



Minnesota Board of Water and Soil Resources.
Minutes.

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DATE: September 16, 1996

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

FROM: Ronald D. Harnack, Executive Director 

SUBJECT: September 25, 1996 BWSR Meeting

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, September 25, 1996, 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:

CONSENT AGENDA

1. Jackson County Request for Water Plan Extension: On September 4, 1996, Jackson County requested an additional six-month extension of their comprehensive local water management plan. Jackson County in its request stated that county staff has had to devote more time than anticipated to the issue of feedlots expansion, development of associated manure management plan, and a heavy fall construction schedule. This request has been reviewed according to Board procedures and is being recommended for approval by Board Conservationist Tabor Hoek. **DECISION**
2. Nine Mile Creek Watershed District Watershed Management Plan is recommended for approval by the BWSR Metropolitan Water Planning subcommittee and BWSR staff. **DECISION**

NEW BUSINESS

1. Policies Relating to Metro Watershed Management: Two policies are being brought before the Board for approval with unanimous consent from staff. Policy #1 defines how staff will proceed when a Water Management Organization (WMO) has terminated itself or failed to implement its watershed management plan, including Joint Powers Agreements (JPA's) that have expired and JPA's that lack signatures of all the affected parties. Policy #2 provides staff direction on working with WMO's that have not updated their JPA's. Many JPA's have not been updated as required in 1993. **DECISION**
2. Sinkhole Protection Project: Eric Mohring will give an update on ground water related items. **INFORMATION**

3. Forestry Activities: Jim Lemmerman will brief the Board on forestry activities during the past year and explain some of his key work items and emerging forestry issues.
INFORMATION
4. Red River Project Report: Joe Gibson, Department of Natural Resources, will report on the environmental impact statement of various projects. INFORMATION
5. Signing of Memorandum of Understanding: A special event will take place with the signing of the Memorandum of Understanding between U.S.D.A., SWCDs, and BWSR.
6. 1997 Challenge Grants: Last fall the Board decided to run the BWSR challenge grant programs at this time, during the second half of the biennium. Applications for the 1997 Challenge Grants have been received and evaluated. The Board is now requested to approve the funding recommendations of three challenge grant programs. These challenge grant programs are: A) Local Water Plan Challenge Grant; B) MPCA Feedlot Challenge Grant; and C) Wetland Challenge Grant. These grants are competitive and require a 1:1 cash/in-kind match. The Local Water Plan and Wetland Challenge Grant funding recommendations were prepared by BWSR staff and others. The Feedlot Challenge Grant funding recommendation was prepared by MPCA staff. MPCA Feedlot funds are transferred to BWSR for grant execution. Please see attachments. DECISION
7. Red River Valley Emergency Flood Damage Assistance: Flooding in the spring of 1996 has caused extensive gully erosion on croplands in the northern Red River Valley. Due to high costs to repair these many sites and insufficient local funds, these sites have gone unrepaired. During future rainfall and snowmelt runoff events, a high probability exists for additional erosion and sedimentation until these gullies are repaired. Therefore, staff proposes that \$100,000 of State Cost-Share roll-over funds be allocated to SWCDs in the northern Red River Valley as a FY97 Special Roll-over Grant. DECISION
8. Northwestern Minnesota Disaster Reinvest In Minnesota (RIM) Special Project for Limited Duration Easements: To further address the flood damage experienced in the Red River Valley, the SWCDs would like the BWSR to consider allowing a selected few disaster declared counties to submit for consideration for funding limited duration RIM easements in severely eroded riparian and marginal agricultural land. Funding for these applications, if selected, would come from the allocation amounts identified for the BC's having work areas in the affected counties. DECISION
9. Release of Acres: BWSR has never released any acres under easement before, but RIM reserve statute and rule clearly gives us authority to do so. The landowner will be required to pay to the state the sum of \$2,051 and convert his remaining land under easement (1.5 acres) to a perpetual easement as a condition for release. If approved, the process proposed sets precedent and policy by which future requests for release can be handled regarding payback of RIM funds. In past requests, BWSR has almost always been able to work out an acreage swap to replace the landowner wishes to remove from the easement. In this case, the landowner owns no other land in the State. DECISION

10. Drainage Training: A grant for \$50,000 to Association of Minnesota Counties (AMC) is underway with a meeting that was held on August 18, 1996. AMC, MAWD, DNR, the Attorney General's office, and BWSR are coordinating a work plan to attach to the grant so that the most useful information can be developed and distributed to drainage authorities, particularly county commissioners and watershed district managers around the state. The grant will hopefully achieve approximately 10 training sessions in January or February of 1997, along with informational materials and user guides to the law so that officials that are responsible for drainage decisions and project maintenance, etc., will have the necessary base of understanding to work from. DECISION
11. Legislative Initiatives: DISCUSSION
12. By-Laws: The BWSR's By-Laws were submitted to the Attorney General's Office for review. The Attorney General's comments have been incorporated into the attached By-Laws. DECISION
13. Financial Oversight Committee Report: At its February 28, 1996 meeting, the Board appointed a Financial Oversight Committee to "comprehensively examine BWSR's local government financial oversight and accountability systems and develop performance-oriented recommendations for improvements which deter problems or find them quickly when they occur". The committee invited a number of LGU associations, audit agencies and BWSR staff to be advisors. The committee met four times between April and July. The report of the committee is contained in this board packet. DISCUSSION
14. Strategic Planning: Another look at the BWSR's strategic planning effort; a "draft" strategic plan is attached for your review. DISCUSSION

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



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September 15, 1996

Dear Board members:

Just a couple of things before Board meeting this month:

First, we will be taking another look at our strategic planning effort at the conclusion of our formal meeting, so plan on a meeting period concluding around 3PM. Actually, you can plan on that schedule for the remainder of this year. The draft agendas will be sent without a time stipulation. Lunch will be catered to the office.

Second, I have a thought in mind that will say a specific "thank you" to the BWSR staff - **and I hope you ALL will participate!** For \$10 per person, we can garner enough money to buy "party refreshments" for the conclusion of their October staff retreat, **on us!** --- and sign a card thanking the entire staff for their support and mentoring from an appreciative Board that aspires and expects, with their help, to be "a viable part of it all". A collection box and card will be on the front table by the agendas, should you wish to contribute and add your thanks. ☺

Third, please remember to prioritize the BWSR Legislative Initiatives as you perceive their importance based on a combination of: a) the value of the proposal to achieve BWSR's goals; b) the 'window of opportunity' present for the proposal; and/or c) the estimated total dollars available for environmental initiatives (this will be "previewed" at meeting). We plan on having a "**spirited**" discussion that will lead to the Board's enlightenment and involvement in this legislative process; and **your input** is a must! Don't forget, you will also be asked to make judgment on the initiative to seek voting privileges for the present ex-officio agency members.

Finally, we will be making reservations **now**, for Board members to attend the three client conventions in December. Normally, each board member attends one convention of which he/she is not officially a professional member. It is an opportunity to share, promote, learn and "network". We need to know your attendance desires before the final reservation decisions are made by the Exec. Dir. and Chair. Kathy Roer will be attending portions of the Sustainable Development Conference and Ginny Imholt will attend the NALMS conference.

*See you soon,
♥ Barb*

**BOARD OF WATER AND SOIL RESOURCES
CONFERENCE ROOM, ONE WEST WATER STREET
ST. PAUL, MINNESOTA 55107
SEPTEMBER 25, 1996**

PRELIMINARY AGENDA

9:00 a.m.

Call Meeting to Order

Adopt Agenda

Approval of Minutes of August 28, 1996

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
- Wetlands Committee - Darrell Bruggman
- Administrative Advisory Committee - Barbara Cobb
- Financial Oversight Committee - Ginny Imholte

Agency Reports

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

Consent Agenda

1. Jackson County Request for Water Plan Extension - Doug Thomas
2. Nine Mile Creek Watershed District Watershed Management Plan Approval - Jim Haertel

New Business

1. Policies Relating to Metro Watershed Management - Jim Haertel - DECISION
2. Sinkhole Protection Project - Eric Mohring - INFORMATION
3. Forestry Activities - Jim Lemmerman - INFORMATION
4. Red River Project Report - Joe Gibson, Department of Natural Resources - INFORMATION
5. Signing of Memorandum of Understanding - USDA; BWSR; SWCDs

Noon

Lunch

6. 1997 Challenge Grants - Wayne Zellmer - DECISION
7. Red River Valley Emergency Flood Damage Assistance - Wayne Zellmer - DECISION
8. Northwestern Minnesota Disaster Reinvest In Minnesota (RIM) Special Project for Limited Duration Easements - Tim Fredbo - DECISION
9. Release of Acres - Tim Fredbo - DECISION
10. Drainage Training - John Jaschke - DECISION
11. Legislative Initiatives - Ron Harnack - DECISION
12. By-Laws - Ron Harnack - DECISION
13. Financial Oversight Committee - Jim Birkholz - DISCUSSION
14. Strategic Planning - Ron Harnack - DISCUSSION

Advisory Comments

- Bill Hunt, NRCS
- Jim Schafer, MASWCD
- Ray Bohn, MAWD
- Rick Reimer, MACDE
- Franklin Denn, MAT

Board Issues

- Next Board Meeting, October 23, 1996
- Date of November/December Meeting -- December 18 Recommended
- Convention Attendance
 - AMC, December 1-3, Duluth
 - MAWD, December 5-7, Alexandria
 - MASWCD, December 8-10, Bloomington

Adjourn

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CONFERENCE ROOM, ONE WEST WATER STREET
ST. PAUL, MINNESOTA 55107
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AGENDA

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9. Release of Acres - Tim Fredbo - DECISION
10. Public Road Mitigation-New Program Proposal - John Jaschke - INFORMATION
11. Drainage Training - John Jaschke - DECISION
12. Legislative Initiatives - Ron Harnack - DECISION
13. By-Laws - Ron Harnack - DECISION
14. Financial Oversight Committee - Jim Birkholz - DISCUSSION
15. Strategic Planning - Ron Harnack - DISCUSSION

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**BOARD OF WATER AND SOIL RESOURCES
CONFERENCE ROOM, ONE WEST WATER STREET
ST. PAUL, MINNESOTA 55107
AUGUST 28, 1996**

BOARD MEMBERS PRESENT: Barb Cobb, Jim Rossman, Barb Uppgaard, Ted Lovdahl, Dwain Otte, Ginny Imholte, LeRoy Stensgaard, Tim Hvidsten, Kathy Roer, Marv Tripp, Darrell Bruggman.

AGENCY MEMBER ABSENT: Glenn Annexstad

AGENCY MEMBERS PRESENT:

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

STAFF PRESENT:

Ron Harnack, Barbara Ohman, Jim Haertel, Doug Thomas, Ron Shelito, Marybeth Block, Greg Larson, Bruce Sandstrom, Wayne Zellmer, Matt Moore, and Mary Jo Anderson.

OTHERS PRESENT:

Jim Schafer, Minnesota Association of Soil & Water Conservation Districts (MASWCD)
Don Wodek, Hennepin SWCD
Rick Reimer, Minnesota Association of Conservation District Employees (MACDE)
Franklin Denn, Minnesota Association of Townships (MAT)
Ray Bohn, Minnesota Association of Watershed Districts (MAWD)
Bill Stokes, Natural Resource Conservation Service (NRCS)

Chair Cobb called the meeting to order at 9:05 a.m.

**** 96-56 Adopt Agenda** - Moved by Barbara Uppgaard, seconded by Marv Tripp, to adopt agenda as presented. Motion passed on a voice vote.

**** 96-57 Minutes of July 24, 1996** - Moved by LeRoy Stensgaard, seconded by Dwain Otte, to approve the minutes of July 24, 1996, as circulated. Motion passed on a voice vote.

Chair's Report - Chairman Cobb reported that she attended the Washington County Local Governments meeting on July 30; Jim Birkholz was a speaker at this meeting and gave an excellent speech. Chair Cobb attended the MASWCD meeting and reported on their legislative initiatives and SRF discussions.

Executive Director's Report - Ron Harnack attended the Environmental Cluster Meeting. A joint letter has been sent to Koochiching County regarding their natural resources management plan. This letter was reviewed at the Environmental Cluster Meeting.

Ron reported that the challenge grants will be discussed at the September meeting. Staff is working with clientele to review the rules that will be adopted for the Farm Bill. Ron visited the BWSR Bemidji office last week. Ron reported that Barbara Ohman left her board conservationist position in the metro region and is now the wetland specialist working with John Jaschke on wetlands. Matt Moore has transferred to Barbara's position, and Bruce Sandstrom will soon fill the vacant board conservationist position. Susan Tsakakis will return from maternity leave next week and will be working part-time. Barb Liukkonen has taken a position at the Minnesota Extension Service effective November 1.

Committee Reports

Dispute Resolution Committee - Kathy Roer reported that there is nothing pending at this time, issues have been dismissed or resolved.

Feedlot Advisory Committee - Jim Rossman stated that members received copies of the MPCA "Feedlot Rule Update" for their information.

Cost-Share/Soil Conservation Committee - Dwain Otte reported that cost-share issues have been discussed, notice will be sent out to SWCD directors regarding allocations formula, requesting their input; review deadline will be the end of December; reporting requirements need to be clear.

Financial Oversight Committee - Ginny Imholte reported that the Financial Oversight Committee met to discuss issues, a draft was written, recommendations will be brought before the board in the next two months.

Agency Reports

Wayne Edgerton, Department of Natural Resources, reported on the Rapidan Dam river contamination problem; a study is being done, inconclusive samples from labs, ongoing investigation. DNR is working with the Department of Agriculture and the Nature Conservancy on a new acquisition of an operating dairy farm in Rice County, Nerstrand State Park, provides opportunity for education. New trespass law took effect August 1. Minnesota Farm Bureau is taking lead on ag forums statewide to look for opportunities to work with regulatory agencies.

Kim Benson-Johnson, Department of Health, reported that the Department of Health's well program will propose a fee increase in 1999. The Department is also looking at the needs for cost-sharing for well sealing.

Paul Burns, Department of Agriculture reported that the Department of Agriculture has held workshops on feedlot planning and zoning. Paul stated that the Department of Agriculture has ongoing efforts on feedlots, water quality, and health effects through the interagency group. Paul stated that it's encouraging to see that Farm Bureau is aggressively pursuing ag issues and involved in MNRAT.

Jim Anderson, Minnesota Extension Service (MES), reported that the University of Minnesota St. Paul campus is co-locating to a new water center on the St. Paul campus. The new center represents a merging of the Center for Ag Impacts on Water Quality (Jim Anderson), the Water Resources Research Center (Pat Brezonik), and the MES Water Quality Programs (Fred Bergsrud). The new location for their water programs is to better deal with clientele. Barb Liukkonen will be the Water Resources Education Coordinator. MES and the College of Agriculture is looking at a 3-pronged legislative initiative in regard to building additional capacity with environmental areas, to interact on odor issues, the Minnesota River basin, and sustainable development.

Marge Velky, Pollution Control Agency, reported that Clean Water Partnership applications will be open in mid-September through November; with \$900,000 in grant money and \$7 million in state revolving loan funds. Federal grants will be disbursed also for nonpoint source pollution. Marge stated that the Water Quality Division has been reorganized into a basin managed organization to focus on basin oriented projects for the Minnesota River, Red River, Lake Superior/St. Croix. PCA has been working on strategic planning efforts and are now in the implementation stage. The North American Lake Management Society's (NALMS) conference will be held in Minneapolis in November, with speakers from around the world; the conference notice will be out soon.

Ted Lovdahl attended the NACD Regional Leadership Meeting. Chair Cobb asked for a report at the next meeting on key issues and outcomes.

Consent Agenda

Local Water Plan Approval Riley-Purgatory-Bluff Creek Watershed District Watershed Management Plan - Dwain Otte reported that the BWSR review committee recommended approval of the plan; the committee commended Jim Haertel on his efforts in working with the watershed district. Chair Cobb introduced Conrad Fiskness, chair of the Riley-Purgatory-Bluff Creek Watershed District. Moved by Dwain Otte, seconded by Kathy Roer, to approve the Riley-Purgatory-Bluff Creek Watershed District Watershed Management Plan. Motion passed on a voice vote.

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96-58

County Water Plan Extensions - Doug Thomas reported that the extensions have been reviewed by staff and recommend approval of the county water plan extensions for Blue Earth, Clearwater, and Rock Counties. Moved by Uppgaard, seconded by Jim Rossman, to approve the county water plan extensions of Blue Earth, Clearwater and Rock Counties. Motion passed on a voice vote.

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96-59

Beltrami County Local Water Plan - Darrell Bruggman reported that the review committee met and recommend approval of their plan. Frustration with lack of agency comments; the comprehensive local water planning process is taken seriously, we need agency comments on the final plan; Darrell asked agency members present at the meeting today to take back the message to please comment during the review period. Moved by Darrell Bruggman, seconded by Ginny Imholte, to approve the Beltrami County Local Water Plan. Motion passed on a voice vote.

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96-60

Chair Cobb called for a break in the meeting at 10:15 a.m.; the meeting reconvened at 10:30 a.m.

Declaration of Failure to Implement a Plan by Brown's Creek WMO - Barbara Ohman reported that the county and WMO are taking steps to resolve the excess water problem in the Brown's Creek's area after both Grant Township and the WMO would not. A community member asked to have the Brown's Creek WMO dissolved. A resolution was passed and voted to dissolve the organization. Staff recommends that the organization be terminated - the county would then take the lead role. Discussion followed on WMO authority with minimal township input. Moved by Jim Rossman, seconded by Marv Tripp, that the BWSR accepts the staff recommendation to establish a resolution to declare failure to implement a plan by Brown's Creek WMO, through failure to update its joint powers agreement. Motion passed on a voice vote. Chair Cobb commended Barbara Ohman for doing an excellent job in working on this effort.

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96-61

Complaint of Failure to Implement by Sunrise River WMO - Matt Moore explained the issue; staff recommends that BWSR establish a resolution for just cause and direct staff to proceed on this. Moved by Uppgaard, seconded by Marv Tripp, that a resolution is established determining failure to implement by the Sunrise River WMO and authorize staff to undertake the investigation of the issues relating to the alleged failure to implement. Motion passed on a voice vote.

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96-62

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96-63

FY97 Non-Point Engineering Assistance Grant - Wayne Zellmer updated the board on background information on this grant and proposed a procedural change for FY97 that would allow for a base grant so each JPA reaches the necessary \$105,800 plus a \$315,000 balance for challenge grant opportunities that might provide more engineering assistance in high workload areas. One-time grant only. Discussion followed. Moved by Jim Rossman, seconded by Dwain Otte, approve staff's recommendation for the FY97 Non-Point Engineering Assistance Grant and allocation procedures and authorize staff to implement the FY97 Non-Point Engineering Assistance Challenge Grant. Motion passed on a voice vote.

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96-64

CRP - RIM Reserve Limited-Use Easement Program - Marybeth Block reported that staff met MDA staff and reviewed SWCD applications to participate in the pilot program and recommended the five SWCDs (East Polk, Pope, Lac Qui Parle, Fillmore, and Clay) that would effectively demonstrate, market and implement the CRP-RIM Reserve Limited-Use Easement Program. Moved by Tim Hvidsten, seconded by Ted Lovdahl, to approve the staff recommendation of the five selected SWCDs for this program. Motion passed on a voice vote.

LGU Annual Reporting System (LARS) - Ron Shelito explained that this is a user-friendly computerized system intended to make local governmental reporting of program accomplishments both easier and more useful; eventually, after "use" input, this will be a required system. Wayne Zellmer gave a brief overview of the reporting system for the board members information. Ron Harnack commended BWSR staff and PCA and NRCS in getting this system together.

Tim Hvidsten left the meeting at 12:05 p.m.

Chair Cobb adjourned the meeting for lunch at 12:05 p.m.; the meeting reconvened at 12:30 p.m.

Role of Board Members in Legislative Process - Ron Harnack explained that the board will review the staff recommendations for legislative initiatives. Ron advocates the BWSR's budget; he carries the primary lead on the budget; appropriate staff carry the lead on program issues. Ron meets with individual legislators and appropriate staff respond to legislator requests very promptly. Discussion followed on how to keep members informed during the legislation session; options include: members will be informed of who is the lead staff on legislative initiatives; members will receive a weekly legislative summary; a legislative committee be formed; members interested in certain initiatives could confer on these issues; field offices are e-mailed; "meet-me conference call" as needed with board members; call into voice mail; informed of legislative committees in the house and senate and will talk with them as needed. Members are encouraged to contact their legislators and attend hearings. Ron, Chair Cobb and will decide what suggested options will be used to keep members informed during the legislative session.

LeRoy Stensgaard left the meeting at 1:00 p.m.

Legislative Initiatives - Ron Harnack reviewed FY98-99 legislative initiatives: 1) Information Management and Communication; 2) Technical and Financial Assistance for Erosion Damage Due to Flooding in the Red River Valley; 3) Soil and Water Conservation District Forestry/Agroforestry; 4) Educational Coordinators; 5) Minnesota River Basin; 6) Lakeshed Cost-Share; 7) Non-Point Engineering; 8) Lake Superior and 9) Policy Legislation. Chair Cobb asked members to prioritize the legislative initiatives by value of the project; opportunity of the project; and dollars for the project. Action will be taken at the September meeting on the legislative initiatives.

Advisory Comments

Minnesota Association of Townships (MAT): Franklin Denn briefly commented on the issues that townships are addressing: property tax in townships, educate the public and township officers.

Minnesota Association of Soil and Water Conservation Districts (MASWCD): Jim Schafer commented on the Memorandum Of Understanding with BWSR and NRCS; the signing is near. Jim thanked Ted Lovdahl for attending the NACD Leadership Meeting. Jim commented on agroforestry, this issue will be addressed at the MASWCD convention.

Minnesota Association of Conservation District Employees (MACDE): Rick Reimer stated that the MACDE June meeting was well attended; and Farm Fest was a good opportunity to promote MACDE. Rick stated that SWCDs are involved in feedlot inventory.

Natural Resource Conservation Service (NRCS): Bill Stokes stated that Bill Hunt is in Nashville meeting on the Farm Bill. NRCS will continue the working relationships with SWCDs and BWSR, and will sign the Memorandum of Understanding next month.

Minnesota Association of Watershed Districts (MAWD): Ray Bohn congratulated Barb Cobb on her reappointment as Chair. The MAWD summer tour was well attending. Ray stated that the MAWD annual meeting is December 4-5-6, they appreciate BWSR's assistance at their meeting. MAWD is working with the Minnesota Department of Transportation (MNDOT) on the permitting issue, near final draft document of MOU with watershed district, MNDOT, and BWSR. The next MAWD meeting is September 6 in Alexandria. Ray stated that an assistance team is presently be formed to assist watershed districts.

Hennepin Soil and Water Conservation District: Don Wodek reported that Hennepin County SWCD and the Metro Groundwater Alliance is holding a groundwater conference in October in Minneapolis, members invited to attend. Don stated that SWCDs in the metro area have formed a group for technical assistance, information exchange program, working with MASWCD on district capacity, mentoring type program. Don commended Konrad Koosman, Washington SWCD, for completing a lengthy project involving various local entities - success story!

BWSR Minutes
August 28, 1996
Page Seven

The next BWSR meeting is September 25 in St. Paul. Agenda items include: challenge grants, legislative initiatives, and strategic planning.

Ron Harnack reported that the MAWD annual meeting is December 5-6-7, in Alexandria. The Association of Minnesota Counties (AMC) annual meeting is December 1-2-3, in Duluth. The MASWCD annual meeting is December 8-9-10, at the Radisson South in Bloomington. Ron stated that BWSR, Watershed Districts, and SWCDs will have a joint booth at AMC. Board members are encouraged to attend these annual meetings.

