000 the first year and
4 \$5,353,000 the second year are for
5 natural resources block grants to local
6 governments. Of this amount, \$50,000
7 in each year is for a grant to the
8 north shore management board and
9 \$35,000 in each year is for a grant to
10 the St. Louis River board.

11 The board shall reduce the amount of
12 the natural resource block grant to a
13 county by an amount equal to any
14 reduction in the county's general
15 services allocation to a soil and water
16 conservation district from the county's
17 1994 allocation.

18 Grants must be matched with a
19 combination of local cash or in-kind
20 contributions. The base grant portion
21 related to water planning must be
22 matched by an amount that would be
23 raised by a levy under Minnesota
24 Statutes, section 103B.3369.

25 \$1,826,000 the first year and
26 \$2,054,000 the second year are for
27 grants to soil and water conservation
28 districts for general purposes and for
29 implementation of the RIM conservation
30 reserve program. Upon approval of the
31 board, expenditures may be made from
32 these appropriations for supplies and
33 services benefiting soil and water
34 conservation districts.

35 \$2,120,000 the first year and
36 \$2,120,000 the second year are for
37 grants to soil and water conservation
38 districts for cost-sharing contracts
39 for erosion control and water quality
40 management. This appropriation is
41 available until expended.

42 \$189,000 the first year and \$189,000
43 the second year are for grants to
44 watershed districts and other local
45 units of government in the southern
46 Minnesota river basin study area 2 for
47 floodplain management.

48 Any unencumbered balance in the board's
49 program of grants does not cancel at
50 the end of the first year and is
51 available for the second year for the
52 same grant program.

53 Sec. 7. AGRICULTURE

54 Subdivision 1. Total
55 Appropriation

24,812,000 23,646,000

56 Summary by Fund

57 General	15,135,000	13,897,000
58 Environmental	269,000	269,000

1 effective as of the date shown on the certificate. ~~A-facsimile~~
2 ~~of-the-authorized-motor-carrier-direct-pay-certificate-is~~
3 ~~reproduced-at-part-8130.9958-~~

4 Sec. 5. Minnesota Rules, part 8130.6500, subpart 5, is
5 amended to read:

6 Subp. 5. Sale of aircraft. When the dealer sells the
7 aircraft, the selling price must be included in gross sales.
8 The fact that the aircraft commercial use permit has not expired
9 or that the dealer has reported and paid use tax on the aircraft
10 has no effect on the taxability of the sale. The dealer must
11 return the aircraft commercial use permit (unless previously
12 returned) when the dealer files the sales and use tax return for
13 the month in which the sale was made. No credit or refund is
14 given for the \$20 fee originally paid.

15 ~~A-facsimile-of-the-authorized-aircraft-commercial-use~~
16 ~~permit-is-reproduced-at-part-8130.9992-~~

17 ARTICLE 5

18 ENVIRONMENTAL REORGANIZATION

19 Section 1. [FINDINGS.]

20 The legislature finds as follows: the current assignment
21 of environmental and natural resources programs among many state
22 agencies creates confusion and frustration for citizens and
23 decision makers. The environmental and natural resources
24 services provided by these programs can be better delivered by
25 reorganizing related functions so that citizens of Minnesota
26 have easier access to the programs. Reorganization can provide
27 more responsiveness to citizens, will ensure less fragmentation
28 of environmental and natural resources policies, will minimize
29 overlapping responsibilities among agencies, and will ensure
30 better coordination of environmental and natural resources
31 policies.

32 Sec. 2. [REORGANIZATION.]

33 Subdivision 1. [GOALS.] The legislature finds that it is
34 desirable to develop a plan to reorganize state services
35 relating to the protection of the environment, protection of
36 farmland, and the management of natural resources to achieve the

1 following goals:

2 (1) sustainable development throughout all regions of the
3 state and all sectors of the economy;

4 (2) improved delivery of services;

5 (3) a preventative, precautionary approach to environmental
6 degradation;

7 (4) citizen participation in relevant decision-making
8 processes; and

9 (5) progressively less air, land, and water pollution.

10 Subd. 2. [DEFINITION.] "Sustainable development" means
11 management and development of environmental resources to ensure
12 both sustainable human progress and environmental protection by
13 meeting the needs of the present without compromising the
14 ability of future generations to meet their own needs.

15 Sec. 3. [OUTCOMES.]

16 A reorganization plan must show how state agencies can be
17 reorganized to achieve the following outcomes:

18 (1) consolidation, where appropriate, of many of the
19 state's diverse environmental and natural resource programs;

20 (2) better coordination of programs and activities relating
21 to environmental and natural resource matters;

22 (3) improved citizen access to pertinent, understandable
23 information;

24 (4) establishment of an expeditious review process for
25 agency actions;

26 (5) establishment of a policy planning framework for
27 sustainable development;

28 (6) integrated licensing and permitting through a single
29 access point;

30 (7) identification and review of specifications and
31 programs that should be eliminated or accomplished by different
32 means;

33 (8) decentralization of the service-delivery system for the
34 benefit of citizens of the state as consumers of services;

35 (9) management based on appropriate geographical natural
36 resource characteristics;

1 (10) development of the polluter-pays principle through a
2 balanced system of regulatory controls and financial incentives;
3 and

4 (11) the flexibility to enable state and local governments
5 to coordinate and cooperate as well as identify and address
6 existing and emerging environmental issues of state, national,
7 and international import.

8 Sec. 4. [REORGANIZATION STUDY.]

9 Subdivision 1. [GOVERNOR'S DESIGNEES.] Within 30 days of
10 the effective date of this section, the governor shall designate
11 a commissioner or group of commissioners to develop a plan to
12 reorganize state services relating to the protection of the
13 environment and the management of natural resources. The
14 governor's designee or designees shall consult with legislators
15 designated by the legislative coordinating commission under
16 subdivision 2 in developing the plan.

17 Subd. 2. [LEGISLATIVE DESIGNEES.] Within 30 days of the
18 effective date of this section, the legislative coordinating
19 commission shall designate a group of legislators to develop a
20 plan to reorganize state services relating to the protection of
21 the environment and the management of natural resources. The
22 designees must include the chairs of the house and senate
23 committees on environment and natural resources, unless the
24 chairs decline. The legislative designees shall consult with
25 the governor's designee or designees named under subdivision 1
26 in developing the plan.

27 Subd. 3. [PUBLIC, STATE EMPLOYEE INPUT.] The designees of
28 the governor and the legislative coordinating commission may
29 appoint stakeholder advisory councils to facilitate public input
30 and state employee input on state services relating to the
31 protection of the environment and the management of natural
32 resources.

33 Subd. 4. [ACTIVITIES.] (a) The designees named under
34 subdivisions 1 and 2 shall serve as partners in studying the
35 delivery of state services and the performance of state
36 functions and shall recommend changes that would achieve the

1 goals and outcomes outlined in sections 2 and 3. These
2 recommendations must be submitted to the legislature by December
3 15, 1996.

4 (b) As part of their study, the designees shall examine
5 special purpose districts, including soil and water conservation
6 districts, watershed districts, lake improvement districts, lake
7 conservation districts, and water management organizations, and
8 shall recommend steps to eliminate overlapping jurisdictions,
9 duplicative responsibilities, and duplicative funding
10 mechanisms. These recommendations must be submitted to the
11 legislature by December 15, 1995.

12 (c) As part of their study, the designees shall examine
13 boards, commissions, councils, and task forces, including the
14 office of environmental assistance and the board of water and
15 soil resources and other organizations and advisory bodies
16 providing or regulating state services relating to the
17 protection of the environment, protection of farmland, and the
18 management of natural resources, and shall recommend steps to
19 increase accountability and eliminate overlapping jurisdictions,
20 duplicative responsibilities and programs, and duplicative
21 funding mechanisms.

ARTICLE 6

PUBLIC SERVICE

Section 1. [REGULATORY AND ADMINISTRATIVE STRUCTURE.]

25 By January 15, 1996, the commissioner of the department of
26 public service and the chair of the public utilities commission
27 shall jointly submit to the legislature a recommendation on the
28 desirability of restructuring the department and the commission,
29 including whether or not to have a unified structure. The
30 recommendation must address the desirability and feasibility of:

31 (1) an administrative structure that would provide for the
32 greatest possible independence of the public utilities
33 commission in its exercise of quasi-judicial functions;

34 (2) guidelines that would prevent any employee engaged in
35 the performance of investigative or advocating functions for an
36 agency in a case before the commission from, in that case or a



MEMORANDUM

Date: May 8, 1995

To: Local Government Units Approved for
General Permit 17 (see attached list)

From: Ron Harnack, Executive Director *QA for RWH*

Subject: **GENERAL PERMIT 17: GRANT OPPORTUNITIES**

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

Southern Region:

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

40-16th Street SE
Suite A
Rochester, MN 55904
(507) 285-7458
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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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Your local government unit has been selected as one of the pilot local governments to implement General Permit 17 (GP-17) which provides "one-stop-shopping" for persons impacting less than three acres of wetland. An earlier memo from John Jaschke described the components of this GP, the training session to be scheduled and the additional grant funds that would be made available. Although implementation of GP-17 will reduce duplication of effort, it also translates into a high degree of responsibility and will require more effort to demonstrate and improve the public service benefits of this arrangement. Thus, as an incentive to make this regulatory simplification initiative a workable reality, the Board of Water and Soil Resources is prepared to provide you with an additional grant through the Natural Resources Block Grant Program. If additional effort is made on the part of your local government to achieve true regulatory simplification. Details of this grant opportunity are described in the three levels of involvement below:

1. All LGUs implementing GP-17 are eligible for up to \$4000 in additional grant money.
2. As you know, there are some wetland activities that are exempt from or not regulated by the Wetland Conservation Act (WCA) (e.g. excavation) that the US Army Corps of Engineers presently does regulate under Section 404. Local governments willing to work toward adoption of local controls covering the significant parts of the US Army Corps of Engineers regulations not already covered by the WCA are eligible for additional funding, with the goal being complete "one-stop-shopping" at the local government level.
3. In addition, local governments willing to undertake a wetland inventory and functional assessment for all or part of the LGU area that could be used as a model for local governments (to eventually be used as part of a comprehensive Wetland Management Plan) are eligible for additional funding.

All this grant money must be matched as per the requirements of the Natural Resources Block Grant. The additional money is for administering the Wetland Conservation Act and undertaking additional responsibilities necessary to achieve regulatory simplification.

Further information regarding the grant money and other issues related to GP-17 will be forthcoming at the May 18th training session. We will also be able to provide guidance on development of the local controls and inventory/assessment possibilities that can help your local government accomplish wetland management and regulatory simplification. Please feel free to call John Jaschke at (612)297-3432 or Wayne Zellmer at (612)297-7361.

RDH/JJ

c: Jim Birkholz, Assistant Director
Greg Larson, Administrator, Water and Land Section
John Jaschke, Wetland Management Specialist
Doug Thomas, Local Water Planning Coordinator
✓ Wayne Zellmer, Grants Coordinator
Board Conservationists

a:gp17\$.jj

P.S.

A copy of the signed GP-17 is also attached.

7.9.

