



Minnesota Board of Water and Soil Resources.
Minutes.

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10/25/95



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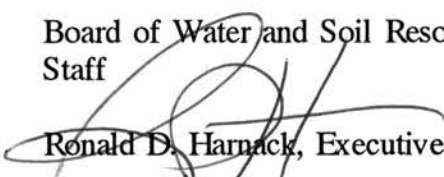
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DATE: October 17, 1995

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

FROM:  Ronald D. Harnack, Executive Director

SUBJECT: October 25, 1995 BWSR Meeting

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, October 25, 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 following is some background information regarding the agenda items.

SUMMARY OF BOARD AGENDA

OLD BUSINESS

1. BENTON COUNTY WATER PLAN: The water plan committee of the Board reviewed the plan and received comments from staff and the local government. The committee recommends approval of the Benton County Water Plan. **DECISION ON RECOMMENDATION OF THE COMMITTEE.**

2. REORGANIZATION UPDATE: Barb Cobb has had some recent meetings relating to reorganization and the follow-up needed to meet the obligations of the law. Meetings of the two Board committees have been scheduled for the afternoon of the Board meeting. **DISCUSSION.**

3. WETLAND CONSERVATION ACT: Staff will begin to review, in detail, some of the elements of the changes to the law. Roles of units of government, agricultural provisions, and urban provisions will be reviewed and discussed. Please review the information you received earlier relating to the compromise bill. **DISCUSSION.**

4. LEGISLATIVE INITIATIVES: The Board gave initial approval to the items last month. The legislative initiatives you received last week are the specific Form A's that will be used through the legislative process. Any additions or deletions are on the table for discussion. **DISCUSSION AND DECISION.**

BWSR Members, Advisors, and Staff
October 16, 1995
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NEW BUSINESS

1. COUNTY WATER PLAN EXTENSIONS: The law was changed last year, at BWSR request, to permit extensions of time for completion of the second generation water plans. Several counties have requested a one-year extension consistent with the policy and procedure attached. Staff recommends approval for all the requests. **DISCUSSION & DECISION.**

2. PHEASANTS FOREVER: Pheasants Forever is a significant partner in the RIM program and a strong supporter of local water planning. Joe Duggan will educate us about the organization. **INFORMATION.**

3. METRO WATER PLAN IMPLEMENTATION: BWSR initiated legislation passed last year providing the authority for the Board to prioritize WMO's for development and completion of second generation water plans. Through the cooperation of an interagency team, a proposed prioritization has been developed for review and approval by the Board. In addition to the prioritization, the committee will be discussing ways and means to assess compliance with plans and how to cooperate on these assessments and follow-up actions as needed to secure plan compliance. Providing funding of prioritized metro water plans has been discussed and the options will be reviewed with the Board. It is suggested that each priority WMO receive a grant of about \$15,000. **DISCUSSION & DECISION.**

4. McLEOD COUNTY COURT DECISION: Matt Seltzer will review the decision and the status of the appeal. Several Board members have asked about the case. Please review the attached information for discussion. **INFORMATION.**

If you have additional items or require additional information, please feel free to give me a call. Travel safely, I look forward to seeing you on the 25th!

RDH:mja
Enclosures

**BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET, CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
OCTOBER 25, 1995**

PRELIMINARY AGENDA

9:00 a.m. **Call Meeting to Order**

Adopt Agenda

Approval of Minutes of September 27, 1995

Reports

- Chair - Barbara Cobb
- Executive Director - Ron Harnack
- Dispute Resolution Committee - Kathleen Roer
- Education & Public Relations Committee - Tim Hvidsten
- Feedlot Advisory Committee - Jim Rossman
- Cost-Share/Soil Conservation Committee - Dwain Otte
- Water Plan Compliance Committee - Barbara Cobb
- Wetlands Committee - Darrell Bruggman
- Administrative Advisory Committee - Barbara Cobb

Old Business

1. Report of Water Plan Committee - Ginny Imholte
 - Recommendation of Benton County Water Plan
2. Reorganization Overview - Barbara Cobb
3. Wetland Conservation Act - Greg Larson
 - Roles of counties, cities, SWCDs under the law
 - Agricultural Provisions
 - Urban Provisions
4. Legislative Initiatives

New Business

1. County Water Plan Extensions
 - Crow Wing County, Jackson County, Morrison County,
Polk County, Rice County, and Waseca County
 - Policy and Procedures - Doug Thomas
2. Joe Duggan, Pheasants Forever
3. Metro Water Plan Implementation - Bruce Sandstrom
 - Prioritization
 - Interagency Coordination
 - Funding
4. McLeod County Court Decision Summary - Matt Seltzer

Advisory Comments

- Paul Burns, Department of Agriculture
- Kim Benson-Johnson, Department of Health
- Jim Anderson, Minnesota Extension Service
- Wayne Edgerton, Department of Natural Resources
- Wayne Anderson, Pollution Control Agency
- Bill Hunt, NRCS
- Jim Schafer, MASWCD
- Ray Bohn, MAWD
- Franklin Denn, MAT

Board Issues

1. Next BWSR Meeting, December 20
 - Delegation
 - Appeals
 - By-Laws
 - Annual Meeting Recap
 - Issues - Resolutions
 - Reorganization Draft Report
 - Water Plan Approvals

12:30 p.m. **Adjourn**

Box Lunch Provided (Board Members and Associated Staff Only)

1:30 p.m. **Special Purpose Districts Reorganization Committee Meeting**

Kathy Roer	Tim Hvidsten
Marv Tripp	LeRoy Stensgaard
Jim Birkholz	Susan Tsakakis

State Agencies Reorganization Committee Meeting

Barb Uppgaard	Barbara Cobb
Jim Rossman	Dwain Otte
Ginny Imholte	Ted Lovdahl
Glenn Annexstad	Darrell Bruggman
Mary Jo Anderson	

**BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET, CONFERENCE ROOM
ST. PAUL, MINNESOTA
SEPTEMBER 27, 1995**

BOARD MEMBERS PRESENT:

Barbara Cobb, Dwain Otte, Ted Lovdahl, Tim Hvidsten, Ginny Imholte, Barbara Uppgaard, Marvell Tripp, Darrell Bruggman, Jim Rossman, LeRoy Stensgaard, Glenn Annexstad, and Kathleen Roer.

AGENCY MEMBERS PRESENT:

Bob Patten, Department of Agriculture
Wayne Anderson, Pollution Control Agency
Wayne Edgerton, Department of Natural Resources
Jim Anderson, Minnesota Extension Service

AGENCY MEMBERS ABSENT:

Kim Benson-Johnson, Department of Health

OTHERS PRESENT:

Don Wodek, Hennepin Conservation District
D'Wayne DeZiel and LeAnn Buck, Minnesota Association of Soil and Water Conservation Districts (MASWCD)
Carl Annalora, East Otter Tail SWCD
Roger Musetter, Natural Resources Conservation Service (NRCS)
Franklin Denn, Minnesota Association of Townships (MAT)
Ray Bohn, Minnesota Association of Watershed Districts (MAWD)
Dan Larsen, consultant

STAFF PRESENT:

Ron Harnack, Greg Larson, Doug Thomas, Eric Mohring, Wayne Zellmer, Marybeth Block, Pete Waller, Keith Grow, Dan Steward, Al Kean, and Mary Jo Anderson.

BWSR Meeting Minutes
September 27, 1995
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Chair Cobb called the meeting to order at 9:00 a.m.

****** **Adopt Agenda** - Moved by LeRoy Stensgaard, seconded by Marv Tripp, to adopt the agenda
95-52 as presented. Motion passed on voice vote.

****** **Minutes of August 23, 1995** - Moved by LeRoy Stensgaard, seconded by Darrell Bruggman,
95-53 to approve the minutes of August 23, 1995, as circulated. Motion passed on voice vote.

Chair's Report - Barb attended two Environmental Quality Board (EQB) Reorganization Public Hearings as an EQB commissioner. She attended a BWSR wetlands team meeting in St. Cloud, and she attended portions of the Legislative mini-session in Bemidji and went on a wetlands tour - Susan Tsakakis and Greg Larson also attended. The House Environmental and Natural Resources Committee held a public forum after the tour. She reported that it was basically a balanced and respectful presentation of those for and against the Wetland Conservation Act (WCA).

Kathy Roer entered the meeting at 9:07 a.m.

Executive Director's Report - Ron Harnack attended the EQB reorganization meetings in St. Cloud, Fergus Falls, and Bemidji. The Senate Ag Committee will be meeting statewide to hear public testimony regarding WCA and property rights; Ron will distribute those meeting dates and locations when he receives more information about them. A Reinvest In Minnesota (RIM) 10th Anniversary Celebration is scheduled for October 12 in Yellow Medicine County. Ron will be scheduling BWSR field office visits in the southern part of the state to spend time with staff and will notify area board members to join him.

Dispute Resolution Committee (DRC) - Kathy Roer reported on the following appeals: the Trout Unlimited appeal in Shakopee will possibly be settled; Valley Branch Watershed District appeal pre-hearing is October 4; Kahm vs. Minnehaha Creek Watershed District appeal is part of the Ewing wetlands controversy which is scheduled for hearing in November. No hearings scheduled for October, but the DRC will use that time for a working session. Ron said that McLeod County has chosen to go to the appeals court.

Education Committee - Tim Hvidsten visited the state fair booth as part of the Education Committee overview of public relations activities. Ron said the location of the BWSR booth is good, we are seeing a variety of people. It was suggested that co-agency booths would demonstrate how agencies work well. Discussion followed.

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Feedlot Committee - Jim Rossman asked about feedlot rules update. D'Wayne DeZiel said that Minnesota Association of Soil and Water Conservation Districts (MASWCD) will propose legislation allowing SWCDs to administer the feedlot program.

Cost-Share/Soil Conservation Committee - Dwain Otte will update later in the meeting.

Wetlands Committee - Darrell Bruggman attended wetlands team meeting in St. Cloud and shed some light on staff concerns as to why and how decisions on wetlands are made at the county board level.

Old Business

East Otter Tail SWCD Update - Ted Lovdahl introduced Carl Annalora, who gave a brief update on the status of the situation in East Otter Tail SWCD. Mr. Annalora thanked BWSR for staff support in their. Sara Johnson helped reorganize the office; things are now under tight control. The East Otter Tail SWCD has established supervisor responsibilities so they can respond better to daily activities; they have reduced per diem and mileage rate for supervisors; staff gave up four hours per week to address budget constraints. A pre-trial hearing on the embezzlement situation is scheduled for September 25, trial date set for October 24. Pre-hearing date set rather than trial, restitution will be made, no plea agreement has been made yet as to guilty or not guilty. BWSR staff may be asked to testify on how the theft impacted programs and the constituency. The East Otter Tail SWCD and landowners appreciate BWSR assistance. Chair Cobb thanked Mr. Annalora for the update and their diligence in working to overcome the problem.

95-54

Endorse Amendments to Revised Cost-Share Rule and Authorize Publication - Marybeth Block reviewed comments received by Wright SWCD requesting that the definition of high priority water quality problems be revised. Moved by Dwain Otte, seconded by Marv Tripp, to retain the language in the August 1995, draft cost-share rule. Motion passed on voice vote.

95-55

Marybeth reviewed proposed amendments to the August 1995 draft. Moved by Dwain Otte, seconded by Ted Lovdahl, to endorse the August draft of cost-share rule as amended and adopt the resolution to publish the Board's intent to adopt amendments to the permanent rule governing the state cost-share program without a public hearing. Motion passed on voice vote.

95-56

Snake River Watershed District Petition - Doug Thomas gave a brief status report on the Snake River Watershed District Petition and the success of their present Joint Powers Organization. Moved by Rossman, seconded by Roer, to approve the dismissal of the Snake River Watershed District petition. Chair Cobb and Ron commended staff and the Snake River representatives for a job well done.

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Page Four

Chair Cobb called for a break in the meeting at 10:10 a.m. The meeting reconvened at 10:20 a.m.

New Business

Chair Cobb introduced Dan Larson, the lobbyist representing the northern non-adopting counties. He invited board members and staff to meet with him and his constituents to discuss the wetland issues.

WCA Eligibility: Natural Resource Block Grant Issues - Greg Larson explained the Natural Resource Block Grant (NRBG) Program. He provided a number of alternatives that the BWSR Grants Team developed. Much discussion followed. Board members were concerned that linking water planning funds with the WCA funds would hurt those conservation programs and employees. However, some felt contempt with the premise of disobeying the law, stating WCA is not optional, the law is mandatory. Moved by Marv Tripp, seconded by Darrell Bruggman, to accept alternative #2 -- Continuation of the moratorium on projects that impact wetlands with DNR enforcement of violations. (This is the policy adopted at the July, 1995 BWSR meeting. Local governmental units (LGU's) that rescind will be required to return grant funds and will be ineligible to receive WCA funds until WCA is implemented. Acknowledgement by county of WCA adoption must occur by January 16, 1996 (NRBG application deadline) or the FY96 WCA portion of the NRBG is reallocated to other LGUs. (This is essentially the WCA fiscal policy of last year). If a county rescinds WCA after they have received an NRBG grant they will be required to return the WCA funding. Motion passed on voice vote.

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95-57

BWSR strongly encourages counties to go through the WCA amendments with their staff and judge for themselves what will be acceptable. BWSR staff is available to meet with LGU's to discuss the changes proposed.

Ron said that SWCDs will receive \$5,000 regardless if the county rescinded WCA; as they are required by law to support enforcement actions under the WCA. Rossman asked Ron to demonstrate at the October meeting how the procedures work for SWCDs to administer the WCA program. BWSR acknowledged need for changes in WCA.

Natural Resources Block Grants (NRBG) - Wayne Zellmer explained the proposed 1996 NRBG. Staff requests that the BWSR approve the revised NRBG program and authorize staff to issue the allocations for the 1996 base grants according to Board policy. Ron thanked Department of Natural Resources (DNR) and Pollution Control Agency (PCA) for coordination among agencies for this grant program. Moved by Barbara Uppgaard, seconded by Marv Tripp, to authorize the 1996 NRBG allocation outlined and in accordance to the WCA grant eligibility motion previously passed. Motion passed on voice vote.

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95-58

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Ramsey County Ground Water Plan - Eric Mohring introduced Pat Twiss and Tom Peterson, Ramsey County SWCD staff.. Eric gave a brief overview of the Ramsey County Ground Water Plan. Staff recommends approval of the Ramsey County Ground Water Plan. Pat Twiss thanked BWSR for the seed money for the water plan. Moved by Dwain Otte, seconded by Ginny Imholte, to approve the Ramsey County Ground Water Plan. Motion passed on voice vote.

95-59

MASWCD Initiative Regarding SWCD Supervisor Per Diem - Ron Harnack reported that MASWCD proposes increasing the SWCD supervisor per diem from \$55 to \$70. Moved by Dwain Otte, seconded by Darrell Bruggman, to increase the SWCD supervisor per diem from \$55 to \$70. Failed on voice vote.

95-60

Legislative Initiatives - Ron Harnack explained BWSR's legislative initiatives. Chair Cobb asked that board members become involved in the legislative initiatives to assist staff and provide service to our clientele organizations. Technical and administrative initiatives are due on September 29; monetary initiatives due October 6. More detailed proposed initiatives will be sent to the board next week. Moved by Barbara Uppgaard, seconded by Marv Tripp, to accept legislative initiatives as placeholders by staff. Motion passed on voice vote.

95-61

Dispute Resolution Committee Recommendations - Kathy Roer explained the Landview Landscaping v. Minnehaha Creek Watershed District Appeal. Moved by Kathy Roer, seconded by Barbara Uppgaard, to approve the DRC recommendation as presented, Chair Cobb to sign order affirming the Minnehaha Creek Watershed District. Motion passed on voice vote.

95-62

Levine v. Minnehaha Creek Watershed District Appeal - Moved by Kathy Roer, seconded by Dwain Otte, to approve the DRC recommendation, Chair Cobb to sign order affirming the Minnehaha Creek Watershed District. Motion passed on voice vote.

95-63

C.A.R.E. v. Wright County SWCD Appeal - Moved by Kathy Roer, seconded by Marv Tripp, to approve the DRC recommendation, Chair Cobb to sign order affirming Wright County SWCD. Motion passed on voice vote.

95-64

Kathy Roer commended DRC members in these appeals. Chair Cobb commended Kathy Roer for her leadership in the DRC.

Update on Environmental Reorganization Meetings - Barbara Uppgaard attended the Duluth meeting; she encouraged members to respond to the questionnaire. Kathy Roer attended the metro meeting - overlapping can be addressed by better identification of roles; water resources should be managed at local level with state oversight. Discussion followed. Chair Cobb said that she's not sure what will happen now. The last environmental cluster

BWSR Meeting Minutes
September 27, 1995
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meeting was cancelled; however the EQB meets on Friday.

RIM 10th Anniversary Celebration - October 12, board members encouraged to attend, LeRoy Stensgaard will attend.

Advisory Comments

Minnesota Extension Service (MES): Jim Anderson reported that MES is working with MASWCD supervisors and staff to put together a two-year leadership program with eight sessions devoted to building leadership capacity.

Department of Natural Resources (DNR): Wayne Edgerton stated that DNR legislative initiatives are: increase in license fees; watercraft increase fee; trespass law reforms.

Minnesota Pollution Control Agency (MPCA): Wayne Anderson announced that applications for Clean Water Partnership are being accepted. MPCA just finished the sewage treatment rule. Wayne distributed a fact sheet on the feedlot rule revision.