Ron Harnack invited board members to stop by the BWSR booth in the Education Building at the State Fair.

Chair Cobb adjourned the meeting at 2:00 p.m.

Respectfully submitted,

Barbara Cobb
Chair



MEMORANDUM

September 10, 1996

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TO: Board Members

FR: *Jim* Jim Haertel, Water Management Specialist

RE: APPROVAL - Nine Mile Creek Watershed District
Watershed Management Plan

The Nine Mile Creek Watershed District (NMCWD) started preparing the above referenced Plan over three years ago. BWSR and agency staff reviewed a draft Plan in early 1994 and had many, many comments. The NMCWD responded to all the comments, however, the District then did a major revision which incorporated, among other items, future plans to develop individual lake assessments for each significant lake in the District. BWSR staff reviewed the revised Plan and forwarded comments to the District. The NMCWD made some amendments and then met with the BWSR Metropolitan Water Planning subcommittee and staff. The result of that meeting was a final draft Plan which was reviewed by all the agencies and the Metropolitan Council.

The final draft Plan received some significant comments from the agencies. The NMCWD revised the final draft Plan consistent with all of the significant comments. The NMCWD provided written responses to all of the minor comments that were not incorporated in the revised final draft Plan. The NMCWD presented their revised final draft Plan to the BWSR Metropolitan Water Planning subcommittee and BWSR staff.

The BWSR Metropolitan Water Planning subcommittee and BWSR staff recommend approval of the NMCWD Watershed Management Plan consistent with the enclosed Findings of Fact, Conclusions and Order.

Please contact me at (612) 297-2906 if you have any questions.

Enclosure

cc's on attached page

Board Members
September 10, 1996
Page 2

cc: Ron Harnack
Doug Thomas
Bruce Sandstrom
Aileen Kulak, NMCWD
Paul Haik

Minnesota Board of Water and Soil Resources
One West Water Street, Suite 200
Saint Paul, Minnesota 55107

In the Matter of the review of the Watershed Management Plan for the **Nine Mile Creek Watershed District** pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.

**ORDER
APPROVING
WATERSHED
MANAGEMENT PLAN**

Whereas, the Nine Mile Creek Watershed District (NMCWD) submitted a Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 9, and;

Whereas, the Board has completed its review of the Plan;

Now Therefore, the Board hereby makes the following Findings of Fact, Conclusions, and Order:

FINDINGS OF FACT

1. **District Establishment.** The NMCWD was established by order of the Water Resources Board in 1959 for the primary purposes of flood control and addressing water quality. The District is located in the southwestern portion of the Twin Cities metropolitan area. Portions of the municipalities of Bloomington, Eden Prairie, Edina, Hopkins, Minnetonka and Richfield are located within the District.
2. **Requirement to Plan.** The Metropolitan Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

3. **Nature of the Watershed.** The legal boundary of the NMCWD is approximately 50 square miles in size. The District is mostly developed with little undeveloped land remaining. There are 26 lakes present in the watershed district. The NMCWD has defined the control of flooding, the enhancement of water quality, wetland protection, and erosion control as some of its major policy goals and concerns.
4. **Local review.** The NMCWD circulated a copy of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7, prior to submittal to the Metropolitan Council.
5. **Metropolitan Council Review.** On July 15, 1996 the Metropolitan Council provided written comment on the NMCWD Plan and recommended the Plan be approved contingent on amendments to include:
 - a. the MCES stream sampling station and summarize the data, and
 - b. expected shoreland ordinance completion dates and commit to working with the remaining municipalities toward shoreland ordinance completion, and
 - c. more information on local, regional, state and federal park, preserve and wildlife areas, and
 - d. Table 1 be modified to show the Council's *Regional Blueprint* is no longer a draft, but final, and
 - e. which municipalities in the District administer WCA, and
 - f. correction of the inconsistencies in the lake and stream monitoring program criteria, and
 - g. individual lake summaries.

On August 16 and 22, 1996 the NMCWD responded in writing to the Council's concerns.

6. **Department of Health Review.** On July 25, 1996 the Department of Health provided written comment on the NMCWD Plan and recommended a couple of amendments related to the groundwater component of the Plan, including groundwater quality, quantity, use, and contamination.

On August 16 and 22, 1996 the NMCWD responded in writing to the Department of Health's concerns.

7. **Department of Agriculture Review.** On July 18, 1996 the Department of Agriculture provided written comment on the Plan and recommended a couple of minor changes.

On August 16 and 22, 1996 the NMCWD responded in writing to the Department of Agriculture's concerns.

8. **Pollution Control Agency Review.** On July 19, 1996 the Pollution Control Agency provided written comment on the Plan and recommended Board approval. Some minor changes were noted, as follows:

- a. include more local programs in addition to state and federal programs, and
- b. clarify that the PCA establishes water quality standards for all waters of the state and not just wetlands, and
- c. clarify the runoff rate policy, and
- d. clarify the nondegradation policy, and
- e. include the comments of the advisory committee, and
- f. include piping along with tanks for spill containment, and
- g. include more erosion control for construction sites, and
- h. clarify the pollutant loading requirements, and
- I. clarify the ecological use support analysis, and
- m. include storm water construction permits.

On August 16 and 22, 1996 the NMCWD responded in writing to the Pollution Control Agency's concerns.

9. **Department of Natural Resources Review.** On July 19, 1996 the Department of Natural Resources provided written comment on the Plan and recommended amendments to include:

- a. more information in the Land and Water Resources Inventory instead of referencing it, and
- b. clarify which municipalities will submit shoreland ordinances, and
- c. expand information on fish and wildlife resources, and
- d. list unique features in the District, and
- e. define the red circled numbers on the floodplain map, and
- f. expand the section on the impact to local units of government, and
- g. better definition of goals and policies, and
- h. change *lowest finished floor* to *lowest floor*, and
- I. clarify the ultimate development policy, and
- j. strengthen the fish and wildlife management goal, and
- k. evaluate stormwater impacts on fish and wildlife, and
- l. define the goal for public ditches, and
- m. discuss problems associated with individual water bodies, and
- n. describe proposed projects better.

On August 16 and 22, 1996 the NMCWD responded in writing to the Department of Natural Resources concerns.

10. **Board Review.** On August 16, 1996 the NMCWD submitted an amended Plan that addressed many of the above noted agency concerns. A subcommittee of the Board and Board staff met with the NMCWD on September 4, 1996. The NMCWD made a presentation of the amended Plan and requested it be considered for approval by the Board at the next Board meeting.

11. **Highlights of the Plan.** The following are some of the highlights of the Plan as amended:
 - a. the implementation of national and state goals and policies, and goals and policies unique to the NMCWD;
 - b. inclusion of a strong permit program for floodplain development, work in water areas, land alteration, appropriation of waters, and discharge of waters;
 - c. stream management strategies;
 - d. management strategies for the 14 significant lakes;
 - e. uniform MPCA and MDNR lake classifications;
 - f. monitoring of chemical, biological, and ecological criteria;
 - g. permitting by the NMCWD continues after local plan approval;
 - h. ultimate development conditions used for the floodplain management program;
 - i. evaluation of attainable uses for significant water bodies.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Watershed Management Plan for the Nine Mile Creek Watershed District pursuant to Minnesota Statutes Sections 103B.201, Subd. 9 and 103D.405.
3. The Nine Mile Creek Watershed District Plan attached to this Order defines water and water-related problems within the NMCWD's boundaries, possible solutions thereto, general objectives and policies of the NMCWD, and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251 and 103D.405.

ORDER

That the Board hereby approves the attached Plan dated May 1996 as the Watershed Management Plan for the Nine Mile Creek Watershed District.

Dated at Saint Paul, Minnesota this 25th day of September, 1996.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Barbara Cobb
Chair



MEMORANDUM

September 13, 1996

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Southern Region:

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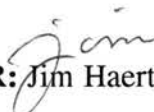
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Fax (507) 537-6368

Metro Region:

One West Water Street
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(612) 282-9969
Fax (612) 297-5615

TO: Board Members

FR:  Jim Haertel, Water Management Specialist

PH: (612) 297-2906

RE: Policies Relating to Metro Watershed Management

For the past few months staff have been discussing several issues relating to watershed management in the metropolitan area. As a result of these discussions, it is evident that some policies are needed to enable staff to carry forth the agency mission. To date, two policies (attached) have unanimous agreement among staff and they are urgently needed. Two or three more policies will likely be coming before the Board in the next couple of months.

When there is a problem with a WMO, BWSR staff will always work with the affected parties in an attempt to resolve the issues informally. However, if resolution is not occurring, policies are needed on what direction staff should take in a more formal process.

Policy 1: Termination of WMO or Failure of a WMO to Implement a Plan

This policy is needed to establish how we will proceed when a WMO has terminated itself or has failed to implement a watershed management plan. This policy is also needed to define what our position is on Joint Powers Agreements (JPA's) that have expired or lack signatures of all the parties.

Policy 2: Non-compliant WMO Joint Powers Agreement

This policy is needed to provide staff direction on working with WMO's that have not updated their JPA's to be compliant with rule and law. Presently, Minnesota Rules require WMO JPA's to be updated by July 27, 1993. To date, several WMO's have not updated their JPA's.

An equal opportunity employer

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Attachment

c: Harnack, Birkholz, Larson, Thomas, Sandstrom

BWSR Policies Relating to Metro Watershed Management
September 25, 1996

**Policy 1: Termination of Watershed Management Organization (WMO) or
Failure of a WMO to Implement a Plan**

Upon confirmation by BWSR staff that a WMO has terminated itself or has failed to implement its plan pursuant to rule and law, BWSR will send a letter under the executive director's signature to the affected county or counties, with a copy to the WMO, notifying them that the WMO is in that status. The letter will notify the county of its responsibilities in accordance with Minnesota Statutes § 103B.231, Subd. 3 (b).

For purposes of this policy, failure to implement means no WMO exists because the Joint Powers Agreement (JPA) has expired, the JPA does not have signatures of all affected parties, or the BWSR has determined a failure to implement in accordance with Minnesota Rules Chapter 8410.0180.

**Policy 2: Non-compliant Watershed Management Organization (WMO) Joint Powers
Agreement (JPA)**

Upon confirmation by BWSR staff that a WMO JPA is non-compliant with rule and law, BWSR staff shall notify the WMO and pursue working with the WMO to bring the JPA into compliance. If informal attempts to bring the JPA into compliance fail, BWSR will send a letter under the executive director's signature to the WMO notifying them that the WMO has 90 days to adopt a compliant JPA. A copy of the letter will be sent to the affected county or counties. If a compliant JPA is not adopted within 90 days, the BWSR will proceed as if the WMO has failed to implement.

Agenda item for Sept 25, 1996 Board Meeting

Update on a few ground water related items - Eric Mohring - 30 minutes

1) Sinkhole Cost-Share Program:

This program resulted from a \$250,000 appropriation from the Environmental and Natural Resources Trust Fund in 1992-'93. The program augmented the state cost-share program by providing funding to SWCDs to share in the cost of conservation and water quality practices in adjacent to, and in the catchment areas of sinkholes in southeastern Minnesota. These included surface water diversions and controls, conservation practices, and a variety of sinkhole treatments designed to reduce the contamination of ground water through sinkholes

- Duschee Creek Diversion Project - a continuing success story
This project diverted the intermittent west branch of Duschee Creek away from a sinkhole, and eliminate surface water inflow into the sinkhole. The project was successful in improving water quality in the springs which supply the Lanesboro Fish Hatchery.

[Video clip from the Environmental Journal discussing the project]

- Canton Storm water Diversion
Root River Trail Sinkhole Educational Display
[brief discussion of these projects]

2) Well Sealing Cost Share Program Update

A brief update on progress on the 1995-'96 Federally funded well-sealing cost-share program - (numbers of wells sealed, etc.).

3) Interagency Activities

- Report on Status of Ground Water Monitoring and Water Quality Trends
[report included in BWSR board member mailings]
- Metro Area Ground Water Alliance
Continuing cooperation among metro counties and state agencies in ground water planning and management...
- Metro Ground Water Protection Conference - October 21, 1996
[flyer enclosed]

REGISTRATION FORM

GROUND WATER PROTECTION CONFERENCE

Monday, October 21, 1996
Minneapolis Convention Center

(Please use a separate form for each attendee)

Name _____

Affiliation _____

Address _____

Telephone (____) _____

Registration fee: \$20

Registration fee includes conference materials, lunch, refreshments, and parking at the Convention Center Parking Ramp. Registration is limited to 100 participants.

Make check payable to the **Hennepin County Treasurer.**

The deadline for registration is October 14, 1996.

Please return this form and your payment to:

Marcia Soderholm
Hennepin County
Environmental Management Division
417 North 5th Street
Minneapolis, MN 55401-1309

Telephone: 612-348-4930

Fax: 612-348-8532



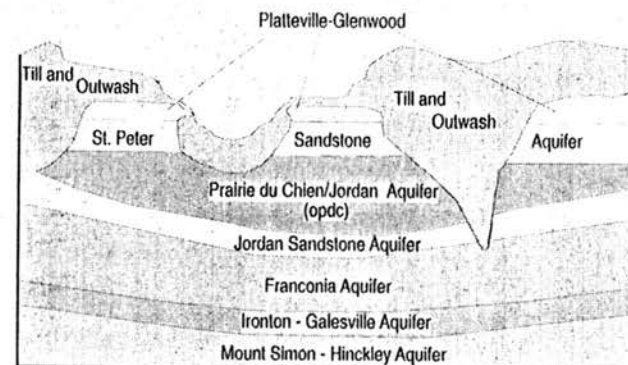
Hennepin County Environmental Management Division
417 North 5th Street
Minneapolis, MN 55401-1309

ERIC MOHRING
MN BOARD OF WATER & SOIL RESOURCES
ONE WEST WATER STREET, SUITE 200
ST. PAUL, MN 55107
**RECEIVED
SEP 10 1996**

GROUND WATER PROTECTION CONFERENCE

Monday October 21, 1996
Minneapolis Convention Center

Ground Water Aquifers in the Metropolitan Area



Schematic hydrogeologic section through
the Twin Cities Metropolitan Area

**A workshop sponsored by the Hennepin County
Board of Commissioners and the Metro Area
Ground Water Alliance**

Hennepin County Board of Commissioners

- District 1, Mike Opat
- District 2, Sandra M. Hilary
- District 3, Mark Andrew
- District 4, Peter McLaughlin, Chair
- District 5, Randy Johnson, Vice - Chair
- District 6, Mary Tambornino
- District 7, Penny Steele

GROUND WATER PROTECTION CONFERENCE

Purpose

Provide information regarding state requirements, sources of ground water data, and related information to assist local governments in identifying and implementing practices for ground water protection.

Audience

Public works directors and staff, city managers and planning staff from municipalities, counties and other local agencies in the Metropolitan Area. Minnesota Ground Water Association (MGWA) and American Water Works Association (AWWA) members.

Registration Information

When: Monday, October 21, 1996

Time: 8:00 a.m. - 4:30 p.m.

Where: Minneapolis Convention Center
Room 102 AB

Registration fee: \$20

Registration fee includes conference materials, lunch, refreshments, and parking at the Convention Center Parking Ramp. Registration is limited to 100 participants.

Morning Session

8:00 - 8:30 a.m. Registration

8:30 - 8:40 a.m. Welcome and Introduction

8:40 - 9:20 a.m. Metropolitan Ground
Water System

- Overview of Metropolitan Ground Water System
Bob Tipping, MN Geological Survey

- Need for Ground Water Protection
Rich Sandberg, MN Pollution Control Agency

9:20 - 10:15 a.m. State Requirements for
Wellhead Protection &
Water Supply Plans

- Wellhead Protection
Bruce Olsen, MN Dept. of Health

- Water Supply Plans
Gary Oberts, Metropolitan Council

10:15 - 10:30 a.m. BREAK

10:30 - 12:00 p.m. Ground Water Flow Models

- Introduction to Ground Water Flow Models
Kelton Barr, Delta Environmental

- Hennepin County Model
James Piegat, Hennepin Conservation District

- Dakota County Model
Eric Evenson, Dakota County Dept. of Planning
Ray Wuolo, Barr Engineering

- Metro Regional Model
Andrew Streitz, MN Pollution Control Agency

12:00 - 1:15 p.m. LUNCH

- Groundwater Guardian Program
Cindy Kreifels, The Groundwater Foundation,
Lincoln, Nebraska

Afternoon Session

1:15 - 1:45 p.m. Inventories of Potential
Contaminant Sources

- State Databases
Ann Bidwell, MN Pollution Control Agency
Susanne Maeder, MN Office of Strategic and
Long Range Planning

1:45 - 2:45 p.m. Local Wellhead Protection
Programs

- Edina
Francis Hoffman, City of Edina
Al Sunderman, Short, Elliott and
Hendrickson, Inc.

- Woodbury
Steve Kernik, City of Woodbury
Doug Bergstrom, Northern Environmental

2:45 - 3:00 p.m. BREAK

3:00 - 4:00 p.m. Local Wellhead Protection
Programs (cont.)

- Bloomington
Bob Cockriel, City of Bloomington
David Dahlstrom, Barr Engineering

- North St. Paul
Dave Kotilinek, City of North St. Paul
Pat Twiss, Ramsey Soil and Water
Conservation District

4:00 - 4:30 p.m. Speakers Panel/Conference
Summary

- Question and Answer Session

- Summary

Minnesota's Ground Water Protection Act of 1989 was amended by the 1994 Legislature to require the Minnesota Pollution Control Agency (MPCA) to report on the status of ground water monitoring in the state, in cooperation with other agencies participating in monitoring of water resources. In addition, the Environmental Quality Board (EQB) must coordinate a biennial assessment of water quality, ground-water degradation trends, and efforts to reduce, prevent, minimize and eliminate degradation of ground water. This report combines these legislative mandates. It was prepared with the cooperation of agencies participating in monitoring Minnesota's water resources.

One of the top five priorities identified in the 1994 reporting under the Ground Water Protection Act was that agencies with water-monitoring mandates needed to cooperate more closely to better coordinate existing monitoring efforts, minimize duplication, cut costs, and provide better customer service to the citizens of the state. In early 1995, the eight agencies shown at right formed the Interagency Ground Water Monitoring Coordination Group (IGWMCG), which has helped shape the development of ground water monitoring policy in Minnesota during the most recent biennium. Agenda items at IGWMCG monthly meetings have included coordinated state and federal ground-water monitoring programs, sharing of ground-water data to foster cooperation and limit duplication of efforts, developing effective public education materials, and determining content and direction for required legislative reports.

**1996 Report to the Legislative
Commission on Minnesota Resources**

Status of

**Ground Water
Monitoring and
Water Quality Trends**

in Minnesota



Minnesota Pollution Control Agency

**Agencies Participating in Monitoring
Minnesota's Water Resources**

- Minnesota Pollution Control Agency (MPCA): water quality, pollution control permits
- Minnesota Department of Agriculture (MDA): agricultural chemicals, pesticides and nutrients
- Minnesota Department of Natural Resources (DNR): water quantity, water use permits
- Minnesota Department of Health (MDH): well issues, drinking water quality
- Land Management Information Center (LMIC), Minnesota Planning: data management, geographic information systems
- Board of Water and Soil Resources (BWSR): ground-water education, county water plans
- Minnesota Geological Survey (MGS): hydrogeology, research
- United States Geological Survey (USGS): data collection and management, research

Roles

Who's Doing What

During the summer of 1996, those agencies involved in water monitoring met to develop a comprehensive monitoring proposal. Recommendations were made for

elements to be included in such a program. These elements were categorized by general type of monitoring; (1) condition monitoring, (2) regulatory and effectiveness monitoring and (3) problem investigation monitoring. The group

identified questions that monitoring efforts were designed to answer, the agency or agencies to be involved, and an estimate of the resources needed.

Although not on the list of state agencies below, the U.S. Geological Survey is a key partner in data collection and water research. All agencies have educational roles in addition to those defined below.

Agency	Assistance Available	Data Coordination	Standards/Regulations
Agriculture	Local Cooperative Monitoring Projects; Nitrate Clinics		Fertilizer and Chemical Regulations
Minnesota Planning/LMIC		Lakes Database; Ground Water Clearinghouse; Stream and Watershed Information System	Data Compatibility Standards
BWSR	Local Grant Programs; Water Inventory and Monitoring Guidebooks	GIS Interface with Counties for Local Water Planning; LARS Report System	
EQB	Minn. Water Plan; State Monitoring Plan; Quality/Quantity Trend Reports		Ensure Data Integrated According to Published Standards
Health	Community Health Services		Drinking Water Standards; Certified Lab Regulations
MGS	County Geologic Atlas, Hydrogeologic Mapping	Unique Well Number; County Well Index Database	
DNR	Ground Water Sensitivity Mapping; County Geologic Atlas; Regional Hydrogeologic Assessments	Water Use Database; Well Log Database; Lakes Database; Obwell Database; Precipitation Database	Water Appropriations; Sensitive Area Criteria Guidelines
MPCA	Monitoring Assistance	STORET Database; Data Management Assistance; IGWIS Database	Ground Water Rules; Water Quality Standards; Pollution Discharge/Management Permits; Lake Attainment Goals
MnDOT			

Ambient Monitoring	Regulatory and Effectiveness Monitoring	Statewide, Regional, and Site Monitoring
Pesticide and Nutrient Monitoring	Dairy Wells; Food Processing	Agricultural Chemical Incidents
Rainfall Monitoring with SWCDs		
Special Studies	Public Water Supply Monitoring; Water Supply Well Samples	Drinking Water Supplies near Metropolitan Landfills
		Regional Studies and Assessments
Observation Well Network; Stream Gauge Network; Lake Levels; Lake and Stream Water Quality Monitoring; Precipitation Monitoring	Well Interference; Contamination Pumpouts	Regional Studies and Assessments; Fen Protection
Statewide Ground Water Assessments; Acid Rain; Toxic Substances; Lake and Stream Water Assessments	Site-specific Monitoring; Tanks and Spills; Pollution Discharges; Site Assessments; Solid/Haz. Waste Compliance	Clean Water Partnership; Minnesota River Assessment; Clean Lakes Program
	Highway Runoff; Facility Monitoring	

Geologic Framework for Monitoring

Adequate knowledge of the geology of an area is vital for design and implementation of meaningful ground water monitoring programs. The physical, chemical, and biological characteristics of ground water are directly related to the type of subsurface materials through which the ground water flows. In general, Minnesota's ground water occurs in four major geologic domains. These domains are distinctly different, and within each of them there are many variations in sizes and types of aquifers. Because of this variability, ground water needs to be monitored at many scales, including statewide reconnaissance studies; regional, county, and local studies at increasing levels of detail; and site-specific projects.

At the statewide reconnaissance level, unconsolidated glacial sediments together with post-glacial alluvial deposits form one complex geologic domain. Sedimentary deposits of Cretaceous age that occur mainly in southwest Minnesota represent a second domain. The well-layered Paleozoic rocks of southeast Minnesota form a third domain. The fourth domain consists of the "basement" Precambrian crystalline rocks that underlie the sedimentary materials of the other three domains. Where the younger sediments were never deposited or have been eroded away, the very old crystalline rocks outcrop at the surface, such as in the Boundary Waters and parts of the Minnesota River valley.

Ground water monitoring at the reconnaissance level is not sufficient to address issues of ground water quality in any but the most generalized manner. Fortunately, the geological details of the four ground water domains in Minnesota are known to varying degrees in those parts of the state where appropriately detailed geologic mapping has been done. Monitoring efforts

should focus on these areas, if the objective is to understand and interpret the systematics that govern changes in ground water quality over the range of applicable time scales.