GP-17-MN ATTACHMENT B

GP-17-MN Applicants/Selected Local Government Units:

Mr. Jack Wimmer
Stearns County
Administration Ctr., Room 343
705 Courthouse Square
St. Cloud, MN 56303
(612) 656-3613 FAX 656-6130

Mr. John Sumption
Wetlands Act Administrator
Cass County Courthouse
P.O. Box 3000
Walker, MN 56484
(218) 547-3300 FAX 547-2440

Ms. Linda Meschke
Water Plan Coordinator
Martin County
201 Lake Avenue, Rm 102
Fairmont, Mn 56031
(507) 238-3221 FAX 238-3259

Mr. Todd Blomstrom
Environmental Engineer
City of Lakeville
P.O. Box 957
Lakeville, MN 55044
(612) 469-4431 FAX 469-3815

Mr. Clifton Aichinger
Administrator
Ramsey-Washington Metro Watershed District
1902 East County Road B
Maplewood, MN 55109
(612) 777-3665 FAX 777-6307

Mr. Dan Money
Kittson Water Plan Coordinator
Kittson Soil & Water Conservation District
P.O. Box 185
Hallock, MN 56728
(218) 843-3333 FAX 843-3392

Mr. Tim Kelly
District Administrator
Coon Creek Watershed District
12301 Central Avenue NE, Suite 100
Blaine, MN 55434
(612) 755-0975 FAX 755-0283

Mr. Doug Easthouse
Lake of the Woods Soil & Water Conservation District
P.O. Box 217
Baudette, MN 56623
(218) 634-2757 FAX 634-3067

Mr. Brad Grant
Becker County Soil & Water Conservation District
809 8th Street, SE
Detroit Lakes, MN 56501
(218) 847-2651 FAX 847-8910

Mr. Keith Pohl
Crow Wing County
5122 NE C Street
Brainerd, MN 56401
(218) 828-7880 FAX 828-8837

Ms. Diane Desotelle, P.E.
City of Chanhassen
690 Coulter Drive
Chanhassen, MN 55317
(612) 937-1900 x 156 FAX 937-5739

Mr. Roger Berggren
Mille Lacs Soil & Water Conservation District
560 125th Avenue S.W., P.O. Box 7
Milaca, MN 56353
(612) 983-2154 FAX 983-2664

Mr. Jeff Olson
Director of Planning
City of Minnetonka
14600 Minnetonka Boulevard
Minnetonka, MN 55345
(612) 939-8200 FAX 939-8244

Mr. John M. Klaers
City Planner/Zoning Director
City of Hermantown
5255 Maple Grove Road
Hermantown, MN 55811
(218) 729-6331 FAX 729-9860

Ms. Helen McLennan
District Manager
Morrison Soil & Water Conservation District
Route 4, Ag Service Center
Little Falls, MN 56345
(612) 632-6606 FAX 632-3344

GRANT APPLICATION - 1995

Wetland Conservation Act (WCA) Regulatory Simplification General Permit 17 (GP-17) Implementation

DRAFT

LGU: _____

Contact Person: _____

Phone: _____

- (1) List any other local government units (LGUs) administering the WCA within the borders of _____ (list LGU).

- (2) Are any of the LGUs listed in (1) participating in implementation of GP-17?

Yes _____ No _____

If yes, which ones? _____

There are three levels of implementation and funding possible under this grant program. LGUs may apply for any or all of these funding levels:

1. All LGUs implementing GP-17 are eligible for up to \$4,000 in additional grant money. All LGUs will be expected to fully implement GP-17 for the period of this grant program including activities necessary to participate in training sessions and coordinate project and program reviews.
2. There are some wetland activities that are exempt from or not regulated by the Wetland Conservation Act (WCA) (e.g. excavation) that the US Army Corps of Engineers presently does regulate under Section 404. Local governments willing to work toward adoption of local controls covering the significant parts of the US Army Corps of Engineers regulations not already covered by the WCA are eligible for additional funding, with the goal being complete "one-stop-shipping" at the local government level.

LGUs will be expected to complete an analysis to determine (i) what activities would be necessary to regulate via local controls to provide true "one-stop-shopping" at the local level for all wetland impacts, and (ii) what actions and processes would be necessary to enact the local controls to achieve this goal.

3. In addition, local governments willing to undertake a wetland inventory and functional assessment for all or part of the LGU area that could be used as a model for local governments (to eventually be used as part of a comprehensive Wetland Management Plan) are eligible for additional funding.

LGUs will be expected to (i) undertake a functional assessment and inventory based on a methodology reviewed and endorsed by the Minnesota Board of Water and Soil Resources (BWSR), and (ii) complete an analysis to determine what steps would be necessary to integrate the assessment and inventory into a comprehensive Wetland Management Plan.

CONDITIONS:

- A). All grant money must be matched as per the requirements of the Natural Resources Block Grant.
- B). Agreement Period: **January 15, 1995 to January 15, 1997.**
- C). Application Deadline: **June 1, 1995.**

List the proposed allocation of the Wetland Regulatory Simplification Grant (including the local match) as follows:

<u>LGU(s)</u>	<u>GRANT</u>	<u>LOCAL MATCH</u>	<u>CATEGORY (1, 2, 3)</u>	<u>TOTAL</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
<u>TOTAL</u>	=====	=====	=====	=====

Designated Lead/Coordinating LGU: _____

Summary of the Wetland Regulatory Simplification Grant Requests (attach additional sheet if necessary):

Total amount requested for Wetland Regulatory Simplification Grant: \$ _____

Total amount of cash and/or in-kind match: \$ _____

TOTAL \$ _____

SIGNATURES

By: _____

By: _____

LGU(1): _____

LGU(2): _____

Title: _____

Title: _____

Date: _____

Date: _____

- Return original copies of all application forms, resolutions and restrictions to: Wayne Zellmer, Board of Water and Soil Resources, One West Water Street, Suite 200, St. Paul, MN 55107 by June 1, 1995. Fax Number:(612) 297-5615.

s:gp17grt.jj

GP 17's

APPLICANT	CATEGORY 1	CATEGORY 2	CATEGORY 3	TOTAL
CASS COUNTY	\$4,000	\$15,000	\$30,000	\$49,000
MILLE LACS SWCD	\$4,000			\$4,000
KITTSOON SWCD		\$4,000		\$4,000
BECKER SWCD	\$4,000			\$4,000
STEARNS COUNTY	\$4,000	\$3,000	\$35,000	\$42,000
CITY OF LAKEVILLE	\$4,000	\$1,427		\$5,427
LAKE OF THE WOODS SWCD	\$4,000	\$4,628		\$8,628
CITY OF CHANHASSEN	\$4,000	\$1,500	\$4,500	\$10,000
CITY OF BAXTER			\$11,400	\$11,400
CITY OF HERMANTOWN	\$4,000			\$4,000
RAMSEY-WASH. METRO WD	\$4,000	\$4,000		\$8,000
COON CREEK WD	\$4,000		\$10,000	\$14,000
MARTIN COUNTY	\$4,000			\$4,000
CITY OF MINNETONKA	\$4,000			\$4,000
MORRISON SWCD	<u>\$4,000</u>	<u>\$5,000</u>	<u>\$20,000</u>	<u>\$29,000</u>
TOTALS	\$52,000	\$38,555	\$110,900	\$201,455
CURRENT LWRP BALANCE	- \$221,455			
LESS MN RIVER COUNTIES	- \$20,000			
LESS GP 17 GRANTS	- \$201,454			
BALANCE	- 0			



June 28, 1995

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TO : Board Members
FROM : *WZ* Wayne Zellmer, Grants Coordinator
RE : Fiscal Year 1996 Soil and Water Conservation District
Grants Allocations

This month, six grant funds are scheduled to be allocated to Soil and Water Conservation Districts for FY 1996. Specific SWCD funding recommendations are provided on the enclosed spreadsheet. A brief synopsis of these six grants follows:

Regular State Cost-Share Program - \$1,314,489 - These base grants are for the installation of conservation practices. These grants are allocated using a complex formula involving factors relating to physical conditions in the SWCD. These conditions include critical sedimentation, high priority feedlots within shoreland areas, and ag erosion needs. Allocations have remained unchanged since 1987.

Special Minnesota River Basin Fund - \$500,000 - This grant, begun in FY 94, is to be allocated in the Minnesota River Basin for accelerated application of water quality improvement practices. The Board allocated FY 94 funds to the Redwood-Cottonwood Rivers Control Area (RCRCA), Blue Earth River Basin Initiative (BERBI), and Cottonwood SWCD. FY 95 funds were allocated to BERBI and RCRCA, except \$50,000 used to fund SLR/Special Projects applications in the Basin. BERBI and RCRCA's allocation included a long term funding commitment for technical positions.

This year's funding recommendation is based on requests coordinated and reviewed by Southern Regional Supervisor, Jeff Nielsen:

Cottonwood SWCD - \$94,568 - If funded, this will be Cottonwood SWCD's final funding request for the Mound Creek Watershed and this project will be considered completed. These funds will be used for the construction of 2 Ag Waste Systems, a Terrace System, and 5 Waterways.

BERBI - \$221,145 - With FY 94 and 95 funds, BERBI has worked on 90 high priority projects (within 1,000' of receiving water) in the Blue Earth River Basin. If granted FY 96 funds, landowner requests will be prioritized according to *estimated water quality benefits achieved from practice applications. \$40,000 of this grant will be used for technical assistance.

RCRCA - \$184,287 - If funded, RCRCA will focus on the Clear Creek, Three Mile Creek, and the main stem corridor of the Redwood River sub-watersheds. They currently have a waiting list of 37 projects seeking funding. \$36,857 of this grant will be used for technical assistance.

* BWSR staff is currently working with MPCA and MDA to develop a technically sound method to estimate the water quality benefits achieved from various BMP applications. This method will estimate phosphorous and sediment reductions in receiving waters due to BMP applications. We intend to have this method ready for all field offices for 1996.

Streambank, Lakeshore, and Roadside (SLR) - \$229,426 - This grant is for funding solutions to sediment or erosion control problems located on streambank, lakeshore, or roadside sites. Applications are competitive, evaluated on extent of public benefit, and are accepted annually from SWCDs acting on behalf of other LGUs. Thirty-two applications were received requesting \$618,484. A brief synopsis of these applications is included. Staff recommends projects for funding as noted.

Special Projects - \$135,606 - This grant is to SWCDs to address erosion, sediment control, water quality protection, or improvement measures. Innovative and unique projects are given highest priority. Applications are competitive and are accepted annually from SWCDs. Ten applications were received requesting \$194,106. A brief synopsis of these applications is included. Staff recommends projects for funding as noted.

General Services Grant - \$1,072,264 - This base grant is for expenditures necessary to the operations of the district. It is noncompetitive and historically has remained consistent. The FY 96 legislative appropriation has increased this grant from \$830,670 in Fy 95. This increase is divided equally among the 91 SWCDs.

RIM Reserve Service Grant - \$758,675 - This grant is allocated to SWCDs as compensation for local delivery of the RIM Reserve Program and the conveyance of easements. The grant amount is calculated by formula approved by the Board last year and reflects the amount of RIM Reserve activity in the SWCD.

Proposed FY 96 grants to SWCDs are listed on the enclosed spreadsheet. Staff requests that the Board approve these grants for allocation.

PROPOSED FY 1996 GRANTS TO SOIL AND WATER CONSERVATION DISTRICTS

BOARD APPROVAL REQUESTED ON JUNE 28, 1995

SWCD	COST-SHARE ALLOCATION	SLR/SPECIAL PROJECTS	SPECIAL MN RIVER	GENERAL SERVICES	RIM SERVICES	GRANT TOTALS
AITKIN *	\$5,223			\$11,344	\$1,188	\$17,755
ANOKA	\$12,115	\$29,493		\$12,094	\$1,250	\$54,952
BECKER	\$27,557			\$11,730	\$4,250	\$43,537
BELTRAMI	\$10,703			\$11,805	\$1,750	\$24,258
BENTON	\$10,318			\$11,768	\$13,000	\$35,086
BIG STONE	\$15,683			\$11,708	\$4,250	\$31,641
BLUE EARTH	\$22,192	\$40,700		\$11,813	\$13,000	\$87,705
BROWN	\$13,769	\$15,000		\$12,730	\$23,500	\$64,999
CARLTON	\$5,342			\$11,805	\$1,000	\$18,147
CARVER	\$21,130			\$11,835	\$13,000	\$45,965
CASS	\$7,793	\$15,000		\$11,978	\$1,250	\$36,021
CHIPPEWA	\$11,851			\$11,708	\$23,500	\$47,059
CHISAGO	\$12,464			\$11,873	\$4,250	\$28,587
CLAY	\$20,663	\$9,300		\$11,768	\$4,250	\$45,981
CLEARWATER	\$9,170			\$11,745	\$1,250	\$22,165
COOK	\$3,165	\$26,517		\$11,723	\$1,250	\$42,655
COTTONWOOD	\$16,678		\$94,568	\$11,723	\$13,000	\$135,969
CROW WING	\$6,398			\$11,993	\$1,000	\$19,391
DAKOTA	\$25,253	\$15,000		\$11,933	\$4,250	\$56,436
DODGE	\$12,236			\$11,708	\$4,250	\$28,194
DOUGLAS	\$19,359			\$12,023	\$8,000	\$39,382
FARIBAULT ##	\$14,917		\$221,145	\$11,730	\$13,000	\$260,792
FILLMORE	\$26,939			\$11,745	\$1,250	\$39,934
FREEBORN	\$19,206			\$11,693	\$13,000	\$43,899
GOODHUE	\$28,700			\$11,760	\$13,000	\$53,460
GRANT	\$12,037			\$11,768	\$8,000	\$31,805
HENNEPIN	\$12,541			\$12,865	\$13,000	\$38,406
HUBBARD	\$6,799	\$34,250		\$11,730	\$4,250	\$57,029
ISANTI *	\$7,621			\$11,151	\$1,663	\$20,435
ITASCA	\$5,880			\$11,971	\$1,250	\$19,101
JACKSON	\$17,982			\$11,738	\$13,000	\$42,720
KANABEC *	\$6,603			\$11,180	\$7,600	\$25,383