Department of Agriculture (MDA): Bob Patten stated that MDA is continuing work on feedlot issues, many publications on feedlot and manure management are now available.

Minnesota Association of Watershed Districts (MAWD): Ray Bohn commented on the reorganization meetings. The two over-riding themes that emerged were: if it's not broke don't fix it; and bigger is not better. The MAWD convention will be held December 1-2, in Alexandria.

Minnesota Association of Soil and Water Conservation Districts (MASWCD): D'Wayne DeZiel stated that the MASWCD convention is December 10-12, in St. Cloud. He attended the reorganization meetings.

Minnesota Association of Townships (MAT): Franklin Denn stated that 34 counties are not doing countywide land use planning and annexation continues to be a big issue that needs to be addressed.

Natural Resources Conservation Service (NRCS): Roger Musetter said that Bill Hunt is in Duluth today. Roger said NRCS is reorganizing. He stated that the 13th Conservation Reserve Program (CRP) sign-up was held and due to criteria, the number of applicants was low. Roger thanked Greg Larson and other staff for their efforts in wetland delineation training.

Chair Cobb introduced Pete Waller, Board Conservationist, from the BWSR Brainerd office.

BWSR Meeting Minutes
September 27, 1995
Page Seven

95-65** **BWSR Meeting Schedule Policy** - Moved by Dwain Otte, seconded by Ginny Imholte, to approve the following resolution: To maintain effectiveness in its role as a policy making entity and to assure continued participation, familiarity and credibility, the BWSR will, by this policy formally meet a minimum of ten months per year. One two-month combination meeting, based on such reasoning as unsubstantial activity, lack of timely decision making issues, vacation time period, etc., may be requested by the Executive Director at least sixty days in advance. The other two-month combination meeting historically embraces the November and December sessions. This policy will remain in effect until formally amended by Board majority vote. Motion passed on voice vote.

Attendance at AMC, MAWD, and MASWCD Conventions - Board members interested in attending should let Ron know. (Board members attending AMC convention - Annexstad, Lovdahl, Cobb. MAWD convention - Imholte, Stensgaard, Otte. MASWCD convention - Uppgaard, Hvidsten, Roer).

95-66** Moved by Marv Tripp, seconded by LeRoy Stensgaard, to adjourn the meeting at 1:10 p.m. Motion passed on voice vote.

Respectfully Submitted,

Barbara Cobb
Chair

BOARD OF WATER & SOIL RESOURCES
GENERAL FUND BUDGET
FISCAL YEAR 1996
AS OF 10/16/95

	BUDGET	EXPENDED	BALANCE	% EXPENDED
ADMINISTRATION				
FULLTIME SALARIES	\$2,223,000.00	\$536,640.74	\$1,686,359.26	24%
PARTTIME,SEASONAL,LABOR SALARIES	\$24,000.00	\$10,134.72	\$13,865.28	42%
OVERTIME	\$2,000.00	\$1,572.47	\$427.53	79%
BENEFITS	\$33,000.00	\$6,474.45	\$26,525.55	20%
SPACE RENTAL	\$186,000.00	\$38,194.51	\$147,805.49	21%
REPAIRS & MAINT. CONTRACTS	\$12,000.00	\$1,786.39	\$10,213.61	15%
PRINTING & ADVERTISING	\$52,000.00	\$2,719.73	\$49,280.27	5%
PROFESSIONAL/TECH SERVICES	\$34,000.00	\$895.00	\$33,105.00	3%
COMPUTER & SYSTEM SERVICES	\$3,000.00	\$0.00	\$3,000.00	0%
COMMUNICATIONS	\$93,000.00	\$11,784.53	\$81,215.47	13%
INSTATE TRAVEL	\$182,000.00	\$27,238.06	\$154,761.94	15%
OUTSTATE TRAVEL	\$17,000.00	\$1,163.20	\$15,836.80	7%
SUPPLIES	\$66,000.00	\$8,712.91	\$57,287.09	13%
EQUIPMENT	\$15,000.00	\$5,486.82	\$9,513.18	37%
EMPLOYEE DEVELOPMENT	\$0.00	\$11,528.00	\$11,528.00	0%
OTHER OPERATING COSTS	\$42,000.00	\$1,254.09	\$40,745.91	3%
COST SHARE WORK GRANTS	\$2,182,595.00	\$2,135,268.00	\$47,327.00	98%
FLOOD PLAIN MGMT GRANTS	\$189,000.00	\$101,775.00	\$87,225.00	54%
NATURAL RESOURCE BLOCK GRANTS	\$5,353,000.00	\$0.00	\$5,353,000.00	0%
SWCD SERVICE GRANTS	\$1,826,000.00	\$1,793,808.00	\$32,192.00	98%
SRF ADMINISTRATION				
FULLTIME SALARIES	\$161,000.00	\$0.00	\$161,000.00	0%
SPACE RENTAL	\$2,000.00	\$0.00	\$2,000.00	0%
INSTATE TRAVEL	\$21,000.00	\$0.00	\$21,000.00	0%
SUPPLIES	\$1,000.00	\$0.00	\$1,000.00	0%
SRF GRANTS TO DISTRICTS	\$1,040,000.00	\$661,815.00	\$378,185.00	64%
TOTALS	\$13,759,595.00	\$5,358,251.62	\$8,401,343.38	39%

Prepared by: Tom Schwanke
Date: October 16, 1995



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DATE: October 12, 1995

TO: Lyle Mueller, Executive Budget Office
Department of Finance

FROM: ~~Ronald D. Harnack~~, Executive

SUBJECT: Agency Capital Budget Brief

Attached is the Board of Water and Soil Resources (BWSR) capital budget brief for Fiscal Years 1996 - 2001.

- Reinvest In Minnesota (RIM) Reserve Program and the Permanent Wetlands Preserve Program (PWP)
- Area II Minnesota River Basin Grant-in-Aid Program
- Abandoned Well Sealing
- Erosion Control Cost-Share

If you have any questions or need additional information please feel free to contact me.

RDH:mja
Enc.

cc: Barbara Cobb, Chair
M-Team

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AGENCY CAPITAL BUDGET BRIEF
Strategic Planning Summary
Fiscal Years 1996-2001

Form A

1. **AGENCY:** Water and Soil Resources, Board of (BWSR) r9p-00a.mue
10-06-95 11:38am cm

2. **AGENCY MISSION STATEMENT:**

The mission of the Board of Water and Soil Resources (BWSR) 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.

Although other agencies are involved in resource management, BWSR is unique in that it is the only agency that accomplishes its goals through increasing the capabilities of local government. This approach makes sense for a number of reasons.

First, local ownership of natural resource management activities is an important component for the success of such efforts. State and local partnerships foster feelings of pride and local responsibility rather than resentment over another state mandate.

Second, since resource management is primarily a land use issue and local government is the land use authority in Minnesota, it makes sense to focus resource management assistance at the local level. Local governments, through their widespread planning and zoning authorities, make the majority of land use decisions. Sound land use management at the local level will protect soil, lakes, rivers and streams, and will sustain agriculture, forestry and development.

Finally, this is a time of increased environmental awareness but with fewer resources to address these concerns. Partnerships and strong working relationships are an effective way to leverage our talents, resources, and finances to achieve the greatest results.

Recognizing the advantages of local resource management, the 1987 legislature created BWSR to facilitate the efforts of local government and to ensure coordination of state, local, federal and private resource management initiatives. BWSR's membership includes representatives from local government, citizens, 4 state agencies and the University of Minnesota Extension Service. The composition of BWSR ensures varied perspectives on current issues and resource management policy discus-

sions, and enhances the creation of state, local and private partnerships.

To reach these objectives, BWSR:

- promotes communication and partnerships between state, local and federal agencies, as well as private organizations;
- administers a number of grant programs to local governments for resource management;
- conducts training sessions and provides technical assistance to local government; and
- coordinates the activities of state agencies as they affect local government.

3. **TRENDS, POLICIES AND OTHER ISSUES AFFECTING THE DEMAND FOR SERVICES, FACILITIES OR CAPITAL PROGRAMS:**

The following trends are shaping the development of policies and programs at BWSR:

- a. *Reduced state and federal government funding for local governments, and increased expectations of local responsibilities.* As more of the financial and administrative burdens of resource management fall to local governments, they need to increase their capability to handle those responsibilities, and be supported by capital programs such as those administered by BWSR.
- b. *Increased awareness among the general public -- including landowners -- of resource problems, and increased willingness to make reasonable efforts to conserve and protect resources.* Minnesotans are concerned about our environment, particularly water quality. As citizens have noticed deteriorating conditions of their favorite lakes or fishing streams, more and more citizens are willing to make reasonable efforts and contributions to protect and improve the environment.
- c. *Movement from planning to implementation phase of non-point source pollution prevention strategy.* As Minnesota moves from the planning to the implementation stage of its non-point source strategy, BWSR's local government network increases in importance

AGENCY CAPITAL BUDGET BRIEF
Strategic Planning Summary (Cont'd.)
Fiscal Years 1996-2001

Form A

as the means to disseminate financial and technical aid to local governments. BWSR has the structure and the relationships needed to address non-point concerns at the local level.

- d. *Federal Actions.* Federal actions continue to affect BWSR's local government programs in a variety of ways. Some examples are the recent funding cuts to the Conservation Reserve Program and the Wetland Reserve Program. Decreasing federal participation in flood control means a greater need for state participation. BWSR must take this into consideration as it anticipates funding, program and staffing needs, and increased competition for state resources.

4. PROVIDE A SELF-ASSESSMENT OF THE CONDITION, SUITABILITY AND FUNCTIONALITY OF PRESENT FACILITIES, CAPITAL PROJECTS OR ASSETS:

Since the inception of the RIM reserve/permanent wetland preserve programs, landowner interest in conservation easements has consistently exceeded appropriations by a 4 to 1 margin. The board anticipates that this level of interest in the program will continue for the foreseeable future.

The Area II Minnesota River grant-in-aid program administered and technically supported by BWSR has been an effective partnership for flood control, floodplain management, erosion control and water quality improvements. The member counties of the Area II joint powers board remain focussed on their mission and have the desire and capability to support an expanded state and local partnership in the Minnesota River basin. Existing studies by the Soil Conservation Service, Corps of Engineers and local governments have identified numerous potential project sites.

In the past the streambank, lakeshore and roadside (SLR) and abandoned well sealing programs have not been funded directly through bonding. In recent years demand for these programs has exceeded available funding by more than 2:1.

5. DESCRIBE THE AGENCY'S LONG-RANGE STRATEGIC GOALS AND CAPITAL BUDGET PLAN:

BWSR intends to use bonding to the extent possible to fund projects on public property and projects on private land that have a long term public benefit. Projects on private land that protect public interests will be done through the acquisition of easements.

BWSR's Strategic Plan (attachment A) identifies resource management strategies and the agency's related goals. The resource management strategies specified are education, compliance incentives and regulation. The plan also identifies a number of goals that focus on assisting local governments and landowners in solving and preventing natural resource management problems. The projects outlined in this capital budget request utilize the "incentive strategy" as tools available to local government to enhance local program delivery. Incentives should provide opportunities to dissuade the harmful and encourage beneficial land and water use activities. Incentives should also encompass urban as well as rural values, and loans as well as grants.

Some of the goals identified in BWSR's strategic plan that will be achieved through the capital projects include:

- Protecting or retiring existing marginal agricultural lands and highly sensitive lands.
- Targeting land retirement programs at high priority marginal agricultural lands and sensitive lands.
- Retiring marginal agricultural lands and highly sensitive lands which then allows land managers to focus their stewardship efforts on more productive lands.
- Creating and protecting natural retention systems to aid in the management of surface water runoff and enhance the groundwater recharge.
- Striving towards a "net gain" of wetland resources.
- Installing best management practices on Minnesota lands.

AGENCY CAPITAL BUDGET BRIEF
Strategic Planning Summary (Cont'd.)
Fiscal Years 1996-2001

Form A

- Targeting land treatment cost-share programs to erosion-prone productive lands.
- Reducing soil loss to or below the soil loss tolerance level by the year 2000.
- Managing runoff to minimize property loss and environmental damage.
- Reducing groundwater contamination by sealing abandoned wells.

The requests included in this capital budget are a reflection of programs that have been successful in achieving the objectives outlined above. Wetland restoration, erosion control projects, well sealing and RIM have specifically been identified in local comprehensive water management programs as key incentives to realizing state and local water resource objectives.

6. AGENCY PROCESS USED TO ARRIVE AT THESE CAPITAL REQUESTS:
Budget requests were based on historic requests from local governments for financial assistance.

The capital budget request for the RIM reserve program was determined by extrapolating acreage from the program's five year plan (attachment B). The acreage was derived through a collaborative effort by representatives of local government and BWSR's RIM planning committee. Collectively they estimated the amount of land eligible for the RIM reserve program and forecasted landowner interest.

BWSR staff estimated the acreage eligible for the permanent wetland preserve program to arrive at that component of the funding request.

Information was provided by the Washington County Soil and Water Conservation District for the St. Croix River SLR request.

Area II requests were based on short and long range work plans that reflect project priorities and available capabilities.

Abandoned well information was derived from local water plans.

All requests are a reflection of demands by local government and citizens for service or technical assistance.

The county water plans and the work plans done by SWCDs, watershed districts and watershed management organizations were key sources for these requests.

7. AGENCY CAPITAL BUDGET PROJECTS DURING THE LAST SIX YEAR (1990-1995):

RIM Reserve/Permanent Wetland Preserve has received \$35.9 million from bonding between 1986 and 1994. Please refer to the RIM Reserve Permanent Wetland Preserve project detail for funding history by year.

During the past six years (1990-1995), the Area II grant-in-aid program has received \$2.695 million from capital bonding for design, land rights, acquisition and construction of multi-purpose flood damage reduction projects.

8. OTHER (OPTIONAL): None

9. AGENCY CONTACT PERSON, TITLE AND PHONE
Ronald D. Harnack, Executive Director 296-0878

r9p-00a.mue
10-06-95 11:38am cm

**AGENCY CAPITAL BUDGET REQUEST
Non-Building Project Detail**

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

Form F-1

AGENCY: Water and Soil Resources, Board of
PROJECT TITLE: Reinvest In Minnesota (RIM) Reserve Program and the
Permanent Wetlands Preserve Program (PWP) (R9P-01F.MUE)
TOTAL PROJECT COSTS: \$58,706
STATE APPROPRIATION REQUEST FOR 1996 SESSION: \$22,626
STATE APPROPRIATION ESTIMATE FOR 1998 SESSION: \$19,706
STATE APPROPRIATION ESTIMATE FOR 2000 SESSION: \$16,374
LOCATION (CAMPUS, CITY, COUNTY): Statewide

AGENCY PRIORITY (for 1996 Session only):

1 of 4 requests

1. PROJECT DESCRIPTION:

RIM Reserve was established in 1986 (M.S. 103F.505 to 103F.531, "to keep certain marginal agricultural land out of crop production to protect soil and water quality and support fish and wildlife habitat." The requested funds will be utilized to acquire conservation easements from private landowners on marginal lands to restore wetlands and to establish permanent vegetative cover. Marginal lands targeted for acquisition include riparian lands, drained restorable wetlands, sensitive groundwater areas and marginal agricultural croplands.

The permanent wetland preserve program was enacted under the Laws of 1991, c. 354, Article 3, subpart 1. The requested funds will be utilized to acquire perpetual conservation easements on existing type 1 (seasonally flooded basin or flat), 2 (inland wet meadow), 3 (cattail) wetlands and 6 (shrub) and adjacent lands, and for the establishment of permanent cover on the adjacent lands.

In addition to conservation easement acquisition, the total dollar amount requested includes professional service costs associated with acquiring easements and conducting related engineering functions (12% for wetland restoration easements and 10% for non-wetland restoration easements).

2. PROJECT RATIONALE AND RELATIONSHIP TO AGENCY LONG-RANGE STRATEGIC GOALS AND CAPITAL PLAN:

Project Rationale

The RIM Reserve and PWP programs conform with the Board of Water and Soil Resources' (BWSR's) long-range plan by providing an incentive tool for local resource managers to utilize to protect and improve their water and soil resources. RIM Reserve and PWP are implemented at the local level by soil and water conservation districts (SWCDs).

RIM promotes the retirement of marginal intensive-use lands by reimbursing landowners to cease cropping and grazing, and establish conservation practices. This conserving use reduces runoff, erosion and sedimentation, and benefits land, water, fish and wildlife resources. Specific benefits to the public include:

- prevention of groundwater contamination to surficial and bedrock aquifers through the retirement of cropland overlying wellhead protection areas or in the immediate proximity of sinkholes;
- prevention of further surface water quality degradation by reducing sediment and nutrient loads through the retirement of riparian land, marginal agricultural cropland and by restoring drained wetlands.
- enhancement of fish and wildlife habitat by reducing sediment and nutrient loads through the retirement of riparian lands and the restoration of drained wetlands; and
- enhancement of game and nongame wildlife habitat due to increased permanent vegetative cover.

The permanent wetland preserve program was enacted during the same legislative session that the Wetland Conservation Act 1991 (WCA) was passed. Both programs strive to protect the state's remaining wetland resources. The permanent wetland preserve program discourages the conversion of wetlands that are exempt from the regulatory restrictions of

**AGENCY CAPITAL BUDGET REQUEST
Non-Building Project Detail (Cont'd.)**

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

Form F-1

the WCA, and offsets the financial burden that may result when individuals are denied a permit exemption from WCA rules. When the permanent wetland preserve program was created, the state waterbank program which compensated landowners when a DNR protected wetlands permit to drain for agricultural purposes was denied was sunsetted. Even though the two programs are not identical, the permanent wetland preserves program was intended largely to replace the state waterbank program.