Furthermore, adequately detailed geologic mapping should be encouraged for areas where existing mapping does not provide the control required for enlightened design of monitoring strategies. Ultimately, geologic framework studies will contribute to better design, implementation, and use of ground water monitoring programs, and will return economic benefits as well.

Educating the Public About Ground Water Quality

The more we know what affects the quality of our ground water, the more likely we are to protect it. In March 1996, the IGWMCG conducted a survey of county water plan coordinators to assess how ground water educational materials developed by the state were being used at the local level and how the IGWMCG could better serve local ground water education efforts in the future. BWSR facilitated distribution of the surveys and compiled the results. The following responses reflect ground water monitoring needs which were identified and which the IGWMCG will be following up in coming months:

- regional workshops on understanding ground water quality data
- local assistance in ground water database management
- more local staff involvement in monitoring efforts
- location maps of monitored wells
- need for intercounty as well as interagency coordination

Applications of Ground Water Monitoring

In general, three types of monitoring are conducted in Minnesota: (1) ambient or condition monitoring, (2) regulatory and effectiveness monitoring, and (3) special research and problem investigation monitoring. These types can overlap and interact, depending on the goals of the monitoring program and the questions being asked.

Ambient or condition (sometimes also called background) monitoring:

- defines baseline conditions and ideally describes possible trends in quality or quantity
- should provide early warning of problems or resources needing attention
- can give information needed to evaluate the effectiveness of management programs
- may be conducted statewide, or directed to specific geographic resources, such as an aquifer or group of aquifers

Regulatory and effectiveness monitoring:

- usually done in response to a legal directive, either by a regulatory agency or by the regulated community
- results can determine if the regulated community is meeting established standards or permit conditions
- can be used to measure effectiveness of new technology, including whether remediation methods are working
- most frequent type of monitoring; most useful to evaluate effectiveness of contaminant source controls and least useful for determining baselines and trends

Special research and problem investigation monitoring:

- conducted to gain information about a specific issue or situation where data is lacking or incomplete
- study methods are usually carefully researched and well-documented
- often time-limited and narrow in scope; care needed in using these data to make broad-based conclusions
- can be used to gain insight into ambient conditions

Following are some examples of specific ground water monitoring programs being conducted in Minnesota to answer water resource questions:

Interstate

National Water Quality Assessments (NAWQA) (U. S. Geological Survey). Two studies in progress in Minnesota and parts of surrounding states. Combines aspects of ambient and special research monitoring. Designed to assess long-term quality trends in surface and ground water.

Intrastate

Ground Water Monitoring and Assessment Program (GWMAP) (MPCA). Has statewide baseline and regional monitoring components. Combines aspects of ambient and effectiveness monitoring. Designed to establish baseline ground water quality statewide and assess the effectiveness of pollution control measures.

Local

Various county monitoring programs. Denser networks than most state and federal programs. May combine elements of all three monitoring types. Often target chemical parameters of concern for the local area, such as nitrate.

Ambient (Condition)

Monitoring

Several state agencies conduct ambient ground water monitoring programs to assess the quality and levels of water in Minnesota's aquifers. These programs are augmented by several surface water monitoring networks for Minnesota's lakes and streams. In the MPCA's Ground Water Monitoring and Assessment Program (GWMAP), nearly 1000 wells from a cross-section of major types of aquifers are sampled using a statewide grid to assure roughly uniform coverage and statistical validity in data interpretation. Within a centralized target area in each grid cell, single-aquifer, cased and grouted domestic wells are sampled for about 125 chemicals, including metals, organic compounds, and major cations and anions. When complete in 1997, this baseline component of GWMAP will consist of about 1200 wells representing Minnesota's aquifers. The Geographical Information System (GIS), which allowed the grid to be developed, is also the basis for statewide maps showing distribution patterns for parameters analyzed. An example is shown in the inset box (right).

In 1994, the MDH received funding from the Center for Disease Control to study the effects of the 1993 floods on ground water in Minnesota. A one-time sampling of 863 wells was conducted for nitrate, coliform bacteria, atrazine and arsenic. About a quarter of the wells tested positive for total coliform. About 7 percent of the nitrate results exceeded the health risk limit of 10 parts per million. Atrazine was detected in six percent of wells sampled. Less than one percent of wells exceeded the federal health standard for arsenic of 50 parts per billion. The nitrate and arsenic exceedance percentages correspond well with those observed in other studies. The percentage of coliform positives was well below several other midwest states participating in the study. This may be attributable to the requirements of Minnesota's well construction code, in place since 1973.

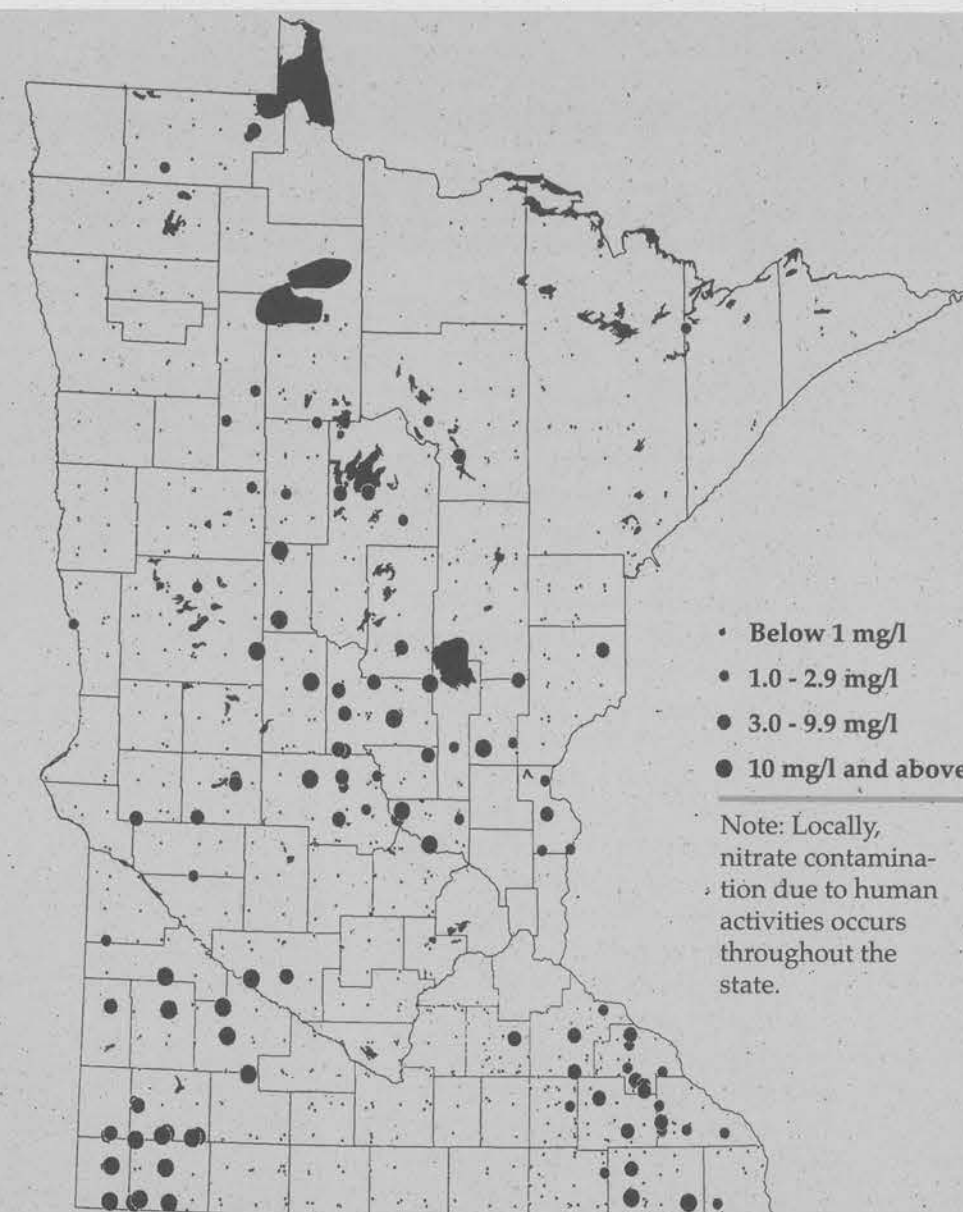
The MDA began monitoring for trends in pesticide concentrations in ground water over time in the fall of 1987. The design entails set-station quarterly sampling of 23 wells, located in karst bedrock and sand plain areas of the state. Nearly 10 years of data indicate that there is a declining trend in atrazine concentration in sand plain wells, while the concentration of atrazine has remained relatively constant in karst areas. In 1994, the MDA and Wadena County entered into a cooperative agreement for the monitoring of pesticides and nitrate-nitrogen in the county's water table aquifers. The agreement calls for a 20-year commitment to the monitoring program. Data collected will be used to develop the information necessary to determine pesticide and nutrient management options for the county. Over the long term, data will be used to evaluate effectiveness of pesticide and nutrient management plans implemented in the county.

Monitoring of ground water levels in Minnesota began in 1942 and, starting in 1947, was expanded by a cooperative program between the DNR and USGS. Currently, approximately 715 water level observation wells (obwells) have been established statewide. The obwell network is being continuously developed to provide a record of water levels in areas of present or expected ground water use. The data are used to assess ground water resources, interpret impacts of pumping and climate, plan for water conservation, evaluate complaints and support resource management programs.

Quantitative analysis of ground water availability on a statewide basis is not currently possible because of the need for staff and funding to carry out more extensive ground water data collection, including mapping of aquifers and determination of aquifer characteristics. Further discussion on water availability can be found in the DNR Division of Waters' 1996 report to the legislature on water availability.

Ground Water Monitoring and Assessment Program, 1992-1995

Nitrate in All Aquifers



Case Study: Condition Monitoring, Sediment Contamination

An example of surface water condition monitoring is the assessment of sediment contamination in the Duluth/Superior Harbor. Although discharges of toxic substances to the Great Lakes have been reduced in the last 20 years, persistent concentrations of contaminants in the bottom sediments of rivers and harbors have raised concern about potential risks to aquatic organisms, wildlife and humans. The St. Louis River has been designated an Area of Concern by the International Joint Commission. The first phase of a three-phase strategy developed for this area is an assessment of contamination. Phase II is the development of a hot-spot management plan, and Phase III is the implementation of the preferred remedy.

The MPCA performed a survey of sediment quality in the Duluth/Superior Harbor in 1993.

The distribution of contaminants was found to vary widely throughout the harbor. Areas near a Superfund site showed the highest concentration of heavy metals and polynuclear aromatic hydrocarbons (PAHs). Also contaminated was the bay near a creek draining the runoff from the west end of Duluth and near the outfall of the Western Lake Superior Sanitary District. Sediments near an electric generating station were contaminated with heavy metals and PAHs, as were sediments in some industrial boat slips. Toxicity to macroinvertebrates was evident at 10 percent of the sampling sites.

Approximately 25 percent of the sites were toxic to a microbe, whereas approximately 50 percent of the sites were mutagenic. Other Phase I type studies are in progress.

Regulatory and Effectiveness Monitoring

Regulatory and effectiveness monitoring can determine if the regulated community is meeting established standards. It can also be used to measure the effectiveness of new technology or gauge how well preventive measures are working. One example of a program where preventive measures or best management practices (BMPs) are implemented is the Clean Water Partnership (CWP) program. The CWP program was created by the legislature in 1987 to provide local units of government with resources to protect and improve lakes, streams and ground water that may be impacted by land-use management practices. There are two components of a CWP project. The first phase involves collecting information on a specific area for a diagnostic study. The second phase of the CWP focuses grant and/or state revolving loan fund resources on locally defined implementation actions for either protective or rehabilitative purposes. By the end of 1995, 44 CWP projects were underway or concluded in Minnesota. Until recent budget reductions, the CWP program had been augmented by the Clean Lakes Project (CLP) program, designed specifically to address water quality concerns in Minnesota's lakes (see inset map at right).

Another program which makes use of effectiveness monitoring is the Wellhead Protection Program (WHP) administered by the Department of Health (MDH) with support from other agencies. The MDH is charged with insuring that public water supplies meet drinking water standards and implementing wellhead protection measures. Because of the large number of public water systems and limited resources, the MDH has developed a prioritization system for establishing monitoring frequencies and phasing into wellhead protection that is based on an assessment of the vulnerability of wells to contamination. Vulnerability is determined in part by the time water takes to infiltrate from

Monitoring

Case Study

Lake Shaokatan Restoration Project

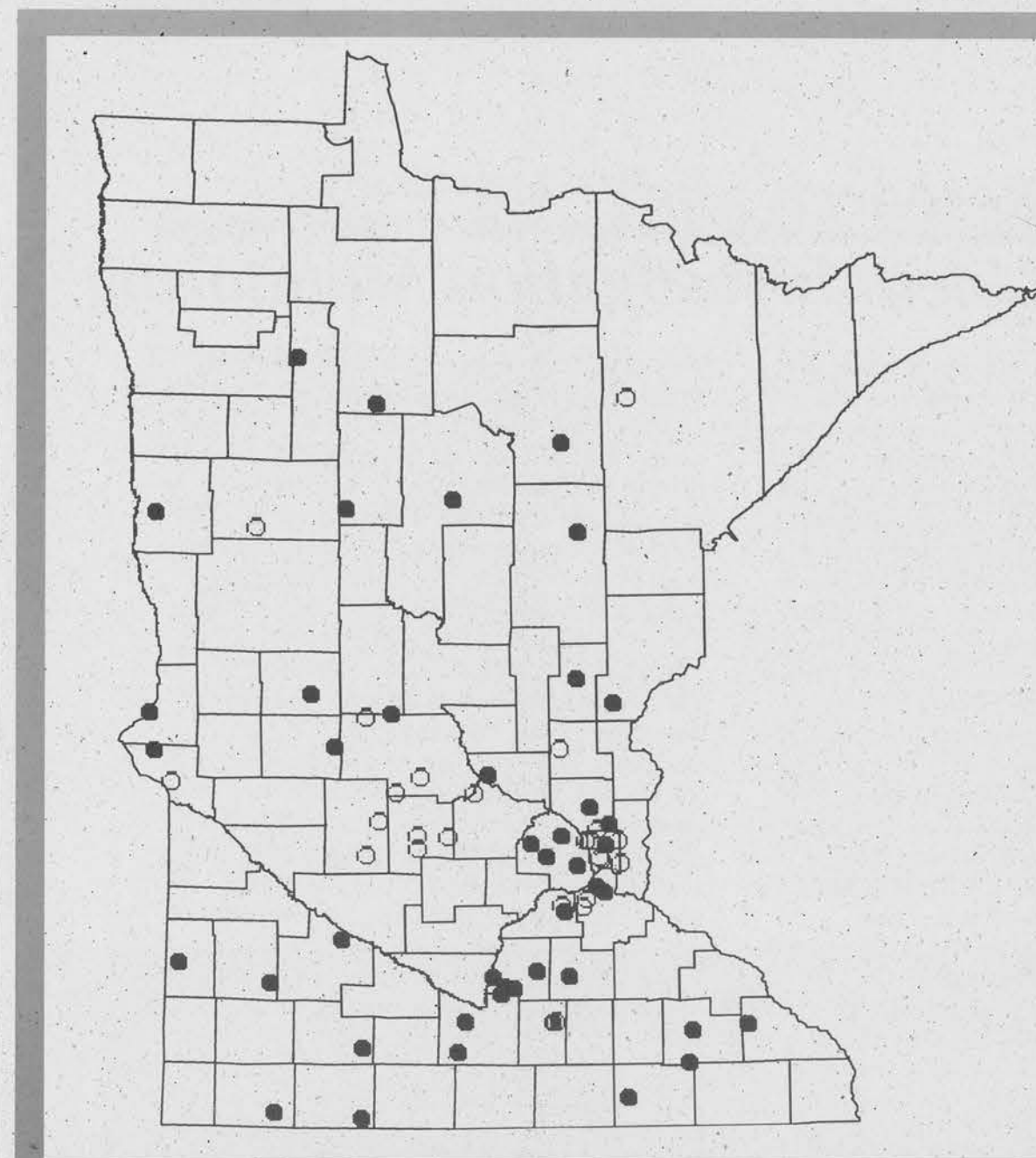
Lake Shaokatan is a shallow prairie lake in west central Lincoln County. The lake water quality severely deteriorated in the 1980s due to excessive nutrient loading associated with watershed land-use practices. Nuisance algal blooms dominated the open water season and occasionally produced algal toxins resulting in the death of dogs and cattle. Monitoring was done by the Yellow Medicine River Watershed District, with the assistance of the Lincoln County Soil and Water Conservation District, the Shaokatan Lake Shore Association and the MPCA, through the Clean Water Partnership Program. Through use of seven state-of-the-art stream measurement sites, water and mass loading estimates were obtained and lake system balances determined. The basic approach was to manage the lake water quality by determining and managing the lake nutrient budget to achieve an average in lake total phosphorus goal of 90 ug P/L.

After completion of the monitoring effort, a detailed watershed restoration program was initiated in late 1991, consisting of:

- diversion of a stream away from a swine operation;
- rehabilitation of the feedlot-affected wetland;
- buyout of a swine operation and elimination of this as a nutrient source to the lake;
- upgrading another dairy feedlot operation;
- rehabilitating four wetland complexes in the watershed.

In-lake response to these actions has been immediate and significant, as stream nutrient and sediment concentrations dropped dramatically. Post-implementation monitoring shows that average summer total phosphorus concentrations have dropped from 270 to 89 ug/L by 1994. Concurrently, there has been a measurable reduction in the intensity and duration of algal blooms.

the land surface to a well. A useful measure of this is tritium, an isotope of hydrogen. The MDH has sampled over 400 public water supply wells for tritium; results from this ongoing



Clean Water Partnerships and Clean Lakes Projects (Greater Minnesota)

● Clean Water Partnership

○ Clean Lakes Project

program allow state resources to be focused on water supplies which are at greatest risk.

As mentioned above, the DNR administers a network of observation wells (obwells) to keep track of water levels in Minnesota's principal aquifers. Following is an example of how the DNR uses water level information to determine the effect of pumping and development pressure. In the seven-county metropolitan area, these pressures continue to grow for two major aquifer systems, the Jordan and the Mt. Simon. The Jordan supplies water for nearly all the municipal and high capacity water users in the metro area. The Mt. Simon lies deeper than the Jordan, and is more protected from

contamination sources. While water from the Mt. Simon was used in the past for air conditioning purposes, its use is now restricted to situations where no other potable water source is available.

In a recent study, DNR did a trend analysis of water levels in eight Mt. Simon wells and determined that while there was some cyclical variation, all wells but one exhibited a steady water level. The water level data showed this well to be impacted by municipal pumping from another aquifer which began in the mid-eighties. The water level dropped almost 40 feet, but since 1989, has remained fairly steady.

Special Research and Problem Investigation Monitoring

Special research and problem investigation monitoring are conducted to gain information about a specific issue or area where information is lacking or incomplete. A good example of special research monitoring is the County Geologic Atlas (CGA) and Regional Hydrogeologic Assessment (RHA) Programs, administered cooperatively by the MGS and DNR. CGA's are sets of maps of individual counties that are designed to meet the needs of planners and decision makers. Atlases present information about each county's geology, ground water and mineral resources, and other relevant information for both technical experts and informed citizens seeking to ensure that well-reasoned land and water use decisions are made. RHAs are maps of the near-surface geology of multi-county areas that are detailed enough to allow reconnaissance-level assessment of the pollution susceptibility of the shallowest aquifer system. Atlases and assessments produced since 1993 are available as GIS data files and paper maps; older ones are available in paper form only. The inset box shows the current status of these programs.

Since late 1993, the MDH and MGS have been cooperating on a special project to resolve the status of the St. Lawrence Formation in a five-county area of south-central Minnesota. At issue is that well contractors in this part of the state have argued that the St. Lawrence, a bedrock unit classified by state law as a confining unit, is indistinguishable from the underlying Franconia Formation, which can be used as an aquifer. Water quality monitoring of wells completed above and below the St. Lawrence has shown that at least some portion of this unit is acting as a confining layer in this region. Results of this study will be used to educate well contractors regarding proper well construction in this area, so that ground water supplies are protected.

The USGS, through its local office in the Twin Cities, cooperates with other federal, state and

local agencies to collect hydrologic data and conduct hydrologic investigations in Minnesota and adjoining states. Ground water levels are monitored continuously in a statewide network of 12 wells. Water levels and samples are collected from other wells as a part of hydrologic investigations and regional studies such as the Red River and Upper Mississippi River basin studies, part of the National Water Quality Assessment Program. Examples of interpretive investigations for 1995 include ground water appraisals for southwestern Minnesota, Otter Tail County, the City of Rochester, several Indian Reservations, and the Rock River. The USGS also conducts cooperative research on the quality of roadway runoff (Twin Cities area), the effects of riparian vegetation on stream quality, the fate and transport of petroleum hydrocarbons spilled to ground water (Bemidji area), and the fate and transport of agricultural chemicals beneath a sandplain aquifer near Princeton.

In the case of ground water, a thorough knowledge of the geological framework for monitoring is critical to the success of any program. We have made some progress over the last decade in being better able to understand the state's geology, but more needs to be done to support the development of county atlases, regional hydrogeologic assessments and drilling programs throughout the state.

Case Study: Deformed Frogs

In August 1995, students and their teacher from the New County Charter School in Henderson discovered a large percentage of leopard frogs near a restored wetland were deformed. Many frogs had abnormal development of their rear limbs. Some had not resorbed their tadpole tails or were missing an eye. More than 200 frogs have been collected from this site. MPCA has sampled the sediments and pore water, and collected frog tissues from three sites near Henderson and two possible overwintering locations near the wetlands of concern. Several possible causes are being investigated.

Future Vision and Recommendations

Recommendation 1

- The Legislature should dedicate a portion of Environmental Trust Fund dollars or establish a user fee based on consumption of both surface and ground water to be used specifically to support water monitoring.

Reason: Assessment of both surface and ground water quality, availability and use trends must be conducted over decades, not bienniums, so monitoring programs should be designed and funded to take this into account.