PROPOSED FY 1996 GRANTS TO SOIL AND WATER CONSERVATION DISTRICTS

BOARD APPROVAL REQUESTED ON JUNE 28, 1995

SWCD	COST-SHARE ALLOCATION	SLR/SPECIAL PROJECTS	SPECIAL MN RIVER	GENERAL SERVICES	RIM SERVICES	GRANT TOTALS
KANDIYOHI	\$16,678			\$11,745	\$23,500	\$51,923
KITTSO N *	\$6,531			\$11,144	\$4,038	\$21,712
KOOCHICHING	\$3,275	\$2,790		\$11,783	\$1,000	\$18,848
LAC QUI PARLE	\$24,568			\$11,738	\$8,000	\$44,306
LAKE	\$5,114	\$21,000		\$11,790	\$1,000	\$38,904
LAKE OF THE WOODS	\$4,120	\$14,049		\$11,813	\$1,000	\$30,982
LE SUEUR	\$19,206			\$11,790	\$8,000	\$38,996
LINCOLN	\$13,922			\$11,700	\$8,000	\$33,622
LYON	\$17,522			\$11,805	\$23,500	\$52,827
MC LEOD	\$15,988			\$11,775	\$23,500	\$51,263
MAHNOMEN	\$8,486	\$12,500		\$11,678	\$1,000	\$33,664
MARSHALL-BELTRAMI	\$5,885			\$11,783	\$4,250	\$21,918
MARSHALL	\$10,317			\$11,708	\$4,250	\$26,275
MARTIN	\$24,491			\$11,730	\$13,000	\$49,221
MEEKER	\$19,892			\$11,783	\$23,500	\$55,175
MILLE LACS	\$9,556			\$11,866	\$4,250	\$25,672
MORRISON	\$24,335	\$13,225		\$11,896	\$8,000	\$57,456
MOWER	\$10,169			\$11,693	\$13,000	\$34,862
MURRAY	\$14,302			\$11,783	\$13,000	\$39,085
NICOLLET	\$10,466			\$11,745	\$13,000	\$35,211
NOBLES	\$26,396			\$11,813	\$4,250	\$42,459
NORMAN	\$16,831			\$11,693	\$8,000	\$36,524
OLMSTED	\$35,586			\$11,768	\$4,250	\$51,604
EAST OTTER TAIL	\$22,653			\$11,858	\$1,250	\$35,761
WEST OTTER TAIL	\$23,741			\$11,858	\$13,000	\$48,599
PENNINGTON **	\$7,615	\$11,658		\$12,693	\$1,250	\$33,216
PINE	\$10,703			\$11,820	\$1,250	\$23,773
PIPESTONE	\$15,298			\$11,730	\$4,250	\$31,278
EAST POLK	\$11,927			\$11,719	\$1,250	\$24,896
WEST POLK #	\$14,908	\$20,000		\$11,719	\$1,250	\$47,877
POPE	\$23,572			\$11,723	\$13,000	\$48,295
RAMSEY	\$9,713	\$10,000		\$11,986	\$1,000	\$32,699

PROPOSED FY 1996 GRANTS TO SOIL AND WATER CONSERVATION DISTRICTS

BOARD APPROVAL REQUESTED ON JUNE 28, 1995

SWCD	COST-SHARE ALLOCATION	SLR/SPECIAL PROJECTS	SPECIAL MN RIVER	GENERAL SERVICES	RIM SERVICES	GRANT TOTALS
RED LAKE	\$6,875			\$11,693	\$4,250	\$22,818
REDWOOD ##	\$11,393		\$184,287	\$11,745	\$23,500	\$230,925
RENVILLE	\$11,160			\$11,693	\$23,500	\$46,353
RICE	\$17,588			\$11,730	\$13,000	\$42,318
ROCK	\$15,824			\$11,715	\$8,000	\$35,539
ROOT RIVER	\$21,728	\$3,000		\$11,678	\$13,000	\$49,406
ROSEAU	\$11,699			\$11,723	\$1,250	\$24,672
NORTH ST. LOUIS *	\$4,060			\$11,379	\$950	\$16,389
SOUTH ST. LOUIS *	\$7,255			\$11,523	\$950	\$19,728
SCOTT	\$19,739			\$12,369	\$13,000	\$45,108
SHERBURNE *	\$4,642			\$11,279	\$1,188	\$17,109
SIBLEY	\$13,050			\$11,856	\$23,500	\$48,406
STEARNS	\$43,637	\$18,348		\$12,038	\$4,250	\$78,273
STEELE	\$10,322			\$11,745	\$13,000	\$35,067
STEVENS	\$22,055			\$11,738	\$13,000	\$46,793
SWIFT *	\$10,897			\$11,101	\$7,600	\$29,597
TODD	\$21,273	\$22,500		\$11,866	\$1,250	\$56,889
TRAVERSE	\$7,261			\$11,730	\$1,250	\$20,241
WABASHA	\$20,805			\$11,768	\$13,000	\$45,573
WADENA	\$6,262			\$11,708	\$1,750	\$19,720
WASECA	\$10,248			\$11,775	\$13,000	\$35,023
WASHINGTON	\$12,771	\$7,000		\$11,963	\$4,250	\$35,984
WATONWAN	\$8,943	\$9,000		\$11,775	\$13,000	\$42,718
WILKIN	\$11,241	\$14,702		\$11,693	\$8,000	\$45,636
WINONA	\$17,135			\$11,820	\$8,000	\$36,955
WRIGHT	\$17,970			\$12,106	\$23,500	\$53,576
YELLOW MEDICINE	\$16,603			\$11,790	\$23,500	\$51,893
ALLOCATED TOTAL	\$1,314,489	\$365,032	\$500,000	\$1,072,264	\$758,675	\$4,010,460

PROPOSED FY 1996 GRANTS TO SOIL AND WATER CONSERVATION DISTRICTS

BOARD APPROVAL REQUESTED ON JUNE 28, 1995

SWCD	COST-SHARE ALLOCATION	SLR/SPECIAL PROJECTS	SPECIAL MN RIVER	GENERAL SERVICES	RIM SERVICES	GRANT TOTALS
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NOTES:

West Polk's cost-share allocation reduced \$3,608 for program violations.

* According to Board policy, cost-share allocations, general and RIM services grants have been penalized 5% for late submittal of annual plan and/or report for the following: Aitken, Isanti, Kanabec, Kittson, North St. Louis, South St. Louis, Shereburne, Swift

Redwood is the fiscal agent for the Redwood-Cottonwood Rivers Control Area and Faribault is the fiscal agent for the Blue Earth River Basin Initiative.

** Pennington's general services grant includes \$1,000 for Envirothon expenses at national competition.

1996 SLR AND SPECIAL PROJECTS APPLICATIONS

APPLICANT	SLR or SPECIAL PROJECT	AMOUNT REQUESTED	FUNDING RECOMMENDATION
BROWN	SPECIAL PROJECT	\$15,000	\$15,000
Construct Ag. Waste System for 95 head dairy operation. Runoff now flows into tile line intake.			
ROOT RIVER	SLR	\$3,000	\$3,000
Protect riverbank at Wildcat Park. Runoff now causing bank erosion and deposition in Mississippi River.			
CASS	SLR	\$15,000	\$15,000
Wave action on Lake Winnebigoishish eroding valuable shoreland. 250' of shore to be riprapped and seeded.			
MCLEOD	SLR	\$14,870	
Streambank erosion occurring on High Island Creek causing sedimentation. Sites to be riprapped and seeded.			
WASHINGTON	SLR	\$7,000	\$7,000
City parkland on Tanners lake shore eroding. Site to be graded, riprapped, and seeded.			
KOOCHICHING	SPECIAL PROJECT	\$2,790	\$2,790
Gullyng occurring on private land is contributing sediment in Big Fork River. Site to be riprapped.			
KOOCHICHING	SLR	\$10,856	
Wave action eroding Crystal Beach on Rainy Lake. 200' of shoreland to be shaped and riprapped.			
RAMSEY	SLR	\$10,000	\$10,000
Eroding waterrun contributing sediment to Pig's Eye Lake. Site to be riprapped and structures repaired.			
TRAVERSE	SLR	\$20,000	
Eroding bank of 12 Mile Creek is threatening residence. 200' to be shaped and riprapped.			
TRAVERSE	SLR	\$14,976	
Eroding bank of Mustinka River damaging property. 300' of bank to be reshaped and riprapped.			
CLAY	SLR	\$9,300	\$9,300
Roadside erosion alongside County #71. Site to be shaped and retained with sheet piling.			

1996 SLR AND SPECIAL PROJECTS APPLICATIONS

APPLICANT	SLR or SPECIAL PROJECT	AMOUNT REQUESTED	FUNDING RECOMMENDATION
CLAY	SLR	\$3,025	
Eroding ditch along County #26 contributing sediment to Protected Water. Will pipe flow underground.			
ANOKA	SPECIAL PROJECT	\$29,493	\$29,493
Bank erosion along LaBelle Pond is damaging private property. Site to be shaped, seeded, and runoff rerouted.			
TODD	SPECIAL PROJECT	\$22,500	\$22,500
Project will utilize a combination of low-cost feedlot options to demonstrate alternative feedlot solutions.			
WATONWAN	SLR	\$5,000	\$5,000
S. Fork of Watonwan River encroaching on Township road. Bank will be repaired and wing dams installed.			
WATONWAN	SLR	\$4,000	\$4,000
Eroding Watonwan Riverbank eroding and threatening private and public lands. 200' of riprap to be installed.			
MORRISON	SPECIAL PROJECT	\$13,225	\$13,225
Eroding gully contributing sediment to Fish Trap Lake. Sediment basin to be constructed to control runoff.			
WILKIN	SLR	\$14,702	\$14,702
Eroding bank of Red River threatening residence and contributing sediment. Site to be shaped and riprapped.			
CARVER	SPECIAL PROJECT	\$19,500	
Install a flood control system by installing underground piping to carry overland flows.			
CARVER	SLR	\$12,000	
Construct a rip-rap channel to carry excess storm flows in the City of Carver.			
CARVER	SPECIAL PROJECT	\$26,250	
Construct an Ag. Waste System for Dennis Otto on wet, steep, soils.			
CLEARWATER	SLR	\$40,750	
22 miles of drainage ditch maintenance and improvement needed. Structures, riprap, and vegetation to be installed.			

1996 SLR AND SPECIAL PROJECTS APPLICATIONS

APPLICANT	SLR or SPECIAL PROJECT	AMOUNT REQUESTED	FUNDING RECOMMENDATION
LAKE OF THE WOODS	SLR	\$14,049	\$14,049
Excessive runoff damaging parking lot and contributing sediment to Baudette River. Lot to be regraded/surfaced.			
PENNINGTON	SLR	\$11,658	\$11,658
Red Lake River bank at LaFave Park creating public hazard. Sideslopes to be shaped and riprapped.			
PENNINGTON	SLR	\$30,863	
Sideslopes of County Ditch #1 failing, threatening bridge and water quality. Sideslopes to be reshaped.			
MILLE LACS	SLR	\$8,850	
Township road ditch causing road erosion and sedimentation of Bogus Brook. Ditch size to be increased.			
WEST POLK	SLR	\$20,000	\$20,000
Unstable banks of Red Lake River threatening public safety. Sites to be shaped and riprapped.			
BLUE EARTH	SLR	\$40,700	\$40,700
Eroding bank of Le Sueur River threatening township road. Site to be riprapped.			
HUBBARD	SPECIAL PROJECT	\$32,000	\$34,250
Park Rapids runoff damaging quality of Fish Hook River. Storm sewer and sediment basins to be constructed.			
LAKE	SLR	\$21,000	\$21,000
Lake Superior shoreline erosion at Two Harbors Municipal Campground. Riprap to be installed.			
LAKE	SLR	\$9,530	
Railroad crossing over Skunk Creek is washing out. Pipe and riprap to be installed. Area to be reshaped.			
LAKE	SLR	\$2,250	
Lake Superior shoreline eroding on private property. Site to be stabilized using new riprap technique.			
LAKE	SLR	\$180,000	
Lake Superior shoreline erosion at Two Harbors Municipal Campground. Riprap to be installed.			