Both programs meet the goals and objectives of BWSR's strategic plan (1990). They protect the state's water and soil resources by retiring existing marginal agricultural lands, by restoring drained wetlands and by protecting existing wetlands that are highly susceptible to alteration.

Anticipated Outcomes

For the RIM Reserve program the FY 96-97 easement acquisition goal includes 12,000 acres of marginal lands (including riparian lands and groundwater sensitive lands) and 4,000 acres of drained wetlands.

In addition to this baseline RIM Reserve acquisition goal, the agency has identified the need to acquire easements on 9,835 acres of lands expiring from USDA's Conservation Reserve Program (CRP) contracts or RIM Reserve limited-duration easements during the 96-97 biennium. Conversion of these contacts or limited-duration easements to perpetual easements is efficient because the land is already in conserving use and therefore will not require dollars for the establishment of conservation practices. Less than one percent of the expiring acres are targeted for acquisition. Only the most environmentally sensitive lands are targeted for conversion into RIM Reserve - those lands that significantly contribute to the degradation of ground and surface water resources. Typically these lands are prone to erosive forces that detach sediment (often latent with nutrients and pesticides), and a direct transportation route between the land and a water body exists. Some counties have included these sensitive lands as priorities in their local water plans. While maintaining these acres in conserving use requires a significant investment, it is important to recognize that lands reverting to intensive use, such as cropping and grazing, will undoubtedly result in costly off-site impacts such as sedimentation and water quality degradation.

BWSR will place priority on enrolling existing wetlands that are highly susceptible to alteration into PWP, i.e., farmed wetlands or wetlands not protected by state or federal laws. Target enrollment is 2,500 for the 96-97 biennium.

Acres scheduled for release from CRP and RIM limited-duration easements:

Year	CRP Acres	RIM Acres	Total Acres
1996	136,000	110	136,110
1997	1,007,000	8,120	1,015,120
1998	341,000	100	341,100
1999	221,000	100	221,100
2000	126,000	-0-	126,000
2001	20,000	-0-	20,000
Total	1,705,000	8,430	1,713,430

AGENCY CAPITAL BUDGET REQUEST **Non-Building Project Detail (Cont'd.)**

Form F-1

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

ACREAGE ENROLLMENT GOALS:

YEAR	RIM MARGINAL ACRES	RIM WETLAND ACRES	EXPIRING CRP ACRES	EXPIRING RIM ACRES	PWP ACRES	TOTAL ACRES
96-97	12,000	4,000	5,720	4,115	2,500	28,335
98-99	12,000	4,000	5,620	100	2,200	23,920
00-01	12,000	4,000	1,460	0	1,500	18,960
	36,000	12,000	12,800	4,215	6,200	71,215

FUNDS REQUIRED TO ENROLL GOAL ACREAGE:

YEAR	MARGINAL LANDS	WETLAND RESTORE	EXPIRING CRP/RIM	PWP	TOTAL \$\$\$
96-97	9,492	4,744	6,412	1,978	22,626
98-99	9,492	4,744	3,730	1,740	19,706
00-01	9,492	4,744	952	1,186	16,374
Totals	28,476	14,232	11,094	4,904	58,706

Average Cost/Acre:

Marg/PWP \$ 791.00

Wetland \$1,186.00

CRP/RIM \$ 652.00

Achieving the enrollment acreage goals will be dependent on:

1. The state's financial commitment to the program.
2. The economic appeal of the program in relation to a landowner's management decisions.
3. The degree to which other conservation agencies and organizations contribute to the protection of the identified acres.

Project Alternatives

The BWSR acknowledges that alternative resource management techniques should be employed in conjunction with RIM Reserve and PWP to protect environmentally sensitive lands slated to expire from conservation programs. Comprehensive resource management techniques should include local adoption and enforcement of an ordinance to reduce erosion and sedimentation, and to promote maintenance of flood plain hardwood forests. A model *Agricultural Erosion control Ordinance* has been drafted to assist counties wishing to voluntarily adopt such a measure. The BWSR believes that regulatory approaches, such as ordinances, are only successful if implemented in conjunction with educational efforts and incentive programs.

The agency also believes there is a role for limited-use conservation easements. Limited-use would only be allowed in a manner compatible with the program goals to protect water quality and enhance wildlife habitat. Because the state is acquiring fewer land rights the easement acquisition rates can be reduced and consequently more acres can be protected, mutually benefiting the landowner and the citizens of the state. Limited use is most applicable to a managed grazing system or regulated mowing. Several tools exist to assist landowners with the management of their grazing lands. The Land Stewardship Project and the USDA Natural Resources Conservation Service (NRCS) have been actively involved promoting managed and holistic grazing systems, and both are actively investigating the compatibility of conservation easements and grazing. Acquiring limited-use easements does require frequent monitoring and enforcement of the terms of the easement.

SWCDs and counties must possess the base-capability of properly trained technical staff to execute alternative resource management strategies.

**AGENCY CAPITAL BUDGET REQUEST
Non-Building Project Detail (Cont'd.)**

Form F-1

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

3. PREVIOUS PROJECT FUNDING:

Since its inception in 1986, RIM's funding source has largely been from the sale of bonds (45.3 million) with limited support funding appropriated from the Environmental Trust fund (1.82 million). A capital budget request for \$14 million was submitted for the FY 1995-96 biennium. The legislature appropriated \$9 million for RIM Reserve and the PWP programs. The BWSR has committed approximately \$6 million from this account to specific easements and professional services, with the balance reserved to fund easement applications received in 1995 and to fund a special project (the restoration of Grass Lake near Willmar, MN) approved by the BWSR in February of 1995.

The BWSR has solicited and received matching funds from federal partners for wetland restoration easements. In 1994 the BWSR received \$850,000 for restorations in the Minnesota River Basin from the North American Wetlands Conservation Act (NAWCA). In 1996 the agency will receive \$753,353 from NAWCA for restorations in the Minnesota River and Heron Lake watersheds. The BWSR continues to seek grants from NAWCA to fund conservation easements associated with special projects or within priority watersheds. This matching program requires a 2.5:1 match to be competitive nationally.

It is anticipated that conservation groups, such as Pheasants Forever, Ducks Unlimited, Isaac Walton League, Minnesota Waterfowl Association, Trout Unlimited and the U.S. Fish and Wildlife Service will continue to leverage dollars towards the establishment of conservation practices on RIM easements. From 1992 to present, these organizations directly contributed approximately \$200,000 to the program, with more dollars donated in the form of grass seed and in-kind services. The BWSR continues to actively seek funding from these groups.

The PWP program received \$7 million from bonding in FY 1993-94. All of the funds have been utilized to acquire conservation easements, with the exception of \$500,000 that has been reserved for permit denial compensation.

A funding history of the easement programs, along with the program dollars requested by landowners (landowner interest), is depicted in the following table:

LAWS OF: APPROPRIATIONS (millions)			LANDOWNER INTEREST (MILLIONS)	
1986	9.4	Bonding	1986	25.5
1987	9.0	Bonding	1987	5.5
1988	-0-		1988	5.0
1989	1.5	Bonding	1989	6.3
1990	0.75	Bonding	1990	4.2
1991	6.9	Bonding	1991	7.8
1991	1.0	Env. Trust Fund	1991*	
1991	7.0	Bonding	1992	3.7
1992	1.25	Bonding	1993	35.0
1993	0.82	Env. & Future Resources Trust Funds		
	0.50	Bonding		
	0.85	NAWCA (federal grant)	1994**	20.0
1994	9.0	Bonding		

* PWP Appropriation (all other figures are RIM Reserve). Landowner interest included with the 1992-94 figures.

** A fall/winter sign-up for 1995 is scheduled.

4. OTHER CONSIDERATIONS (OPTIONAL):

RIM Reserve has been a popular program stemming from the 1984 Citizens Commission report on the Governor to Promote Hunting and Fishing in Minnesota. Many individuals and organizations praised the report for its insightful recommendations, and as a result created a coalition to promote the passage of the landmark legislation that created RIM. The demise of this program would eliminate a vital incentive tool utilized in promoting good land and water stewardship. In addition, a growing partnerships with other public and private organizations would be greatly diminished.

5. PROJECT CONTACT PERSON, TITLE AND PHONE:

Tim Fredbo, Easement Programs Manager; 296-0880

AGENCY CAPITAL BUDGET REQUEST
Non-Building Project Detail (Cont'd.)

Form F-1

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

TYPE OF REQUEST (Check all that apply):

- ☒ Acquisition of State Assets
☒ Development of State Assets
☐ Maintenance of State Assets
☐ Grants to Local Governments
☐ Loans to Local Governments
☐ Other Grants (specify): _____

PROJECT CHARACTERISTICS (Check all that apply):

- ☒ Health and Safety
☒ Enhancement of Existing Programs/Services
☒ Expansion of Existing Program/Services
☐ Provision of New Program/Services
☐ Other (specify): _____

PROPOSED METHOD(S) OF 1996 STATE FINANCING (check all that apply):

☐ Cash: \$ _____ Fund _____
☒ Bonds: \$ _____ Tax Exempt _____ Taxable _____

STATE DEBT SERVICE PAYMENTS (Check all that apply):

☒ General Fund % of total 100
☐ User Financing % of total _____

Source of funds _____

FUNDING SOURCES:

Previous Project Funding (all prior years) \$ 48,170
State funding received \$ 47,120
Federal funding received \$ 850
Local government funding received \$ 0
Private funding received \$ 200

For 1996 Session (F.Y. 1996-97)

State funding requested \$ 22,626
Federal funding \$ 850
Local government funding \$ 0
Private funding \$ 200

For 1998 Session (F.Y. 1998-99)

State funding estimate \$ 19,706
Federal funding \$ 850
Local government funding \$ 0
Private funding \$ 200

For 2000 Session (F.Y. 2000-01)

State funding estimate \$ 16,374
Federal funding \$ 850
Local government funding \$ 0
Private funding \$ 200

Total Project Costs (all years) \$ 108,079
State funding requested(all years) \$ 105,826
Federal funding (all years) \$ 3,400
Local government funding (all years) \$ 0
Private funding (all years) \$ 800

AGENCY CAPITAL BUDGET REQUEST
Non-Building Program Detail (Cont.'d)
Fiscal Years 1996-2001
Dollars in Thousands (\$137,500 = \$138)

Form F-3

DEPARTMENT OF FINANCE ANALYSIS:

GOVERNOR'S RECOMMENDATION:

Statewide Strategic Score		
Criteria	Values	Points
Critical Life Safety Emergency	700/0	
Critical Legal Liability	700/0	
Prior Binding Commitment	700/0	
Strategic Linkage	0/40/80/120	
Safety Concerns	0/35/70/105	
Customer Services/Statewide Significance	0/35/70/105	
Agency Priority	0/25/50/75/100	
User and Non-State Financing	0-100	
Asset Management	0/20/40/60	
Operating Savings or Efficiencies	0/20/40/60	
Contained in State Six-Year Planning Estimates	50/0	
Total		

AGENCY CAPITAL BUDGET REQUEST
Non-Building Program Detail

Form F-1

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

AGENCY: Water and Soil Resources, Board of (BWSR)
PROJECT TITLE: Area II Minnesota River Basin Grant-in-Aid Program
TOTAL PROJECT COSTS (ALL YEARS/ALL FUNDING SOURCES): \$7,200
STATE APPROPRIATION REQUEST FOR 1996 SESSION: \$1,650
STATE APPROPRIATION ESTIMATE FOR 1998 SESSION: \$2,175
STATE APPROPRIATION ESTIMATE FOR 2000 SESSION: \$1,575
LOCATION (CAMPUS, CITY, COUNTY): Five major subbasins of the Minnesota River between Ortonville and Mankato, Minnesota.

AGENCY PRIORITY (for projects in the 1996 session only):

r9p-03f.mue

3 of 4 requests

1. PROJECT DESCRIPTION:

In 1978 the legislature created a grant-in-aid program (M.S. 103F.171-187) to share the costs with local government of floodwater retention projects in 5 major subbasins of the Minnesota River. The project area is characterized by broad upland and lowland plains connected by a steep transition known as the Coteau des Prairie, fertile soils, frequent flooding (including many interbasin floodwater overflows) and substantial erosion. These five subbasins were referred to as Study Area II in the Minnesota River Basin Study conducted by the U.S. Soil Conservation Service during the 1970s. A 10 county joint powers board was established in 1978 to coordinate local implementation and cost sharing for the program.

The projects for which funds are requested include: flood water retention reservoirs, "road retention structures" involving temporary floodwater storage upstream from public roads, typically constructed by downsizing old bridges and culverts; and other potential floodwater and sediment retarding measures, such as buffer strips and wetland restorations.

The projects covered by this program are components of a general plan for floodplain management. The Minnesota River Basin Study identified over 100 potential floodwater retention sites within the project area. A subsequent joint study conducted by the SCS and U.S. Army Corps of

Engineers during the 1980s documented recurring severe flood damage and soil loss within the five major Area II watersheds. The direct flood damages were estimated to be \$8 million annually, with an average of 346 thousand tons of soil per year eroding from these watersheds into the Minnesota River. This soil loss was estimated to result in up to \$20 million in annual productivity losses, with significant impacts on water quality.

The joint SCS/COE study provided technical, environmental and economic analyses of the potential floodwater retention sites identified and set the basis for prioritizing projects. That study also recognized local project implementation as being the most cost effective. Road retention structure sites within Area II were identified in cooperation with county and state highway departments and have been prioritized based on the estimated costs and benefits of the sites. Capital funding requests include for the next 6 years include:

Road retention projects	\$1,800 thousand
Redwood-22 Reservoir upstream of Marshall	\$1,050 thousand
Lazarus Creek reservoir	\$1,125 thousand
Peterson reservoir	\$ 400 thousand
Lac Qui Parle 3 reservoir	\$1,125 thousand

These state funds would be matched by at least 25% local share of project costs.

2. PROJECT RATIONALE AND RELATIONSHIP TO AGENCY LONG-RANGE STRATEGIC GOALS AND CAPITAL PLAN:

The severe flooding in the Minnesota River basin in 1993 highlighted the need to reduce flood damage to roads and bridges, public and private structures, farm fields, river banks and urban centers within the project area. An interagency hazard mitigation team led by the Federal Emergency Management Agency (FEMA) prepared a report for Minnesota, including Area II, that identified floodwater retention at roads, flood control reservoirs and wetland restorations as appropriate measures to reduce flood damage in the future. The reservoirs and road retention structures included in this

**AGENCY CAPITAL BUDGET REQUEST
Non-Building Project Detail (Cont'd.)**

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

Form F-1

cost share program retard floodwaters in the upstream areas of watersheds, which reduces downstream flood peaks and sediment transport. Lower flood peaks result in reduced direct flood damages to roads, bridges, structures and fields, as well as reduced downstream sedimentation. The sediment and associated nutrient trapping efficiency of these floodwater retarding projects is 50 - 90%, providing significant water quality improvement benefits.

BWSR's strategic plan states: "Runoff should be managed to minimize property loss and environmental damage by moderating high flows and maintaining low flows of streams." Both state and federal floodplain management and flood control programs rely upon local partners and local implementation. To date, the Area II partnerships between local, state and federal governments have resulted in the construction of 8 flood control reservoirs and 18 road retention projects. These partnerships have capitalized on the efficiencies of local implementation through focused efforts, mutual commitments and streamlined procedures. Numerous additional road retention projects, reservoirs and associated watershed management measures are planned within Area II.

BWSR's basic strategy, as capsulized in its mission statement and outlined in its strategic plan, is to empower local governments and private citizens to be effective resource managers. The statewide local water planning efforts have been very successful in this regard, and have become an important basis for the strategic plan for the Area II joint powers group. On a watershed basis, successful local water management requires joint efforts among local units of government. The Area II joint powers board and state grant-in-aid program have provided opportunities to achieve this kind of local government cooperation for flood control and floodplain management. The Area II grant-in-aid program has also provided opportunities for partnerships associated with erosion and sedimentation control, river and reservoir water quality monitoring, streamflow data collection and related technical assistance.

The strategic plan for Area II includes increased ties to comprehensive local water plans, as well as expanded partnerships under the state's Minnesota

River improvement initiative. The board of directors for the Area II joint powers group has expressed to the Governor and area legislators its commitment to an expanded role under the Minnesota River improvement initiative. Area II will look to other agencies for support to achieve mutual objectives. The focus is expected to continue to shift from large floodwaters retention dams to smaller strategically located road retention projects and wetland restorations or enhancements. If anyone of the larger projects will be required to other priority projects

3. PREVIOUS PROJECT FUNDING:

Since fiscal year 1992, the Area II grant-in-aid program has received \$189,000 per fiscal year of state general funds. These funds have been utilized to cost share design and construction of numerous road retention projects, as well as preliminary design and environmental analysis for the Redwood-22 and Lazarus Creek reservoir projects. Following are previous project-specific appropriations.

Redwood-22 Reservoir Project:

ML1993, Chapter 172, Sec. 6; \$250 reappropriated from state building fund for project land acquisition.

ML1994, Chapter 643, Sec. 26; \$800 capital bonding for land acquisition only, contingent upon local match.