Recommendation 2

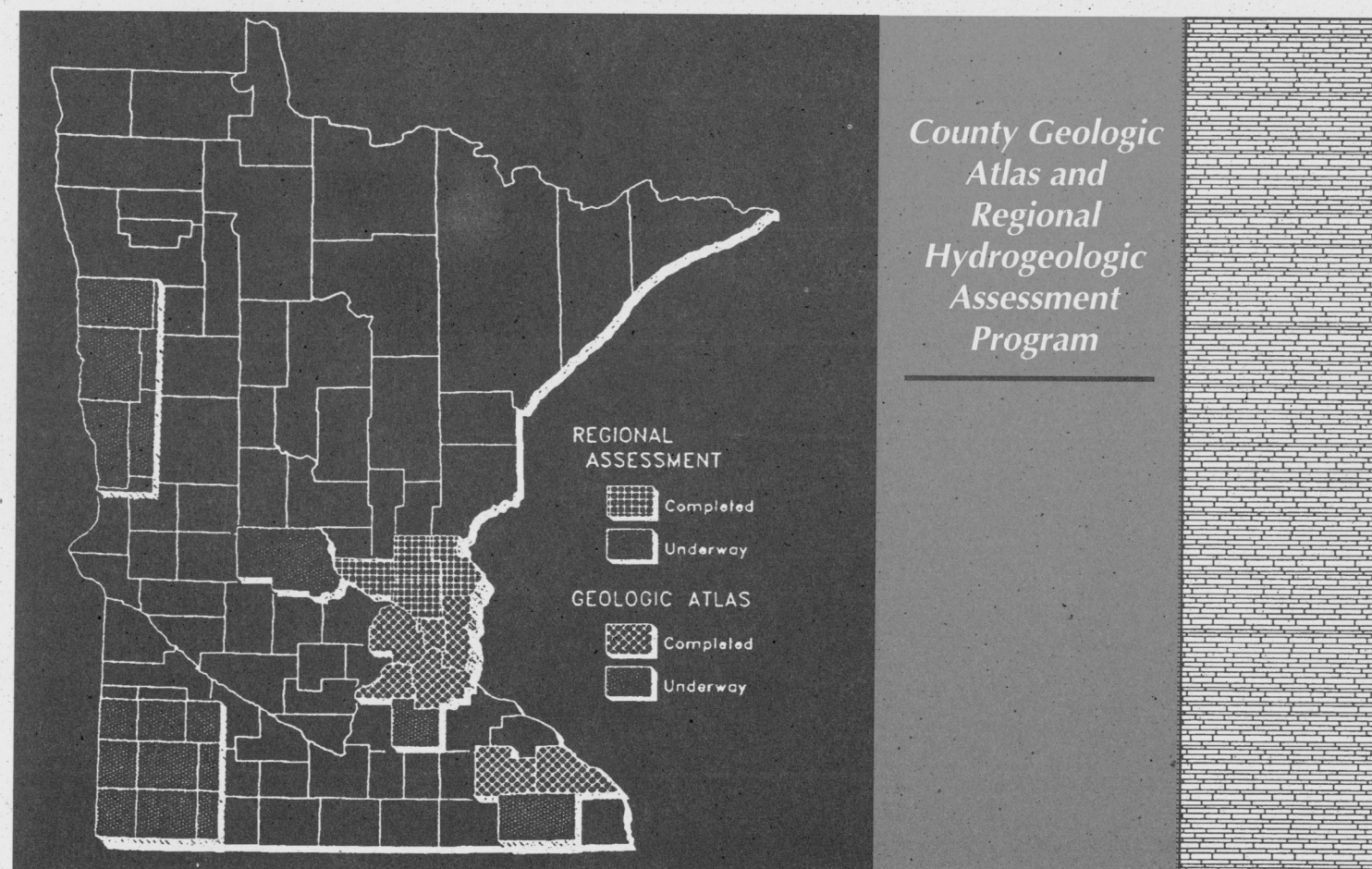
- The focus of monitoring should be on getting the most information for a given cost; programs should have a definite purpose and be focused on priorities such as geographic areas, priority water bodies/aquifers, or

analytes of concern, in addition to broad-based status monitoring.

Reason: Monitoring must have clear goals to be effective; the outcome of monitoring should be useful recommendations which can be applied to make informed decisions based on the type of monitoring being done.

Recommendation 3

- Both surface and ground water quality and quantity need to be assessed through a balance of three types of monitoring:
 - condition monitoring—defines overall ambient status of a water body or aquifer;
 - regulatory and effectiveness monitoring—determines the effectiveness of specific regulatory or voluntary management actions;



problem investigation monitoring — determines specific causes of impairments in a water body or aquifer.

Reason: Monitoring evaluations must be broadly-based to promote environmental problem-solving and enable decision makers to make informed choices.

Recommendation 4:

- State and local agencies who conduct water monitoring must be more proactive in publicizing information resulting from monitoring and what changes in management practices are being made as a direct result of this information.

Reason: The public must understand why water monitoring is an important tool in making wise land-use decisions which ultimately may benefit all water users.

Recommendation 5:

- Results of surface water monitoring initiatives need to be better integrated with ground water monitoring data and vice versa.

Reason: The relationship of ground water and surface water must be understood in order to present information about water quality, availability and use.

Recommendation 6:

- Integration of design components should include, but not be limited to:
 - determining ground water flow and transport paths;
 - understanding how and where ground water is recharged and how widespread is its impact;
 - identifying sources of recharge/discharge and water budget;
 - assessing the "fit" between compliance and ambient monitoring data for a study area; and
 - integrating needed chemical data with other important information about the hydrologic properties, including ground water age, geology, biological communities, and land management practices.

Reason: A thorough understanding of the geological framework is critical to the success of any water resources investigation; funding needs to be continued to support further development of county atlases, regional hydrogeologic assessments and drilling programs, and needs to be extended to develop a new long-term program to assess hydrogeologic conditions specifically to support monitoring needs.

This report has been prepared for the Environmental Quality Board and the Legislative Commission on Minnesota Resources as provided by Minnesota Statutes 103A.43(b) and 103H.175. Cost of report preparation as provided by Minnesota Statutes 3.197 and 559.1 was \$4,400. This report was published by the Minnesota Pollution Control Agency with support of the Inter-agency Ground Water Monitoring Coordination Group and the Water Resources Committee of the EQB.

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FINAL REPORT

BWSR-LGU FINANCIAL OVERSIGHT COMMITTEE

September 25, 1996

I. Introduction

The Board of Water and Soil Resources appointed a Financial Oversight Committee at its February 28, 1996 meeting. The charge of the committee was to "comprehensively examine BWSR's local government (LGU) financial oversight and accountability systems and develop performance-oriented recommendations for improvements which deter problems or find them quickly when they occur". Recommendations of the committee are to be made to the full board.

The BWSR members of the committee are:

Ginny Imholte, Committee Chair
Ted Lovdahl
Jim Rossman
Barb Cobb (ex-officio)

In addition a number of individuals and organizations volunteered to be advisors and participants with the committee:

Marilyn Bernhardson, MN Assn. of Soil and Water Cons. Districts
Vern Johnson and Ray Bohn, MN Assn. of Watershed Districts
Judy Goodman, MN Department of Finance
Ramona Skogman, MN Department of Finance
Tom Karlson, Office of the State Auditor
Renee Redmer, Office of the Legislative Auditor
Ron Shelito, BWSR staff
Doug Thomas, BWSR staff
Matt Moore, BWSR staff
Sara Johnson, BWSR staff
Tom Schwanke, BWSR staff
Jim Birkholz, BWSR staff

The committee held 4 meetings between April 4 and July 12. The committee examined the BWSR authorities and responsibilities for oversight of state grants which it makes to local governments. Grants are made primarily to soil and water conservation districts (SWCDs) and counties. It also examined other fiscal responsibilities for which BWSR has ties to local governments such as watershed districts (WDs), watershed management organizations (WMOs), and joint powers associations (JPAs). As part of this effort, staff researched the state Constitution,

applicable statutes, rules which BWSR has promulgated and administrative guidelines issued by the BWSR to local governments. The draft report was reviewed by committee members during the month of August. This report summarizes the findings and recommendations of the committee.

II. Findings

The committee found that it was very valuable and informative to have BWSR members, BWSR staff, representatives of local government, representatives of audit agencies, and Finance staff around the same table. The sharing of perspectives helped solidify the understanding that all the organizations share common goals of effective, accountable and efficient administration of government programs at all levels. The committee found that:

1. The existing financial oversight systems used by BWSR to insure that local governments comply with statutory and contractual requirements have been put together somewhat piecemeal over the years. As new programs were added it was sometimes assumed that an existing oversight system would provide all required information for the new program. Workload decisions have limited the amount of time BWSR staff spends on followup with local governments. Grants administered by BWSR to local governments have increased in number and local government budgets are becoming larger and more complex. While the existing oversight systems are not broken (problems are rare), they are fragmented and incomplete.
2. There is a great amount of misunderstanding within the BWSR/LGU delivery system regarding the purpose of a financial audit--what an audit is and what an audit actually accomplishes. There is a tendency for LGUs and the general public to view financial audits as an absolute check and verification of accuracy on all aspects of financial operation. This assumption is inconsistent with the established guidelines for auditors. While financial audits may uncover fraud, they are not specifically designed to do so. Generally speaking, LGUs would benefit from giving emphasis to good internal accounting controls including board oversight in day to day program administration rather than rely on an audit to detect problems.
3. BWSR must address the recommendation of the Legislative Auditor that BWSR exercise more oversight of grants it makes to local governments.
4. The use of electronic bookkeeping and reporting tools offers great potential for effective and efficient oversight. However, major obstacles exist due to the different computer systems used by various state and local offices and their limited access to

electronic linkages.

5. BWSR financial oversight policies need to be updated and communicated to be more useful in specific decisions of the BWSR Board and staff.

6. The respective roles of BWSR and LGUs in providing financial oversight and program accountability are not always clear.

7. The BWSR has not formalized policies regarding reporting deadlines and annual report contents for joint powers boards of SWCDs.

8. The BWSR has a responsibility to the general public to ensure the appropriate use of state grant funds that it administers to local government units.

9. Current statutory requirements for matching provisions on certain BWSR grants, especially in-kind match, generate needless work for LGU and BWSR staff. Tracking compliance with these requirements produces few if any accomplishments or results.

III. Recommendations

It is not the intention of the committee to be overly prescriptive in its recommendations but, rather that the following recommendations will be the catalyst for change. The BWSR Board and staff will be responsible to make decisions and implement specific financial oversight system updates. A cooperative approach with local governments and other oversight agencies will be essential to effectively implement the recommendations.

General

1. Updating financial oversight controls should be accomplished while examining the cumulative effect of all controls rather than updating program by program.

2. Local government units receiving grants from the BWSR should be required to report in writing at least annually on the financial and compliance aspects of their use of the grants. BWSR may require more frequent reporting when a specific program warrants it. BWSR staff should document verbal and informal interim visits with LGUs regarding grant compliance. A checklist should be developed for BWSR staff use to maximize the effectiveness of verbal and informal visits. The checklist should comply with the new Local Government Annual Reporting System (LARS).

3. The BWSR should establish a policy regarding its treatment of state funds which are transferred from one local unit of government to another. The policy should clarify that state funds lose their identity as state funds once they are disbursed from the local unit which was granted the funds by BWSR. The local unit of government which received the funds from BWSR is responsible for complying with all requirements of the grant agreement.
4. The BWSR should expand the use and function of currently required annual workplans, budgets and reports received from local governments as a condition of receiving state grants. A checklist should be developed for BWSR staff to use in reconciling the proposed workplan with the accomplishments in the subsequent annual report.
5. The BWSR should develop and use a matrix to track the various state grants being administered by LGUs. This would improve the ability of BWSR field staff to exercise appropriate oversight for state grants.
6. The BWSR should seek the necessary statutory changes to eliminate matching requirements as a condition of receiving certain grants. Where appropriate, limits should be placed on the amount of grant funds which can be used for overhead purposes (eg, cost share limitation of 20%). If it is not possible to eliminate matching requirements, in-kind matches should be negotiated between BWSR and the LGU receiving the grant.
7. The BWSR should implement better internal accounting controls to ensure that all funds owed by LGUs are paid back to the state in a timely manner.
8. The BWSR should consider an additional position to monitor LGU compliance with grant requirements.
9. The BWSR should clarify its role in grant oversight and audits to the LGUs it serves.
10. The BWSR should establish a policy for spot checks and site visits conducted by staff as it relates to grant compliance.
11. The BWSR should communicate its implementation of the recommendations of the Financial Oversight Committee to LGUs via training sessions and other appropriate meetings (more than just a memo).

Soil and Water Conservation Districts

1. The BWSR should amend its policy establishing SWCD reporting requirements for state grants to require:

- revised due dates for the Annual Accomplishments Report (using the new BWSR Local Government Annual Reporting System), Annual Plan of Work and Annual Financial Statement, with the concurrence of the Minnesota Association of Soil and Water Conservation Districts;
- that financial reports for all grants to SWCDs shall be filed with BWSR at least annually via the Annual Financial Statement which BWSR will revise;
- penalties for consistently incorrect reports; and,
- the SWCD Annual Financial Statement to include a description of the SWCD's system of internal financial controls. It should include the division of duties of SWCD board members and staff, and reconcile their current system with any recommendations made in the previous financial audit report.
- Further, the BWSR should update and clarify its policy on penalties regarding late SWCD plans and reports.

2. The BWSR should develop recommended systems of internal financial controls for small SWCD offices (one to three persons);

3. BWSR and the State Auditor should work together to clarify the purpose and scope of required SWCD financial audits. They should jointly distribute information to districts including the recommended contents of audit engagement letters which will help ensure effective entrance and exit interviews between districts and auditors. This information should further help SWCD boards identify any financial management, internal auditing, and compliance needs which may go beyond the scope of a financial audit.

4. The BWSR should update its policies to require timely completion of SWCD financial audits. The policy should include deadlines for starting and completing audits.

4. The BWSR should annually review its current policy for frequency of SWCD audits. The committee recommends keeping the current policy in place which requires a financial audit whenever SWCD cumulative revenues exceed \$300,000. At a minimum a limited scope audit must be done at least every fourth year.

5. The BWSR should clarify its policy regarding SWCD audits. The intention is to, by mutual agreement, implement an audit process which satisfies both BWSR and the Office of the State Auditor's

statutory responsibilities for performing SWCD audits.

6. The BWSR should pursue, in cooperation with the Minnesota Association of Soil and Water Conservation Districts (MASWCD), implementation of an updated SWCD Electronic Accounting Package. The SWCD Accounting Coordinator should compile specifications for a package which should include the ability to generate needed reports and compatibility with the new BWSR Local Government Annual Reporting System. The status of computer equipment in SWCD offices should be assessed to determine any upgrades required to run a new package. A Request For Proposal should be published to identify potential vendors.

7. The BWSR should, in cooperation with MASWCD, prepare a list of "Core Abilities" for persons doing SWCD bookkeeping. This list should be used as a reference by districts to hire staff qualified to do bookkeeping and to identify needed training for existing staff.

8. The BWSR should annually distribute an updated list of available training and publications which would be helpful to SWCD bookkeeping staff. The BWSR should update the "Treasurer Responsibilities" in its SWCD Supervisor Handbook.

9. The BWSR should update its policies regarding the Cost Share program for SWCDs which are not in compliance with program requirements. The policy should include guidance for developing a payment plan to reimburse the state. It should require interest payments for slippage funds held by the district for excessive periods of time.

10. The BWSR should develop a policy regarding reporting requirements of joint powers boards of SWCDs which receive BWSR grants.

Counties

1. The BWSR should change the Natural Resource Block Grant agreement to require that the grant be audited every year as part of the State Auditor's financial audit of each county. The grant agreement should be amended to include an "audit checklist" which would be a guide for auditors.

Watershed Districts and Metropolitan Watershed Management Organizations

1. The BWSR should establish a policy to implement M.S. 103D.355. This statute requires the BWSR in consultation with the State Auditor to establish an amount of cumulative watershed district revenue or expenditures which would trigger the annual audit to be done by a certified public accountant or the State Auditor.
2. The BWSR should develop an improved annual reporting system for WMOs which includes a standardized format for reporting financial activities.
3. The BWSR should seek full implementation of rule requirements for metropolitan watershed management organizations' financial reporting and auditing. The BWSR should allow limited scope audits for WMOs with small budgets.

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1997 CHALLENGE GRANTS

The Board will be considering the allocations concerning three individual 1997 challenge grant programs. These grant programs are:

- A) Local Water Plan Challenge Grant
- B) MPCA Feedlot Challenge Grant
- C) Wetland Challenge Grant

A) 1997 Local Water Plan Challenge Grant - \$ 780,000

The purpose of the BWSR Local Water Plan (LWP) Challenge Grant Program is to fund the implementation of action items of comprehensive local water plans. This Program is held during the second half of the biennium. The application period for this FY 97 Program ended July 12, 1996. The BWSR received 91 applications requesting \$2,689,245. Applications were evaluated and scored by the interagency review committee according to prescribed criteria and procedures of the Challenge Grant Rules and Board policy. This committee is submitting the funding recommendation to the BWSR.

Funding Recommendation. According to the Rules, the interagency evaluation scores will decide funding priority. Based on the scores, this procedure will suggest funding for five very similar conservation credit initiative projects. The interagency committee feels that these conservation credit initiative projects are "pilots" and funding all five is not appropriate. Two of the five, Chippewa and Kandiyohi, are recommended for funding. Therefore, the committee's funding recommendation is to fund the highest priority applications according to their evaluation scores, as available funds allow, except the conservation credit initiative applications from Swift, Lac Qui Parle, and Renville counties. If all or part of any application is later determined to be ineligible, then funding will go to the next priority application. (Please refer to the enclosed spreadsheet.)

B) 1997 MPCA Feedlot Challenge Grant - \$ 650,000

The purpose of the MPCA Feedlot Challenge Grant is to fund the further development of county agricultural pollution-reducing programs and activities. A 1:1 cash/in-kind match is required and \$ 40,000 is the grant maximum. According to MPCA, funds must be used for developing and implementing a delegated feedlot program, conducting a feedlot inventory, or information and education efforts. Applications were received and evaluated by MPCA staff. This Grant is designed to be held concurrent with the LWP Challenge Grant. Funds will be transferred from MPCA to BWSR for grant execution.

Funding Recommendation A funding recommendation was not completed by MPCA as of the Board packet mailing but will be available at the Board Meeting.

C) 1997 Wetland Challenge Grant - \$ 120,000

The purpose of the Wetland Challenge Grant is to help LGUs in the development of comprehensive wetland protection and management plans as authorized in the 1996 WCA amendments. The grant provides assistance to LGUs in developing and implementing their own wetland protection ordinances, as an alternative to the WCA Rules. The grant maximum

was set at \$15,000 and a 1:1 cash/in-kind match is required. Fifteen applications were received and all requested \$15,000. Chisago and Stearns County applications were removed from the Wetland challenge grant pool and put into the LWP challenge grant pool as they are for inventory rather than planning efforts. The BWSR staff Wetland Team reviewed and scored applications based on standard criteria. These standard criteria were provided to the Board earlier. The BWSR wetland subcommittee will meet on September 20, 1996, to review the Wetland Team evaluations and recommend projects for funding.

Funding Recommendation A Board funding recommendation will not be completed until the September 20, 1996 BWSR wetland subcommittee meeting. This recommendation will be presented to the Board at their September 25, 1996 Meeting.

Evaluation Profile

LWRPMP CHALLENGE GRANT PROGRAM

1997

CRITERIA	4. Excellent	3. Very Good	2. Good	1. Satisfactory	0. Unsatisfactory
1. WATER PLAN PRIORITY: Does the proposal start up or accelerate the implementation of the CLWP(s) activities and the tie-in to local priorities?	Project is fully supported by plan(s). Activities identified in plan assessments, goals/objectives/actions and is identified as a high priority.	Project is largely supported by plan(s). Activity is identified in goals/objectives/actions and identified as a high priority.	Project is supported by plan(s). Activity is identified in plan as a priority action.	Project is mentioned in plan(s).	Project or activity is not identified in plan(s).
2. ADMINISTRATION: Ability of the applicant(s) to successfully administer and implement the LWRPMP funded Challenge Grant	Proposal identifies both the LGU and staff responsible for the project. Staff and LGU experience and past accomplishments are an excellent match for the project.	Proposal identifies both staff and LGU responsible for the project. Staff and LGU experience and past accomplishments are a good match for the project.	Proposal identifies either the staff or LGU responsible for the project. Staff and/or LGU experience and past accomplishments are adequate for the project.	Proposal identifies the LGU involved in the project, but gives no indication as to ability to successfully complete the project.	Proposal does not identify the staff or LGU responsible for the project, and gives no indication of applicants ability to successfully complete the project.
3. LOCAL SUPPORT: Participation of local units of government. Does the proposal clearly describe strong local support and inter-agency cooperation?	The proposal clearly identifies a high degree of both local support and interagency cooperation.	The proposal identifies local support and inter-agency cooperation.	The proposal identifies local support. Inter-agency cooperation is not applicable to the success of the proposal and its activities.	The proposal mentions local support or inter-agency cooperation, but fails to identify specific groups or agencies.	No mention is made of local support or interagency cooperation that is necessary for successful completion of the project or activities identified in the proposal.
4. AREA PRIORITIES: Multi-county cooperation and regional priorities. Based on whether the proposal demonstrates multi-county efforts, and/or addresses regional water resource priorities.	The proposal includes both multi-county efforts and addresses a regional water resources priority	The proposal includes a multi-county effort, but does not address a regional priority.	The proposal is not for a multi-county project or activity, but addresses a regional priority.	The proposal is not a multi-county project or activity, but partially addresses a regional priority.	The proposal is not a multi-county project or activity, nor does it address a regional priority.
5. LONG TERM COMMITMENT: Does the proposal indicate a commitment to programs or activities that are long term in scope and nature or will result in future programs or activities.	The proposal clearly indicates how the program or activities will result in an exceptional degree of long term commitment to effective water protection and management.	The proposal indicates how the program or activities will result in a high degree of long term commitment to water protection and management.	The proposal indicates how the program or activities will result in some degree of long term commitment to water protection and management.	The proposal indicates some degree of long term commitment, but does not indicate how it will be achieved.	The proposal makes no long term commitment to water protection and management.
6. USE OF LOCAL PROGRAMS AND METHODS: Does the proposal make effective use of local programs and methods to protect and manage water and related land resources?	The proposal makes full use of and builds on the capabilities of existing local programs.	The proposal makes full use of existing local programs and builds on the capabilities of existing local programs in a limited fashion.	The proposal makes full use of existing local programs.	The proposal makes limited use of existing local programs.	The proposal indicates no use or recognition of existing local programs or methods.
7. FEDERAL AND STATE efforts. Does the proposal identify and complement the efforts of existing federal, state or local resource management programs in the county or region?	The proposal clearly identifies and complements all appropriate federal and state programs related to the proposed programs and activities.	The proposal identifies and complements many of the appropriate federal and state programs related to the proposed programs and activities.	The proposal identifies and complements some federal and state programs related to the proposed programs and activities.	The program or activity contained in the proposal has no federal or state counterpart program in existence.	Complementary federal or state programs exist, but the proposal does not identify them.

Evaluation Profile

LWRPMP CHALLENGE GRANT PROGRAM

1997

CRITERIA	4. Excellent	3. Very Good	2. Good	1. Satisfactory	0. Unsatisfactory
8. OFFICIAL CONTROLS: Does the proposal result in acceleration of local efforts to adopt, administer and enforce official controls to protect and manage water and related land resources?	The proposal will result in a significant acceleration of local efforts to adopt, administer and enforce local official controls.	The proposal will result in accelerated efforts to adopt, administer and enforce official and local controls.	The proposal will result in some acceleration of local efforts to adopt, administer and enforce local official controls.	Proposal may accelerate the adoption, administration or enforcement of local official controls.	The proposal does not indicate an initiative to accelerate efforts to adopt, administer or enforce official controls.
9. WATERSHED BASED PROJECT: Is the proposed project based on hydrologic boundaries?	Project Activities clearly target and benefit a watershed and waterbody exclusively.	Project targets a defined watershed only.	Project activities are generally related to a watershed.	Watershed benefits are a secondary goal of the project.	The project is not watershed related.
10. OVERALL STRENGTH OF THE PROPOSAL'S WORK PLAN: Based on the review of whether or not the actions/activities, timeframes and lead agency(s) are realistic.	The proposal is extremely strong, realistic, focused and shows well defined activities, timeframes and lead agency(s).	The proposal is realistic and gives good definition of activities, timeframes and lead agency(s).	The proposal is acceptable and identifies activities, time frames and lead agency(s).	Identifies activities, timeframes and lead agency(s).	An inadequate proposal, not realistic, does not include adequate information concerning activities, timeframes or the lead agency(s).
11. OVERALL STRENGTH OF THE PROPOSAL'S BUDGET: Based on the feasibility of the proposed budget cost detail.	Excellent fit between the work to be accomplished and dollars budgeted. The budget is well detailed and demonstrates extensive planning. All costs are directly related to the project.	Good fit between the work to be accomplished and the dollars budgeted. The budget is adequately detailed and expenditures are related to the work to be done.	All significant expenditures are itemized and matched to the work to be done.	The budget is reasonable. Some significant entries should have been itemized. Unforeseen contingencies might arise that are not covered by the budget.	The fit between tasks and expenditures is unreasonable. Some costs are excluded or not directly related to the proposal.