1996 SLR AND SPECIAL PROJECTS APPLICATIONS

APPLICANT	SLR or SPECIAL PROJECT	AMOUNT REQUESTED	FUNDING RECOMMENDATION
COOK	SLR	\$15,150	
Lake Superior shoreline eroding on private property. Site to be stabilized by installing retaining wall.			
COOK	SLR	\$15,750	\$15,750
Lake Superior shoreline eroding on private property. Site to be stabilized by installing riprap.			
COOK	SLR	\$10,938	
Lake Superior shoreline eroding on private property. Site to be stabilized by installing riprap.			
COOK	SLR	\$10,767	\$10,767
Lake Superior shoreline eroding on private property. Site to be stabilized by installing riprap.			
CARLTON	SLR	\$15,000	
Shoreline erosion occurring on Hanging Horn Lake. Site to be stabilized by installing a rock buttress.			
MAHNOMEN	SLR	\$12,500	\$12,500
Eroding banks of White Earth River damaging City of Mahnomen Golf Course. Bioengineering and riprap to be installed.			
DAKOTA	SLR	\$15,000	\$15,000
Rip-rap repair of dam of Lake Byllesby. 1,800 feet of rip-rap to be installed.			
DAKOTA	SPECIAL PROJECT	\$15,000	
Rip-rap repair of dam of Lake Byllesby. 1,800 feet of rip-rap to be installed.			
STEARNS	SPECIAL PROJECT	\$18,348	\$18,348
Alternative feedlot designed to treat wastewater with a buffer strip before it enters stream.			
TOTAL			\$365,032

MEDIUM PRIORITY

Ann Township Section 9 - Cottonwood Co.
Amboy Township Section 8 - Cottonwood Co.
Holly Township - Murray County
Garfield Township Section 18 - LQP County
Sheridan Township Section 26 - Redwood Co.
Yellow Bank Township Section 11 - LQP County
Germantown Township Section 25 - Cottonwood Co.

Project Status

Possible modifications to existing structure
Feasibility Phase
Investigate entire watershed with several failing bridges
Feasibility Phase
Feasibility Phase
Feasibility Phase
Feasibility Phase

Funding Status

LOW PRIORITY

Yellow Medicine CSAH 14 - Yellow Medicine Co.
Diamond Lake Township Section 33 - Lincoln Co.
Monroe Township Section 24 - Redwood Co.
Springdale Township Section 34 - Redwood Co.
Sheridan Township Section 29 - Redwood Co.
Lake Benton Township Section 36 - Lincoln Co.
Hansonville Township Section 8 - Lincoln Co.

Funding prioritization - low benefit
Verify sponsorship
Feasibility Phase
Sediment basin for Lake Laura
Data Collection Phase
Feasibility Phase
Funding prioritization - low benefit

PRIORITIZED LIST OF LARGE PROJECTS

RW-22 - sponsored by Lyon County, Consulting Engineers - HDR Engineering, Inc.

Project Status - Draft EAW is complete, final revisions due by mid-June with publishing and comment period following. Permits anticipated by winter 1995. Area II to site any upstream road retentions and work with HDR Engineering on design.

Funding Status - \$250,500 General Appropriations to be used for engineering design (\$97,490.31 remaining balance)
\$250,000 Bonding earmarked for land acquisition only from 1993 legislative session (\$250,000 remaining)
\$800,000 Bonding earmarked for land acquisition only from 1994 legislative session (\$800,000 remaining)
≈ \$1,250,000 Bonding to be sought from 1996 legislature for construction and mitigation expenses

NOTE: All amounts matched 25% by Area II Counties.

LAZARUS CREEK - sponsored by Lac qui Parle - Yellow Bank Watershed District.

Project Status - Feasibility report due August 1995 by Area II staff.

Funding Status - ≈ \$1,000,000 Estimated bonding expected to be sought from 1996 legislature for construction, land acquisition, etc.

PETERSON DAM - sponsored by Murray County.

Project Status - Preliminary design underway, need to analyze entire surrounding watershed for road retentions which may change design constraints.

Funding Status - ≈ \$350,000 Estimated bonding to be sought at a later date.

AREA II ANNUAL PLAN FOR FISCAL 1996

Anticipated Annual General Fund Allocation from the State	\$189,000.00	<u>Area II Match</u>
*Less Technical Services Agreement (see enclosed sheet for details)	-101,775.00	\$54,525.00 (25%)
Funds Available for Projects	\$ 87,225.00	29,075.00 (25%)

<u>BWSR Challenge Grant</u>	\$ 8,182.00	\$ 8,182.00 (in-kind)
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The purpose of the grant is to assist the Area II member counties to achieve their goals in reduction of flood damages to roadways, bridges, culverts, and rural and urban areas as outlined in their comprehensive local water plans. Some goals of the grant are:

- 1) To develop a sophisticated system of road retention design taking into account dam safety concerns, effects with and without a riser, and comparison of downstream effects on delaying peak flows to the main stem on a watershed-based approach.
- 2) To develop a technical manual to set design guidelines for which engineers throughout the entire state can utilize as suggested by FEMA in their 1993 visit following the floods.

Fiscal 1996 Focus

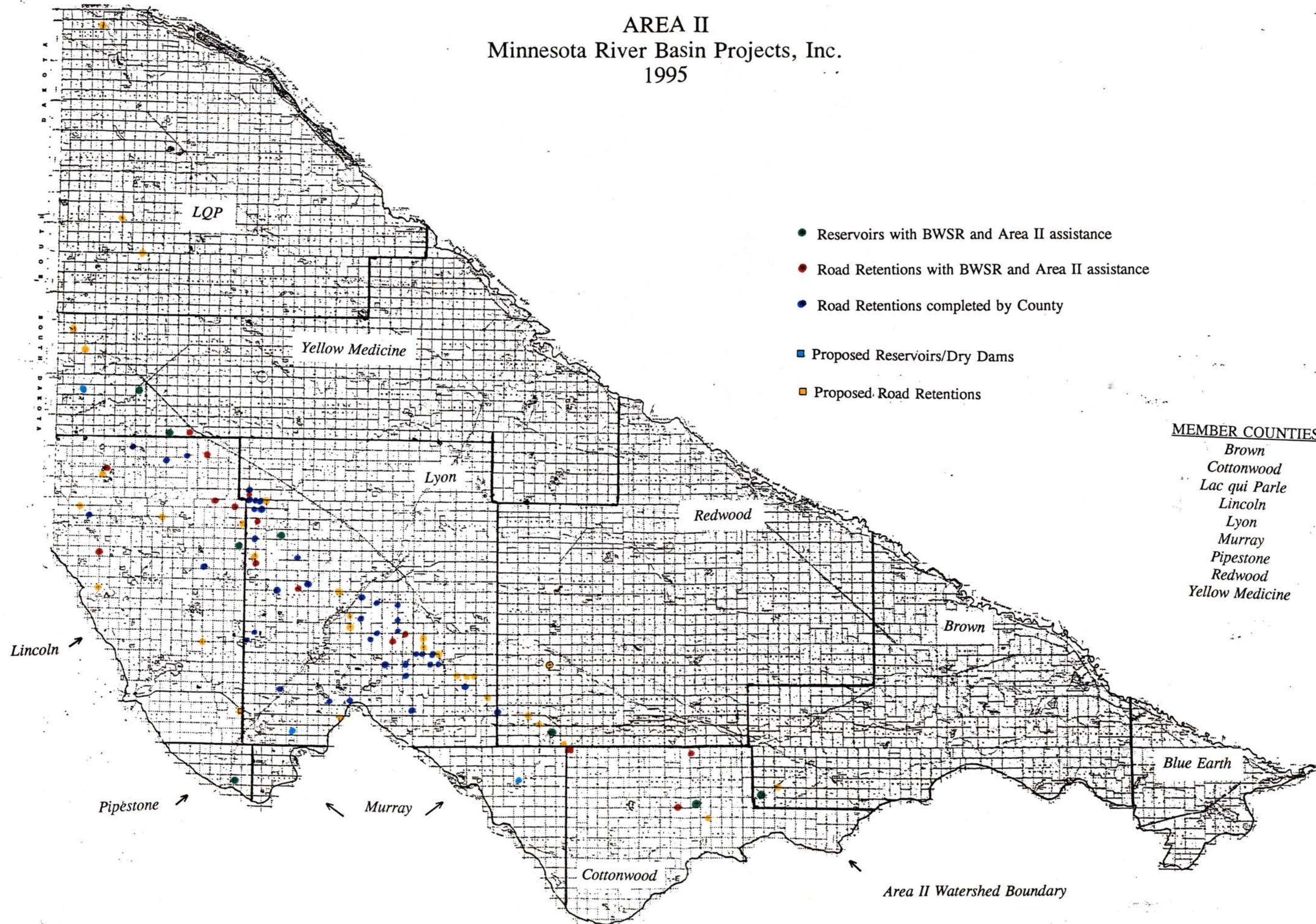
Area II with its staff of a coordinator, BWSR engineer, two engineering technicians, and part-time secretary will focus on the planning and design of numerous road retention projects throughout the nine county region and several major flood control impoundments in the headwaters of the major watersheds of Area II. With the proven benefits, ease of construction, and cost savings, watershed districts, townships, and counties have taken extreme interest in incorporating floodwater retention into their ongoing road improvement projects. Area II also provides engineering inspection services to districts and townships which cannot perform the duties themselves.

PRIORITIZED LIST OF ROAD RETENTION PROJECTS

HIGH PRIORITY

	<u>Project Status</u>	<u>Funding Status</u>
Gorecki-Jeremiason Road Retention - Lincoln Co.	June 1995 construction and inspection	Funded FY 1995
Storden Township Section 2 - Cottonwood County	Summer 1995 construction	Funded FY 1995
Lake Stay Township Section 9 - Lincoln County	Summer 1995 construction	Funded FY 1995
Hendricks Township Section 35 - Lincoln County	Summer 1995 construction	Funded FY 1995
North Hero Township Section 31 - Redwood Co.	Data Collection Phase	Expected FY 1996
Hansonville Township Section 23 - Lincoln Co.	Data Collection Phase	Expected FY 1996
Stately Township Section 21 - Brown Co.	Bridge failure - Feasibility Report Phase	Expected FY 1996
Gales Township Section 35 - Redwood Co.	Bridge failure - Data Research Phase	Expected FY 1996
Gales Township Section 23 - Redwood Co.	Awaiting land acquisition	Funded FY 1995
Upper RW-22 and Lazarus Creek watersheds	Investigate at part of dam/reservoir projects	
Limestone Township Section 3 - Lincoln Co.	Possible modifications to existing structure	

AREA II
Minnesota River Basin Projects, Inc.
1995





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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: June 19, 1995

TO: Rod Sando, Commissioner,
Department of Natural Resources (DNR)
Chuck Williams, Commissioner,
Pollution Control Agency (PCA)
Elton Redalen, Commissioner,
Department of Agriculture (MDA)
Ed Garvey, Executive Director,
Office of Environmental Assistance (OEA)

FROM: Ronald D. Harnack, Executive Director

**SUBJECT: FINANCIAL ASSISTANCE GRANT SUPPORT TO
MINNESOTA RIVER JOINT POWERS AGREEMENT**

I am seeking your financial support for a grant to the Minnesota River Joint Powers Agreement (JPA) to help them get "up and running" as an organization that will play a significant role in the management of the Minnesota River Watershed. I have talked to you or some of your staff relating to an interagency coordinated financial package of \$80,000 to \$100,000 for two years beginning now. I am asking that each agency contribute \$10,000 to \$20,000 for the two-year grant. The Board of Water and Soil Resources (BWSR) is in the process of formalizing a grant agreement with Nicollet County as the fiscal agent and have been working with Nick Riley, Association of Minnesota Counties (AMC), and Ken Albrecht, Commissioner, Nicollet County, on a draft work plan. Both the agreement, draft work plan and the draft JPA are attached for your information. As I am using some end-of-the-year funds for part of BWSR's commitment, I would like to obtain as much of an answer from each of you as soon as possible so that a coordinated grant agreement can be facilitated.

The counties will have a formal signing ceremony on July 12 in Mankato and it would be an appropriate time to show the state support for their new initiative on the Minnesota River. In cooperation with AMC Chuck, maybe this can be a brief agenda item for the cluster meeting as well. I appreciate your thoughtful consideration of this request and look forward to hearing from you by June 23, 1995. If you have any questions please contact me or Wayne Zellmer, 296-3767.

cc: Nick Riley, AMC
Jeff Nielsen, BWSR
Patty Burke, PCA
Paul Burns, MDA
Brad Moore, DNR

Attachments: 1) draft grant agreement
2) draft work plan
3) draft JPA agreement

PROPOSAL (Draft)

Date: June 13, 1995

Submitted to: Wayne Zellmer, Grants Coordinator and
Ron Harnack, Executive Director
Board of Water & Soil Resources

Submitted by: Nicollet County Commissioners, on behalf of the
Minnesota River Basin Joint Powers (MRBJP)
Member counties: Big Stone, Blue Earth, Brown, Carver, Chippewa,
Cottonwood, Dakota, Douglas, Faribault, Freeborn, Grant, Hennepin,
Jackson, Kandiyohi, Lac Qui Parle, Le Seuer, Lincoln, Lyon, Martin,
McLeod, Murray, Nicollet, Pipestone, Pope, Redwood, Renville, Rice,
Scott, Sibley, Steele, Swift, Traverse, Waseca, Watonwan, and
Yellow Medicine.