4. OTHER CONSIDERATIONS (OPTIONAL):

The requested funding would involve a maximum state cost-share of 75%, if federal funding is not available, and maximum 50% of the local sponsor cost-share, if federal funding is available, in accordance with program statutes. In all instances, local government and BWSR have leveraged the optimum availability of federal funds. If no action is taken to fund this project, the rate of project implementation (by local governments alone) will be greatly curtailed, and an opportunity for continued support of this local/state partnership for flood water retention and related water quality protection in a large portion of the Minnesota River basin will be foregone.

AGENCY CAPITAL BUDGET REQUEST
Non-Building Project Detail (Cont'd.)

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

Form F-1

5. PROJECT CONTACT PERSON, TITLE, AND PHONE:

10-06-95 11:17am cm

Al Kean, Chief Engineer; 297-2907

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AGENCY CAPITAL BUDGET REQUEST
Non-Building Program Detail (Cont'd.)

Form F-2

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

TYPE OF REQUEST (Check all that apply):

- ☐ Acquisition of State Assets
☐ Development of State Assets
☐ Maintenance of State Assets
☒ Grants to Local Governments
☐ Loans to Local Governments
☐ Other Grants (specify):

PROJECT CHARACTERISTICS (Check all that apply):

- ☒ Health and Safety
☐ Enhancement of Existing Programs/Services
☒ Expansion of Existing Program/Services
☐ Provision of New Program/Services
☐ Other (specify):

PROPOSED METHOD(S) OF 1996 STATE FINANCING (check all that apply):

Cash: \$ _____ Fund _____
☒ Bonds: \$ 1,650 Tax Exempt ☒ Taxable _____

STATE DEBT SERVICE PAYMENTS (Check all that apply):

☒ General Fund % of total 100
☐ User Financing % of total _____ Source of funds

FUNDING SOURCES:

Previous Project Funding (all prior years) \$ 1,050
State funding received \$ 1,050
Federal funding received \$ -0-
Local government funding received \$ -0-
Private funding received \$ -0-

For 1996 Session (F.Y. 1996-97)

State funding requested \$ 1,650
Federal funding \$ -0-
Local government funding \$ 550
Private funding \$ -0-

For 1998 Session (F.Y. 1998-99)

State funding estimate \$ 2,175
Federal funding \$ -0-
Local government funding \$ 725
Private funding \$ -0-

For 2000 Session (F.Y. 2000-01)

State funding estimate \$ 1,575
Federal funding \$ -0-
Local government funding \$ 525
Private funding \$ -0-

Total Project Costs (all years) \$ 8,250
State funding requested(all years) \$ 6,450
Federal funding (all years) \$ -0-
Local government funding (all years) \$ 1,800
Private funding (all years) \$ -0-

AGENCY CAPITAL BUDGET REQUEST
Non-Building Program Detail (Cont.'d)

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

Form F-3

DEPARTMENT OF FINANCE ANALYSIS:

GOVERNOR'S RECOMMENDATION:

r9p-03f.mue
10-06-95 11:17am cm

Statewide Strategic Score		
Criteria	Values	Points
Critical Life Safety Emergency	700/0	0
Critical Legal Liability	700/0	0
Prior Binding Commitment	700/0	0
Strategic Linkage	0/40/80/120	120
Safety Concerns	0/35/70/105	0
Customer Services/Statewide Significance	0/35/70/105	70
Agency Priority	0/25/50/75/100	50
User and Non-State Financing	0-100	25
Asset Management	0/20/40/60	0
Operating Savings or Efficiencies	0/20/40/60	0
Contained in State Six-Year Planning Estimates	50/0	50
Total		315

AGENCY CAPITAL BUDGET REQUEST
Non-Building Program Detail
Fiscal Years 1996-2001
Dollars in Thousands (\$137,500 = \$138)

Form F-1

AGENCY: Water and Soil Resources, Board of
PROJECT TITLE: Abandoned Well Sealing (a:r9p-04F.mue)
TOTAL PROJECT COSTS (ALL YEARS/ALL FUNDING SOURCES): \$1,500
STATE APPROPRIATION REQUEST FOR 1996 SESSION: \$ 250
STATE APPROPRIATION ESTIMATE FOR 1998 SESSION: \$ 250
STATE APPROPRIATION ESTIMATE FOR 2000 SESSION: \$ 250
LOCATION (CAMPUS, CITY, COUNTY): Statewide

AGENCY PRIORITY (for projects in the 1996 session only):

4 of 4 requests

1. PROJECT DESCRIPTION:

The requested funds will be used to share the cost of sealing high-priority abandoned wells on public land (exclusive of state land) including municipal, township, and county land under Minnesota Statutes 103C.501. The state share of well-sharing costs will be up to 75%. Well sealing costs can range from several hundred to many thousand dollars, so the exact numbers of wells that will be sealed is not known, but using the statewide average of \$500 per well sealed, the requested funds will seal approximately 2,000 priority wells.

2. PROJECT RATIONALE AND RELATIONSHIP TO AGENCY LONG-RANGE STRATEGIC GOALS AND CAPITAL PLAN:

Abandoned wells are wells that are no longer used on a regular basis, or are in such a state of disrepair that continued use is impractical or a health hazard. Unsealed abandoned wells are a potential source of ground-water degradation, and can pose a safety hazard. They can act as conduits or channels for contamination to reach ground water. Water from a contaminated aquifer may move through an unsealed abandoned well to contaminate another aquifer that is normally protected by an impermeable layer. The Minnesota Department of Health (MDH) has estimated that there are approximately one million unsealed abandoned wells present throughout the state. Some counties are estimated to have as few as 1000 abandoned

wells, while others may have thousands.

The Ground-water Protection Act of 1989 provided limited state funding to establish a cost-share program to seal abandoned wells. This program was administered by the Board of Water and Soil Resources (BWSR). To date 1.1 million dollars have been allocated in grants to 39 counties to share the cost with landowners of sealing high priority abandoned wells. Over 3400 wells have been sealed to date with these cost-share funds. Program results have been summarized in a "Status Report on Abandoned Well Programs" submitted jointly to the Minnesota legislature in September, 1994 by BWSR and MDH.

The well-sealing cost-share program has not been able to address the problem of abandoned wells on publicly owned land. The Department of Natural Resources has been charged with conducting inventories of abandoned wells on state land, and has received funding to seal priority wells on state land.

These requested funds will begin to address the problem of abandoned wells on publicly owned land other than state land. The requested funds will compliment the existing regulatory program which requires disclosure and sealing of unused wells at the time of property transfer.

The BWSR strategic plan identifies reducing ground-water contamination by cost-share on sealing abandoned wells as a goal. The BWSR, in cooperation with other agencies, has developed the capabilities and procedures to successfully implement a cost-share program for high priority wells.

3. PREVIOUS PROJECT FUNDING:

A total of \$357,000 in state funding was appropriated to BWSR for well-sealing cost share grants to counties in FY 90-91. The legislature appropriated \$750,000 in state funding from the Environmental Trust Fund during the 1991 legislative session for well-sealing cost-share grants to counties in FY 92-93. The state received \$500,000 in federal funding in 1995 for well-sealing cost-share grants to counties. This funding was in the form of a grant from the Federal Centers for Disease Control to the MN Department

AGENCY CAPITAL BUDGET REQUEST
Non-Building Project Detail (Cont'd.)
Fiscal Years 1996-2001
Dollars in Thousands (\$137,500 = \$138)

Form F-1

of Health, which was transferred to BWSR to administer. Local funding for well-sealing, principally from counties, has been approximately \$150,000 to date. Private landowners have contributed at least 25% of well-sealing costs, or approximately \$450,000.

4. OTHER CONSIDERATIONS (OPTIONAL):

A concern in this type of program is setting priorities to insure that the highest priority wells (those with the greatest potential to contaminate ground water) are sealed with available funds. Setting priorities insures that the most effective use is made of state funds and that the state gets the most ground-water protection for its money. In 1990, BWSR established an interagency advisory group with representation from BWSR, MDH, DNR, MPCA, and several counties which developed a system for prioritizing wells for sealing.

Priority wells are wells which, by virtue of their construction, depth, condition, location, aquifer characteristics, or proximity to contamination sources and other wells provide increased potential for ground water contamination and contamination of drinking water. Examples include wells receiving surface drainage, wells penetrating confining layers, multi-aquifer, wells near a zone of surface contamination, and wells in an aquifer for which unsealed abandoned wells are the main potential contamination source.

A great deal of experience has already been gained in setting priorities for well sealing. The prioritization criteria developed as a part of the current well sealing cost-share program will be used to prioritize requests from public entities for well sealing funds so that the allocations will achieve the most ground-water protection per state dollar spent.

5. PROJECT CONTACT PERSON, TITLE, AND PHONE:

Greg Larson, Administrator, Water and Land Management Section;
296-0882.

AGENCY CAPITAL BUDGET REQUEST
Non-Building Program Detail (Cont'd.)

Form F-2

Fiscal Years 1996-2001
Dollars in Thousands (\$137,500 = \$138)

TYPE OF REQUEST (Check all that apply):

- ☐ Acquisition of State Assets
☐ Development of State Assets
☒ Maintenance of State Assets
☐ Grants to Local Governments
☐ Loans to Local Governments
☐ Other Grants (specify): _____

PROJECT CHARACTERISTICS (Check all that apply):

- ☒ Health and Safety
☐ Enhancement of Existing Programs/Services
☐ Expansion of Existing Program/Services
☒ Provision of New Program/Services
☐ Other (specify): _____

PROPOSED METHOD(S) OF 1996 STATE FINANCING (check all that apply):

☐ Cash: \$ _____ Fund _____
☒ Bonds: \$250 Tax Exempt ☒ Taxable _____

STATE DEBT SERVICE PAYMENTS (Check all that apply):

☒ General Fund % of total 100
☐ User Financing % of total _____

Source of funds _____

FUNDING SOURCES:

Previous Project Funding (all prior years) \$ 1,757
State funding received \$ 1,107
Federal funding received \$ 500
Local government funding received \$ 150
Private funding received \$ 450

For 1996 Session (F.Y. 1996-97)

State funding requested \$ 250
Federal funding \$ 0
Local government funding \$ 125
Private funding \$ 0

For 1998 Session (F.Y. 1998-99)

State funding estimate \$ 250
Federal funding \$ 0
Local government funding \$ 125
Private funding \$ 0

For 2000 Session (F.Y. 2000-01)

State funding estimate \$ 250
Federal funding \$ 0
Local government funding \$ 125
Private funding \$ 0

Total Project Costs (all years) \$ 3,257
State funding requested(all years) \$ 1,257
Federal funding (all years) \$ 500
Local government funding (all years) \$ 900
Private funding (all years) \$ 0

AGENCY CAPITAL BUDGET REQUEST**Form F-3****Non-Building Program Detail (Cont.'d)**

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

DEPARTMENT OF FINANCE ANALYSIS:**GOVERNOR'S RECOMMENDATION:**

Statewide Strategic Score		
Criteria	Values	Points
Critical Life Safety Emergency	700/0	
Critical Legal Liability	700/0	
Prior Binding Commitment	700/0	
Strategic Linkage	0/40/80/120	
Safety Concerns	0/35/70/105	
Customer Services/Statewide Significance	0/35/70/105	
Agency Priority	0/25/50/75	
User and Non-State Financing	0-100	
Asset Management	0/20/40/60	
Operating Savings or Efficiencies	0/20/40/60	
Contained in State Six-Year Planning Estimates	50/0	
Total		

AGENCY CAPITAL BUDGET REQUEST
Non-Building Program Detail

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

Form F-1

AGENCY: Water and Soil Resources, Board of
PROJECT TITLE: Erosion Control Cost-Share (a:r9p-02F.mue)
TOTAL PROJECT COSTS (ALL YEARS/ALL FUNDING SOURCES): \$3,900
STATE APPROPRIATION REQUEST FOR 1996 SESSION: \$1,200
STATE APPROPRIATION ESTIMATE FOR 1998 SESSION: \$1,500
STATE APPROPRIATION ESTIMATE FOR 2000 SESSION: \$1,200
LOCATION (CAMPUS, CITY, COUNTY): Statewide

AGENCY PRIORITY (for projects in the 1996 session only):

2 of 4 requests

1. PROJECT DESCRIPTION:

Eligible projects under the BWSR's cost-share programs include eroding sites on streambank, lakeshore and roadside areas. The program has statewide applicability with focus on lakes and rivers. Sites on public property are eligible, sites on private land are eligible if access--for maintenance--and use of the sites are restricted by easement.

The amount requested above for each of the next three bienniums is intended as grants to soil and water conservation districts (SWCDs) for cost-sharing with landowners at a 50% / 50% (federal/local/private share) rate. The Board of Water and Soil Resources (BWSR) proposes that up to 20% of bond proceeds be used for the technical assistance necessary to survey and design the projects. This percentage is consistent with M.S. 103C.501, Cost-Sharing Contracts.

2. PROJECT RATIONALE AND RELATIONSHIP TO AGENCY LONG-RANGE STRATEGIC GOALS AND CAPITAL PLAN:

The BWSR strategic plan states that programs should be available to assist local units of government in preventing and correcting problems on lakes and rivers. The sites that would be addressed by this proposal are locally identified by SWCDs as priority areas. The BWSR allocates funds to SWCDs on a request basis. For fiscal year 1994, SWCDs requested \$573,000 for 29 projects. The BWSR funded 12 requests for \$159,000. The trend of

requests exceeding funding by a 3.5:1 ratio has existed for several years and the basis for part of this proposal. An additional \$400,000 per year is needed to fund requests.

The other component of this proposal regards the St. Croix River south of Stillwater. Estimates provided by local government personnel suggest that there are about 100 sites that need stabilization of an average cost of \$10,000 per site including cost of easements for access and restricted use. Of this total, one million dollars is needed for these projects over the next 6 years.

3. PREVIOUS PROJECT FUNDING:

The BWSR has provided grants to SWCDs for streambank, lakeshore and roadside projects since the late 1970's. The LCMR provided the initial funding to the SWCB of \$150,000 and \$250,000 per year, respectively, over two biennia. Since then, annual funding has averaged about \$159,000.

Based on historical funding, federal, local and private sources have combined with state funding to fund projects. No previous bonding funds have been involved in these projects.

4. OTHER CONSIDERATIONS (OPTIONAL):

Local governments and BWSR have used other funds to augment this effort (e.g., local water planning and federal USDA-ACP erosion control cost-share dollars). Lake Superior, Coastal Management, and EPA 319, Great Lakes Commission, and state revolving funds are also leveraged by these requests.

Due to federal budget cutbacks, annual state USDA-ACP funding has been reduced 75% from \$6 million to \$1.5 million, in the last 3 years.

5. PROJECT CONTACT PERSON, TITLE, AND PHONE:

Greg Larson, Administrator, Water & Land Management Section; 296-0882

AGENCY CAPITAL BUDGET REQUEST
Non-Building Program Detail (Cont'd.)

Form F-2

Fiscal Years 1996-2001

Dollars in Thousands (\$137,500 = \$138)

TYPE OF REQUEST (Check all that apply):

- ☐ Acquisition of State Assets
☐ Development of State Assets
☒ Maintenance of State Assets
☒ Grants to Local Governments
☐ Loans to Local Governments
☐ Other Grants (specify): _____

PROJECT CHARACTERISTICS (Check all that apply):

- ☒ Health and Safety
☐ Enhancement of Existing Programs/Services
☒ Expansion of Existing Program/Services
☐ Provision of New Program/Services
☐ Other (specify): _____

PROPOSED METHOD(S) OF 1996 STATE FINANCING (check all that apply):

☐ Cash: \$ _____ Fund _____
☒ Bonds: \$1,500 Tax Exempt ☒ Taxable _____

STATE DEBT SERVICE PAYMENTS (Check all that apply):

☒ General Fund % of total 100
☐ User Financing % of total _____

Source of funds _____

FUNDING SOURCES:

Previous Project Funding (all prior years) \$ 6,688
State funding received \$ 3,344
Federal funding received \$ 669
Local government funding received \$ 1,004
Private funding received \$ 1,672

For 1996 Session (F.Y. 1996-97)

State funding requested \$ 1,200
Federal funding \$ 240
Local government funding \$ 360
Private funding \$ 600

For 1998 Session (F.Y. 1998-99)

State funding estimate \$ 1,500
Federal funding \$ 300
Local government funding \$ 450
Private funding \$ 750

For 2000 Session (F.Y. 2000-01)

State funding estimate \$ 1,200
Federal funding \$ 240
Local government funding \$ 360
Private funding \$ 600

Total Project Costs (all years) \$ 14,488
State funding requested(all years) \$ 7,244
Federal funding (all years) \$ 1,448
Local government funding (all years) \$ 2,174
Private funding (all years) \$ 3,622

AGENCY CAPITAL BUDGET REQUEST
Non-Building Program Detail (Cont.'d)
Fiscal Years 1996-2001
Dollars in Thousands (\$137,500 = \$138)

Form F-3

DEPARTMENT OF FINANCE ANALYSIS:

GOVERNOR'S RECOMMENDATION:

Statewide Strategic Score		
Criteria	Values	Points
Critical Life Safety Emergency	700/0	
Critical Legal Liability	700/0	
Prior Binding Commitment	700/0	
Strategic Linkage	0/40/80/120	
Safety Concerns	0/35/70/105	
Customer Services/Statewide Significance	0/35/70/105	
Agency Priority	0/25/50/75/100	
User and Non-State Financing	0-100	
Asset Management	0/20/40/60	
Operating Savings or Efficiencies	0/20/40/60	
Contained in State Six-Year Planning Estimates	50/0	
Total		

ENVIRONMENTAL REORGANIZATION

Section 1. FINDINGS.