Evaluation Profile

LWRPMP CHALLENGE GRANT PROGRAM

1997

CRITERIA	4: Excellent	3: Very Good	2: Good	1: Satisfactory	0: Unsatisfactory
8. OFFICIAL CONTROLS: Does the proposal result in acceleration of local efforts to adopt, administer and enforce official controls to protect and manage water and related land resources?	The proposal will result in a significant acceleration of local efforts to adopt, administer and enforce local official controls.	The proposal will result in accelerated efforts to adopt, administer and enforce official and local controls.	The proposal will result in some acceleration of local efforts to adopt, administer and enforce local official controls.	Proposal may accelerate the adoption, administration or enforcement of local official controls.	The proposal does not indicate an initiative to accelerate efforts to adopt, administer or enforce official controls.
9. WATERSHED BASED PROJECT: Is the proposed project based on hydrologic boundaries?	Project Activities clearly target and benefit a watershed and waterbody exclusively.	Project targets a defined watershed only.	Project activities are generally related to a watershed.	Watershed benefits are a secondary goal of the project.	The project is not watershed related.
10. OVERALL STRENGTH OF THE PROPOSAL'S WORK PLAN: Based on the review of whether or not the actions/activities, timeframes and lead agency(s) are realistic.	The proposal is extremely strong, realistic, focused and shows well defined activities, timeframes and lead agency(s).	The proposal is realistic and gives good definition of activities, timeframes and lead agency(s).	The proposal is acceptable and identifies activities, time frames and lead agency(s).	Identifies activities, timeframes and lead agency(s).	An inadequate proposal, not realistic, does not include adequate information concerning activities, timeframes or the lead agency(s).
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PROPOSED 1997 LWP CHALLENGE GRANTS

APPLICANT	DESCRIPTION/TITLE	\$ REQ.	\$ CUM	RECS	SCORE
BENTON/MORRISON CO'S	LITTLE ROCK LAKE WATERSHED PROJECT	\$19,000	\$19,000	\$19,000	34.3
	Identify and prioritize feedlots, provide design and cost share assistance for low-cost feedlot options, provide education and demonstrations.				
CHIPPEWA CO.	CONSERVATION CREDIT INITIATIVE	\$40,000	\$59,000	\$40,000	32.5
	Promote the Conservation Credit Initiative Program and assist in implementation of conservation practices				
BROWN/WATONWAN CO.	LAKE HANSKA WATER QUALITY	\$62,000	\$121,000	\$62,000	32.0
	Implement a variety of Best Mgmt Practices throughout the Lake Hanska Watershed and continue monitoring water quality in the area				
ELK RIVER JPB	ELK RIVER WATERSHED PROTECTION	\$48,000	\$169,000	\$48,000	30.9
	Identify and prioritize priority feedlots and riparian pastures, provide education to watershed residents about potential for surface water pollution				
SE MN JPB	COUNTY WELLHEAD PROTECTION ASSISTANCE	\$88,000	\$257,000	\$88,000	30.8
	Provide assistance in wellhead protection planning to public water suppliers.				
WHITEWATER JPB	WATERSHED IMPLEMENTATION	\$34,350	\$291,350	\$34,350	30.6
	Initiate a phase II nutrient management project in subwatersheds, work with livestock owners to develop nutrient management plans				
NOBLES CO.	BMP COST-SHARE PROGRAM	\$80,000	\$371,350	\$80,000	30.5
	Develop and implement a cost-share program to reduce run-off from farmland in two counties.				
POPE CO.	TRAPPERS RUN WATERSHED PROJECT	\$40,000	\$411,350	\$40,000	30.4
	Clean-up of Trapper's Run Watershed through updating sewage treatment systems, ect..and establish a cost-share buffer strip program				
NORMAN CO./WILD RICE WD	WILD RIVE MARSH RIVER BASIN WQ ASSESSMENT	\$50,000	\$461,350	\$50,000	30.4
	Organize existing data and develop a Water Quality Management Plan for Wild Rice/Marsh River Basin				
KANDIYOHI CO.	CONSERVATION CREDIT	\$40,000	\$501,350	\$40,000	30.2
	Develop and implement a countywide Conservation Credit Initiative Program, focus on Upper Shakopee Creek Watershed				
HUBBARD CO.	WESTERN LEECH LAKE ASSESSMENT & BMP IMPLEMENTATION	\$30,240	\$531,590	\$30,240	30.1
	Inventory critical impact sites in the Steamboat Bay, monitor surface water quality, implement BMP's on inventory and monitoring findings				
MARTIN CO./BERBI	DUTCH YARD STICK MODEL	\$75,000	\$606,590	\$75,000	30.1
	Implement the 'Dutch Yardstick' model for reducing enviro. impacts of ag. practices in the Blue Earth Basin				
ST LOUIS CO.	MN WATER LINE	\$17,700	\$624,290	\$17,700	29.9
	Continued operation of the Water Line as well as improvements in publicity and marketing, additional hours of operation, and increased fundraising				
SWIFT CO.	CONSERVATION CREDIT INITIATIVE	\$36,500	\$624,290	\$0	29.6
	Develop and implement a Conservation Credit Initiative Program, focus on Mud Creek and Spring Creek Watersheds , high priority areas				

PROPOSED 1997 LWP CHALLENGE GRANTS

APPLICANT	DESCRIPTION/TITLE	\$ REQ.	\$ CUM	RECS	SCORE
DOUGLAS CO.	LAKE ANDREWS PROTECTION PROJECT	\$14,639	\$638,929	\$14,639	29.6
	Implement BMP's into agricultural area, develop erosion control programs on private lakeshore property, education and awareness in watershed				
LAC QUI PARLE CO.	CONSERVATION CREDIT INITIATIVE	\$40,000	\$638,929	\$0	29.4
	Develop and implement a Conservation Credit Initiative, focus on 2 sub-watersheds of the Emily Creek Watershed,				
ITASCA CO.	SHORELINE/EROSION STABILIZATION & SHORELAND LANDSCAPING	\$30,500	\$669,429	\$30,500	29.4
	Create videos to demo BMP's in real life situations and to offer shoreline owners practical alternatives for shoreline improvements				
BELTRAMI/CLEARWATER CO'S	FOREST STEWARDSHIP PLANNING LAKE BEMIDJI WATERSHED	\$12,500	\$681,929	\$12,500	29.2
	Increase forest management activities to reduce erosion and sedimentation				
MILLE LACS CO.	MILLE LACS LAKE WATERSHED PROTECTION	\$34,070	\$715,999	\$34,070	28.8
	Develop framework to identify sources of pollutants affecting Mille Lacs Lake, develop system to coordinate inventory of data				
RENVILLE CO.	CONSERVATION CREDIT INITIATIVE	\$40,000	\$715,999	\$0	28.7
	Develop and implement a countywide Conservation Credit Initiative, focus on Ditch 66 non-point pollution,				
WADENA CO.	GROUNDWATER DEVELOPMENT	\$40,000	\$755,999	\$40,000	28.6
	Determine properties of the uppermost aquifer in the county, investigate the hydraulic connection between 2 aquifers				
ROCK CO.	SW MN ENVIRONMENTAL FAIR	\$5,000	\$760,999	\$5,000	28.6
	Conduct environmental fair to introduce environmental education into the 6th grade curriculum				
STEARNS CO./NCR WD	WATERSHED IMPLEMENTATION	\$28,250	\$780,000	\$19,001	28.3
	Implement elements of the Phase II Water Quality Project, employ technical staff person to assist in project, purchase a computer				
WRIGHT CO.	WATERSHED RUNOFF MONITORING FOR COST-SHARE EFFECTIVENESS	\$13,900			28.2
	Install BMP's in a targeted manner that improve surface water quality, improve landowner willingness by investigating compensation avenues				
ITASCA CO.	SHORELAND SEPTIC SYSTEMS & WATER QUALITY	\$16,400			28.2
	Develop a system to identify septic system conditions, promote upgrades, determine overall water quality impact on lakes				
OLMSTED CO.	CASCADE CREEK WATERSHED PROJECT	\$39,484			28.0
	Use BMP's to reduce non-point pollution, establish multi-species buffers, implement a paired watershed mgmt. approach				
NORTH CENTRAL MN JPB	HYDROGEOLOGIC INFO. & GW SPECIAL PROJECT	\$58,650			28.0
	Develop cost-effective hydrogeologic info. methodology in 8 county area, educate land use decision makers on groundwater				
HOUSTON/FILLMORE CO'S	USE OF TREE REVETMENTS FOR STREAMLAKE STABILIZATION	\$35,000			27.9
	Use tree revetments to stabilize eroding streambanks in county				

PROPOSED 1997 LWP CHALLENGE GRANTS

APPLICANT	DESCRIPTION/TITLE	\$ REQ.	\$ CUM	RECS	SCORE
SHERBURNE CO.	NUTRIENT AND IRRIGATION MGMT. Educate irrigators on chemigation regulations, expand the use of practices promoted by the Anoka Sand Plain WQDP	\$26,000			27.7
PIPESTONE CO.	ON-SITE SEPTIC EDUCATION/ORDINANCE Develop an education program for residents on proper septic system installation, develop computer generated map of septic systems	\$9,366			27.6
REDWOOD CO./RCRCA	CITIZEN PARTICIPATION Develop a public outreach and citizen participation program to advance efforts of Cottonwood River Clean Water Partnership program	\$39,800			27.5
FARIBAULT CO.	WATERSHED LAND USE ASSESSMENT Develop watershed land use evaluation worksheet, identify, inspect, and evaluate feedlots in watershed area, inventory septic systems	\$16,400			26.8
PENNINGTON/MARSHALL CO'S	ISTS MONITORING PROGRAM Develop and implement a multicounty monitoring program of ISTS to determine need for legislative changes to ISTS	\$10,620			26.7
SNAKE RIVER JPB	PLAN IMPLEMENTATION Coordinating comprehensive water plans and related actions, identifying existing and potential problems for water resources	\$60,000			26.6
SIX CITIES WMO	SPRINGBROOK SUBWATERSHED INVESTIGATION Investigate various qualities in ecologically sensitive areas in subwatershed, identify sources of non-point pollution	\$18,575			26.5
DAKOTA CO.	EGOSYSTEMS IDENTIFICATION ASSESSMENT & PROTECTION PROGRAM Identify high quality ecosystems in growth area of county, assess ecosystem health, prioritize and rank ecosystems	\$23,882			26.5
SOUTH CENTRAL JPB	ESTABLISHING PRIORITY WETLAND RESTORATION SITES Distributing a 'Values' questionnaire on wetland restoration and perform statistical analysis of the results for prioritization	\$83,131			26.4
WILKIN CO.	EXP. BIO ENG DEMO PROJECT Create a demo. project for bio-engineering utilizing an innovative design to stabilize an eroding streambank	\$12,500			26.4
CHISAGO CO.	DRAINED WETLAND INVENTORY Locate restorable drained wetland mitigation sites and drainage ditches along corridors with most potential impacts in county	\$15,000			26.3
CLEARWATER CO.	LAKE PROTECTION FOR LONG LAKE Address erosion and sedimentation problems due to timber salvage and post-storm clean-up operations, BMP info and education	\$7,500			26.1
JACKSON CO.	SEPTIC SYSTEM ORDINANCE Compliance with current MPCA sewage treatments rules, partially fund corrections to failing septic systems, feedlot corrections	\$43,200			26.1
BECKER CO./PELICAN R. WD	SEPTIC SYSTEM INVENTORY Use new aerial reconnaissance tech. to identify specific locations where septic systems need attention	\$9,900			26.0

PROPOSED 1997 LWP CHALLENGE GRANTS

APPLICANT	DESCRIPTION/TITLE	\$ REQ.	\$ CUM	RECS	SCORE
PIONEER/SARA CK WMO	WETLANDS INVENTORY	\$39,175			25.9
	Develop an up-to-date inventory of the wetlands in the Pioneer - Sarah Creek Watershed				
CLAY CO. (RED RIVER)	RED RIVER BASIN WATER PLANNING PROJECT	\$20,000			25.9
	Needs funding to partially meet the cost of organizing and implementing a special planning unit; R.R.B. Board				
CARLTON CO.	GIS DEVELOPMENT	\$39,985			25.7
	Develop GIS database, hire 2 GIS specialists, fund UMD to extend groundwater sensitivity mapping project throughout county				
FILLMORE CO.	SINK HOLE REMEDIATION PROJECT	\$21,900			25.6
	Two sinkhole remediation projects: clean up sinkhole dumpsite and control urban runoff into sinkholes				
VADNAIS LAKE WMO	ST PAUL WATER UTILITY WELLHEAD PROTECTION PROJECT	\$26,900			25.6
	Delineation of wellhead protection areas and drinking water supply mgmt. areas for each public supply well				
ELM CREEK WMO	WETLANDS INVENTORY	\$39,673			25.5
	Update inventory of wetlands for efficient operation of local government units, inventory drained or altered wetlands				
RAMSEY/WASHINGTON WMO	DISTRICT PLAN TRACKING & EVALUATION DEVELOPMENT	\$16,900			25.1
	Develop a user-friendly reporting system to acknowledge goals, objectives, and policies of county watershed management plan				
STEARNS CO.	NITROGEN BMP'S	\$19,700			25.1
	Educate the public about nitrate contamination of groundwater including water testing, implement BMP's for producers				
SIBLEY CO.	WELL SEALING/COST-SHARE PROGRAM	\$20,000			24.6
	Location and sealing of abandoned wells in abandoned well sealing program				
SCOTT CO.	GROUNDWATER PLAN/ABANDONED WELLS	\$40,000			24.6
	Develop education program to inform residents about abandoned wells, hire a consultant to inventory abandoned wells				
WRIGHT CO.	GROUNDWATER PROTECTION	\$20,000			24.5
	Educate public on abandoned wells, prioritize wells in inventory, seal 133 abandoned wells				
STEARNS CO.	VEGETATIVE FILTERSTRIP INCENTIVE PROGRAM	\$40,000			24.4
	Establish vegetative filter strips to trap sediments and nutrients before entering the ditch system in the NFCRW				
CLEARWATER CO.	MITIGATING URBAN RUNOFF	\$20,000			24.4
	Identify priority urban runoff mitigation measures and develop financial and other resources to implement phase 2 of the plan				
HUBBARD CO.	SHORELAND SEPTIC INVENTORY & EDUCATION	\$145,580			24.2
	Initiate program to inventory lakeshore properties for failing septic systems and provide enforcement and education on upgrading them				

PROPOSED 1997 LWP CHALLENGE GRANTS

APPLICANT	DESCRIPTION/TITLE	\$ REQ.	\$ CUM	RECS	SCORE
CLAY CO.	BUFFALO RIVER RIPARIAN LAND PROTECTION PROJECT Inventory of BMP needs of landowners/users along Buffalo River, promoting bufferstrips along river	\$21,620			24.1
GUN CLUB LAKE WMO	SEDIMENT ACCUMULATION RATE STUDY Monitor stormwater treatment basins, develop and prepare a report on the sedimentation rate study	\$34,500			24.0
MN RIVERS JPB	MN RIVER EDUCATION & PUBLIC OUTREACH PROJECT Educate public on watersheds, develop a Minnesota River Watershed traveling exhibit to be shown at fairs, etc..	\$100,000			24.0
PINE CO.	GIS Employing a Geographic Info. System to assist the county in carrying out their CLWP	\$19,200			23.7
ST LOUIS CO.	GIS Improve land use data base, update and expand the County Water Plan to make the data elements user - friendly	\$40,000			23.7
CLEARWATER CO.	ROY LAKE ENVIRONMENTAL SUBORDINATE SERVICE DISTRICT Feasibility study to evaluate potential implementation of an Environmental Subordinate Service District for septic treatment system	\$10,000			23.7
LYON CO.	SMALL IMPOUNDMENT STRUCTURE STUDY Complete study of small private impoundment resevoirs, prioritize sites and funding sources, educate landowners on these structures	\$26,200			23.4
MINNEHAHA CREEK WMO	MUNICIPAL STORMWATER GRANT PROGRAM Offer competitive grant program to provide financial and tech. assistance to municipalities to complete stormwater mgmt. plans	\$30,000			22.5
LAKE OF THE WOODS CO.	SURFACE WATER QUALITY TESTING Project to sample 2 rivers and 1 creek for agricultural pesticides and nutrients	\$2,500			22.3
HUBBARD CO.	GROUNDWATER MONITORING & FEEDLOT STUDY Implement long-term groundwater quality monitoring program, conduct 2 yr feedlot suction tube lysimeter study on feedlots	\$18,950			22.2
HUBBARD/BELTRAMI CO'S	TRAIN THE TRAINERS Train county school teachers on environmental issues to provide better information and education of students and citizens	\$14,500			22.2
COOK CO.	WATER PLAN IMPLEMENTATION Create demo landscaping and plant test plots to educate residents on runoff control and alternatives to ground covers	\$19,000			21.7
FARIBAULT CO.	MN LAKE SHORELAND PROTECTION Identify and map lakeshore areas susceptible to impact of surface area runoff, establish 27.3 acres of buffers, educate public on buffers	\$7,245			21.6
BELTRAMI CO.	MULTIJURISDICTIONAL NATURAL RESOURCE REGULATORY PROCESS Simplify land use regulatory process for individuals, improve regulatory process and the quality of decisions made	\$16,000			21.2

PROPOSED 1997 LWP CHALLENGE GRANTS

APPLICANT	DESCRIPTION/TITLE	\$ REQ.	\$ CUM	RECS	SCORE
RENVILLE CO./BUFFALO CK WD	LAKE ALLIE SEDIMENT LOADING REDUCTION Identify and reduce loading sources and improve efficiency of desilting basin upstream of Lake Allie to reduce sedimentation	\$32,500			21.1
LAKE OF THE WOODS CO.	RAINY RIVER SHORELINE PROTECTION Reduce erosion and slope failure at 3 residences, reduce amount of surface and sub-surface water flow through weakened silt-laden soils	\$6,870			20.9
FARIBAULT CO.	BLUE EARTH RIVER BANK EROSION PROJECT Identify erosion prone streambanks along Blue Earth River, establish 2 streambank erosion monitoring sites along river	\$4,750			19.9
RICE CO.	GIS IMPLEMENTATION Identify and map areas susceptible to water pollution, hire a consultant for database work, educate staff members on GIS	\$39,000			19.7
MCLEOD CO.	WATER QUALITY PROTECTION (Winsted L.) Hire engineer to construct a holding pond, establish wetlands nature area at pond, determine enviro. impact of pond on neighbors	\$20,000			19.1
CARNELIAN/MARINE WMO	LAKE LOUISE OUTLET STUDY Conduct detailed hydrologic and water quality study of Lake Louise sub-watershed relating to a high water problem	\$10,000			18.7
LYON CO & LINCOLN & REDWOOD	FLOOD CONTROL STRUCTURES Use small structures, such as rock dams, to control flooding, erosion, and sediment	\$71,250			18.5
NORMAN CO.	USDA WETLAND DIGITIZATION Digitize USDA wetlands to GIS data layer, reestablish high priority wetland regions in Norman County	\$17,740			18.4
RENVILLE CO./BUFFALO CK WD	FECAL COLIFORM INDICATOR ANALYSIS Identify the source of fecal coliform by testing water in upper reaches of the watershed, construct agricultural drain tile	\$20,000			18.1
FARIBAULT CO.	WETLAND EDUCATION Establish an experimental wetland on a tile outlet and implement monitoring program for inflow and outflow	\$6,100			17.6
LYON CO.	WETLAND MAPPING Complete mapping system of existing wetland areas within urban areas and agricultural areas not under Fed. Farm Prog.	\$15,000			17.6
MARSHALL CO.	WETLAND INVENTORY DEVELOPMENT Develop a local wetland inventory of the Red Lake Watershed	\$40,000			17.1
MARSHALL CO/MRSR WD	COST SHARE PROGRAM Provide info and a cost-share program for landowners within City of Warren to construct works to stabilize river banks	\$15,000			16.9
BEVENS CREEK WMO	COORDINATE RURAL & URBAN RELATIONS Develop and implement an education and information center for rural and urban residents, provide financial assistance to WMO staff	\$1,650			16.4

PROPOSED 1997 LWP CHALLENGE GRANTS

APPLICANT	DESCRIPTION/TITLE	\$ REQ.	\$ CUM	RECS	SCORE
STEARNS CO.	WETLAND PLANNING	\$15,000			16.3
	Complete the Stearns County Wetland digital inventory				
MCLEOD CO.	LAKE MARION WATER QUALITY IMPROVEMENT	\$7,500			15.4
	Develop educ. program to inform residents on the threats of improperly installed septic systems, hire engineer to construct desiltation pond				
CARNELIAN/MARINE WMO	LAKE LOUISE WATER QUANTITY	\$40,000			15.3
	Control water levels threatening existing structures, roads, and property by constructing a new outlet for the water				
CROW WING CO.	EROSION & SEPTIC INVENTORY - WHITEFISH L. CHAIN	\$4,000			15.0
	Develop septic system upgrade program, develop program to implement volunteers to assist with water resource management projects				
MCLEOD CO.	BELLE LAKE IMPROVEMENT	\$1,500			13.8
	Evaluate the trophic status of Belle Lake by monitoring water quality				
NORMAN CO.	INTERNET WEB PAGE PILOT PROJECT	\$4,400			11.9
	Develop and implement web pages on the Internet for 22 Soil and Water Conservation Districts involved with CLWP				
CROW WING CO.	BRAINERD WELLHEAD PROTECTION	\$2,400			10.0
	Inventory potential contaminate sources within WHPA, map watershed boundaries and wetlands in WHPA, develop WHPA education program				
H:CHGRAN1	TOTAL	\$2,689,245		\$780,000	

RED RIVER VALLEY EMERGENCY FLOOD DAMAGE ASSISTANCE FY 97 SPECIAL ROLL-OVER GRANT

BACKGROUND In the month of May 1996, the northern Red River Valley experienced two major rain events within 48 hours. Both events supplied the already saturated soil with over 10 additional inches of rain. Many existing natural and artificial drainage systems and channels were not able to contain the runoff and were over-topped or breached. Consequently, these excess flows created their own gullied channels in cropland areas. These gullies vary from two - eight feet deep, 10 - 100' wide, and a few hundred feet to a half mile long.

Most of these gullies are impossible for landowners to repair and reshape with their own conventional farm machinery. According to Tim Finseth, Marshall County SWCD Manager, repair costs in Marshall County alone are estimated at \$250,000. FEMA denied landowners assistance.

ISSUE These eroded sites need to be reshaped and permanent vegetation established as soon as possible. These sites left untreated pose a serious potential problem during future rainfall and snowmelt events as additional erosion and sedimentation is prone to occur. Repairing these areas will also restore traditional drainage patterns and farmability of croplands.

The State Cost Share Program is well suited to fund the types of land treatment practices needed to repair these sites, however, existing SWCD allocations are not sufficient to address these problems. No other known funding sources are available.

RECOMMENDATION The current statewide Cost Share Program roll-over fund balance is approximately \$194,000. This amount represents the remaining balance after all other considerations and Board policies. Staff recommends that \$100,000 of this balance be allocated to SWCDs in the northern Red River Valley to repair these gullied sites. Specific SWCD allocations will be determined by BWSR Northern Regional staff. Highest funding priority will be given to sites where long-term vegetative cover is planned. Administration of this grant will be according to State Cost Share Program rules and guidelines, and Board policies.