Events leading to the creation of the Minnesota River Basin Joint Powers:

With Governor Arne Carlson's commitment to the restoration of the Minnesota River, the counties within the watershed recognized the necessity to form a large partnership; one that would direct and oversee the existing and ongoing programs and efforts within the Minnesota River watershed. The counties feared proposed legislation establishing an oversight committee at the state level which would essentially leave the counties powerless, and even more dramatic, speechless to the unfunded mandates handed down from state to local government. In reaction, the 36 member counties of MRBJP stated their intentions to join together, take the initiative, and keep the cleanup efforts at the county level where the 'hands-on' capability lies within the county government and soil and water districts. The state and its agencies will be asked to provide guidance and direction on issues concerning the Minnesota River.

Purpose:

This joint effort seeks to initiate and provide a coordinated effort to preserve and restore the Minnesota River, its recreation, fish and wildlife habitat, and scenic beauty. The 36 member counties recognize that preservation and restoration of the Minnesota River and its tributaries will best be achieved by the local entities - government, agriculture, business, and individual citizens - working in cooperation with each other, and with the support and assistance of all available resources at the local, state, and federal levels. The Comprehensive Local Water Plans have previously identified the needed measures within each individual county contributing to the overall well-being of the Minnesota River.

Scope of Work:

The Minnesota River Basin Joint Powers seek to:

- Leverage existing financial and technical resources at the local, state, and federal levels to provide economic opportunities and reduce the societal costs associated with the Minnesota River's degradation.
- Provide leadership and guidance to the member counties, SWCDs, and existing joint powers organizations within the watershed addressing the cumulative impacts of river degradation over many decades and its environmental, societal, and financial costs.
- Establish a Board of Directors with one delegate and alternate from each member county's Board of County Commissioners and conduct annual elections of officers. Meetings will be scheduled at least twice annually or more frequently as need warrants.
- Promote and manage sound water quality and conservation practices through the sharing of information, continuing education, coordination among the counties and joint powers groups, and assisting with goals of the existing comprehensive county water plans.
- Secure additional funding to be distributed to the counties for their achievement of goal stated in the local water plans. These funds would be above and beyond those already committed to the water planning process.

Intent of Grant Request:

Nicollet County, on behalf of the Minnesota River Basin Joint Powers, hereby requests the sum of \$20,000.00 for the initial establishment and organization of the committed organization explained above. The funds will be matched and used for primary administrative expenses and contact with organizations within the watershed for the establishment of communication. This Joint Powers will be the largest, most inclusive, and potentially the most important in Minnesota history.

Time Schedule:

Joint Powers Agreement Signing -- July 12, 1995 has been set as the media signing event in which a wide variety of state and local organizations as well as individuals are formally invited. The signing event, with Governor Arne Carlson as keynote speaker, shall commence at 10:30 am at Sibley Park in Mankato.

First Meeting of the MRBJP Board of Directors -- Following the signing event and lunch at the Garden Inn, the first meeting of the MRBJP will be held to conduct the election of officers and state the intent and future direction of the organization.

**RESOLUTION AUTHORIZING SIGNATURE
of
BOARD OF WATER & SOIL RESOURCES
Minnesota River Basin Joint Powers
GRANT DOCUMENTS**

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

WHEREAS, Nicollet County, acting on behalf of the newly formed Minnesota River Basin Joint Powers (MRBJP), has and certifies that the other member counties have locally adopted and approved comprehensive local water plans pursuant to Minnesota Statutes Chapter 103B.311, or 103B.255, or 103B.231, or 103D.401, or 103D.405; and

WHEREAS, the State of Minnesota, acting by and through its Board of Water and Soil Resources (BWSR), has authority to award a grant in the sum of \$20,000.00 for purposes of establishing and implementing the Joint Powers Agreement in accordance to the individual member counties comprehensive local water plans; and

WHEREAS, BWSR has determined that the MRBJP is eligible for a grant of up to \$20,000.00 upon BWSR acceptance of the application and execution and delivery of a Grant Agreement.

NOW, THEREFORE BE IT RESOLVED:

THAT THE Nicollet County Board of Commissioners, on behalf of the MRBJP, approves of entering into a Grant Agreement with the State of Minnesota to receive state funds for the establishment and implementation of the Joint Powers work plan under the terms of the Grant Agreement and all statutory requirements; and

THAT THE MRBJP and its member counties authorize the expenditure of \$20,000.00 cash or in-kind contributions to match the grant as specified in the Grant Agreement.

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

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

Ayes: _____ Nays: _____

5/16/95

FINAL DRAFT JOINT POWERS AGREEMENT

Section 1 PURPOSE

The purpose of this agreement is the joint exercise of powers by the undersigned counties to promote the orderly water quality improvement and management of the Minnesota River Watershed through information sharing, education, coordination and related support to the member counties by assisting in the implementation and goal achievement of comprehensive water plans which counties may develop and implement in accordance with 103B.311 and 103B.315 of Minnesota Statutes, to-wit:

Subdivision 1. County duties. Each county is encouraged to develop and implement a comprehensive water plan. Each county that develops and implements a plan has the duty and authority to:

- (1) prepare and adopt a comprehensive water plan that meets the requirements of this section and section 103B.315;
- (2) review water and related land resources plans and official controls submitted by local units of government to assure consistency with the comprehensive water plan; and
- (3) exercise any and all powers necessary to assure implementation of comprehensive water plans.

all in accordance with the intent of Section 471.59 of Minnesota Statutes, to-wit:

Subdivision 1. Agreement. Two or more governmental units, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise any power, common to the contracting parties or any similar powers, including those which are the same except for the territorial limits within which they may be exercised. The agreement may provide for the exercise of such powers by one or more of the participating governmental units on behalf of the other participating units. The term "governmental unit" as used in this section includes every city, county, town, school district, other political subdivision of this or any adjoining state, and any agency of the state of Minnesota or the United States, and includes any instrumentality of a governmental unit. For the purpose of this section, an instrumentality of a governmental unit means an instrumentality having independent policy making and appropriating authority.

Section 2 NAME OF ASSOCIATION

Post-It® Fax Note	7671	Date	6-19	# of pages	7
To	Ron Harnack	From	Nick Riky		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	297-5715	Fax #			

The association established herein shall be known as the Minnesota River Basin Joint Powers, herein referred to as the "MRBJP".

Section 3 MEMBERSHIP

The member counties under this agreement are those counties lying within the boundaries of the water sheds of the Minnesota River, namely, Big Stone, Brown, Carver, Chippewa, Cottonwood, Dakota, Douglas, Faribault, Freeborn, Grant, Hennepin, Jackson, Kandiyohi, Lac Qui Parle, Lincoln, Lyon, Martin, McLeod, Murray, Nicollet, Pipestone, Pope, Redwood, (Blue Earth) (Renville) (Stevens) (Traverse) Rice, Scott, Sibley, Steele, Swift, Yellow Medicine, Le Sueur, Ottertail, Waseca, and Watonwan.

Section 4 EFFECTIVE DATE OF AGREEMENT

This agreement shall take effect and be enforced after the date of execution of the same by the authorized representatives of the governing Boards of the counties included herein.

Section 5 BOARD OF DIRECTORS

Subd. 1 **Membership.** The board of directors shall consist of one representative and alternate from each county board of commissioners included in this agreement.

Subd. 2 **Qualifications.** Each member of the board of directors shall be a member of each respective County Board and shall be appointed by the respective County Board.

Subd. 3 **Terms.** The term of appointment shall be three (3) years, with a maximum of three (3) terms.

Subd. 4 Meetings. The board of directors shall meet at least two (2) times per year, or more often if needed at the location to be set by the Chairman of the Board, with at least ten (10) days advance notice given to each county. Notice in writing unless circumstances do not permit.

Subd. 5 Quorum. A quorum shall consist of a simple majority of the members of the board of directors.

Subd. 6 Officers. Officers shall consist of a chairman and vice chairman, 2nd vice chair, secretary and treasurer who will be elected during the first meeting of the board of directors and during the first meeting following January 1 of each year. Officers are elected for one (1) year terms with a maximum of two (2) terms. The vice chairman shall assume the role of chairman during temporary absence or disability of the chairman. Should the chairman be succeeded by another appointee during their term of office, the vice chairman shall serve as chairman until the expiration of the chairman's term. Should both the chairman and vice chairman be succeeded prior to the expiration of their terms in such offices, the second vice chair would then assume the duties of the chair. Should all three positions be succeeded prior to the expiration of their terms in such offices, the board shall re-elect a new chairman and vice chairman and second vice chair to serve until the following January 1. Should the offices of secretary and/or treasurer become vacant due to disability or succession, the board shall by majority vote appoint the successor(s). The chairman shall preside at all meetings of the board, if present, and shall perform all other duties and functions

usually incumbent upon such an officer and all administrative functions assigned to them by the board. The secretary and the treasurer shall perform such duties and functions usually incumbent upon such an officer and all other functions assigned to them by the board.

Subd. 7 Executive Board. The executive board herein shall by majority vote, have the power between meetings to implement ministerial, as opposed to policy, decisions. Said executive board members shall consist of the officers listed in subdivision 6, i.e. chairman, vice chairman, 2nd vice chairman, secretary and treasurer. A quorum of the Executive Board shall consist of a simple majority of the members of the Executive Board.

Subd. 8 Procedure. That the MRBJP shall exercise all powers and authority through an affirmative vote of the majority of its members present at a regular meeting or at a duly held special meeting if a quorum is present.

Subd. 9 Compensation. The MRBJP Board may pay a per diem and reasonable expenses for official meetings if resources are adequate to do so, as determined by the Board.

Subd. 10 Plan. As soon as practicable after the ratification of this agreement by the parties hereto, the board shall develop and adopt a plan for meeting the purposes outlined in **SECTION 1**, and shall update this plan as conditions warrant. The MRBJP shall facilitate implementation of programs to achieve the purposes outlined in **SECTION 1**.

Subd. 11 Benefits. That if and when any costs are incurred other than administrative costs for any and all projects to be undertaken by said board, said costs shall be apportioned in an equitable manner to the counties benefited, as determined by the MRBJP, and as ratified by the respective County Boards of the affected counties. Any and all insurance costs shall be considered project costs.

Subd. 12 Administrative Budget. That an annual administrative budget shall be submitted and approved on annual basis by a majority of the MRBJP Board, subject to approval and ratification by each County Board to the extent each county is required to provide county funds to said administrative budget.

Section 6 CHANGE OF AGREEMENT

The provisions of this agreement shall remain in effect until and unless amended by the MRBJP with an affirmative two thirds (2/3) vote of the membership present.

Section 7 TERMINATION OF AGREEMENT

PART A. Any member county shall have the right to withdraw from this agreement and association hereby created, in the following manner.

Subd. 1 The Board of County Commissioners of the withdrawing county shall pass a resolution declaring its intention to withdraw effective on a specified date, and shall send a certified copy of such resolution to the chairperson of the Executive Board not less than 90 days before the effective date of withdrawal.

Subd. 2 Upon receipt of the resolution of withdrawal, the chairperson of the Executive Board shall send a copy of said resolution to each member county's Board of County Commissioners.

Subd. 3 Withdrawal by a member county shall not result in the discharge of any legal or financial liability incurred by such member county before the effective date of withdrawal. All such liabilities shall continue until properly discharged or settled by the withdrawing county to the approval of the remaining member counties, which approval shall not be unreasonably withheld.

Subd. 4 A withdrawing county shall not be entitled to a refund of funds paid, or forgiveness of funds owed, to the MRBJP prior to the effective date of withdrawal. A withdrawing county shall not be entitled to the return of any personal property, given, granted, leased, or loaned by it to the MRBJP unless such gift, grant, lease, or loan was made contingent upon said county's continued membership in the MRBJP. All such property not returned at the time of said county's withdrawal shall be dealt with as provided by in PART C.

PART B. This agreement and the MRBJP created hereby, shall continue indefinitely in full force and effect until all counties, or all remaining counties, mutually agree to terminate the agreement by joint resolution passed by the member counties respective Boards of County Commissioners.