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

Sec. 2. REORGANIZATION.

Subdivision 1. GOALS. The legislature finds that it is desirable to develop a plan to reorganize state services relating to the protection of the environment, protection of farmland, and the management of natural resources to achieve the following goals:

- (1) sustainable development throughout all regions of the state and all sectors of the economy;
- (2) improved delivery of services;

New language is indicated by underline, deletions by ~~strikeout~~.

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

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

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

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

Sec. 3. OUTCOMES.

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

- (1) consolidation, where appropriate, of many of the state's diverse environmental and natural resource programs;
- (2) better coordination of programs and activities relating to environmental and natural resource matters;
- (3) improved citizen access to pertinent, understandable information;
- (4) establishment of an expeditious review process for agency actions;
- (5) establishment of a policy planning framework for sustainable development;
- (6) integrated licensing and permitting through a single access point;
- (7) identification and review of specifications and programs that should be eliminated or accomplished by different means;
- (8) decentralization of the service-delivery system for the benefit of citizens of the state as consumers of services;
- (9) management based on appropriate geographical natural resource characteristics;
- (10) development of the polluter-pays principle through a balanced system of regulatory controls and financial incentives; and
- (11) the flexibility to enable state and local governments to coordinate and cooperate as well as identify and address existing and emerging environmental issues of state, national, and international import.

Sec. 4. REORGANIZATION STUDY.

Subdivision 1. GOVERNOR'S DESIGNEES. Within 30 days of the effective date of this section, the governor shall designate a commissioner or group of commissioners to develop a plan to reorganize state services relating to the pro-

New language is indicated by underline, deletions by ~~strikeout~~.

tection of the environment and the management of natural resources. The governor's designee or designees shall consult with legislators designated by the legislative coordinating commission under subdivision 2 in developing the plan.

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

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

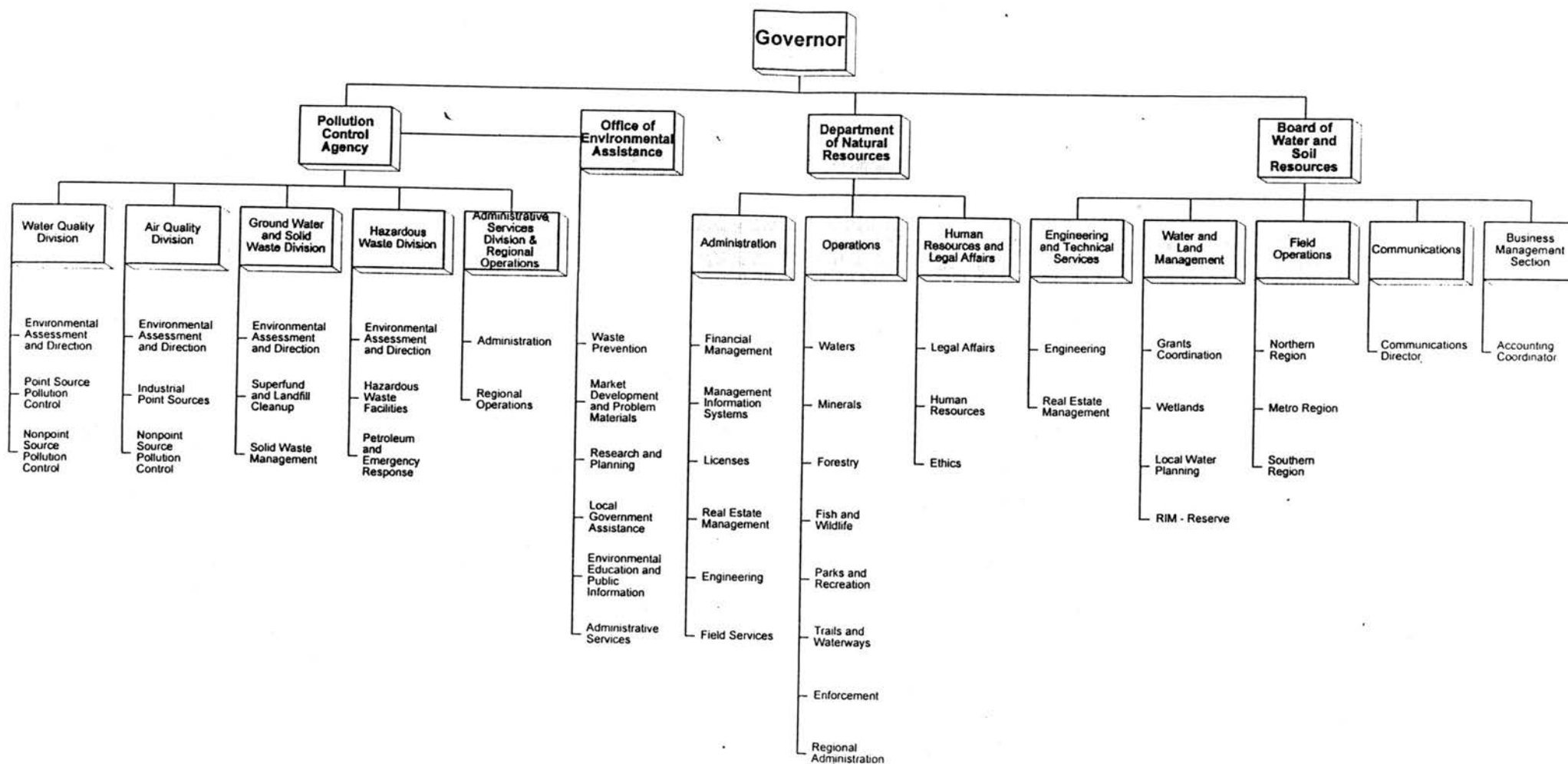
Subd. 4. ACTIVITIES. (a) The designees named under subdivisions 1 and 2 shall serve as partners in studying the delivery of state services and the performance of state functions and shall recommend changes that would achieve the goals and outcomes outlined in sections 2 and 3. These recommendations must be submitted to the legislature by December 15, 1996.

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

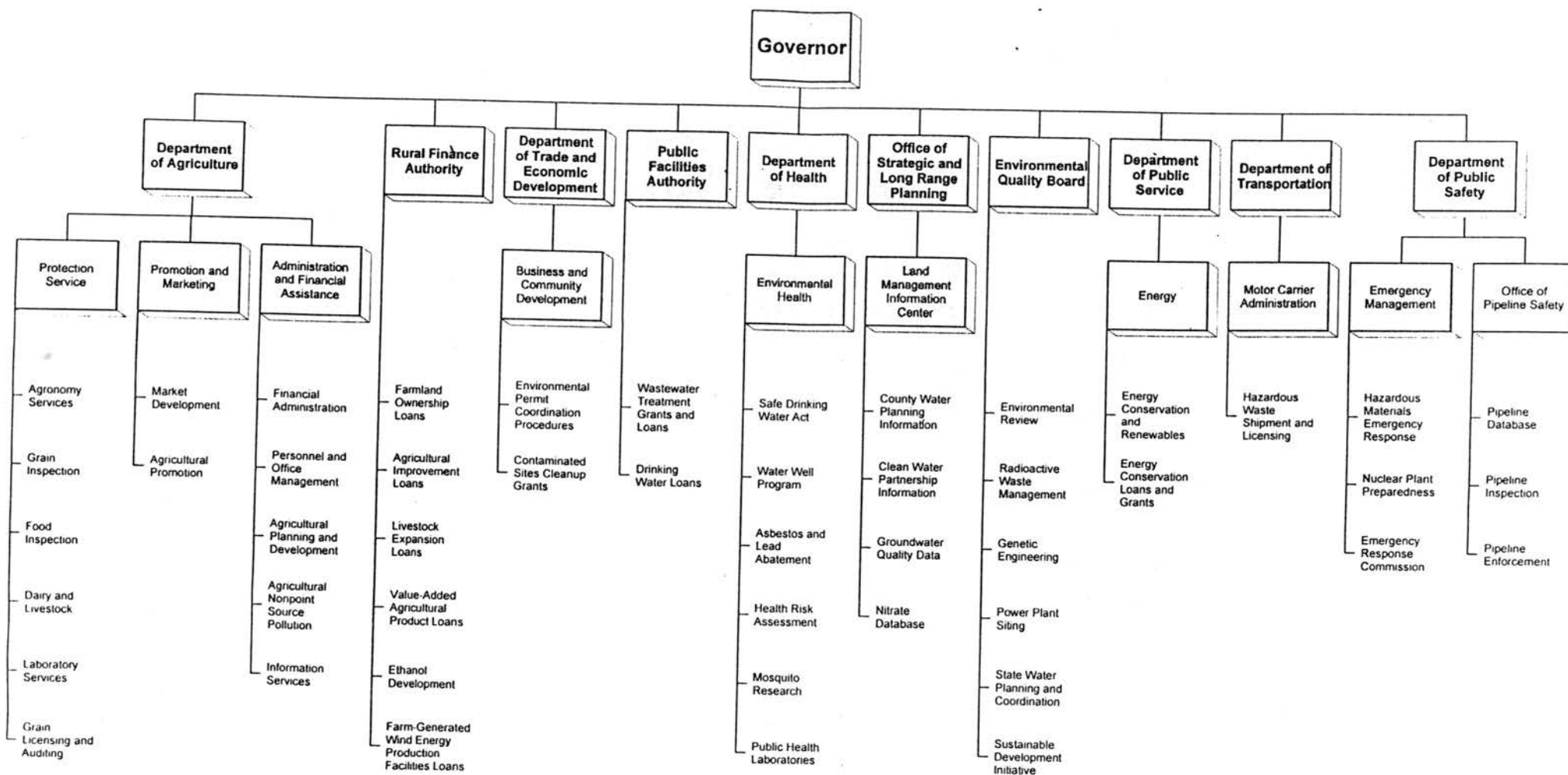
(c) As part of their study, the designees shall examine boards, commissions, councils, and task forces, including the office of environmental assistance and the board of water and soil resources and other organizations and advisory bodies providing or regulating state services relating to the protection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

10/11/1995

Environment, Natural Resource, and Farmland Protection State Program Overview



Environment, Natural Resource, and Farmland Protection State Program Overview



Wetland Conservation Act (WCA)
County/LGU Status
October 16, 1995

Non-implementing Counties

Never acknowledged responsibilities

Beltrami
Koochiching
Marshall
Pennington
Lake

Rescissions (effective date)

Kittson (?)
Lac Qui Parle (?)
Roseau (11/1/95)
Pope (8/23/95)
Big Stone (11/1/95, considering date change)
Clay (11/15/95)
Clearwater (11/15/95)
Lake of the Woods (11/1/95)
Itasca (11/1/95, considering revoking rescision at 10/24/95 meeting)

Rescision revoked - implementing

Stevens (9/5/95 resolution reversed in early October)

Considered Rescision

Crow Wing - tabled
Cook - tabled



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Fax (218) 755-4201

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

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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

DATE: October 5, 1995
TO: Amy Walters, Legislative Coordinator
FROM: Ronald D. Harnack, Executive Director
SUBJECT: Change in Legislative Initiative

The Board of Water and Soil Resources (BWSR) has made a change in the attached legislative initiative, "State Erosion Control Cost-Share Program". The change is on page three regarding fiscal impact, Estimated Expenditures, General Fund FY 1997 should read \$3,000.

If you have any questions please feel free to call me at 296-0878.

RDH:mja
Enc.

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1996 Legislative Initiative
Preliminary Proposal

Minnesota Planning #: _____

(To be assigned by Minnesota Planning)

Submitting Agency or Department: Board of Water and Soil Resources

Date: October 5, 1995

Legislative Liaison: Ronald Harnack Phone #: 296-0878

Technical/Housekeeping: _____ Policy Impact: X Fiscal Impact: X Placeholder: _____

Title (Short descriptive title):	Funding Increase: State Erosion Control Cost-Share Program
Description (Clearly explain the proposed initiative):	The State Erosion, Sediment and Water Quality Cost-Share Program (cost-share program), was established in 1977 to complement funding from the US Department of Agriculture. This funding was available to landowners to install conservation practices to control soil erosion, prevent sedimentation of water and control pollution. Practices were cost-shared with state and federal government contributing about 50 percent. The landowner bears the remaining cost. State general fund appropriations have averaged 1.5 million dollars per year. This complemented about 6 million dollars per year of federal funding. Even at that level of funding, many landowners were denied assistance due to lack of funding. Federal funding has been reduced to 2 million dollars in the last two years. This proposal seeks to maintain the conservation commitment in Minnesota.
Brief Background (Legislative history):	As indicated above, the cost-share program was enacted in 1977. The current appropriation of 2.1 million per year does not adequately address increasing costs of land treatment since 1977 and cannot offset the loss of federal funds.
Supporters, Opponents and Possible Controversies:	Landowners and the local government clientele of the Board of Water and Soil Resources supports this initiative. We would expect that those opposed to increased government spending would be contrary to this request. Increase commitment from Environmental Trust Fund.
Agency Impact:	None.

Fiscal Impact: X Yes _____ No
(If yes, fill out Part II Summary of Fiscal Impact)

Are you requesting this statutory change in conjunction with your Annual Performance Report? _____ Yes X No

Deliver completed Preliminary Proposal to:

Robin R. Anthony
Minnesota Planning
300 Centennial Building
(612) 297-4281
(612) 296-3698 fax
e-mail: robin.anthony@lmic.state.mn.us

1996 Legislative Initiative

Preliminary Proposal

Minnesota Planning #: _____

Commissioner: _____ Date: _____

****THIS SECTION TO BE COMPLETED BY THE GOVERNOR'S OFFICE****

Minnesota Planning and Finance's comments have been reviewed by the Governor's Office and this legislative initiative is approved for drafting.

Deputy Director of Legislative Affairs

Date

Preliminary Proposal

Minnesota Planning #: _____

Part II

Summary of Fiscal Impact**Estimated Expenditures (\$1,000,000 = 1,000)**

Fund	F.Y. 1996	F.Y. 1997	F.Y. 1998	F.Y. 1999
General _____	\$ 0 _____	\$ 3,000 _____	\$ 3,000 _____	\$ 3,000 _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
Less Amount absorbed by agency	\$(0 _____)	\$(0 _____)	\$(0 _____)	\$(0 _____)
Total Estimated Expenditures	\$ 0 _____	\$ 3,000 _____	\$ 3,000 _____	\$ 3,000 _____

Estimated Revenues (\$1,000,000 = 1,000)

Fund	F.Y. 1996	F.Y. 1997	F.Y. 1998	F.Y. 1999
No revenues anticipated _____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____

Does the proposed bill entail new or expanded local mandates or expenses? _____ Yes ☒ No

Briefly explain fiscal estimates (include calculations, methodology and assumptions):

The amount offsets, in part, decreased federal funding from US Department of Agriculture.

**PROCEDURE AND CRITERIA FOR
REQUESTING PLAN EXTENSIONS
UNDER THE COMPREHENSIVE LOCAL WATER MANAGEMENT ACT**

Summary - 1995 amendments to the Comprehensive Local Water Management Act, M.S. 103B.301, gave the Board of Water and Soil Resources (BWSR) authority to grant extensions to counties for the purpose of extending the ending date of their local water plans. These extensions must be requested in writing and cannot be for more than two years. Please note that during the extension period counties cannot order or commence projects that would require them to establish a special taxing district, assesses the costs of the project to benefitted properties, or pay for the project through the collection of user fees as provided for in M.S. 103B.331 subd. 3 and 4.

Procedure & Criteria

Step 1. County Board passes a resolution requesting extension.

Criteria: Board resolution must include:

- (1) The amount of time requested (2 year maximum).
- (2) A list of water planning activities that will require additional time to complete.
- (3) A statement that the county will insure continued public participation.
- (4) A statement that no projects, using the authorities under 103B.331 subd. 3 and 4., will be ordered or commenced during the extension period.

Step 2. County submits resolution to BWSR Board Conservationist

Criteria:

- (1) The resolution must be received by BWSR prior to the expiration date of the plan.
- (2) The resolution must be properly certified.

Step 3. BWSR Board Conservationists reviews and recommends action.

Criteria:

- (1) Board Conservationist reviews request for extension.
- (2) Board Conservationist recommends, in writing, approval or denial to the BWSR Water Planning Coordinator in St. Paul.

Step 4. BWSR Board action:

Criteria:

- (1) Request for extensions that are recommended for approval by the Board Conservationist will be placed on the consent agenda of the next regular scheduled meeting of the Board as a non-controversial decision item.
- (2) Request for extensions that are not recommended for approval will be placed on the agenda as new business of the next regular scheduled meeting of the Board and the county will be notified so that it may be present to present its arguments to the Board.

Step 5. BWSR notifies county of Board action and informs county of the new effective date of the plan.



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(612) 282-9969
Fax (612) 297-5615

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October 16, 1995

To: Ron Harnack

From: Bruce Sandstrom

Re: **Priority Schedule for Metro Water Plans, Staff Report**
(For Discussion and Possible Decision at 10/25/95 Board Meeting)

History:

As a means to better address review agency workload, BWSR sought and secured legislation in the 1995 session to give authority to establish a priority schedule for metro water management plan submittals. This legislation also provided for a shortened review process for metropolitan water management plans that is more consistent with the process to review county (110B) plans. (A copy of excerpts of Section 4 of Chapter 184, Laws of 1995 is attached.)

Staff has developed the attached draft priority schedule to present to the Board for consideration and possible adoption. In developing this schedule, staff utilized the results of a written survey of Water Management Organizations (WMOs), met with staff from our partner plan review agencies, and sent a draft of the schedule to the WMOs for comment. Only one WMO commented and we accommodated the request.