This FY 97 Special Roll-Over Grant is similar in nature to the FY 95 Special Roll-Over Grant. The Board allocated the FY 95 Special Roll-Over Grant to SWCDs for the repair of previously installed State Cost Share Program practices which were damaged during the flood of 1993.

OUTCOMES The fall 1996 allocation of these funds will enable landowners to repair these gullied sites immediately. More importantly, repairs will occur before freeze-up, and before spring rain and snowmelt runoff events cause even more damage.

This allocation will reduce the amount of funds available for the FY 98 Special Projects Grants by \$100,000. This FY 97 Special Roll-Over Grant will not affect, the eligibility of SWCDs for FY 98 Special Project Grants, or the Area Allocation Process.

H:RRVGRANT

NEW BUSINESS #8.

**RED RIVER VALLEY EMERGENCY FLOOD DAMAGE ASSISTANCE
LIMITED DURATION RIM EASEMENTS IN FLOOD DAMAGED LOCATIONS**

BACKGROUND: Due to major flood events in the Red River Valley in recent years, riparian areas have sustained flood damages resulting in downstream sedimentation. In 1996, two major flood events, plus additional rains during saturated conditions, wreaked havoc along flowage and have literally cut new channels through agricultural fields. Riparian areas along rivers and streams, as well as recently created gullies through agricultural fields, are at risk of further degradation from flood waters and storm events if not protected.

ISSUE: Currently, funding options for long term protection of these highly vulnerable areas are limited to perpetual RIM easements. Although several other funding sources exist statewide, they generally are not feasible for Northwestern Minnesota. Pheasants Forever and other organizations are non-existent or very inactive since the species they are trying to promote have a limited range or are not naturally found in NW Minnesota. Although RIM is a statewide program, it has not been marketable in NW Minnesota for a number of reasons. Aside from this fact the SWCD's in these counties believe that it is essential to protect these areas from further degradation even if it is initially for a limited duration.

The main emphasis of this proposal is prevention. Numerous riparian and non-riparian cropland areas in the Red River Valley in Northern Minnesota were severely damaged due to flood waters as a result of two major storm events this year. What needs to be done is to stabilize these "at risk" sites so we do not see a repeat or continuation of this year's damages.

RECOMMENDATION: Allow limited duration easements for riparian areas and marginal agricultural land that has experienced severe gully erosion this past Spring. Limited duration easements would be limited to a six county region of northern Minnesota that were listed as "disaster counties" due to flooding this Spring. This would include the counties of Kittson, Marshall, Polk, Pennington, Red Lake and Norman.

In addition to the limited duration easement, these areas will be further protected by an aggressive maintenance plan, as well as a conservation plan developed by the SWCD that would protect the area well after the duration of the easement.

Funding for this proposal would come from current RIM allocations for work areas for BC's Brian Dwight and Bill Best in the approximate amount of \$170,000. Although this proposal is for limited duration easements, perpetual easements will still be the priority as long as the resource protection is greater.

Partnering with local groups, such as watershed districts, is being investigated for the purposes of providing further technical and financial assistance. Assistance in locating "hot spots" along flowage has been offered by watershed districts, plus the potential for further technical and financial assistance in stabilizing and protecting riparian areas in order to gain water quality benefits.

September 12, 1996

TO: Board Members

FR:  Tim Fredbo, Easement Program Manager

RE: **DECISION** - Release of Acres, Easement 43-04-87-1, Dan VanOverbeke

Enclosed please find the proposal to release 3.5 acres from this easement. The landowner will be required to pay to the state the sum of \$2,051.00, and convert his remaining land under easement (1.5 acres) to a perpetual easement as a condition for release.

The BWSR has never released any acres under easement before, but RIM reserve statute and rule clearly gives us the authority to do so.

If you approve of the release, the process that I have proposed will set the precedent and policy by which future requests for release can be handled regarding payback of RIM funds.

In past requests to release the BWSR has almost always been able to work out an acreage swap to replace the acres the landowner wishes to remove from the easement. In this case the landowner owns no other land in the State.

March 26, 1996

TO: Water and Soil Resources Board Members

FR: Tim Fredbo, Easement Program Manager

RE: Acreage Release, Easement 43-04-87-1, Dan VanOverbeke

Background:

On August 16, 1996 I received a letter from the VanOverbeke's requesting release of 3.5 acres of land from their RIM Reserve easement in McCleod County. A copy of their letter is enclosed as Attachment 1. The purpose of the request is to accommodate the sale of the 10 acre rural residential property to a prospective buyer who needs the RIM acres to pasture his horses. Neither the current owner or prospective buyer of this property own any other land in McCleod County or the rest of the state. This makes a land exchange to replace the 3.5 acres impossible.

Our conservation easement on the site encompasses a total of 5 acres, and is a 20 year marginal land easement which expires on April 20, 2009. The 3.5 acres that are proposed for release have been established to native grasses. The remaining 1.5 acres are in trees. The VanOverbeke's have indicated that they are willing to convert this 1.5 acres of trees into a perpetual easement, without compensation, if the release of the 3.5 acres is approved. The prospective buyer is also agreeable to this arrangement.

I have recently received the information required for your consideration to alter or release this easement as stipulated in Sec. 8400.3610 of the RIM Rules. The rules require the local SWCD Board and DNR Area Wildlife Manager to consider the landowner's request to alter an easement.

Summary of Information Provided To Support Request:

The VanOverbeke's have supplied an aerial photo of their property (Attachment 2) which shows the proposed area in grass for release and the balance of the easement in trees. A soil survey map has also been supplied (Attachment 3). The soil types indicate that this area is relatively flat, although somewhat susceptible to erosion by wind. The proposed release area is not in the floodplain of the Crow River.

The McCleod SWCD considered the VanOverbeke request to release at their September board meeting. Their request to release 3.5 acres from the easement was endorsed by the SWCD Board. A copy of their meeting minutes is included as Attachment 4.

Dennis Simon, DNR Area Wildlife Manager, has also provided the required letter concerning this proposed acreage release, and the DNR has no objections that we need to be concerned with. His letter is included as Attachment 5.

Findings:

When this issue of a possible release was first raised by the McCleod SWCD, the first course of action pursued was a land exchange. When it was discovered that no other RIM eligible land was owned by either the VanOverbeke's or the buyer, I communicated to the owner and the SWCD that I would proceed with a request to release the 3.5 acres.

The release area is relatively close to the Crow River, but the landscapes are flat, there is a permanent vegetative buffer area in the adjacent floodplain, and the release area will likely never be put into crop production as the prospective buyer intends to use it for horse pasture. As a result, soil erosion and potential nutrient loading to the Crow River should not be a problem.

I have conveyed to the VanOverbeke's and the SWCD that there will likely be a payback of state funds if the release is approved. RIM Reserve statute and rule allow the Board (BWSR) quite a bit of flexibility when determining any restitution as a condition of release. Section 8400.3610 of rules states:

"The state board reserves the right to require special provisions to ensure at least equal resource value as a condition of approving the request. The state board must be compensated by the landowner for all damages and loss of benefits to the easement and the state board may also require reimbursement for administrative expenses and costs incurred in the alteration, release, or termination of a conservation easement."

To my knowledge BWSR has never granted a release requiring any payback of state funds. As a result, I am proposing that in cases such as this, where an acreage replacement is not possible, that landowners be required to pay the sum of the following charges: 1) The easement payment, calculated using current payment rates and based on the number of acres being released. 2) Conservation practice payments made on the acres being released. 3) \$500.00 for administrative expenses incurred to amend the easement. This is not a per acre fee.

Staff Recommendation:

Accept the landowners proposal to release 3.5 acres from the easement area, contingent upon receiving payment for state RIM Reserve funds which were initially paid to the landowner, and administrative costs associated with altering the easement document.

Using the three proposed payback criteria outlined above, the VanOverbeke's would be required to pay the BWSR \$2,051.00.

Require the landowner to convert the remaining 1.5 acres to a perpetual easement without any additional payments. Since this part of the easement is adjacent to the Luce Line State Recreational Trail, the permanent tree cover would be desirable as a natural screening barrier.

ATTACH - 1
RECEIVED
AUG 16 1996

August 15, 1996

Board of Water and Soil Resources
Attention: Tim Fredbo
1 West Water Street
St. Paul MN 55107

Dear Mr. Fredbo:

This letter is our formal request to have a portion of our land released early from the RIM Reserve easement.

The five acres that we enrolled in 1989, I.D. number 43-04-87-1, are part of our ten acre rural residential property. We are located about a mile west of Hutchinson in Section 34 of Acoma Township. Included in the five RIM acres are 1.5 acres planted in trees and the balance of 3.5 acres in native grasses.

We have sold this ten-acre property contingent upon the buyers' ability to use the land to pasture horses. Because of the restrictive layout of the acreage and buildings, it is impossible to do that on the remaining acreage. Neither the buyers nor I own other land in the county or state that is agricultural in nature that could be used in place of these RIM acres.

Our request is to have the 3.5 acres released from the RIM Easement so that it may be used as a horse pasture. The 1.5 acres that were planted in trees can remain in RIM or even be converted to a permanent RIM easement. We understand that this will involve reimbursement of advance RIM payments and possibly other cost penalties.

Mr. Ryan Freitag with the McLeod Soil and Water Conservation District will be forwarding information on the property including aerial photos showing the layout of our property and the approximate areas planted in trees and grasses. He will also send a soil map indicating the soil types present on our property.

I can be reached at (320) 587-2151 days, or at home (320) 587-4367. Our address is 21436 190th Street, Hutchinson MN 55350. Also feel free to contact our agent Greg Witt with Fahey Sales Agency, (320) 587-3510, about this matter.

Any assistance you can give us in this matter will be appreciated.

Sincerely,
Daniel VanOverbeke

8.9③

ATTACHMENT 2

2472

35.0①

T-7706

CRP -

CPI

EDGE LINE TRAIL

STATE HIGHWAY 7 E 22

7.2②

13.7③

1987

CRP

TREES

1.5AC

CP2

DROPPED

NO AGR

5.0④

NATIVE GRASS

3.5AC

HOUSE

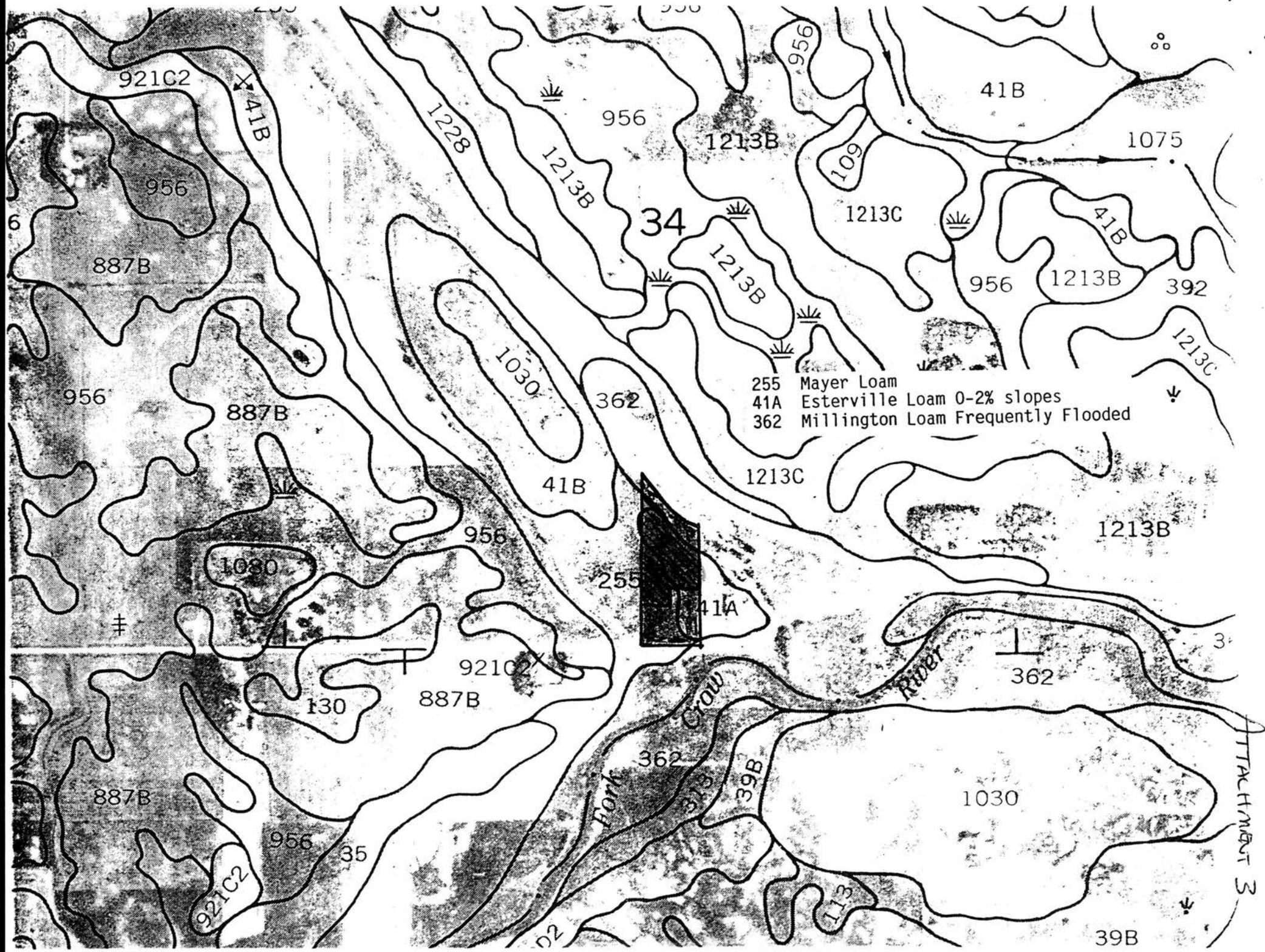
Portion they will
to Release & Graze

7.5⑤
2.305

(190TH STREET) COUNTY ROAD 14

PROPERTY BOUNDARY

IN YELLOW



Post-it® Fax Note	7671	Date 9/10/96	# of pages 1
To Tim Fredbo	From McLeod SWCD		
Co./Dept.	Co.		
Phone #	Phone #		
Fax #	Fax #		

MCLEOD SOIL AND WATER CONSERVATION DISTRICT

2570 9th Street E
P.O. Box 160
Glencoe, Minnesota 55336
Telephone (612) 864-5176



MINNESOTA SOIL AND WATER CONSERVATION DISTRICTS

Minutes from September 9, 1996 regular board meeting.

Meeting called to order by Chairman, Leonard Pikal at 8:00 P M

Members present: Chairman, Leonard Pikal
Vice-Chairman, Ronald Otto
Secretary, Norbert Shimek
Treasurer, Orville Brinkman
Reporter, Doug Portele

Others present: District Conservationist, Sandy Jerzak
District Technician, Ryan Freitag
Administrative Secretary, Darlene Haag

Motion by Portele, seconded by Brinkman to approve minutes of August 5, 1996 as mailed.
Affirmative: Brinkman, Otto, Pikal, Portele, Shimek. Motion carried.

Board discussed the release of 3.5 acres of land from RIM with Daniel Van Overbeke and Greg Witt from Fahey Reality.

Motion by Otto, seconded by Shimek that due to further review and information received from BWSR and Mr. Van Overbeke, the district board approved to grant a release of 3.5 acres of land from Daniel Van Overbeke's RIM contract number 43-04-87-1.
Affirmative: Brinkman, Otto, Pikal, Portele, Shimek. Motion carried.

Motion by Otto, seconded by Brinkman to approve the Financial Report of August 31, 1996 presented. Affirmative: Brinkman, Otto, Pikal, Portele, Shimek. Motion carried.

Bank reconciliation of August 31, 1996 reviewed.

Motion by Portele, seconded by Brinkman to approve 15 bills for the amount of \$4862.53.
Affirmative: Brinkman, Otto, Pikal, Portele, Shimek. Motion carried.

Motion by Shimek, seconded by Otto to approve FSA Plan revisions, new plans and new operators as listed. Affirmative: Brinkman, Otto, Pikal, Portele, Shimek. Motion carried.

Motion by Shimek, seconded by Brinkman to approve Well Sealing Cost-Share payment for Tim Schuette for the amount of \$197.50. Affirmative: Brinkman, Otto, Pikal, Portele, Shimek. Motion carried.

Motion by Otto, seconded by Brinkman to approve encumbering the State Grant monies and using 20% of cost-share monies for administrative. Affirmative: Brinkman, Otto, Pikal, Portele, Shimek. Motion carried.



STATE OF
MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

ATTACHMENT 5



PHONE NO.

507-225-3572
507-225-3795 Fax

FILE NO.

501 9th St., P.O. Box 79, Nicollet, MN, 56074

August 16, 1996

McLeod SWCD
Ryan Freitag
2570 9th St. E.
Glencoe, MN 55336

Dear Ryan,

I have reviewed the request for an early release from the RIM Program and I have no special concerns about this easement release.

Sincerely,

Dennis E. Simon
Area Wildlife Manager



M E M O

August 18, 1996

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

Field Offices

Northern Region:

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

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

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

Southern Region:

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

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

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

Metro Region:

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

To: Dave Weirens, AMC
Ray Bohn, MAWD
Lowell Enerson, Red Lake Watershed District
Tim Kelly, Coon Creek Watershed District
Bruce Gerbig, DNR-Division of Waters
Matt Seltzer, Attorney Generals Office

Fr: John Jaschke, BWSR *JJ*

Re: **Public Drainage Training Grant**

Attached are:

- 1.) A draft workplan for the Public Drainage Challenge Grant to AMC.
- 2.) Notes from our August 18th meeting.
- 3.) A revised draft grant agreement.

Please review the workplan and send your comments to me by September 23rd so they can be incorporated for discussion at the October 2nd meeting (9 a.m. at AMC).

attch.

c: BWSR: Ron Harnack, Greg Larson, Doug Thomas, Wetland Team members
DNR: Kent Lokkesmoe, Cathy Hamm
AMC: Jim Mulder
Tanja Kozicky, Gov. Carlson's Office

An equal opportunity employer

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Draft Work Plan
AMC Public Drainage Training Grant
August 28, 1996

DRAFT

I. Project Components

1. Conduct approximately 10 one-day sessions around the state for approximately 600 county commissioners, watershed district managers, city officials, state agencies, interest groups, and LGU staff. The goals of the sessions are to be educational and practical and to avoid controversy and site-specific discussions. The scope of the sessions will be on the basics of the drainage law from a project sponsor's point of view.

Topics to be covered:

- Roles and responsibilities of drainage authorities.
 - Connection to other laws such as the Wetland Conservation Act; Federal Farm Bill and Environmental Review requirements.
 - Redetermination of benefits. Legal and practical and factors to be considered
 - History of drainage law.
 - Types of projects: a) Maintenance; b) Minor repair; c) Major Repair; d) Improvement.
 - Bonding and hearing requirements.
 - Record keeping.
 - Financial management.
 - Experts/consultants: Engineering, viewing, legal.
2. Develop users guide to the drainage law/manual resulting in a short, user-friendly, simple guide that would allow county commissioners and watershed district managers, in particular, to get a quick understanding of the law.
 3. Update the drainage manual to include relevant items from changes made since it was produced in 1993.
 4. Develop a training video tape such as the one developed by the Red Lake Watershed District and Red River Watershed District for potential project participants.

II. Budget

Assets: \$50,000 grant plus an attendance fee of \$20 per person (to cover facility, food, materials). Total available = \$62,000.

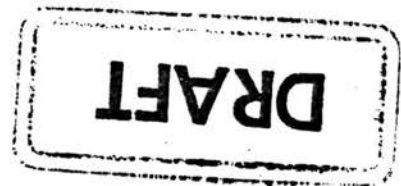
Expenditures:

- 1.) A.) hiring via contract a facilitator for logistics as well as someone to moderate the sessions = \$15,000.
B.) Hiring expert presenters for training sessions = \$10,000.
- 2.) Develop, print and distribute user's guide to drainage law/manual = \$20,000.
- 3.) Update drainage manual = \$2,000.
- 4.) Develop and distribute videotape = \$10,000
- 5.) Evaluation/Followup/Report = \$5,000

III. Evaluation/Report/Followup

A report describing the outcomes and evaluations of the project components as well as pointing out shortcomings of the drainage law as identified through the training sessions will be developed. Also, followup information to session participants will be provided to address information requests not fulfilled at the training sessions or by another component of the project.

Draft workplan prepared by John Jaschke



s:drainwp.jj

**STATE OF MINNESOTA
GRANT AGREEMENT
FOR WATER AND SOIL RESOURCES PLANNING AND PROTECTION**

DRAFT

Grant Amount: \$ 50,000

Grantee: Association of Minnesota Counties
Address: 125 Charles Avenue
St. Paul MN 55103

Grant Period: September 1, 1996 to June 30, 1997

THIS AGREEMENT is between the State of Minnesota, acting by and through its Board of Water and Soil Resources, hereinafter referred to as the "Board", and the Association of Minnesota Counties, hereinafter referred to as the "Grantee".

WHEREAS, Minnesota Statutes Section 103B.101 (1996) authorizes the Board to coordinate the water and soil resources planning activities of counties and other local units of government through its various authorities for approval of local plans, administration of state grants, and by other means as may be appropriate; and

WHEREAS, Laws of Minnesota 1996, Chapter 462, sec. 42, authorizes the Board to award a grant to the Association of Minnesota Counties to conduct workshops for public drainage authorities; and

WHEREAS, the Grantee has submitted a Board approved workplan, to conduct workshops for public drainage authorities in accordance with Board requirements, which is incorporated into this Agreement by reference and is located at the Board's office in St. Paul, Minnesota, and;

WHEREAS, the Grantee represents that it is duly qualified and willing to perform the services set forth herein,

NOW, THEREFORE, it is agreed between the parties as follows:

I. GRANTEE DUTIES AND SPECIFIC PROGRAM REQUIREMENTS.

The Grantee is responsible for the specific duties for the Grant as follows:

A. GENERAL

The Grantee shall perform the duties described on the attached workplan and action goals incorporated herein by reference as Exhibit A (Workplan).

B. REPORTING

The Grantee shall submit a final report by September 1, 1997, on the status of the workplan activities and expenditures. Information provided must conform to the requirements set forth by the Board.

II. GENERAL TERMS AND CONDITIONS.

A. TERMS OF PAYMENT.

1. Payment to the Grantee of the Grant Amount stated on page 1 shall be made in one installment promptly after the effective date of this Agreement. The total obligation of the Board shall not exceed the Grant Amount.

2. Any state grant funds remaining unspent, unencumbered, or becoming unobligated after the end of the Grant Period stated above shall be returned to the Board within two months of that date.

3. Grant funds may not be used for costs incurred before or after the end of the Grant Agreement period unless approved by the Board.

B. CONDITIONS OF PAYMENT. All work performed by the Grantee pursuant to this Agreement shall be performed to the satisfaction of the Board, and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee shall use the funds granted herein only for the purposes described in its workplan.

C. TERM OF GRANT. This Agreement shall be effective upon such date as it is executed and shall remain in effect until the end of the Grant Period stated above, or until all of the obligations set forth in this Agreement have been satisfactorily fulfilled, whichever occurs sooner. The Grant Period may be extended with Board approval and by an amendment to this Grant Agreement.

D. CANCELLATION AND REVOCATION.

1. The Board may cancel this Agreement for just cause. Just cause shall include: the Grantee or delegated local unit of government is not disbursing grant funds in accordance with established Board or state procedures, or has otherwise breached a term of this Agreement. The Grantee must be given written notice 14 calendar days prior to cancellation. The Grantee may cancel this Grant Agreement with or without cause. In the event of cancellation by the Board or Grantee, the Grantee is entitled to payment, determined on a pro rata basis, for work satisfactorily performed, and the remaining grant funds must be promptly returned to the Board.