PART C. The termination of this agreement shall not act to discharge any liability incurred by the MRBJP or the several member counties. Each member county shall continue to be responsible for its actions, debts, and duties to the extent required by federal, state and local law. After the effective date of termination, the MRBJP shall continue to exist for the limited purpose of discharging the MRBJP's debts and liabilities, settling its affairs, and disposing of it's property. All property, real and personal, held by

the MRBJP at the time of its termination, shall be distributed by resolution to best accomplish the continuing purposes of this project. The MRBJP and the Executive Board shall finally terminate and cease to exist upon the approval of a final report of the Executive Board declaring that all the affairs and obligations of the MRBJP have been discharged or otherwise properly concluded.

PART D. The MRBJP established by this agreement may be funded by in-kind and direct contributions from each of the 37 counties as determined by the MRBJP and ratified by each individual county board. Member counties may provide additional funding in such proportionate amounts from among themselves, and in such total amounts, as they may determine, from time to time by joint resolution. In addition to financial support, the counties may also contribute services, personnel, or personal property to the MRBJP in such amounts as the counties may determine from time to time by joint resolution.

PART E. The MRBJP may apply for and accept gifts, grants, or loans of money or other personal property from the United States, the State of Minnesota, or any other body, organization, political subdivision, or person, whether public or private. The board may enter into any agreement required in connection therewith, and may hold, use, or dispose of any such money or other property in accordance with the terms of the gift, grant, loan, or agreement relating thereto.



ARNE H. CARLSON
GOVERNOR

STATE OF MINNESOTA

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
SAINT PAUL 55155

May 5, 1995

Mr. Jim Framstad
Water Plan/Wetlands Administration
Todd Soil and Water District
720 Commerce Road
Long Prairie, MN 56347

Dear Mr. Framstad:

Thank you for your recent correspondence regarding the possible consolidation of the Board of Water and Soil Resources (BWSR) with the Department of Natural Resources (DNR). The issue of agency consolidation extends well beyond these two agencies and is one that will continue to command our attention for some time.

Government faces a major challenge in bringing expenditures in line with our ability to generate revenue. One obvious way to reduce costs is through consolidation of services to gain efficiency and reduce complexity. Some states have consolidated all environmental functions into one "super agency." The legislature has considered such a bill the past two years which would have resulted in BWSR being part of a much larger agency than the DNR. I have consistently resisted the move to a "super agency" in favor of a two-agency model built around the PCA and DNR, and continue to believe that this is a sound approach.

I appreciate the fine work being done by Soil and Water Conservation Districts and respect your commitment to the strong relationships you have developed with other local governments.

I hope we can agree that the DNR has a difficult public relations task given the heavy regulatory responsibility with which they have been charged. One possible advantage to a consolidation of BWSR and DNR could be the benefit of combining your organizations' strong community relations with DNR's many important resource management programs.

I want to assure you that I have not made a decision on any executive action of this type. I will evaluate the outcome of the bills pending in the legislature before deciding on a course of action.

Thank you for your thoughtful input and continued success with your program.

Warmest regards,

ARNE H. CARLSON
Governor

Post-It™ brand fax transmittal memo 7671		# of pages	1
To	Ron Harnack	From	Dan Steward
Co.	—	Co.	Brainard
Dept.	BWSR	Phone #	—
Fax #	—	Fax #	828-6036



Board Member Update

June 1995

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

Northern Region

Water planning, wetlands, and special work teams occupied most of the board conservationists' (BCs) time in April.

- * The Wetland Conservation Act (WCA) reared its ugly head after a long winter's sleep as BC Dale Krystosek went out on technical evaluation panels (TEPs) in four of his counties and BC Keith Grow got involved in a controversial prison site involving wetlands. BC Brain Dwight managed to participate in four TEPs, even though four of his counties haven't even adopted. BC Pete Waller attended TEPs in Pope and Grant counties.
- * WCA activity slowed a little during May as many local governments seemed to have one eye on the Legislature to see what changes were coming up. I guess we know the answer to that. Many, many strong WCA counties in the north will be disappointed that some relief from the administrative burdens of the program did not come out of the Legislature.
- * We've got two wetland land appeals coming in from the great wet north. One (from Grant County) involves road fill just above the ordinary high water line. This one started as a violation and initially the local government unit (LGU) did not want to talk replacement; now, however, there is

some hope that it may be settled locally through replacement rather than restoration. The second appeal (in Wright County) involves a landowner group (The CARE group) appealing an LGU decision to approve a county highway improvement project. The CARE group claims that sequencing was not followed. However, the real issue seems to be that they are against the road project period and are using WCA as one tool to try and stop it. This appeal may go the distance.

- * In other happier news, BCs report that county water plan updates are progressing nicely. BCs have been busy attending local task force meetings helping to keep the counties on track. We are pushing for more of a "dirt moving," implementation-oriented focus in the updated plans, with less emphasis on monitoring and inventories.
- * Team participation was a big item in April and May as field staff tried to get the bulk of this work completed before the busy WCA season hits. The Cost-Share Retooling Team, chaired by Keith Grow, is making good progress, with draft rules being reviewed internally by BSWR staff as well as by the Minnesota Association of Soil and Water Conservation Districts (MASWCD). They anticipate that the new rules will be done and adopted by July 1, 1996. Both field staff and

program staff have put a lot of good work has been put into this. The new rule should prove to be more flexible and adapt better to alternative cost-share practices.

- * The Report Team, chaired by Ron Shelito, is also making steady progress. The aim of this team is to have a user-friendly reporting system in place for use by BWSR clientele by January 1, 1996. The new reports will stress accomplishments of BWSR programs at the local level. The new system will be designed so that clientele and BWSR will be able to access data on a county basis, watershed basis, regional basis, or statewide basis. This should help BWSR better report accomplishments to the Legislature, and SWCDs or counties to show successes at the local level.
- * BC Bill Best and Water Resources Education Coordinator Barb Liukkonen collaborated on an indoor field day at the Thief River Falls middle school. Bill drilled the students on the principles of wetland functions, and Barb did likewise on wetland hydrology.
- * Bill has got a student worker from Bemidji State University helping him load EPIC, a geographic information system (GIS) program, in counties that are ready to use this type of data. This GIS data should really help counties with their data assessments and implementation goals under the water plan updates.
- * Keith reports that the Pokegama Lake Association signed the petition for dismissal regarding the establishment of the Snake River Watershed District. This is good news and reflects the local cooperation and commitment of the Snake River Joint Powers Board. Good job to all of those that have been a part

of this process for the last couple of years.

- * BC Pete Waller landed in the hospital with a severe case of pneumonia. After three days of hospital care he was ordered to stay home for a week. He's back with us now and we have all be commenting on this extreme diet plan.

Engineering and Technical Services Section

Conservation Easements

- * We continue to receive significant numbers of agreement packages from SWCDs for easement acquisitions approved in January. Steve Miller, senior realty specialist, and Matt Moore, engineering tech., are working on the legal descriptions and associated easement area maps. Matt is using computer-aided design (CAD) to prepare the maps. We are also working the bugs out of a new procedure to prepare easement agreements electronically from the program database. As is often the case, it's a little more difficult than expected, but with the help of Bryan Alpaugh, data management specialist, we're nearing success.
- * Tim Fredbo, our new easement program manager, has been getting introduced to all the complexities of the easement program during his first weeks on the job. Marybeth Block (our current special programs coordinator who used to be easement program coordinator) has been helping to orient Tim by sharing her previous program experience. We'll be working on an annual program plan for FY 96 in the near future, while we continue to finish the remaining program retooling details and keep the easement acquisitions and

wetland restorations moving ahead.

Area II

- * Board members of Area II Minnesota River Basin Projects, Inc. and their coordinator, Kerry Netzke, had planned to present their annual plan to the BWSR board in May. They've rescheduled for the June meeting. BWSR staff intend for this to be an annual presentation that will help clarify and focus the flood control and related work of this program, and enhance the understanding of what's going on out in that part of the Minnesota River basin.
- * Al Kean, chief engineer, and Kerry met with HDR Engineering, the consultants for the RW-22 project, in mid-May to discuss the progress of the draft Environmental Assessment Worksheet (EAW) for the project. A multi-agency/organization wetlands work group was established for the project last winter to help finalize the draft EAW in regard to wetland impacts. Some substantial rewriting of the associated portion of the EAW was done by HDR in response to agency comments. The draft EAW is supposed to be released for public review in the near future. Area II, Inc., would like to seek construction cost-share funds from the state during the next bonding cycle, but likely needs permitting agency support to be successful. The existence or timing of such support remains uncertain.

Lakeshore Engineering

- * The Two Harbors Campground shoreline stabilization project was recently completed! BWSR and the city are very happy that the contractor was able to keep progressing on this project during the spring road

restriction period. We are also grateful to the DOT for allowing some recent rock slide material from the Silver Cliff tunnel area, and some previously stockpiled rock from the tunnel, to be used to complete this project. Thanks also to BWSR Duluth Forester Jim Lemmerman (for the idea) and Duluth BC Mark Nelson (for the action) to get a local TV station and paper to give the completed project some coverage. Gene Clark, lakeshore engineer, got some 10:00 news exposure time that made him a TV star for the night with his family. A lot of complications arose on this project due to the winter construction and mid-project bankruptcy of the original contractor. In the end, about 1,600 feet of eroding shoreline was stabilized. Al Kean was very happy to see a project he worked on with the Corps of Engineers in 1980 finally get accomplished. (With a much lower price tag than the Corps would have had, by the way.)

- * Gene will now turn his attention to other smaller shoreline stabilization projects that have received cost-share program funding during the past couple of years. He has a list of about half a dozen projects that need technical assistance, and a number of other potential projects for which Lake SWCD is currently seeking cost-share funding.
- * The Two Harbors project is the last one for which we have any Great Lakes Commission grant funding. It's looking like the federal dollars going to the Great Lakes are drying up, so we're trying to get some folks on the North Shore fired up to go after some State Revolving Fund (SRF) loan funding for lakeshore stabilization and North Shore watershed projects. The next application period for that type of project is next fall.

SRF Technical Assistance

- * As of this writing, seven engineers and three technicians have been hired by the joint powers groups of SWCDs formed to implement the State Revolving Fund (SRF). Now they're chomping at the bit for equipment. Computers are on order and we have some of the CAD software, but the remainder of the equipment is being held up pending the arrival of the funds from the EPA 319 grant that is part of the overall start-up funding package. Wayne Zellmer, grants coordinator, and Al Kean have been working as possible with the Pollution Control Agency (PCA) to get the paperwork complete and the funds in our hands. The latest estimate of when we will receive the grant funds is mid-June (or later).
- * Several of the engineers have begun to get into the design role, with assistance from SWCD staff and Natural Resources Conservation Service (NRCS) area office staff. We hope to help build strong working relationships between all of the conservation partnership staff in the field offices to get more conservation on the ground.

Southern Region

- * WCA project and TEP meeting workload has increased as people are gearing up for construction.
- * The River Basin Education Group has been meeting and planning for an upcoming educational session. The committee consists of staff from BWSR, PCA, the Resource Conservation and Development District, SWCDs, and the Redwood Cottonwood Rivers Control Area, as well as local water plan coordinators. The next session is scheduled for July 27-28 and is targeted at southwestern Minnesota

local water plan coordinators.

- * The BWSR participated in the Redwood River Watershed Project's public kickoff event in Marshall on April 21--Earth Day. The project works to provide funding incentives to landowners to implement best management practices. Accelerated state cost-share dollars from BWSR is one part of the program. The governor proclaimed April 23-29, 1995, Redwood River Clean Water Project Week.
- * The SWCD-sponsored Southwest Minnesota Envirothon was held on May 3 at Camden State Park. Participation from area schools was excellent.
- * BC Tom Fischer participated in one of the many Ford Jensen Realtor Training sessions being held in Minnesota to educate realtors on wetland and water issues. BWSR participation is centered around WCA, giving the attendees a quick review of the WCA and the players involved. It was a good session.
- * Comprehensive Local Water Plan task force meetings continue to be held to develop the five-year plan updates. BC Tom Fischer attended five meetings in four counties. Five of the six counties within Fischer's work area are very close to completing their initial drafts, which will be up for public and agency review by July 1, 1995.
- * Accounting Coordinator Sara Johnson has been very busy these past three months--both personally and professionally. Her husband had a stroke in late December, which meant some missed time at work for Sara. When at work, she spent the weeks before March 15 answering SWCD questions about completing the annual

financial statements. After that, she worked on returning phone calls, reviewing some of the annual reports (not finished yet), and just trying to keep up. In late March, she began resuming her travel to districts--mostly those with problems. She also worked on training team issues, attended a field staff meeting, met a couple of times with the state auditor, and assisted districts with new employees and no problems. The SRF funding is causing many concerns among the joint powers fiscal agents, and time has been spent giving guidance on bookkeeping matters to those responsible.

area Envirothon as an instructor at the wetland station. BC Mary Kells assisted Winona SWCD with their fifth grade tree planting field day and assisted Goodhue SWCD by teaching the soil conservation station at their 6th grade field day.