Related Issues:

This effort is part of an overall strategy for the coordination and facilitation of the second generation of water management plans. These related issues and items include:

- 1) development of an MOU with the review agencies for responding to failures to implement WMO plans,
- 2) possible allocation of planning grants to WMOs,
- 3) delegation of authority to the Chair or the Executive Director to make adjustments to the priority schedule, and
- 4) the development of two model WMO plans through a Met Council grant.

Staff have met with agency staff at least five times in an effort to develop an MOU with the 509 plan review agencies in an effort to deal with Issue 1). The MOU is an outgrowth of the complaint from the Audubon Society related to Nine Mile Creek WD's failure to develop

Page 2
Oct. 16, 1995
Priority Schedule

and implement a 509 plan. To date, both the MPCA and MDNR have refused to sign the MOU to date. MDNR staff feel that MOUs are generally ineffective and are not willing to consider permit moratoriums as a possible sanction. They further fear that BWSR will threaten recalcitrant WMOs with the MOU, making the MDNR out to be the heavy. MPCA feels that most of their permits are permits to pollute and they want polluters to have permits place so to not issue a permit does not serve a purpose. The Met Council is willing to sign the agreement and have used with-holding of grant funds in two occasions in WMOs who don't have plans in place.

With respect to issue 2), staff is researching the merits of allocating small planning grants to WMOs depending upon their scheduled plan submittal as an incentive that was never available before. Doug Thomas is spear-heading this effort and will likely report to the Board on this matter at a future Board meeting.

Issue 3) is needed to be addressed in the future so that the BWSR has the ability to make appropriate adjustments to the priority schedule. At issue is the possibility of a plan approval by default if a WMO submits its plan ahead of schedule. The BWSR must decide to adjust its schedule within 45 days of an early submittal to avoid this.

The priority schedule reflects in part the process used to select the two WMOs that have been selected to work with on the model plan project referenced as Item 4). Input from the review agencies and WMO survey information was considered in the selection process.

Staff Summary and Recommendation: The draft plan priority schedule is one important element of an overall strategy to better coordinate the metro water planning process. I recommend that the Board adopt it as presented as soon as possible.

Attachments

cc Metro Staff

a:prior.rec

1 transportation projects within the watershed.

2 The provisions of this paragraph apply until the board of
3 water and soil resources determines that a plan is being
4 implemented in accordance with its rules.

5 (h) Appeals from the board of water and soil resources
6 determination are made in the same manner as appeals under
7 section 103B.345, subdivision 5.

8 Sec. 4. Minnesota Statutes 1994, section 103B.231, is
9 amended by adding a subdivision to read:

10 Subd. 3a. [PRIORITY SCHEDULE.] (a) The board of water and
11 soil resources in consultation with the state review agencies
12 and the metropolitan council shall develop a priority schedule
13 for the revision of plans required under this chapter.

14 (b) The prioritization should be based on but not be
15 limited to status of current plan, scheduled revision dates,
16 anticipated growth and development, existing and potential
17 problems, and regional water quality goals and priorities.

18 (c) The schedule will be used by the board of water and
19 soil resources in consultation with the state review agencies
20 and the metropolitan council to direct watershed management
21 organizations of when they will be required to revise their
22 plans.

23 (d) Upon notification from the board of water and soil
24 resources that a revision of a plan is required, a watershed
25 management organization shall have 24 months from the date of
26 notification to revise and submit a plan for review.

27 (e) In the event that a plan expires prior to notification
28 from the board of water and soil resources under this section,
29 the existing plan, authorities, and official controls of a
30 watershed management organization shall remain in full force and
31 effect until a revision is approved.

32 (f) A one-year extension to submit a revised plan may be
33 granted by the board.

34 (g) Watershed management organizations submitting plans and
35 draft plan amendments for review prior to the board's priority
36 review schedule, may proceed to adopt and implement the plan

1 revisions without formal board approval if the board fails to
2 adjust its priority review schedule for plan review, and
3 commence its statutory review process within 45 days of
4 submittal of the plan revision or amendment.

5 Sec. 5. Minnesota Statutes 1994, section 103B.231,
6 subdivision 4, is amended to read:

7 Subd. 4. [GENERAL STANDARDS.] (a) The watershed management
8 plan must specify the period covered by the plan and must extend
9 through-the-year-1990-or-any-later-year-that-is-evenly-divisible
10 by-five at least five years but no more than ten years from the
11 date the board approves the plan. Plans that contain revision
12 dates inconsistent with this section must comply with that date,
13 provided it is not more than ten years beyond the date of board
14 approval.

15 (b) ~~The plan must be updated before the expiration of the~~
16 ~~period covered by the plan. The plan must be reviewed for~~
17 ~~consistency with an adopted county groundwater plan, and revised~~
18 ~~as necessary, whenever the watershed plan undergoes substantial~~
19 ~~revision or updating, in counties that adopt or amend~~
20 ~~groundwater plans within five years following August 17, 1987,~~
21 ~~watershed plans must be reviewed for consistency with the county~~
22 ~~groundwater plan, and revised as necessary, not later than six~~
23 ~~years following August 17, 1987, in counties that adopt or amend~~
24 ~~groundwater plans after five years following August 17, 1987,~~
25 ~~watershed plans must be reviewed for consistency with the county~~
26 ~~groundwater plan, and revised as necessary, not later than one~~
27 ~~year following the adoption or amendment of the groundwater plan~~
28 to the degree necessary to become compliant with the groundwater
29 plan no later than two years after adoption by the county. A
30 one-year extension may be granted by the board. Upon the
31 request of a watershed management organization, the county shall
32 provide a written statement that:

33 (1) identifies any substantial inconsistencies between the
34 watershed plan and the groundwater plan and any substantial
35 adverse effects of the watershed plan on the groundwater plan;
36 and

DRAFT
Priority List for "Next Generation 509"
Metro Watershed Management Plan Amendments
9/8/95, BWSR

Presently submitted and/or under review

Chaska Creek WMO
Gun Club Lake WMO
Nine Mile Creek WD
Riley-Purgatory-Bluff Creek WD
Upper Rum River WMO
Vadnais Lake Area WMO

Due 1/1/96

Six Cities WMO

Due 6/1/96

Lower Rum River WMO
Minnehaha Creek WD
Ramsey-Washington Metro WD
Sunrise River WMO

Due 1/1/97

Rice Creek WD
Shakopee Basin WMO ✓
South Washington WD

Due 6/1/97

Coon Creek WD
Lower Minnesota River WD
Prior Lake-Spring Lake WD

Due 1/1/98

Bevens Creek WMO
Carver Creek WMO
Credit River WMO

Page 2
Draft WMO Plan Priority Schedule
9/8/95

Due 6/1/98

Central Ramsey WMO
Sand Creek WMO
Southwest Scott WMO

Due 1/1/99

Carnelian-Marine WD
Richfield-Bloomington WMO
Southwest Ramsey WMO

Due 6/1/99

Crow River WMO
East Mississippi WMO
Grass Lake WMO

Due 1/1/2000

Bassett Creek WMO
Black Dog WMO
Forest Lake WMO

Due 6/1/2000

Browns Creek WMO
Lower Mississippi River WMO
Middle Mississippi River WMO

Due 1/1/2001

Elm Creek WMO
Hazeltine-Bavaria WMO
Vermillion River WMO

Page 3
Draft WMO Plan Priority Schedule
9/8/95

Due 6/1/2001

Middle St. Croix River WMO
North Cannon River WMO
Pioneer-Sarah Creek WMO

Due 1/1/2002

Lower St. Croix WMO
Marine on St. Croix WMO
Shingle Creek WMO
West Mississippi WMO

Due 1/1/2005

Valley Branch WD

a:priority.lst

RECEIVED
SEP 27 1995

STATE OF MINNESOTA

Office of the Attorney General

TO : MIKE GRUPA
RON HARNACK
JOHN JASCHKE
GREG LARSON
KENT LOKKESMOE

DATE : September 22, 1995

FROM : MATTHEW B. SELTZER 
Assistant Attorney General
Agriculture and Natural Resources Division

PHONE : 296-0692 (Voice)
296-1410 (TDD)

SUBJECT : **McLeod County**

Enclosed for your information is a copy of the papers initiating the appeal in this case. I will be considering whether we should put in a cross-appeal on the district court's rulings on standing and exhaustion of administrative remedies.

Please let me know if you have any questions or comments. I estimate that we will be submitting our brief in early to mid-November and that the arguments will take place in January or February.

Enclosure

cc: Bev Heydinger
Scott Strand

AG:11011 v1

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF MCLEOD

FIRST JUDICIAL DISTRICT

Case Type Other

McLeod County Board of Commissioners
as the Drainage Authority for McLeod
County Ditch No. 8

Appellant,

vs.

The State of Minnesota, Department
of Natural Resources,

NOTICE OF APPEAL TO
COURT OF APPEALS

Case No. CX-94-196

Order Dated 08-04-95

Respondent.

TO: Clerk of Appellate Courts, 245 Minnesota Judicial Center, 25
Constitution Avenue, St. Paul, MN 55155-6102

Please take notice that the Appellant, McLeod County Board of Commissioners as the Drainage Authority for McLeod County Ditch No. 8, appeals to the Court of Appeals of the State of Minnesota from the Findings of Fact, Conclusions of Law, and Order dated August 4, 1995. Notice from Respondent was received on August 24, 1995.

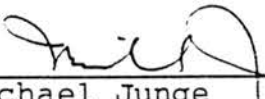
Pursuant to Rule 103.01, Subd. 3 a filing fee is not required by Appellant when the appellant is a state or governmental subdivision of the state, or an officer employee, or agency thereof. Appellant in this case is McLeod County Board of Commissioners as the Drainage Authority for McLeod County Ditch No. 8.

Pursuant to Rule 107, Subd. 2 (e) a bond or deposit for cost is not required when the appellant is a state or a governmental subdivision of the state, or an officer employee, or agency thereof. Appellant is McLeod County Board of Commissioners as the Drainage

Authority for McLeod County Ditch No. 8.

Pursuant to Rule 108.01 a supersedeas bond is required. Here, Respondent, through Matthew Seltzer, Assistant Attorney General, agrees to waive the supersedeas bond, pursuant to Rule 107, Subd. 2 (e).

Dated this 19th day of September, 1995.



Michael Junge
McLeod County Attorney
Atty. ID 142980
Jody Winters
Asst. McLeod County Attorney
Atty. ID 232543
Attorneys for Appellant
830 East 11th Street
Glencoe, MN 55335
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Matthew Seltzer
Asst. Attorney General
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Attorney for Respondent
445 Minnesota St., Suite 900
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(612) 296-0692

STATE OF MINNESOTA
IN COURT OF APPEALS

* * * * *

McLeod County Board of Commissioners
as the Drainage Authority for McLeod
County Ditch No. 8

Appellant,

vs.

The State of Minnesota, Department
of Natural Resources,

STATEMENT OF THE CASE
OF APPELLANT

Case No. CX-94-196

Respondent.

* * * * *

1. The above entitled matter originated in McLeod County District Court, the Honorable L. W. Yost, District Court Judge, presiding.

2. This appeal is from the Findings of Fact, Conclusions of Law and Order entered in the trial court dated on August 4, 1995, filed on August 9, 1995. Written notice of filing of the Order was served on August 24, 1995.

3. Type of litigation: Civil.

4. Appellant argues that Minnesota Statutes 103G.2241 and 103G.2242 are unconstitutional in so far as they prevent Appellant from completing repairs on Lateral No. 3 of Drainage Ditch No. 8 in McLeod County. The implementation of these statutes divests property owners of their property rights. That is, the implementation of the statutes have caused a "taking" of property owners drainage rights. This "taking" has been without just compensation.

5. The issues on appeal are:

- a. Appellant will argue that the Minnesota Wetland Conservation Act specifically, Minnesota Statute 103G.2241 and 103G.2242, does cause a "taking" of property rights in violation of the Minnesota Constitution. Property owners drainage rights are being taken without just compensation.
- b. Appellant will argue that it has standing to bring this action on behalf of the property owners. Minnesota Statute 103E.705, Subd. 1 states that the drainage authority shall maintain the drainage system and provide repairs necessary to make the drainage system efficient. Here, Appellant is the drainage authority.
- c. The issues on appeal are not rendered moot because Appellant has failed to exhaust its administrative remedies. Appellant has not exhausted its administrative remedies because doing so would be futile.

6. A full transcript is required.

7. Oral argument is required.

8. Formal briefs are necessary

9. The interested parties are represented by counsel as

follows:

Attorneys for Plaintiff, Appellant
Michael Junge
McLeod County Attorney
Atty. ID 142980
Jody Winters
Asst. McLeod County Attorney
Atty. ID 232543
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(612) 864-1265

Attorney for Defendant, Respondent
Matthew Seltzer
Asst. Attorney General
Atty ID 130874
445 Minnesota St., Suite 900
St. Paul, MN 55101-2127
(612) 296-0692

Dated this 19th day of September, 1995.



Michael Junge
McLeod County Attorney
Atty. ID 142980
Jody Winters
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11/29/95



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M E M O

DATE: November 29, 1995
TO: Ron Harnack, Executive Director
FROM: Ron Shelito, North Region Supervisor
SUBJECT: Issues Meetings Summaries

Ron, thanks to you and Jim for taking the time to attend the Issues Forums that we did in Walker and Little Falls. You could tell by the turnout (roughly 25 people at each meeting) that people appreciated the opportunity for one-on-one discussions with the "Big Dogs" of BWSR. I think it is especially important that we, as an agency, never get too proud to sit down and listen to the people who do the work. They often have some very good and practical approaches that we have neglected to consider. I would hate to miss their input.

I also want to thank the board members who took time to attend. I think the presence of Ted, Barb U., Ginny, and Darrel helped to remind LGUs that we are receptive to their points of view.

Listed below, in no particular order, are some of the comments and concerns that I wrote down from each of the meetings. Some of these concerns may make good M-Team fodder or discussion points for future board meetings.

November 22, 1995, Walker MN.

WCA

- Delays in the approval process need to be addressed.
- Too much paper work associated with the program.
- Keeping track of the deadlines (i.e. 30 days, 60 days) is confusing when there are several projects in progress.
- Problems with the CORPS when they want to allow out of county banking but USFWS requires on-site, in county replacement.

- Should be able to exempt up to a certain amount of wetlands per year for public road projects.
- There was a question about physical versus dedicated right-of-way, which do we mean in the new compromise language.
- The issue of public safety vs. wetland loss came up, is it an even trade?
- Somebody pointed out that CORPS restrictions on road projects make relaxing WCA rules almost a mute point.
- It was mentioned that GP 17 should not apply when a WCA exemption does.
- Functional values: there needs to be a standard set.
- Sequencing isn't necessary because 2:1 replacement provides all the incentive to minimize and avoid except in rare cases.
- County wetland plans should be flexible like water plans.

Reorganization meetings

Somebody wanted to know what happened to all the input from the hearings held in September. You explained to the group what you knew.

SRF

- People were complaining that Ag is being inflexible on how JPBS spend their loan dollars after they have submitted a plan. Apparently they are able to change priorities once the plan goes in.
- Farm Credit Services is not wanting to be the lender in many northern counties. Also, few banks are handling SRF loans. This has left many counties with no opportunity to access SRF loan dollars.
- Counties don't want to be bothered either because they do not want the liability.

Cost-Share

- Will the new rules allow more forestry practices to go in, was a popular question.
- They wanted to know if the new rules would still retain an agricultural focus.
- The group expressed the need for more dollars for forest erosion issues. Culvert crossings was mentioned as a big need.
- They stated that the area allocation process was probably not going to work well up north. They thought that all c-s dollars would be divided equally to the seven areas statewide, thus giving them an opportunity to increase their allocation. We discussed the need for more overall dollars and that dividing the existing pot up differently just would not make that big a difference.
- Regarding the \$2,500 increase in general service funds, most thought it should be divided equally around the state. The \$2,500 would make a difference in most districts.
- The issue of statewide health care for district employees came up.

Envirothon

- The Envirothon came up and it was suggested that the location be moved out of the metro area this year.

November 28, 1995, Little Falls, MN

WCA

- The interim worked.
- The time frames (i.e. 30 day, 60 day requirements) cause problems. It's hard to delineate in the winter, so often you cannot meet the 60-day requirement.
- Crow Wing said that the 400 sq. ft. de minimus works, especially around the lakes. In many cases, the 10,000 sq. ft. de minimus is too much.
- We need more flexibility in determining the de minimus. There is a big difference between a shoreland wetland and a 50,000 acre bog.
- To many, special interest exemptions cause a problem. Example: driveway, not exempt; logging road is.
- Prioritizing wetlands for protection can become a tax issue in counties where shoreland is considered prime land. It could force counties to lose tax revenue.
- Only need one exemption, the de minimus. Not everyone agreed with this, but most agreed that 24 is too many.
- We need a simplified WCA that LGU capabilities can handle and allow time for other types of conservation work.
- Get rid of function and value stuff. Its too subjective. Some thought that we need to retain function and value criteria so we can protect the wetlands that really are special.
- Some wanted acre for acre replacement only.
- Most said that the joint notice isn't working. They often don't hear back or, if they do, not in a timely manner.
- They wanted to be sure that locals are represented on the new rule making committee. I believe the comment was that " the real world needs to be represented this time."
- BWSR oversight of city LGUs was questioned. The point was made that many cities want development and they are looking the other way on WCA issues.
- The point of strong enforcement and more state oversight was made. Apparently many felt that the LGUs are left holding the bag when enforcement is lax and BWSR oversight is minimal. I thought this was especially intriguing in light of what the non-implementors are saying relative to state oversight. Some said they were getting good enforcement from the DNR others said not so good.
- Stearns said they tripled the cost of wetland protection from the interim to the permanent rules but did not gain any significant increase in protection.
- The public road exemption looks bad when private roads are not exempt. Makes it look like we are playing favorites.