2. At the request of any state agency commissioner, the Board shall revoke and the Grantee shall return to the Board that portion of the Grant used to support a program or project not in compliance with the rules of that agency.

E. ASSIGNMENT. Grantee shall neither assign nor transfer any rights or obligations under this Agreement without the prior written consent of the Board. The Grantee may contract with others, including appropriate local units of government under terms and conditions specified by the Grantee to complete the work specified in this Agreement.

F. AMENDMENTS. Any amendments to this Agreement shall be in writing, and shall be executed by the Board and the Grantee.

G. COST OVERRUNS. The Grantee agrees that cost overruns are the sole responsibility of the Grantee.

H. LIABILITY. The Grantee agrees to indemnify and save and hold the Board, its agents, and employees harmless from any and all claims or causes of action arising from the performance of this Agreement by the Grantee's contractors, agents or employees. This clause shall not be construed to bar any legal remedies the Grantee may have for the Board's failure to fulfill its obligations pursuant to this Agreement. This clause shall survive the expiration of the Grant Period or the expiration or termination of this Agreement.

I. AUDITS. The Grantee agrees that the books, records, documents, and accounting procedures and practices of the Grantee relevant to Grantee activities and expenditures may be examined at any time by the Board or Board's designee. The Grantee shall maintain all records relating to the receipt and expenditure of grant funds for six years from the termination of the Grant Agreement.

J. NONDISCRIMINATION. As a condition of receiving financial support for the Grantee activities, the Grantee assures that it will meet all applicable requirements of the Civil Rights Act of 1964, as amended (including nondiscrimination on the basis of disability conditions) and of any applicable state civil rights statutes.

K. WORKERS COMPENSATION. The Grantee assures that it has provided, or shall provide, acceptable evidence of compliance of workers' compensation insurance coverage requirement of Minnesota Statutes, Section 176.181, Subdivision 2 (1992).

L. ANTITRUST. The Grantee hereby assigns to the State of Minnesota any and all claims for overcharges as to goods and/or services provided in connection with this Agreement resulting from antitrust violations which arise under the antitrust laws of the United States and the State of Minnesota.

M. DATA PRIVACY ACT. The Grantee agrees to indemnify and save hold the STATE, its agents and employees, harmless from any and all claims or causes of action arising from a violation of any provision of Minnesota Statutes, Chapter 13.

N. DATA COMPATIBILITY. The Grantee shall prepare and maintain all information gathered as a result of this project in a format which is compatible with the data systems employed by the principal information users of the State of Minnesota.

O. CAPITAL EQUIPMENT. The title for equipment purchased with the funding provided in this Agreement shall be taken in the name of the State of Minnesota. The equipment will remain the property of the State for its useful life. After the Grant Period, the equipment may remain in the custody of the Grantee so long as it is used for the purposes of promoting and supporting the coordination of local water plan management activities. The State may take possession of the equipment at which time it ceases to be used for the intended purpose and at such time as it becomes necessary to use it for State purposes.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed intending to be bound thereby.

GRANTEE

APPROVED BY :
Association of Minnesota Counties

By: _____

By : _____

Title: _____

Title : _____

Date: _____

Date : _____

STATE OF MINNESOTA

**APPROVED AS TO FORM AND EXECUTION
BY THE ATTORNEY GENERAL**

By: _____
Assistant Attorney General

Date: _____

BOARD OF WATER AND SOIL RESOURCES

By: _____

Title: _____

Date: _____

Attachments: Exhibit A-Work Plan

H:AMCDRAIN

NEW BUSINESS #11.

BUDGET/POLICY INITIATIVE DISCUSSION

PROPOSAL	MTG BWSR MISSION H* M* L*	MTG RESOURCE NEEDS H* M* L*
1. Soil Conservation		
2. Information Management		
3. Disaster Response-Erosion & Sediment Control		
4. Water Resource Education		
5. Minnesota River Basin Initiative		
6. Lakeshed Cost Share		
7. Lake Superior		
8. Windbreak/Forestry		
9. Non-Point Engineering TEAMS supplemental		

H* H = High
M* M = Medium
L* L = Low

FY 98-99 Legislative Initiatives

BUDGET

1. INFORMATION MANAGEMENT & COMMUNICATION

RATIONALE:

Maintaining the State's and BWSR's capability in electronic communications, information management systems, and data base management will result in the most efficient use and allocation of state resources. Investing in technology will reduce long term expenditures in the area of fiscal oversight, communication and reporting by the State's 91 soil and water conservation districts, 42 watershed districts, and 87 county water planners. Improvements in BWSR's data base management and information management systems will allow for the reporting of resource protection efforts in measurable and quantifiable terms consistent with Minnesota Milestones. If this initiative is not funded it is likely that the gap between BWSR's information management and communication capabilities and those of other public and private organizations will grow resulting in greater future expenditures than what are currently being requested.

PROGRAM OUTCOMES:

On-line electronic communication with 91 soil and water conservation districts, 42 watershed districts, and 87 county water plan coordinators.

Electronic repository and distribution of forms, eliminating printing and handling of paper forms.

Integrated program reporting and data base functions within BWSR allowing for the determination of measurable outcomes of local water resource protection and management programs supported by the state through the BWSR.

Development of an integrated accounting software package for the state's 91 soil and water conservation districts, resulting in improved fiscal oversight and reduced personnel costs for both the soil and water conservation districts and BWSR.

Provide additional staff support to BWSR's 50+ staff, improving the current ratio of 1:50 to 1:10. This change will allow BWSR staff to adopt and implement technological changes at a pace equivalent to our local government clientele, private industry and other state agencies, resulting in the most efficient and productive workforce possible.

LONG-TERM IMPACT:

This initiative will result in the ability of BWSR to maintain its information management and

communications systems at a level equivalent or just slightly behind current industry standards into the future. BWSR will also be able to report in measurable terms the natural resource protection and management measurable accomplishments of local units of government and BWSR in the state of Minnesota. Long term this accountability will assist BWSR in targeting limited state resources to those areas of the state where we will receive the most environmental protection for the resources spent.

2. EROSION DAMAGE DUE TO FLOODING IN THE RED RIVER VALLEY A
PROPOSAL TO PROVIDE TECHNICAL AND FINANCIAL ASSISTANCE TO
REPAIR AG. RELATED SITES.

Recommendation: The BWSR temporarily recognizes an approved practice to the existing cost share program for the identified disaster counties in the FEMA-DR 1116-MN Mitigation Strategy Report 7/3/96. This practice would be the repair and reshaping of badly eroded areas due to floods of the Spring of 1996.

This practice would provide technical and financial assistance to landowners to repair and reshape these areas. The program would be administered locally by the Soil and Water Conservation Districts. Procedures, forms for application, and funding processing, along with project oversight would be that of the already existing state cost share program.

The practice would be comprised of two components:

1) Cost sharing on the repair and reshaping activities. Rates would be limited to an amount based on lineal feet of repair or on an acreage basis. I have attached a page of calculations, provided by Tim Finseth of the Marshall SWCD, which shows an average cost to repair an area based on \$4/ft. basis cost shared at 75% which then could be converted to a per acre cost.

2) A temporary land retirement component to this practice. The purpose of the limited use and duration retirement is to allow time for these areas to stabilize and build up fertility. Based on a plan prepared by the local SWCD, the landowner would be required to establish a vegetative cover of this area which would include a buffer area on both sides of the eroded area. The length of time, cover type and the limited use (haying and/or grazing) of the area would be included in the management plan prepared by the local SWCD. The length of retirement would be 5 to 15 years. The payment rate for this acreage would be consistent with the RIM limited duration payment rate which would be pro rated based on the duration of the retirement. Again, estimated costs for this component have been prepared by Tim Finseth and are contained on the attached sheet. This is based on an average RIM payment for Marshall County.

3. SOIL AND WATER CONSERVATION DISTRICT FORESTRY/AGROFORESTRY
INITIATIVE

Project Description

This program would ensure the natural resources management of non-industrial private forest lands on ownerships of 20 acres or less. It would also accelerate windbreak establishment and maintenance, and thereby enhance energy conservation and control soil erosion. The funds would be used to place a staff person in the local soil and water conservation district office to develop management plans on these smaller tracts of land and to assist with the implementation of the plans. In the areas of high wind erosion the staff person would provide technical assistance for both field and farmstead windbreaks. It would also provide an incentive program targeting landowners/occupiers in need of wind protection not eligible for other programs.

4. EDUCATIONAL COORDINATORS

PROJECT DESCRIPTION

Three educational coordinators will continue the effective partnership between BWSR and MES to strengthen water resource education at the local level. Coordinators will be located in the north, south, and metro regions to assist and expand the capacity of SWCDs, Extension offices, county water plan coordinators, WD's, and other local resources that provide water resource education.

The educational coordinators will address regional issues and maintain statewide coordination. They will enable the staff of Local government units to educate their target audiences in water quality issues. Implementing activities in county water plans is a priority. While some educational initiative such as those in the Minnesota River, Lake Superior Basin, and Red River Watershed have a specific regional focus, they often revolve around common themes and issues that have broad application across the state. Through increased communication and coordination, programs and projects developed in one area of the state will be applied elsewhere, reducing duplication and increasing efficiency. Educational programs will include erosion control and sedimentation, manure management, wetland functions and values, urban sprawl and development concerns, wastewater treatment, lake and river quality, and groundwater protection. Educational programs will be developed for both youth and adult audiences.

5. MINNESOTA RIVER BASIN INITIATIVE

The Minnesota River is severely polluted and, as a result, has been designated as one of the ten (10) most endangered rivers in the United States. The total basin drains some of the most productive farmland in the United States, with almost 90 percent of the acreage in the basin used for farming. Several studies have identified significant amounts of nonpoint source pollution from agriculture and urban sources within the basin.

Three areas of activity will accelerate the implementation of water quality practices: coordination and communication at the local government level, education and

information activities, and financial assistance to landowners for installing water quality best management practices. A short explanation of each follows.

- ◆ Coordination and Communication at the Local Unit of Government Level: In 1995 the Minnesota River Basin Joint Powers Board (MRBJPB) was created to enhance cooperation at the local level and coordinate with other state and federal agencies. Continued financial support will ensure that the efforts started in 1995 will continue, with a strong emphasis placed on local government implementation.
- ◆ Education and Information Activities: An education specialist will be hired to assist local units of government in promoting the message of the importance of cleaning up the Minnesota River basin and how to accomplish it. There has been a great deal of experience and research done on water quality practices; what we need is to get the information out to the landowners.
- ◆ Financial Assistance to Landowners for Installing Water Quality Best Management Practices: Through the application of conservation practices, nutrients and sediment can be kept from entering the river system. The amount requested will increase the financial incentive to landowners through the BWSR/SWCD cost-share program. The cost-share rates and technical assistance will be administered consistent with the current rules and M.S. 103C.501.

6. LAKESHED COST-SHARE

PROJECT DESCRIPTION

This initiative will provide funding to apply land treatment practices to control sediment and nutrient loading in lake watersheds.

Since 1977 Soil and Water Conservation Districts have applied conservation practices to improve water quality. Additional funds are needed to accelerate the treatment of known critical impact sites in order to protect lake water quality; one of Minnesota's most valuable economic assets. Seventy-two of Minnesota's eighty-seven counties have identified lake water quality as an important issue in their local water plans.

Installation of riparian buffer strips, animal waste management systems, stormwater basins, shoreland stabilization, and grass waterways in targeted lake watersheds will reduce sediment and nutrient loading to Minnesota lakes. With the exception of animal waste systems, the great majority of conservation practices cost less than \$10,000. The rate of financial incentives for landowners will be up to 75%. BWSR proposes that up to 205 of the allocation be used for the technical assistance necessary to survey and

design the projects, which is consistent with M.S. 103C.501.

7. NONPT ENGINEERING

PROPOSAL:

To increase funding to cover 100% of costs of the engineer and technical team in each JPA.

8. LAKE SUPERIOR LEGISLATIVE INITIATIVE

The Lake Superior Watershed is experiencing land development at a rapid pace, especially on the periphery of Lake Superior and on adjacent streams and inland lakes. Previous natural resource planning efforts in the Lake Superior Watershed have been completed but lack implementation resources. The BWSR effort will be to accelerate water quality implementation measures in the Lake Superior watershed. Measures include:

- an assessment of erosion and sediment damage in the watershed
- an increase in LGU technical assistance, especially SWCDs
- Targeting of state cost-sharing and SRF loans
- conservation easement program for important sites near water resources

Local water plans will be the vehicle for this implementation effort. SWCDs in the watershed (Lake Superior Association of SWCDs) have documented the above needs and will provide natural resource technical support.

9. SOIL CONSERVATION

10. POLICY LEGISLATION:

- ◆ Agency voting
- ◆ Gift and donation authority for BWSR
- ◆ Changing SWCD supervisor terms from 6 to 4 years



July 1, 1994

Southbridge Office Building
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TO: Soil Conservation Advisory Committee
Others interested in soil conservation in Minnesota

FROM: David H. Behm, committee facilitator
BWSR Programs & Policy Analyst

RE: Report of the Soil Conservation Advisory Committee

The attached document reflects the culmination of discussions of members of the Soil Conservation Advisory Committee convened by the Minnesota Board of Water and Soil Resources. The committee was initially convened in 1991 to prepare a model ordinance for adoption by counties and townships to address agricultural erosion. The BWSR was prompted to do so because of the numerous references made within county local water plans to either revise existing or adopt new local ordinances to address erosion and sediment control -- many counties have specifically identified agricultural sources as an immediate concern.

The model ordinance will be distributed to all counties, townships, and soil and water conservation districts later this summer.

In 1993, the committee reconvened to review available information regarding the status of erosion in Minnesota. Upon discussing the available information, specific recommendations were presented to the committee for its consideration. Those recommendations are contained within this report. The member organizations and agencies will review this document and individually report back to the BWSR regarding their degree of support for the recommendations contained therein.

During the summer and fall of 1994, the BWSR Board will discuss these recommendations amongst its members and develop a legislative initiative for the FY96-97 biennium. As a reader of this document, you are encouraged to submit written comments or suggestions to me which may assist the Board in its deliberations and preparation of this important legislative package. Please submit your written comments to me at the address listed above. Feel free to call me with any questions you may have; my phone number is 612-296-0880.

Thank you for your interest in sustaining the fundamental natural resources of Minnesota's diverse agricultural productivity: its soils and waters.

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*A REPORT OF THE SOIL CONSERVATION ADVISORY COMMITTEE
to the Minnesota Board of Water & Soil Resources*

JULY 1, 1994



The following agencies and organizations participated on the Soil Conservation Advisory Committee. None of the members have endorsed this report or any specific recommendation contained herein.

- *Bret Anderson, Minnesota Department of Natural Resources*
- *Greg Anderson, USDA-Agricultural Stabilization & Conservation Service*
- *C. Merle Anderson, farmer*
- *Wayne Anderson, Minnesota Pollution Control Agency*
- *Julie Bleyhl, Minnesota Farmers Union*
- *Paul Burns and Mark Dittrich, Minnesota Department of Agriculture*
- *John Dooley, Minnesota Association of Townships*
- *Lowell Franzen, Minnesota Association of Conservation District Employees*
- *Rick Hanna, Minnesota Association of County Planning & Zoning Administrators*
- *Owen Knutson, Minnesota Association of Soil & Water Conservation Districts*
- *Roger Mussetter, USDA-Soil Conservation Service*
- *Howard Peterson, Minnesota Association of Watershed Districts*
- *Steve Reckers, Minnesota Planning*
- *Todd Rongstad, Minnesota Farm Bureau Federation*
- *Dave Weirens, Association of Minnesota Counties*

- *David Behm, Minnesota Board of Water & Soil Resources (staff facilitator)*

PREFACE

Maintaining high quality soil is fundamental to sustaining agricultural productivity. Society must continue to reinvest in the land management measures necessary to sustain the soil's productive capacity and overall quality in order to reap the public benefits of a safe and abundant food and fiber supply as well as prevent further degradation of our air and water resources. The reinvestment necessary in agriculture is not unlike similar private and public reinvestment in other industries.

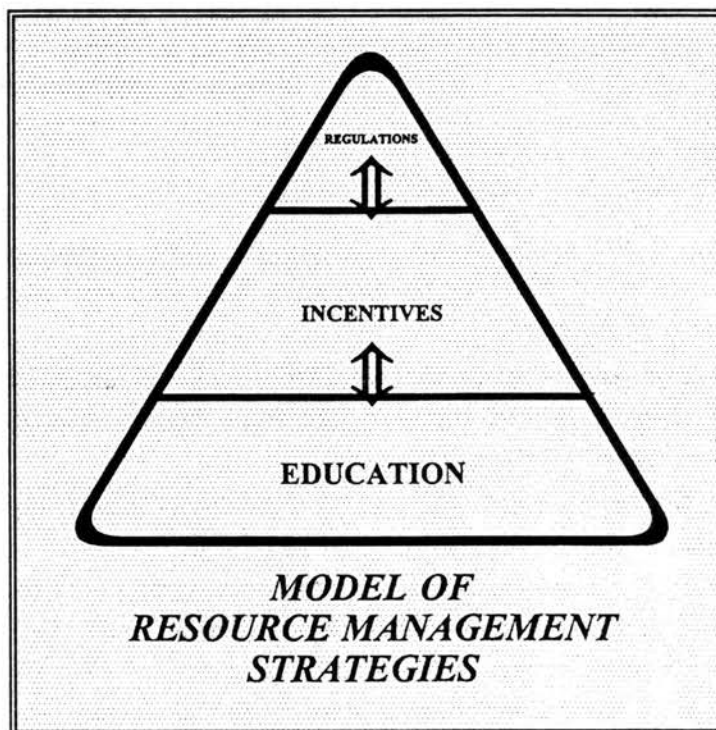
Agricultural producers acknowledge their individual responsibilities to adequately protect the public's interest in soil and water resources for present and future generations. Similarly, the general public acknowledges the inherent and essential need for agricultural producers to have access to the tools and resources necessary to ensure the sustainability of agriculture.

To ensure the economic viability of agriculture while also providing the public goods of water quality protection and sustainability of soil productivity, the Soil Conservation Advisory Committee suggests that a clear restatement of the state's goals for soil protection be made and a balanced approach of resource management strategies (i.e., education-incentives-regulations) be employed in a comprehensive menu of options to address agricultural erosion. The recommendations build upon the voluntary program. The following figure illustrates a conceptual model of an appropriate balance of the recommended initiatives.

In response to many counties identifying the need to revise or adopt ordinances to address erosion and sediment control (especially on agricultural lands), the Minnesota Board of Water and Soil Resources (BWSR) convened an advisory committee in June 1991 to draft a "model" ordinance to assist interested counties. It was the initial intent of the BWSR to then encourage the adoption of the "model ordinance" by all counties, pursuant to their statutory planning and zoning authorities. BWSR staff believe that several counties will likely begin adopting such ordinances in the near future and that some guidance materials relating to existing planning and zoning authorities are needed as soon as possible to assist these counties in their deliberations.

The advisory committee met several times in 1991 and reconvened in 1993 to complete its review of the model ordinance. In late 1993, the BWSR requested the advisory committee to prepare a brief report outlining the fundamental needs of a comprehensive soil conservation program for Minnesota. Based on the recommendations contained in this report, the BWSR will seek a legislative initiative for the FY96-97 biennium to implement an improved and more comprehensive voluntary program to address agricultural erosion.

The BWSR anticipates distributing the model ordinance to all counties, townships and soil and water conservation districts (SWCDs) in the summer of 1994.



EXECUTIVE SUMMARY

Upon review of the information referenced herein or contained in the Appendix of this report, the Advisory Committee finds the following:

- Continuation of current trends of agricultural erosion threaten the long-term productive capability of the soil to provide an abundant food and fiber supply.
- Ample evidence suggests that agricultural erosion and off-site deposition of sediment have impacted (i.e., impaired and threatened) many of Minnesota's surface waters.

Consequently, the Advisory Committee recommends the following:

- An accelerated reduction of agricultural erosion and off-site deposition of sediment and, preferably, an improvement in the overall quality of Minnesota's soil resources must be achieved.
- The federal/state/local/private partnership of delivering soil and water conservation assistance to agricultural producers must be strengthened in the very near future by:
 - (1) accelerating the availability of technical and financial assistance,
 - (2) providing agricultural producers with current soil survey and erosion control information for specific soil types and crops,
 - (3) enhancing statewide resource inventories to ensure that such information is statistically reliable on a countywide and minor watershed basis, and
 - (4) promotion of the adoption of county ordinances to control agricultural erosion.
- Minnesota should establish a "nondegradation" policy for the protection and enhancement of the quality of its soil resources.
- Minnesota should identify the necessary components of a balanced and comprehensive voluntary program and to prescribe a reasonable timeframe for achieving the erosion rate goals identified in *Minnesota Milestones: A Report Card for the Future*.

FINDINGS AND RECOMMENDATIONS

A. Priorities of the State

(1) Soil Conservation for Soil Quality Protection & Improvement

As reported in *Minnesota Milestones: A Report Card for the Future* --

- Statewide average annual soil erosion rates must be reduced so as not to exceed 5 tons per acre per year by the year 2000.

As illustrated in the Appendix to this report, the Advisory Committee found --

- More acres of cropland need erosion control than are adequately protected (refer to "Erosion Control Needs on Minnesota's Cropland: 1967-1987"); and
- Average annual wind erosion on cultivated cropland exceeds the soil's capability to sustain long-term production to produce food and fiber (refer to "Soil Erosion on Minnesota Cultivated Cropland").

Therefore, the Minnesota Board of Water and Soil Resources is advised to:

- Consider legislative amendments to *Minnesota Statutes*, section 103A.209 ("soil and water conservation policy") to add a "nondegradation of soil quality" clause;

- Consider legislative designation of the Lester soil as a state symbol;
- Seek state and matching local funding to prepare updated county-level and minor watershed-level maps of high priority erosion areas; and
- In consultation with the Minnesota Department of Agriculture (MDA) and the U.S. Department of Agriculture-Soil Conservation Service (USDA-SCS), produce maps of highly productive agricultural areas most at risk of suffering reduced soil productivity due to soil erosion rates exceeding soil loss tolerances.

(2) Soil Conservation for Water Quality Protection & Improvement

As reported in *Minnesota Milestones: A Report Card for the Future* --

- 30% of river miles and 19% of lake acres will meet fishable and swimmable water quality standards by the year 2000 -- these will increase to 40% and 29%, respectively, in the year 2010 and to 50% and 39%, respectively, in the year 2020.

As illustrated in the Appendix to this report, the Advisory Committee found --

- Erosion and runoff from agricultural land impairs and threatens a greater number of river miles than any other source of nonpoint water pollution and is also a significant source which impairs or threatens several hundred thousand lake acres (refer to "Summary of Nonpoint Source Water Pollution Sources Impacting Minnesota's Surface Waters").

Therefore, the Minnesota Board of Water and Soil Resources is advised to:

- Encourage local governments to use watershed assessment and planning to develop implementation approaches that address local priority water quality protection and improvement goals;
- Seek state and matching local funding to prepare updated county-level and minor watershed-level maps of high priority sedimentation sources; and
- In cooperation with the USDA-SCS and the Minnesota Pollution Control Agency, establish an auditing process to conduct on-site reviews to determine where best management practices for the control of agricultural erosion and sedimentation are being properly installed/operated/maintained, and whether or not they are effective.