- * Marshall BC Tabor Hoek is working closely with the newly appointed watershed board for the Middle Des Moines Watershed District. Orientation, operating policies, personnel policies, rules updating, and the overall management plan will be addressed by the board over the next twelve months. The watershed board is taking a hard look at their reason for existence and what they can bring to the resource partnership formed around the restoration of Heron Lake.
- * Rochester BWSR office staff continues to be busy assisting counties on water plan updates, individually and through the Southeastern Minnesota Water Resources JPB. They participated in a one-day water planning workshop for staff in the nine-county group that emphasized the required elements of the plan and measurable goals and objectives. This was followed by a half-day presentation to the JPB, including general information on water planning and ten minute presentations by each county. County commissioners attending had several good comments on this information session.
- * BC Dave Peterson assisted with the

 Elizabeth P. Carlson, Project Coordinator
DNR Ecological Services, Box 25
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May 15, 1995

MEMORANDUM

CORRECTIONS TO PROJECT REPORT #1 *Dealing With Wetlands In Minnesota: Questions & Concerns From Around the State About Issues For a State Wetlands Conservation Plan*

CORRECTIONS

Two corrections are necessary for Project Report #1:

Correction #1: There was a **TYPOGRAPHICAL ERROR IN THE ZIP CODE FOR THE ADDRESS FOR SENDING COMMENTS** on the report (note the correct address in the above letterhead).

Two stickers with corrected address information are enclosed for your convenience. Please place a sticker over each of the incorrect boxes on pages 5 and 37 of Project Report #1.

Correction #2: Beverly Eckman-Vosen was the participant for Otter Tail Power Company in the Alexandria resource group session, substituting for Terry Grauman. See page 49.

DUE DATE FOR COMMENTS

Comments on Project Reports #1, as invited in Appendix A to the report, will be collected through **June 30, 1995**.

AREA **II**
MINNESOTA RIVER BASIN PROJECTS, INC.

AREA II MN RIVER BASIN PROJECTS, INC.
1400 East Lyon Street, P.O. Box 267
Marshall, MN 56258
(507) 537-6369
Fax: (507) 537-6368

AREA II ELECTED OFFICIALS

Chair: Darold Neperman
1st Vice Chair: Gary Johnson
2nd Vice Chair: Clarence Buysse
Secretary: LeRoy Stensgaard
Treasurer: John Boulton



AREA II BOARD OF DIRECTORS

	<u>MEMBER</u>	<u>ALTERNATE</u>
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<i>YELLOW MEDICINE COUNTY</i>	Gary Johnson RR 4 Box 224 Montevideo, MN 56265	Charles Simonsen RR 4 Box 23 Canby, MN 56220

Minnesota Statutes

103F.171 SOUTHERN MINNESOTA RIVERS BASIN AREA II BOUNDARIES.

For the purposes of sections 103F.171 to 103F.187, the term "southern Minnesota rivers basin area II" means the area within the watersheds of rivers and streams that are tributaries of the Minnesota River from the south between the cities of Ortonville and Mankato. Major rivers included within the watershed are the Yellow Bank, Lac qui Parle, Yellow Medicine, Redwood, and Cottonwood. All of the Lac qui Parle, Yellow Medicine, and Redwood counties, and parts of Lincoln, Lyon, Pipestone, Murray, Cottonwood, and Brown counties are included within the boundaries of the area.

HIST: 1990 c 391 art 6 s 16

103F.173 PROGRAM.

There shall be a state grant-in-aid pilot program of providing financial assistance to units of local government, including counties, soil and water conservation districts, and watershed districts, located in the southern Minnesota river basin area II for project and construction costs for the building of floodwater retarding and retention structures within a general plan for floodplain management.

HIST: 1990 c 391 art 6 s 17

103F.175 AID FORMULA.

Grants may be made by the board of water and soil resources to a local governmental unit for the purposes of sections 103F.171 to 103F.187 in an amount not to exceed 75 percent of the total cost of each project, including site acquisition, engineering, and construction. If federal funds are being utilized for a portion of the project costs, the state contribution may not exceed 50 percent of the remaining nonfederal costs. If the structure is located in the state of South Dakota, the two states shall share the nonfederal costs equally. Money granted by the state may not be used for any project of stream channelization.

HIST: 1990 c 391 art 6 s 18

103F.177 OPERATION WITHIN AGENCY.

Subdivision 1. Board of Water and Soil Resources.

The board of water and soil resources shall supervise the grant-in-aid pilot program pursuant to sections 103F.171 to 103F.187.

Subd. 2. **Procedures and forms.** The board shall devise procedures and forms for application for grants by the local units of government, and review of and decision on the applications by the state board.

Subd. 3. **Staff position.** A professional engineer shall be employed by the board to work exclusively on the technical implementation and engineering of the pilot project established pursuant to sections 103F.171 to 103F.187. The engineer shall assist local units of government and the board to achieve the purposes of the project, and shall have duties including:

- (1) field review and analysis of projects and project sites;
- (2) preparation of permit applications, including evaluation of environmental effects;
- (3) development of recommended pertinent provisions of permits for specific projects;
- (4) preparation of plans for further consideration of remedial flood control structural measures as part of a general rural floodplain management effort; and
- (5) evaluation of the effectiveness of completed projects constructed under this program.

HIST: 1990 c 391 art 6 s 19

103F.179 SELECTION OF PROJECTS.

Subdivision 1. Evaluation of area and sites; federal cooperation.

Before a grant is made, a priority system shall be devised for the selection of projects to receive the aid. The board of water and soil resources is the granting authority and shall cooperate with the United States Army Corps of Engineers, the department of natural resources, the United States Soil Conservation Service and the area II action committee in analysis of the general floodplain management plan for the area and in hydrological and engineering studies on specific proposed sites. From that information, the board of water and soil resources shall determine the relative severity of the flooding problem which would be wholly or partly solved by each projects. The range of priorities based on these findings shall provide a basis for selections of project sites.

Subd. 2. Project requirement for each watershed.

Notwithstanding the requirement in subdivision 1 that project selection be based on a priority system, not more than one project may be located within any one of the Cottonwood, Lac qui Parle, Redwood, Yellow Medicine, and Yellow Bank rivers' watersheds unless agreed upon by the area II action committee composed of representatives of each of those watersheds.

HIST: 1990 c 391 art 6 s 20

103F.181 CONDITIONS FOR GRANTS

Subdivision 1. **Local expression of willingness.** The local unit of government shall apply for a grant by a resolution requesting state funding assistance for the construction of a floodwater retention or retarding structure within its jurisdiction. The resolution shall include provisions concerning local funding, if any. The local unit of government shall state its intent to obtain necessary land rights for proposed construction sites and to assume responsibility for maintenance of the structure on its completion.

Subd. 2. **General plan.** The local unit of government shall demonstrate that the construction project that it proposes is consistent with its general plan for floodplain management. The general plan of the local government unit shall be in conformity with the policy and objectives of this chapter and shall, where reasonable and practicable, include nonstructural means of floodplain management.

Subd. 3. **Federal aid availability.** The board of water and soil resources shall complete a detailed analysis of the availability of federal funds and programs to supplement or complement state and local efforts on each project and include the eligibility requirements and time frame for receiving the federal aid.

Subd. 4. **Environmental impact statement.** The local unit of government, assisted by the project staff engineer, shall make a comprehensive evaluation of the positive and negative environmental effects which would be reasonably likely to take place if the particular proposed project would be constructed.

HIST: 1990 c 391 art 6 s 21

103F.183 APPROVED PROJECTS

Subdivision 1. **Contracts.** When a proposed project is approved to receive a grant, the board of water and soil resources shall negotiate a contract with the local unit of government involved. The contract shall specify the terms of state and local cooperation, including the financing arrangement for the construction and a n agreement on maintenance of the structure after completion.

Subd. 2. **Permits.** Before grant money is spent on construction of the structure, permits required for construction must be obtained from state agencies.

HIST: 1990 c 391 art 6 s 22

103F.185 INTERSTATE COOPERATION.

The board of water and soil resources and the staff engineer may enter into a working agreement with the South Dakota-Minnesota boundary waters commission, or successor organization, in regard to flood retention and retarding structures constructed pursuant to sections 103F.171 to 103F.187 that involve territory of the state of South Dakota as well as this state.

HIST: 1990 c 391 art 6 s 23

103F.187 REPORT TO LEGISLATURE.

When the project has been in operation for a period of two years, the board of water and soil resources and the staff engineer shall prepare and deliver a report to the legislature on the program and its consequences with an evaluation of the feasibility and benefit of continuing the project.

HIST: 1990 c 391 art 6 s 24

AREA II MN RIVER BASIN PROJECTS

WALNUT GROVE RESERVOIR (LAKE LAURA)



LOCATION: 1 mile west and 1/2 mile south of Walnut Grove, MN in Plum Creek Park, Redwood County

YEAR: 1979

SPONSOR: Redwood County Commissioners & Redwood SWCD

PROJECT COST:	
Construction Cost	\$235,000
Land Cost (Donated by sponsor)	\$ 0
TOTAL COST	\$235,000

State Share	\$176,250
Local Share	\$ 58,750

WATERSHED: Cottonwood River

COUNTY: Redwood

HEIGHT OF DAM: 55.7 Feet

SIZE OF POOL: 29.3 Acres

MAXIMUM DEPTH: 21.3 Feet
(OF POOL)

USES OF STRUCTURE: Flood Control, Swimming, Fishing, Camping and Recreation (County Park)

AREA II MN RIVER BASIN PROJECTS

HAUSCHILD-THANGE RESERVOIR



LOCATION: 7 miles east and 2 mile north of Ivanhoe, MN in Section 25, Range 44W, Township 112N in Lincoln County

YEAR: 1980

SPONSOR: Yellow Medicine River Watershed District

PROJECT COST:

Construction Cost	\$391,600
Land Cost	<u>\$ 42,200</u>
TOTAL COST	\$433,800

State Share	\$325,350
Local Share	\$108,450

WATERSHED: Yellow Medicine River

COUNTY: Lincoln

HEIGHT OF DAM: 52.2 Feet

SIZE OF POOL: 27.0 Acres

MAXIMUM DEPTH: 19.3 Feet
(OF POOL)

USES OF STRUCTURE: Flood Control and Recreation (Privately owned)

AREA II MN RIVER BASIN PROJECTS

FALES-VAN HYFTE RESERVOIR (LAKE JOHN)



LOCATION: 2 miles west of Porter, MN in Section 36, Range 45W, Township 114N in Yellow Medicine County

YEAR: 1981

SPONSOR: Yellow Medicine River Watershed District

PROJECT COST:

Construction Cost	\$270,800
Land Cost	<u>\$ 55,800</u>
TOTAL COST	\$326,600

State Share	\$244,950
Local Share	\$ 81,650

WATERSHED: Yellow Medicine River

COUNTY: Yellow Medicine

HEIGHT OF DAM: 45 Feet

SIZE OF POOL: 20.1 Acres

MAXIMUM DEPTH: 19.8 Feet
(OF POOL)

USES OF STRUCTURE: Flood Control, Swimming, Fishing and Wildlife Enhancement (Watershed Park)

AREA II MN RIVER BASIN PROJECTS

SONSTEGARD-TELSTE RESERVOIR



LOCATION: 5 miles south and 1/2 mile west of Minneota, MN in Section 27, Range 43W, Township 112 N, in Lyon County

YEAR: 1983

SPONSOR: Yellow Medicine River Watershed District

PROJECT COST:

Construction Cost	\$343,000
Land Cost	<u>\$ 26,600</u>
TOTAL COST	\$369,600

State Share	\$277,200
Local Share	\$ 92,400

WATERSHED: Yellow Medicine River

COUNTY: Lyon

HEIGHT OF DAM: 42.5 Feet

SIZE OF POOL: 15.4 Acres

MAXIMUM DEPTH: 20.1 Feet
(OF POOL)

USES OF STRUCTURE: Flood Control and Recreation (Privately owned)

AREA II MN RIVER BASIN PROJECTS

DEL CLARK RESERVOIR (CANBY CREEK R1)