RIM-PWP

- The question was asked, why do we take PWP applications when so few get funded? Should the district go ahead and weed out anything they don't think will get funded? I think we told them yes. Stearns pointed out that they tell people up front that they don't have a chance and they save everyone's time,
- Still frustration with the time it takes to process an easement. The issues seem to be: legal descriptions - time delays on BWSR

end, easements keep getting sent back and forth through the mail, we often push to restore for an open water condition when restoring to natural condition would be easier.

- Some wanted to drop the screening committee process.

Block Grants

- What is meant by language that states any equipment purchase must be titled in the name of the State of MN?
I asked Wayne to send out a clarification on this.

SRF

- Complaint that many banks in these parts don't want to do SRF loans. The banks claim the interest rates are too low for them to make any money at it.
- Ag is forcing JPBS to stick by original work plan and limiting flexibility to spend dollars.
- Also complaining that Farm Credit Services won't do SRF loans in the northern part of the state even though they are handling loans in other areas. Suggest that we put pressure on Farm Credit Services to agree to do loans on a statewide basis.
- Some districts wanted to know if they could use SRF funds to pay existing district staff. Ron explained that we could do that only if it resulted in increased capacity in the district office. SRF tech funds can not be used to subsidize existing staff.

We were told that counties don't want to be lenders because they are afraid of getting burned on defaulted loans. Counties think they could get stuck with some land they can't sell, and it could take years to get money back for defaulted loans.

Cost-Share

- Several districts were wondering why BWSR allows some districts to take their 20% off the cost-share grant for administration and then send all or a large portion of their c-s grant back? Most agreed that BWSR needs to do something to ensure that districts that have a poor track record with the cost-share program don't continue to receive the same allocation year after year.
- Regarding the \$2,500 increase in the general services grant, there seemed to be mixed opinion on whether to give it out equally, or lump it in some fashion. Here too, good districts feel that BWSR should not send more money down the pipeline to districts with weak programs.

Envirothon

Many people want to see the Envirothon moved to an out-state location.

c: Jim Birkholz
North Field Staff



**State of Minnesota
Department of Finance**

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

**EMBARGOED UNTIL 1:30 PM
November 30, 1995**

**Contact: Laura M. King,
Commissioner, (612) 297-7881**

**Significant Improvement for State
1996-97 Budget**

Stronger than expected economic activity and lower than expected human services expenditures result in an improvement of \$824 million in the state's current two year budget. The forecast released today by the Minnesota Department of Finance reports gains of \$135 million for the biennium ended June 1995, an additional \$490 million in revenues during the 1996-97 biennium and \$199 million in lower expenditures.

Under state law, \$15 million of the improvement is allocated to the Budget Reserve for a new total of \$220 million, and then \$794 million is allocated to reduce previous school aid property tax revenue recognition adjustments from 48% to zero. The revenue recognition change does not provide school districts with more money to spend. It merely changes the timing relationship between state and local funds. After these statutory allocations are completed, only \$15 million remains.

"Last February, economists worried that we were on the edge of a recession," said Finance Commissioner Laura M. King. "Now those concerns are history and the forecast is for a strong economy through the end of the biennium. Obviously resources are going to go up."

Data Resources, Inc. (DRI), the state's economic consultant, now anticipates national GDP growth at an annual rate of 2.8 percent during FY 1996, up significantly from February's forecasts of 1.6 percent. "DRI's forecast that the U.S. economy would stay on the edge of a recession for nine months had the effect of reducing state revenues by about one half the amount that would have been lost in a recession," King noted. "The stronger growth now forecast for the U.S. economy puts Minnesota revenue growth back on a normal path."

Minnesota's major tax revenues are now forecast to total \$15.916 billion for the two year period ending June 30, 1997, up \$420 million from end of session estimates. Net sales tax revenues produced the largest improvement with an increase of \$257 million (4.6 percent). Income taxes were up \$108 million (1.4 percent), and the remainder was seen in various other revenue sources. Total state revenues for the 1996-97 biennium are now forecast to total \$18.281 billion, \$490 million more than forecast in February. Minnesota also finished FY 1995 \$52 million above forecast.

Spending for the 1996-97 biennium will total \$18.146 billion, down \$199 million. Slower enrollment growth and lower per capita costs in state health care programs produced savings for the state's current budget period. The strong economy, reflected in Minnesota's unusually low unemployment rate, also appears to have reduced enrollment in several family support programs, yielding additional budget savings.

The Department of Finance Forecast does not include any general fund impacts from potential federal budget changes. Federal reductions of \$3.2 billion in 1996-2002 to Minnesota's state and local government programs are still projected. Annual impacts are expected to initially be modest and then to accelerate over the remaining years after 1998. The largest economic impact will occur in the health care area with proposed changes to both the public administered Medicaid program and the privately administered Medicare program.



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Department of Finance**

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OVERVIEW OF THE **SWIFT COUNTY** COMPREHENSIVE WATER PLAN
FOR THE DECEMBER 20, 1995 BWSR BOARD MEETING

INTRODUCTION

Swift County is located in west-central Minnesota. It is bounded on the north by Stevens and Pope Counties, on the east by Kandiyohi County, on the south by Lac qui Parle and Chippewa Counties, and on the west by Big Stone County. There are 8 incorporated cities; Appleton, Benson, Clontarf, Danvers, De Graff, Holloway, Kerkhoven and Murdock. Benson is the county seat.

Swift County is part of the **Minnesota River Headwaters Joint Powers Board** (Big Stone, Chippewa, Lac qui Parle, Pope & Swift Counties). Cooperative water planning and implementation activities are recognized outcomes of this group.

Swift County began its original planning in April 1990, with assistance from Dr. James Van Alstine, Professor of Geology at the University of Minnesota, Morris. The BWSR approved plan was adopted by the county in November 1991.

This recent planning revision process began during the Fall of 1994 - again Dr. James Van Alstine has provided assistance.

PHYSICAL DESCRIPTION OF COUNTY

Swift County is rectangular in shape having a total land area of about 747 square miles. **Topography** of the county is characterized by nearly level to undulating terrain. The northeastern corner and other small areas throughout the county are steep and hilly. The mean elevation of Swift County is about 1075 feet, with approximately 71 percent of the area lying between 1000 and 1100 feet. The highest elevation in the county is 1291 feet near the boundary with Kandiyohi County. The lowest elevation is 934 feet at the mouth of the Pomme de Terre River.

The Glacial Lake Benson Basin occupies the central and southern parts of the county. The basin slopes toward the southwest, and drainage water is intercepted by streams that flow south through valleys that are about 1000 feet in elevation. Glacial Lake Benson existed when drainage from Swift County was blocked.

The present Pomme de Terre, Chippewa, and Minnesota Rivers occupy glacial drainages with valleys 1-2 miles wide and 100-150 feet deep.

The **surficial geology** of Swift County consists of glacial drift material (sand, silt, clay and rock) ranging in thickness from about 100 feet to over 400 feet. There is a bedrock valley in the southeastern corner of the county. The drift covers most of the county in the form of ground moraines, an undulating blanket with numerous closed depressions that hold water in small ponds or wetlands. Thicker deposits in the northeast part of the county form areas of higher relief.

Throughout the central and southern part of the county, glacial till has been modified by water action resulting in outwash, lacustrine and alluvial deposits.

The **principal aquifers** in Swift County are glacial outwash, ice contact, and buried sand and gravel deposits. Ground water can move horizontally through the aquifers as well as vertically across aquifers and even confining beds as a result of natural or pumping stress. The extent of this interconnection is not well known. Most irrigation and municipal ground water withdrawals in Swift County are from **surficial aquifers** that are in direct contact with the ground surface. These aquifers are rapidly recharged, and are also very susceptible to contamination.

Confined aquifers provide ground water for farms and small municipalities throughout the county. These aquifers recharge more slowly, but are less susceptible to contamination because they are buried. **Bedrock aquifers**, both Cretaceous and Precambrian, are present under the drift aquifers but have generally very low yields and are of poor water quality.

Swift County lies within the Minnesota River basin and is drained by **three major watersheds**; the Minnesota River Headwaters, the Pomme de Terre, and the Chippewa River. The Pomme de Terre River drains the western quarter of the county and the Chippewa River and its tributaries drain the eastern three-quarters of the county. The extreme southwest corner of the county drains into Marsh Lake. This lake lies in the valley of glacial River Warren, and is an expansion of the Minnesota River produced by the damming effect of the delta of the Pomme de Terre River where it empties into the Minnesota River. A dam has been constructed at the outlet of Marsh Lake to control its level.

Other major lakes are located in the west, north and northeast portions of the county. A significant part of the county was covered with wetlands in the past. Many of these wetlands were drained and are being farmed today.

Land use can be divided into four primary categories: Agriculture, the most important, makes up approximately 81 percent of the county; woodland makes up about 1 percent; water and wetlands makes up approximately 3 percent; and other uses including urban and built-up areas make up about 15 percent of the land use.

Corn, wheat, soybeans, and oats are the major crops produced agriculturally in the county.

PLAN ACCOMPLISHMENTS

Swift County in cooperation with other local units of government and county residents have implemented many activities identified in the 1991 Plan. Some accomplishments are:

1. Supported and funded with the SWCD the installation of water retention structures in the Pomme de Terre River watershed. Also support and fund water sampling on this river.
2. Established a test fencing project on the Chippewa River.
3. Established and support water quality testing on several lakes.
4. Support manure management assistance for feedlot operators.
5. Established a no-till demonstration.
6. Inventory and develop a list of abandoned wells in the county. Administer an abandoned well sealing program.
7. Evaluate and increase use of buffer strips through cost share.

STAFF REVIEW

The Plan Update organizes the goals, objectives and actions identified by the task force and from public input under three initiatives. The initiatives and several objectives and priority actions are:

SURFACE WATER INITIATIVES: **Protect the quality of surface water resources** by promoting urban and rural land use practices, inventory and permit all feedlots in the county, pursue the protection and restoration of wetlands; **Enforce existing regulations and develop new regulations and programs; Establish a priority listing of surface waters and increase monitoring** by maintaining a county data base of water quality information, designate high priority wetland preservation areas, inventory restorable wetlands in the county; **Improve control of surface water** by encouraging proper land use practices in areas drained by public ditches, increase water storage through temporary and permanent water retention structures, identify restorable wetlands, promote tillage practices that reduce runoff.

GROUNDWATER INITIATIVES: **Identify geologically sensitive areas** through a potential comprehensive ground water study, define sensitive areas in the county - complete at a minimum a level I assessment; **Increase water testing** through continued public information, provide cost-share funding for water testing in areas of known contamination, identify a series of monitoring wells and regular testing program for key aquifers; **Inventory nonpoint and point sources; Protect groundwater resources from contamination and over pumping** through best management practices that encourage proper land use practices; **Advise and assist in preparing wellhead protection plans; Maintain a program to locate abandoned wells for proper sealing.**

LAND RESOURCE INITIATIVES: **Control disposal of solid and hazardous waste** by establishing the county as a regional mixed municipal composting recycling facility, promote education; **Increase wildlife habitat; Protect highly erodible land from wind erosion; Protect critical areas from water erosion.**

Swift County submitted its plan revision to BWSR on November 7, 1995. On November 21, 1995, BWSR distributed the plan revision to the state agencies for their review.

OVERVIEW OF THE **LAC QUI PARLE COUNTY** COMPREHENSIVE WATER PLAN
FOR THE DECEMBER 20, 1995 BWSR BOARD MEETING

INTRODUCTION

Lac qui Parle County is located in west-central Minnesota. The County's shape is determined by the diagonal Minnesota River which forms most of the north and east boundaries of the county. Lac qui Parle County is bordered on the north by Big Stone and Swift Counties, on the east by Chippewa County, on the south by Yellow Medicine County, and on the west by South Dakota. There are 7 incorporated cities; Bellingham, Boyd, Dawson, Louisburg, Madison, Marietta, and Nassau. Madison is the county seat.

Lac qui Parle County is part of the **Minnesota River Headwaters Joint Powers Board** (Big Stone, Chippewa, Lac qui Parle, Pope & Swift Counties). Cooperative water planning and implementation activities are recognized outcomes of this group.

Lac qui Parle County began its original planning in April 1990, with assistance from Dr. James Van Alstine, Professor of Geology at the University of Minnesota, Morris. The BWSR approved plan was adopted by the county in December 1991.

This recent planning revision process began during the Fall of 1994 - again Dr. James Van Alstine has provided assistance.

PHYSICAL DESCRIPTION OF COUNTY

Lac qui Parle County has a total land area of approximately 494,720 acres, or 773 square miles. **Topography** of the county is nearly level to gently rolling, however it becomes steeply rolling along the bluffs of the Minnesota River Valley. There is an extensive relatively level flood plain along the rivers. About 39 percent of the county is nearly level and additional 58 percent has slopes of 2 to 6 percent. Slopes entering the Minnesota River from the south have their origin in a high relief morainal ridge, the Coteau Des Prairies, which extends from South Dakota southeast across Minnesota into Iowa. These rivers descend rapidly from upland areas, some dropping as much as 500 feet in a few miles.

The **surficial geology** of Lac qui Parle County consists of glacial till and water worked glacial material ranging in thickness from 100 to 400 feet thick. The glacial deposits reach their thickest extent in the northeastern part of the county, and are thinnest in the southwest. These deposits are underlain by Cretaceous sands and shales, which are in turn underlain by Precambrian igneous and metamorphic rocks.

Most of Lac qui Parle County is covered by nearly level to rolling ground moraines, these areas historically contained numerous closed depressions that trapped and contained surface water in marshes and wetlands.

The **principal aquifers** in Lac qui Parle County are glacial outwash, ice contact, buried sand and gravel deposits, and Cretaceous sandstones and shales. **Surficial aquifers** are present but not extensively used in Lac qui Parle County. They are not a major source of drinking water for communities. Where present, they are related to glacial outwash material deposited in melt water channels and valleys. The outwash ranges from 10 to over 50 feet thick, and is composed of medium to coarse gravel and sand. The upper limit of the aquifer is the water table, and the lower limit is the top of the glacial till. Water levels in the surficial aquifers are commonly within 10 feet of the land surface. Saturated thickness of the surficial aquifers may range from less than 10 feet to over 30 feet. Most wells in the surficial aquifers are generally less than 100 feet deep.

Glacial till acts as a confining layer controlling the vertical flow of ground water. Aquifers between layers of material that restrict vertical flow are called **confined aquifers**. Sand and gravel deposits occurring at various depths in the glacial drift are scattered throughout the county. These deposits serve as the main source of ground water where surficial aquifers are thin or absent. The limits and extent of the confined aquifers are not well known in Lac qui Parle County. Most wells in the buried aquifers are less than 150 feet deep, and have yields up to several hundred gallons per minute.

Lac qui Parle County lies in **three major watersheds**; most of the southern two-thirds of the county is drained by the Lac qui Parle River watershed into the Minnesota River. The southeastern tip of the county is drained by the Minnesota River Granite Falls watershed and the northern third of the county is drained by the Minnesota River Headwaters watershed.

Lac qui Parle Lake is the most prominent lake in the county. It was created by the Lac qui Parle Flood Control Project, completed in 1951. The reservoir has a capacity of 122,800 acre feet, and was designed for flood control, recreation, fish and wildlife conservation.

A significant part of the county was covered with wetlands in the past. Many of these wetlands were drained and are being farmed today.

Land use can be divided into five general categories: Cropland makes up approximately 78 percent of the county, pasture and rangeland makes up approximately 8 percent, forest land makes up 1 percent, urban and built-up land covers 3 percent, and a final category identified as other purposes covers approximately 6 percent of the land area.

Soil productivity in the county ranges from marginal to high; however, most of the cropland in the county is subject to water erosion or soil blowing. The number of livestock (cattle and hogs) in the county has declined in recent years, although the number of livestock per farm has increased.

PLAN ACCOMPLISHMENTS

Lac qui Parle County in cooperation with other local units of government and county residents have implemented many activities identified in the 1991 Plan. Some accomplishments are:

1. Completed monitoring of County Ditch 3A and 13A.
2. Established a series of radio public service announcements relating to water planning.
3. Supported manure management assistance for feedlot operators,
4. Initiated several county inventories including - feedlots, drained wetlands and abandoned wells.
5. Initiated an abandoned well sealing program which has resulted in sealing 160 wells to date.
6. Supports and continues to fund with the SWCD the installation of water retention structures and other soil and water conservation practices.
7. Established a pesticide collection program.
8. Conducted a nitrate testing clinic in 1993 and 1995 and published results.

STAFF REVIEW

The Plan Update organizes the goals, objectives and actions identified by the task force and from public input under three initiatives. The initiatives and several objectives and priority actions are:

SURFACE WATER INITIATIVES: **Protect surface water resources** through establishment of a priority listing of surface water and wetlands for protection and restoration, inventory high priority wetlands; **Encourage changes in urban and rural land use practices** through enforcement of regulations relating to feedlot location and maintenance; **Increase water quality monitoring** through establishment of a county data base, cooperate with DNR and MRIP to determine impact of goose flock on Lac qui Parle Lake; **Encourage proper land use practices in areas drained by public ditches** through establishment of buffer strips, establish soil conservation practices on uplands, education; **Install structures and promote practices to control runoff** through temporary and permanent water retention structures, implement culvert metering systems; **Evaluate the impact of stormwater runoff, determine the need for stormwater management controls;** **Implement special surface water projects** by targeting County Ditch 4 for conservation practices and land use modifications.