LOCATION: 1 mile south and 1/2 mile west of Canby in Yellow Medicine County

YEAR: 1985

SPONSOR: Yellow Bank - Lac Qui Parle Watershed District

PROJECT COST:

Construction Cost	\$2,486,734
Land Cost (approximately)	<u>\$ 800,000</u>
TOTAL COST	\$3,286,734

Federal Share	\$2,793,724
State Share	\$ 50,000
Local Share	\$443,010

WATERSHED: Canby Creek

COUNTY: Yellow Medicine

HEIGHT OF DAM: 55 Feet

SIZE OF POOL: 155 Acres

MAXIMUM DEPTH: Approximately 30 Feet
(OF POOL)

USES OF STRUCTURE: Flood Control, Fishing, Swimming, Camping and Recreation (Regional Park)

AREA II MN RIVER BASIN PROJECTS

LABOLT LAKE RESTORATION



LOCATION: 1 mile west of Labolt, South Dakota in Section 23, Range 43W, Township 108 N, in Grant County

YEAR: 1986

SPONSOR: East Dakota Water Development District

PROJECT COST:

Construction Cost	\$120,000
Land Cost	\$ 0
TOTAL COST	\$120,000

State Share	\$ 30,000
Local Share	\$ 90,000 (Includes SD Share)

WATERSHED: Yellow Bank River

COUNTY: Grant County, South Dakota

HEIGHT OF DAM: 25 Feet

SIZE OF POOL: 12 Acres

MAXIMUM DEPTH: 21 Feet
(OF POOL)

USES OF STRUCTURE: Flood Control, Fishing, Swimming and Recreation (County Park)

AREA II MN RIVER BASIN PROJECTS

SCHOPER-BUSH RESERVOIR



LOCATION: 4 miles north and 1/2 mile west of Jeffers, MN in Section 31, Range 36W, Township 108 N, in Cottonwood County

YEAR: 1987

SPONSOR: Cottonwood County Commissioners & Cottonwood SWCD

PROJECT COST:

Construction Cost	\$410,500
Land Cost	\$ 74,500
TOTAL COST	\$485,000

State Share	\$363,750
Local Share	\$121,250

WATERSHED: Cottonwood River

COUNTY: Cottonwood

HEIGHT OF DAM: 43 Feet

SIZE OF POOL: 13 Acres

MAXIMUM DEPTH: 20.8 Feet
(OF POOL)

USES OF STRUCTURE: Flood Control, Fishing and Recreation (County Park)

AREA II MN RIVER BASIN PROJECTS

MINETT-KRANTZ RESERVOIR



LOCATION: 2 miles south and 1/2 mile east of Ruthton, MN in Section 23, Range 43W, Township 108 N, in Pipestone County

YEAR: 1987

SPONSOR: Pipestone County Commissioners & Pipestone SWCD

PROJECT COST:

Construction Cost	\$136,700
Land Cost	<u>\$ 31,000</u>
TOTAL COST	\$167,000

State Share	\$125,775
Local Share	\$ 41,925

WATERSHED: Redwood River

COUNTY: Pipestone

HEIGHT OF DAM: 26 Feet

SIZE OF POOL: 9.1 Acres

MAXIMUM DEPTH: 20 Feet
(OF POOL)

USES OF STRUCTURE: Flood Control, Fishing and Recreation (County Park)

AREA II MN RIVER BASIN PROJECTS

CALLENS-HAUSCHILD ROAD RETENTION STRUCTURE



LOCATION: 4 miles west and 4 miles south of Taunton, MN on Alta Vista and Limestone Township line, Section 34, Range 44W, Township 113W and Section 3, Range 44W, Township 112N in Lincoln County

YEAR: 1989

SPONSOR: Limestone and Alta Vista Township
Yellow Medicine River Watershed District

PROJECT COST:

Local Watershed District	\$ 6,630
Alta Vista Township	\$ 3,315
Limestone Township	\$ 3,315
State	<u>\$ 6,630</u>
TOTAL COST	\$ 19,890

WATERSHED: Yellow Medicine River

COUNTY: Lincoln

SIZE OF POOL: N/A

MAXIMUM DEPTH: N/A

USES OF STRUCTURE: Flood Control and Road Safety

AREA II MN RIVER BASIN PROJECTS

WELLNER-HAGEMAN RESERVOIR



LOCATION: 7.5 miles south and 5 miles west of Springfield, MN in Section 30, Range 35W, Township 108N, in Brown County

YEAR: 1992

SPONSOR: Brown County Commissioners & Brown SWCD

PROJECT COST:

Construction Cost	\$1,692,073
Land Cost	<u>135,000</u>
TOTAL COST	\$1,827,073

State Share	\$1,727,073
Local Share	\$ 100,000

WATERSHED: Cottonwood River

HEIGHT OF DAM: 50 Feet

SIZE OF POOL: 70 Acres

MAXIMUM DEPTH: 30 Feet
(OF POOL)

USES OF STRUCTURE: Flood Control, Fishing, Swimming and Recreation

**1994 - AWARDED ONE OF THE
SEVEN WONDERS OF ENGINEERING IN MINNESOTA**

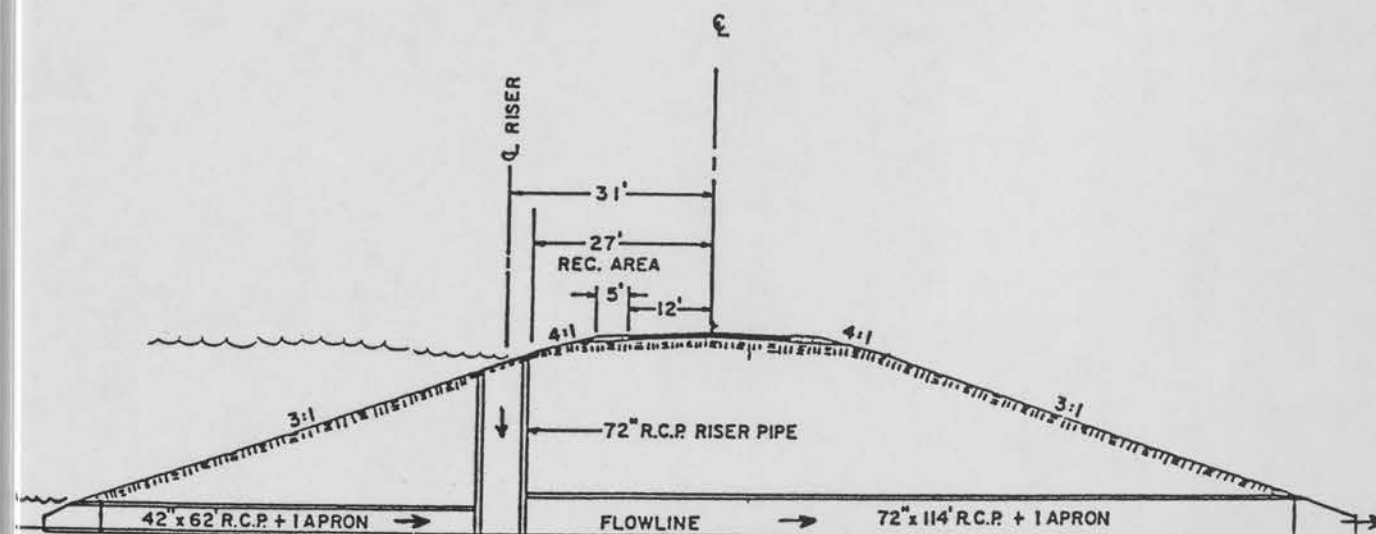
AREA II MN RIVER BASIN PROJECTS

TYPICAL ROAD RETENTION STRUCTURES



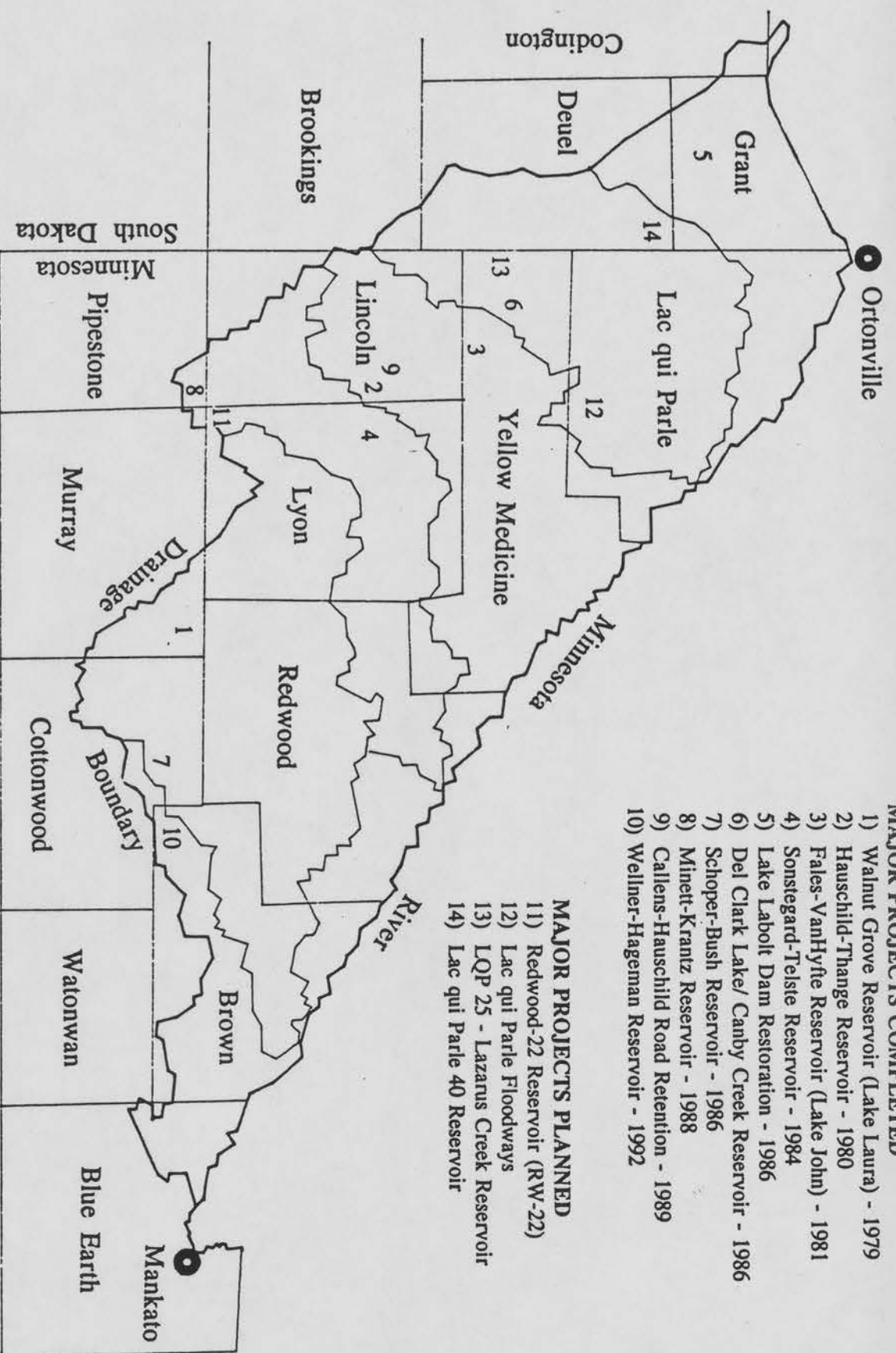
Lake Marshall Township, Lyon County

Drainage area of 422 acres.
100 year flood pool of 7 acres.
Storage area of 44 acre-ft.



- MAJOR PROJECTS COMPLETED**
- 1) Walnut Grove Reservoir (Lake Laura) - 1979
 - 2) Hauschild-Thange Reservoir - 1980
 - 3) Fales-VanHyfte Reservoir (Lake John) - 1981
 - 4) Sonstegard-Telste Reservoir - 1984
 - 5) Lake Labolt Dam Restoration - 1986
 - 6) Del Clark Lake/ Canby Creek Reservoir - 1986
 - 7) Schoper-Bush Reservoir - 1986
 - 8) Minett-Krantz Reservoir - 1988
 - 9) Callens-Hauschild Road Retention - 1989
 - 10) Wellner-Hageman Reservoir - 1992

- MAJOR PROJECTS PLANNED**
- 11) Redwood-22 Reservoir (RW-22)
 - 12) Lac qui Parle Floodways
 - 13) LQP 25 - Lazarus Creek Reservoir
 - 14) Lac qui Parle 40 Reservoir



AREA II

MINNESOTA RIVER BASIN PROJECTS, INC.