GROUNDWATER INITIATIVES: **Identify geologically sensitive areas** through a potential comprehensive ground water study, complete a level I assessment; **Increase water testing** through continued public information, increased monitoring of domestic wells in sensitive areas, maintain a data base; **Inventory non-point and point sources;** **Protect groundwater resources** by requiring proper individual and business septic treatment system management; **Encourage land use practices that enhance high quality recharge;** **Advise and assist in preparing wellhead protection plans;** **Maintain a program to locate abandoned wells for proper sealing.**

LAND RESOURCE INITIATIVES: **Reduce wind and water erosion** through development and propose adoption of a soil loss limits ordinance, promote RIM, SRF, CRP, promote conservation BMPs; **Control disposal of solid and hazardous waste;** **Increase the amount and diversity of wildlife habitat;** **Develop a multi-agency data base.**

Lac qui Parle County submitted its plan revision to BWSR on October 26, 1995. On November 3, 1995, BWSR distributed the plan revision to the state agencies for their review.

OVERVIEW OF THE **CHIPPEWA COUNTY** COMPREHENSIVE WATER PLAN
FOR THE DECEMBER 20, 1995 BWSR BOARD MEETING

INTRODUCTION

Chippewa County is located in West-Central Minnesota in the state's prairie region. It is bounded on the North by Swift County, on the East by Kandiyohi County and Renville County, and on the West by Lac Qui Parle County and Yellow Medicine County. There are six incorporated cities in the county - Clara City, East Granite Falls, Maynard, Milan, Montevideo and Watson. Montevideo is the county seat.

Chippewa County is part of the **Minnesota River Headwaters Joint Powers Board** (Big Stone, Chippewa, Lac Qui Parle, Pope & Swift Counties). Cooperative water planning and implementation activities are recognized outcomes of this group.

Chippewa County began its original planning in May 1990, with assistance from Dr. James Van Alstine, Professor of Geology at the University of Minnesota, Morris. The BWSR approved plan was adopted by the county in December 1991.

This recent planning revision process began during the Fall of 1994 - again Dr. James Van Alstine has provided assistance.

PHYSICAL DESCRIPTION OF COUNTY

Chippewa County has a total area of 374,400 acres or 585 square miles. The southwest county boundary follows the Minnesota River, which gives the county a roughly triangular shape. Terrain varies from level to rolling in the north, to steep and rugged along the Minnesota River Valley. **Topography** gradually rises to the east, and the highest point in the county is 1,142 feet above sea level in the southeastern corner of the county. About 90 percent of the county has elevations between 976 and 1100 feet. The Minnesota River Valley is characterized by rugged valley walls and a flat floor. The river drops from 931 feet above sea level at the northwestern corner of the county to 868 feet at the southern tip.

The **surficial geology** of Chippewa County consists of glacial till and water worked glacial material ranging from 100 to 300 feet thick. These deposits were left by the Des Moines Lobe of the last Wisconsin glaciation as it stagnated and melted in western Minnesota. The glacial deposits reach their thickest extent in the northeast part of the county, and the thinnest in the southwest. The glacial deposits are underlain by pre-glacial sands and shales, which are in turn underlain by Precambrian igneous and metamorphic rocks.

The Precambrian rocks are well exposed in the Minnesota River Valley south of Montevideo. Outcrops of Montevideo Granite along Highway 212 represent some of the oldest rock exposed on the North American Continent, with radio-carbon age dates in excess of 3.75 billion years.

The **principal aquifers** in Chippewa County are glacial outwash, ice contact, and buried sand and gravel deposits. **Surficial aquifers** are related to outwash deposits, these deposits range from 40 to over 90 feet thick, and are composed of medium to coarse gravels and sand. The upper limit of the aquifer is the water table, and the lower limit is the top of the glacial till.

Glacial till acts as a confining layer that controls the vertical flow of ground water. Buried sand and gravel deposits - i.e. **confined aquifers**, occurring at various depths in the glacial drift are scattered throughout the county, and serve as the main source of ground water where surficial aquifers are thin or absent.

Most irrigation and municipal ground water withdrawals in Chippewa County are from surficial aquifers. These aquifers are rapidly recharged, and are also very susceptible to contamination. Confined aquifers provide ground water for farms and small municipalities throughout the county. These aquifers recharge more slowly, and are less susceptible to contamination because they are buried.

Chippewa County lies within the Minnesota River basin and is drained by **three major watersheds**; the Minnesota River Headwaters, the Minnesota River Granite Falls, and the Chippewa River.

Lac Qui Parle Lake is the most prominent lake in the county. It was created by the Lac Qui Parle Flood Control Project, completed in 1951. The reservoir behind the Lac Qui Parle dam has a capacity of 122,800 acre feet, and was designed for flood control, recreation, fish and wildlife conservation.

There are only three other named lakes in the county. A significant part of the county was covered by wetlands in the past. Many of these wetlands were drained and are being farmed. An extensive system of county ditches and tile lines has modified the water flow since the county was settled.

Land use can be divided into four general categories: Agricultural is the predominant land use, composing about 88 percent of the county land. Woodlands occupy about 2 percent; water and wetlands about 1 percent; and other uses (including urban land) occupy about 9 percent.

Seventy three percent of the land in the county is considered to be prime farm land. Corn and soybeans are the most important crops, with smaller acreages of sugar beets, small grains, hay and pasture. Much of the county cropland is subject to wind and water erosion. Hog production is the most important livestock operation.

PLAN ACCOMPLISHMENTS

Chippewa County in cooperation with other local units of government and county residents have implemented many activities identified in the 1991 Plan. Some accomplishments are:

1. Established a series of radio public service announcements relating to water planning.
2. Cost shared with 40 farmers on no-till practices.
3. Established and maintained a cost share program for water well testing.
4. Began and will maintain a manure resource management program and feedlot planning.
5. Have encouraged and evaluated the use of buffer strips through a cost share incentive.
6. Began inventories addressing abandoned wells, fuel and waste oil tanks, and wetlands.
7. Administered a cost share program to seal high priority abandoned wells.
8. Established the H2O newsletter.
9. Began an evaluation of the county-wide ditch system.

STAFF REVIEW

The Plan Update organizes the goals, objectives and actions identified by the task force and from public input under three initiatives. The initiatives and several objectives and priority actions are:

SURFACE WATER INITIATIVES: **Protect surface water resources** through incentives for grassed buffer strips or filter strips, BMP application, inventory all feedlots; **Continue existing and develop new regulation** through education and enforcement of county wide on-site sewage treatment and required certification of septic system contractors; **Increase monitoring** by submitting a Clean Water Partnership Grant proposal targeting the Chippewa River watershed; **Evaluate runoff and promote practices to control it** through identification and prioritization of drained wetlands, promoting proper land use practices, and evaluating storm sewers and county ditches that flow into priority waters to determine the impact on quantity and quality.

GROUNDWATER INITIATIVES: **Identify geologically sensitive areas** through a potential comprehensive ground water study, complete a level I assessment; **Increase water testing** through coordination of all water testing in the county, establish a series of monitoring wells and a regular testing program; **Inventory nonpoint and point sources** such as all regulated underground and above ground storage tanks and abandoned wells, maintain a GIS data base, maintain inventory of hazardous waste generators; **Advise and assist in preparing wellhead protection plans**; **Maintain a prioritized list of abandoned wells for proper sealing.**

LAND RESOURCE INITIATIVES: **Protect highly erodible lands from wind erosion** through accelerated adoption of conservation and minimum tillage; **Protect critical areas from water erosion** through promotion of conservation BMPs.

Chippewa County submitted its plan revision to BWSR on October 26, 1995. On November 3, 1995, BWSR distributed the plan revision to the state agencies for their review.

OVERVIEW OF THE **BIG STONE COUNTY** COMPREHENSIVE WATER PLAN
FOR THE DECEMBER 20, 1995 BWSR BOARD MEETING

INTRODUCTION

Big Stone County is located in west-central Minnesota on the South Dakota border. It is bounded on the north by Traverse County, on the east by Swift and Stevens Counties, on the south by Lac Qui Parle County, and on the west by Grant and Roberts counties in South Dakota. There are eight incorporated cities in the county - Barry, Beardsley, Clinton, Correll, Graceville, Johnson, Odessa, and Ortonville. Ortonville is the county seat.

Big Stone County is part of the **Minnesota River Headwaters Joint Powers Board** (Big Stone, Chippewa, Lac Qui Parle, Pope & Swift Counties). Cooperative water planning and implementation activities are recognized outcomes of this group.

Big Stone County began its original planning in May 1990, with assistance from Dr. James Van Alstine, Professor of Geology at the University of Minnesota, Morris. The BWSR approved plan was adopted by the county in December 1991.

This recent planning revision process began during the Fall of 1994 - again Dr. James Van Alstine has provided assistance.

PHYSICAL DESCRIPTION OF COUNTY

Big Stone County has a total land area of about 532 square miles. It contains about 30 square miles of water area. **Topography** is characterized by a gently rolling glacial drift plain containing many closed depressions occupied by an abundance of small lakes and wetlands. The majority of the upland prairie is used for agriculture. Tree cover is concentrated on the banks of the Minnesota River Valley and its tributaries. A majority of the county is nearly level, with much of the remaining surface area covered by slopes of less than 6 percent. Elevation varies from a low of about 950 feet to a maximum of about 1175 feet. Approximately 75 percent of the county surface is above 1075 feet in elevation. The Minnesota River Valley, which is incised 125-200 feet below the adjacent plains, is the major topographic feature in the county.

The **surficial geology** of Big Stone County consists of glacial drift material ranging from 100 to 300 feet thick deposited on Cretaceous shale and Precambrian granite. The Cretaceous rocks consist of soft bluish-gray clayey shale interbedded with sandstone. The sandstone often occurs at the base of the shale and is generally only a few inches to a few feet thick. The Precambrian metamorphic and igneous rocks that underlie the entire area are only exposed in the Minnesota River Valley below Big Stone Lake and near Milbank, South Dakota.

The **principal aquifers** in Big Stone County are glacial outwash, ice contact, and buried sand and gravel deposits, and Cretaceous sandstones and limestones. **Surficial aquifers** consisting of outwash sands and gravels underlie most of the northern part of the county. These aquifers begin at depths of 1 to 20 feet below the surface. This surficial aquifer is underlain by gray, relatively impermeable glacial till that creates a barrier between the surficial and the more deeply buried aquifers. These **buried aquifers** are generally discontinuous bodies of sand and gravel that vary in depth below the ground surface. They form a significant source of water for small municipalities and homesteads throughout the county. These aquifers are found within 35 to 45 feet of the surface in the northern part of the county. The principal aquifers throughout much of the southern and western part of the county are the Cretaceous Codell Sandstone and the Greenhorn Formation.

Most domestic and municipal ground water withdrawal in the county are from surficial aquifers that are in direct contact with the ground surface. These aquifers are rapidly recharged and, consequently, are also very susceptible to contamination. Ground water flow in the county is generally to the west and southwest to Big Stone Lake and the Minnesota River.

Big Stone County lies in **three major watersheds**; the Minnesota River Headwaters, the Mustinka-Bois de Sioux, and the Pomme de Terre. The Minnesota River drainage system covers almost 80 percent of the county.

Big Stone Lake, located at the head of the Minnesota River, is the major hydrological feature in the county. It is an interstate body of water, having a watershed of 1,149 square miles. The surface area is about 12,360 acres. There are eleven other lakes larger than 300 acres in the county. Numerous wetlands also still exist.

Land use can be divided into four general categories: Agriculture makes up approximately 87 percent of the county as cropland and pasture. Woodland makes up approximately 1 percent, water and wetlands make up approximately 9 percent, and other uses make up about 3 percent of the land in the county.

Almost one-half of Big Stone County is considered prime farm land, one third being considered good and approximately 20 percent of the county soils have extreme limitations or are untillable. Corn, wheat, soybeans and oats are the major crops. Beef and dairy numbers are declining while hog numbers have increased.

PLAN ACCOMPLISHMENTS

Big Stone County in cooperation with other local units of government and county residents have implemented many activities identified in the 1991 Plan. Some accomplishments are:

1. Establishment of a county feedlot task force.
2. Initiated manure management assistance for feedlot operators.
3. Adopted 7 new ordinances, all integrated into the water planning process.
4. Establishment of a certification program for sewage system installers, site evaluators and inspectors.
5. Assisted with reconditioning of the City of Odessa waste water treatment ponds.
6. Established a cost share program for abandoned well sealing.
7. Completed a statistical sampling of county septic systems along Big Stone Lake, identifying non-conforming systems.

STAFF REVIEW

The Plan Update organizes the goals, objectives and actions identified by the task force and from public input under three initiatives. The initiatives and several objectives and priority actions are:

SURFACE WATER INITIATIVES: **Protect surface water resources** through establishment of a priority listing of lakes for protection and restoration, installation of grassed buffer or filter strips, feedlot management, upgrade individual sewage treatment systems; **Regularly review all existing county ordinances** - amend as necessary, develop a feedlot manure management ordinance; **Increase monitoring** by enrolling three additional lakes in MPCA's Citizen Lake Monitoring Program, and participating in MPCA's Lake Assessment Program; **Identify and Protect High Priority Wetland Preservation Areas in the County; Evaluate runoff and promote practices to control it; Maximize use of surface water** through increasing recreational opportunities to Big Stone Lake, support the Big Stone Lake Restoration Project and MN. River Improvement Project.

GROUNDWATER INITIATIVES: **Identify geologically sensitive areas** through a potential comprehensive ground water study, complete a level I assessment; **Increase water testing** through coordination of all water testing in the county; **Inventory non-point and point sources** - ensure that no further dumping is taking place in unpermitted solid waste disposal sites; **Protect groundwater resources** by requiring proper septage management; **Advise and assist in preparing wellhead protection plans; Maintain a program to locate abandoned wells for proper sealing.**

LAND RESOURCE INITIATIVES: **Improve the solid waste stream** through education and information; **Protect highly erodible lands from wind erosion** through continued installation of field windbreaks; **Protect critical areas from water erosion** through promotion of conservation BMPs.

Big Stone County submitted its plan revision to BWSR on October 26, 1995. On November 3, 1995, BWSR distributed the plan revision to the state agencies for their review.



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November 14, 1995

TO: Soil and Water Conservation Districts

FROM: Greg Larson, Administrator-Water and Land Management Section

RE: State Cost-share Program area allocation policy

This letter is in response to a number of questions regarding the meaning of certain language in Keith Grow's September 1st letter to SWCD Chairperson's. The language in question concerns the area allocation process and reads as follows: **"For an area to be eligible for area allocations, ALL SWCD's in that area must participate. If one or more SWCD's in an area elect not to participate, then all the SWCD's in the area are ineligible to participate."** The area allocation concept was approved by the BWSR at their August, 1995 meeting. In developing language to implement the BWSR area allocation policy, BWSR staff believed that the area allocation committees would function similar to a joint powers board whereby the parties negotiate the details of a cooperative agreement. Specifically, the areas can define the process by which the allocation process will be handled. All districts must agree to the process--similar to a joint powers agreement where all parties agree to certain conditions. Once the process is finalized, all SWCDs would agree to abide by that process until the next fiscal year when all areas have an opportunity to renegotiate their agreement.

There is flexibility for areas to determine a process that satisfies all districts in their area. As examples:

- The current allocation is used as the base and additional funds, including roll-over, are competitive
- All funds are distributed equally
- All funds are competitive

This is a great opportunity for SWCDs and I believe that each area can work out a mutually agreeable process. Remember, the SRF joint powers areas were not created without considerable negotiation and compromise.

I believe this clarification reflects the reputation of SWCDs to work cooperatively to develop resource protection programs. Board Conservationists are part of the area committee and can be expected to provide support to your discussions.

Contact me if you have questions.

C: MASWCD Board Conservationists
Board Members Management Team

Bud mty
Dec

Brad Beck



November 28, 1995

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TO: Soil and Water Conservation Districts (SWCDs)

FROM: Greg Larson, Land & Water Management Section
Administrator *Greg Larson*

Subject: SWCD General Services Funding From Counties

Last spring, the 1995 legislature increased the general service grant appropriation for SWCDs. This action resulted in an increase in the general service grants SWCDs received from the BWSR for FY 96 (July 1, 1995 to June 30, 1996).

The appropriation language intended that county general allocations to SWCDs do not in-turn decrease, so the legislature directed the BWSR to reduce a county's Natural Resources Block Grant (NRBG) by an amount equal to any county reduction of a general allocation to a SWCD. The base year for which the above applies is 1995.

In other words, if a SWCD's 1996 general allocation from their county is less than their 1995 general allocation from their county, the BWSR may in-turn reduce a county's NRBG by the same amount.

This policy does not apply to county-wide budget cuts. This policy is aimed at those cases where a SWCD is "singled out" for budget cuts. If a SWCD believes that it is being "singled out", the SWCD should first contact their Board Conservationist to assist the SWCD and county in resolution of this issue. A SWCD must initiate the request to the BWSR. The BWSR will not monitor county budgets to make this determination.

Please contact your Board Conservationist if you need further assistance in this matter.

cc: Dave Weirens, AMC
Land and Water Management Section
Board Conservationist

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