B. Accelerate Availability of Information and Technical Assistance

As illustrated in the Appendix to this report, the Advisory Committee found --

- While SWCD and USDA-SCS staffing levels have remained relatively stable throughout the 1980s, the availability of one-on-one technical assistance to landowners has declined over the last decade (refer to the compendium of staffing level graphs); and
- The state has contributed nearly \$11 million for the preparation of soil surveys, yet not all counties have a published soil survey and those prepared initially are now in need of technical updating to improve their use for land use assessments of soils.

Therefore, the Minnesota Board of Water and Soil Resources is advised to:

- Establish an interagency technical advisory committee to evaluate and retool the delivery of technical assistance from the conservation partnership of federal/state/local agencies;
- Seek state funding to reestablish a soil and water conservation specialist position within the Minnesota Extension Service (MES) of the University of Minnesota (UofM);
- Upon reestablishing the MES/UofM soil and water conservation specialist position, seek state funding to:
 - (a) develop (in cooperation with USDA) a minimum data set of soil quality indicators as suggested by the National Academy of Science, and
 - (b) add regional education specialists (joint appointments with MES and the BWSR) to implement the strategies related to agricultural producers and the control of agricultural erosion, as described in *A Green Print for Minnesota* (state plan for environmental education);
- Seek state funding to ensure county-by-county coverage of soil conservation data items (including soil quality parameters) of high priority to the state for all future National Resources Inventories conducted by USDA-SCS, beginning in 1997;
- Seek state and matching local funding to ensure the availability of soil survey information to all agricultural producers in the state by:
 - (a) preparing soil surveys for all counties,
 - (b) updating existing soil surveys in high priority soil productivity areas, and
 - (c) digitizing soil survey information in high priority soil productivity areas;
- Seek state and matching local funding to employ additional SWCD technicians to provide accelerated availability of one-on-one assistance to landowners necessary to achieve the soil erosion and related water quality goals identified in *Minnesota Milestones: A Report Card for the Future*; and
- Seek state funding to establish a certification/training program for erosion and sediment control specialists from state/local governments and a fee-based certification/training program for private consultants to ensure that the capability of the existing and accelerated technical assistance provided is adequate.

C. Accelerate Availability of Financial Assistance

The Advisory Committee found --

- Since 1978, inflation has reduced the purchasing power of the annual appropriation to the state cost-share program by approximately 50%; and
- Since 1980, Iowa and Missouri have each appropriated *nearly five times more than* the amount of funding appropriated for Minnesota's cost-share program.

Therefore, the Minnesota Board of Water and Soil Resources is advised to:

- Seek additional state funds for the cost-share program authorized by *Minnesota Statutes*, section 103C.501 to:
 - (a) recover inflationary reductions that have occurred since 1978,
 - (b) accelerate the application of best management practices to control agricultural

erosion and sedimentation for the purposes of meeting the anticipated increase in requests for assistance that will be necessary to achieve the soil erosion and related water quality goals identified in *Minnesota Milestones: A Report Card for the Future*;

- In cooperation with MDA and USDA, seek accelerated state funding to convert high priority Conservation Reserve Program contract acres to perpetual RIM Reserve conservation easements;
- Ensure the long-term availability of the new State Revolving Fund loan program to complement other existing and future incentive programs offered to agricultural producers to apply best management practices for the control of agricultural erosion and sedimentation; and
- Seek state funding for a local property tax credit program to encourage agricultural producers to apply best management practices to control agricultural erosion and sedimentation.

D. Accelerate Adoption of Local Official Controls

The Advisory Committee found --

- Forty-two Greater Minnesota counties have indicated in their comprehensive local water plans their intent to consider or propose a new ordinance to address erosion and sediment control;
- Twenty Greater Minnesota counties have indicated in their comprehensive local water plans their intent to propose revisions to existing ordinances which address, at least in part, erosion and sediment control;
- Six Greater Minnesota counties have an ordinance which specifically addresses erosion and sediment control; and
- No Greater Minnesota county or township has adopted an ordinance pursuant to *Minnesota Statutes*, section 103F.401 to 103F.455.

Therefore, the Minnesota Board of Water and Soil Resources is advised to:

- Consider legislative actions to:
 - (a) amend *Minnesota Statutes*, section 103C.405 ("duties of the state board -- program plan") to --
 - (1) identify the components of a comprehensive voluntary program,
 - (2) prescribe a reasonable timeframe for achieving the erosion rate goal identified in *Minnesota Milestones: A Report Card for the Future*, and
 - (b) repeal *Minnesota Statutes*, section 103F.401 to 103F.455;
- In cooperation with USDA and the Minnesota Association of County Planning and Zoning Administrators, assess landowners' compliance with existing federal, state and local regulations addressing agricultural erosion;
- Encourage counties (or townships) to voluntarily adopt the model agricultural erosion control ordinance prepared by the Advisory Committee -- seek state and matching local funding to provide an incentive to do so until the year 2000;
- Seek state and matching local funding to accelerate assistance to counties which have identified in their respective local water plan an intent to revise or develop ordinances

- addressing agricultural erosion;
- Request biennial reports from those state agencies which own or manage agricultural land or that administer programs affecting the management of private agricultural lands regarding the compliance of those lands with the erosion rate goal identified in *Minnesota Milestones: A Report Card for the Future*; and
- Upon receipt of these reports, the BWSR should include an assessment of statewide soil conservation achievements and needs in its biennial report to the Governor (pursuant to *Minnesota Statutes*, section 103B.101, subdivision 9, clause (7)).

Lastly, two organizations represented on the Soil Conservation Advisory Committee raised concerns about the following initiative. This potential initiative was retained in the body of this report because it was discussed by the committee and the Minnesota Board of Water and Soil Resources must further discuss and determine if it will consider incorporating the idea within its legislative initiative for the FY96-97 biennium.

- Consider legislative amendments to *Minnesota Statutes*, section 394.25, to enable counties to assess "excessive erosion fees" to agricultural lands on which average annual erosion rates exceed soil loss tolerances with the fees collected to be used exclusively for local education or incentive programs to encourage agricultural landowners to apply best management practices.

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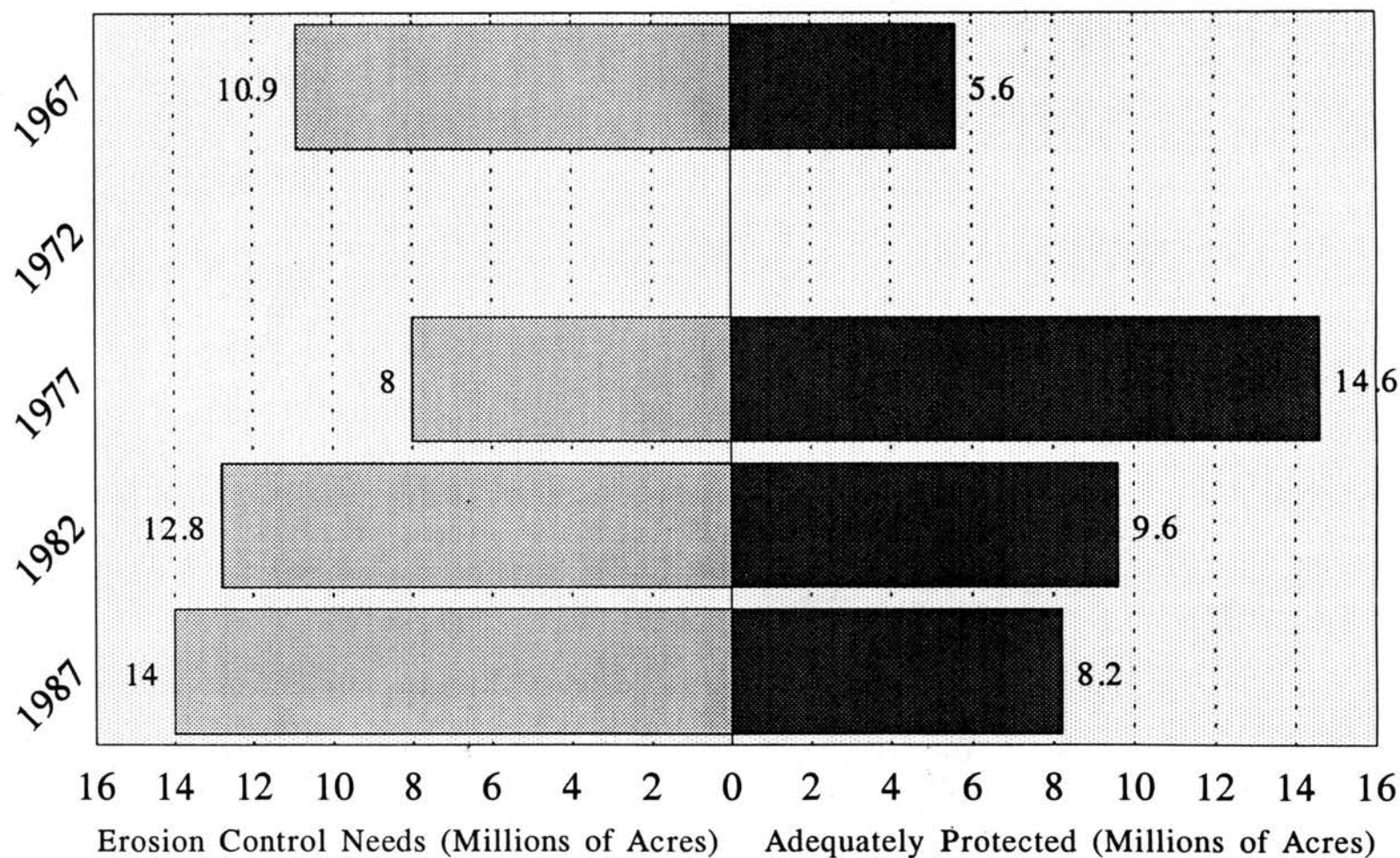
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APPENDIX
TO THE
REPORT OF THE SOIL CONSERVATION ADVISORY COMMITTEE
to the Minnesota Board of Water & Soil Resources

EROSION CONTROL NEEDS ON MINNESOTA'S CROPLAND: 1967 - 1987

Year



NOTE: Since 1987, nearly 2 million acres have been enrolled in the federal Conservation Reserve Program and approximately 20% of all cropland is under conservation tillage in Minnesota.

SOURCE: USDA-SCS

K:\APPS\HG\DATA\ECNEEDS 1

Conservation Tillage in Minnesota, 1987-1993
(All Crops)

YEAR	TOTAL PLANTED (acres)	NO-TILL (acres) [% of total planted]	RIDGE- TILL (acres) [% of total planted]	MULCH- TILL (acres) [% of total planted]	TOTALS (acres) [% of total planted] {U.S. rank}
1993	17,737,678	809,306 [5]	569,097 [3]	3,449,875 [19]	4,828,278 [27] {N/A}
1992	18,297,222	531,027 [3]	572,799 [3]	2,971,651 [16]	4,075,477 [22] {10}
1991	18,190,002	309,994 [2]	559,903 [3]	2,699,398 [15]	3,569,295 [20] { 8}
1990	18,258,603	230,100 [1]	535,904 [3]	2,597,012 [14]	3,363,016 [18] { 8}
1989	18,105,232	188,944 [1]	478,247 [3]	2,533,506 [14]	3,200,697* [18] { 9}
1988	17,410,093	164,953 [<1]	460,184 [3]	3,653,217 [21]	4,352,324* [25] { 6}
1987	22,990,000	20,600 [<1]	149,200 [<1]	2,068,800 [12]	2,701,100* [12] {N/A}
AVERAGE [%]	18,712,690	322,132 [2]	475,048 [3]	2,853,351 [15]	3,727,170* [20]

*Total also includes those crop acres under "strip tillage."

SOURCES:

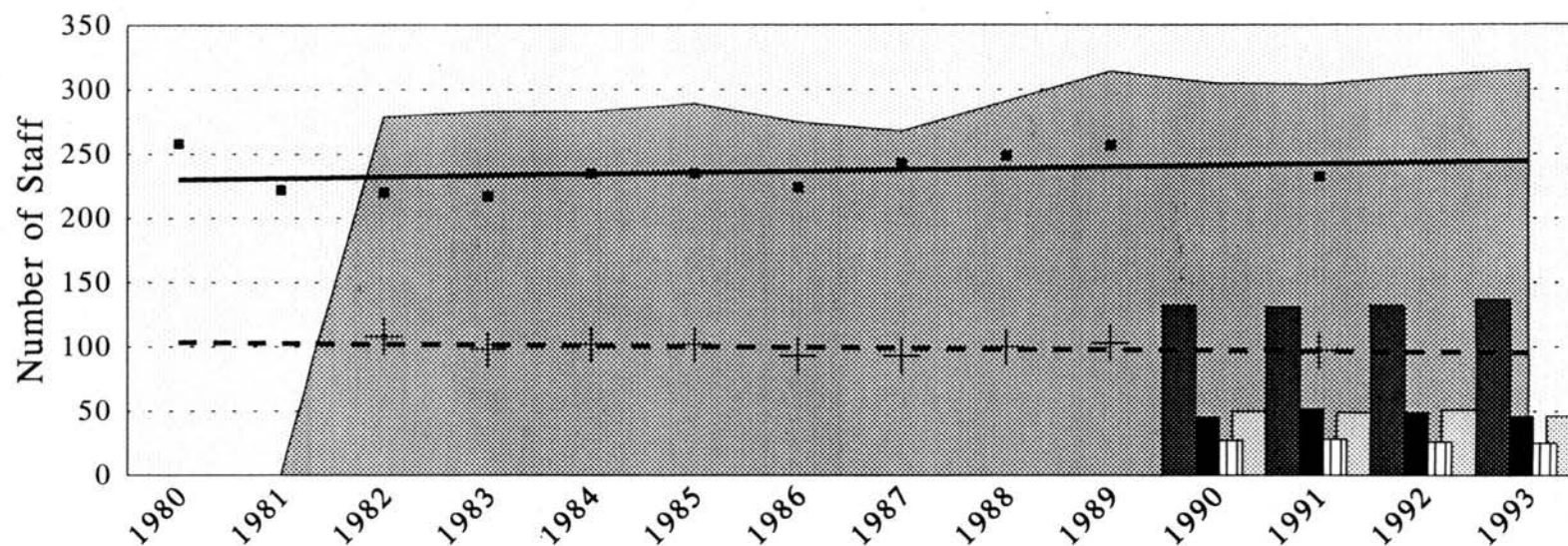
Conservation Tillage Information Center

1987 National Resources Inventory, Soil Conservation Service

Staffing Levels:

Soil Conservation Service and Soil & Water Conservation Districts

1982 - 1993



SCS Technicians	N/A										50	49	51	46
SCS Engineers											27	28	26	25
SCS Soil Scientists											45	52	49	46
SCS Soil Conserv'ists											132	131	132	137
SCS Total Staff			279	283	283	289	275	268	291	314	305	304	311	315
SWCD Technicians			108	98	102	102	93	93	100	103	N/A	97.5	N/A	N/A
SWCD Total Staff	258	222	220	217	235	235	224	243	249	257		232.25		

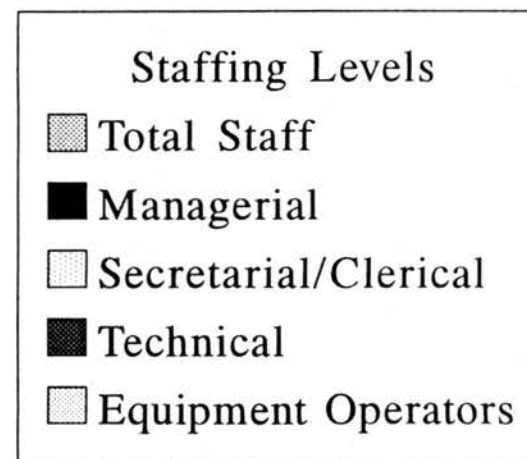
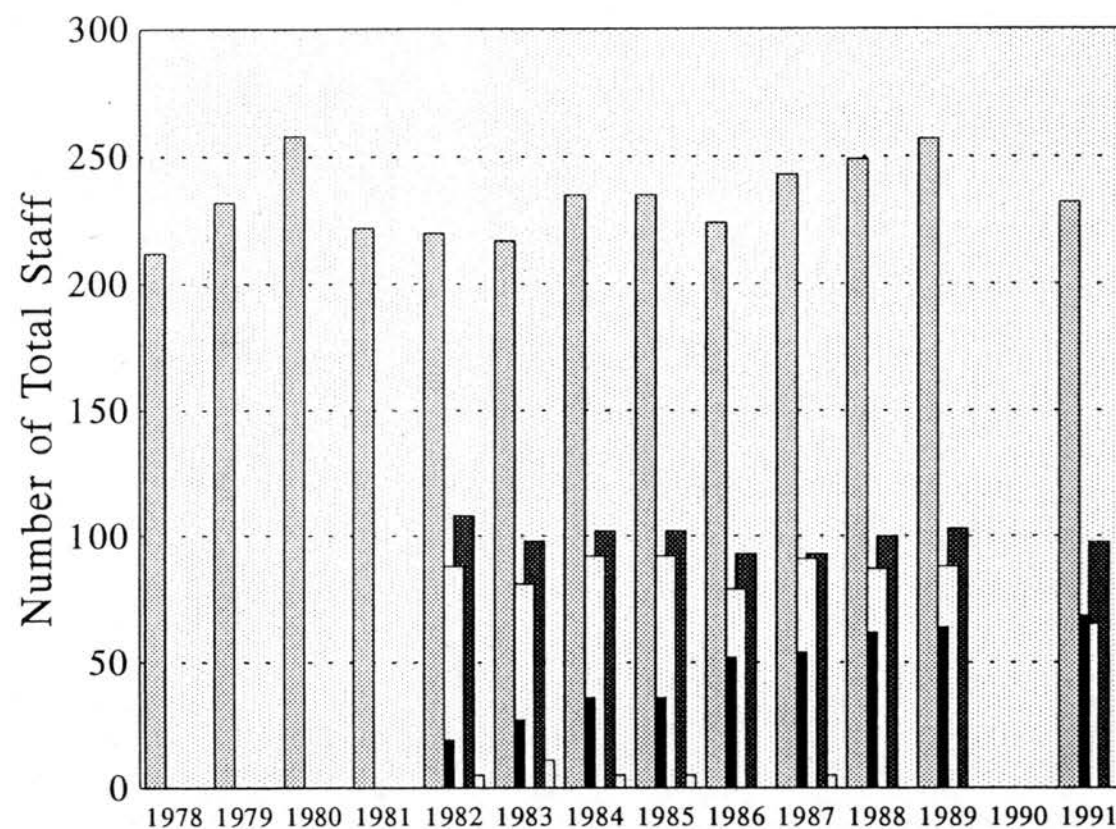
Years

Type of Staff

SWCD Total Staff
 SWCD Technicians
 SCS Total Staff
 SCS Soil Conserv'ists
 SCS Soil Scientists
 SCS Engineers
 SCS Technicians

N/A = Not Available

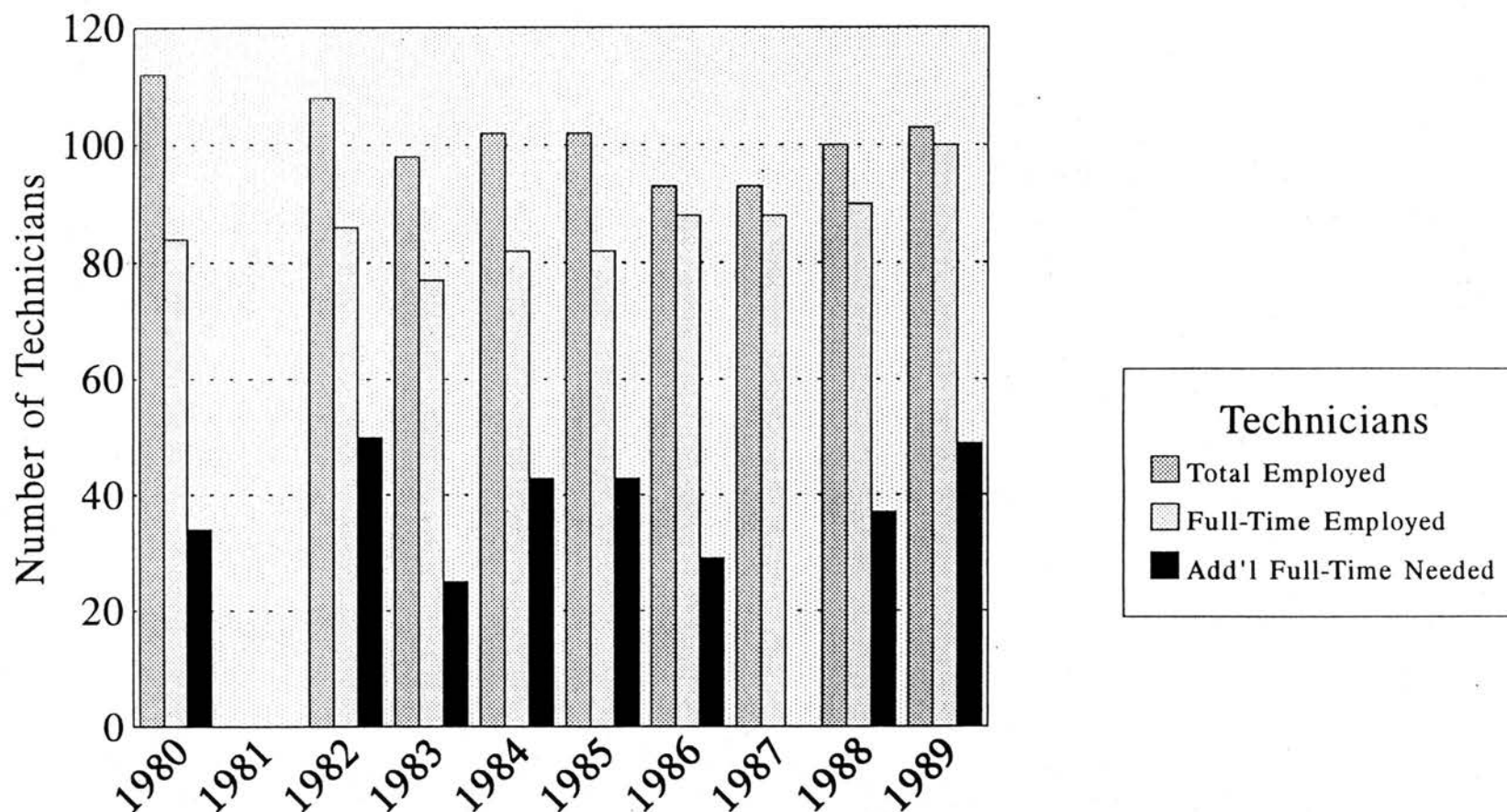
STAFFING LEVELS OF SOIL & WATER CONSERVATION DISTRICTS: 1978 - 1991



Total Staff	212	232	258	222	220	217	235	235	224	243	249	257	N/A	232.25
Managerial	N/A				19	27	36	36	52	54	62	64		68.5
Secretarial/Clerical					88	81	92	92	79	91	87	88		65.25
Technical					108	98	102	102	93	93	100	103		97.5
Equipment Operators					5	11	5	5	0	5	0	0		0

Years

TECHNICIANS EMPLOYED AND NEEDED BY SOIL & WATER CONSERVATION DISTRICTS: 1980 - 1989



Total Employed	112	N/A	108	98	102	102	93	93	100	103
Full-Time Employed	84	↓	86	77	82	82	88	88	90	100
Add'l Full-Time Needed	34	↓	50	25	43	43	29	N/A	37	49

Years

N/A = Not Available

SOIL & WATER CONSERVATION DISTRICT

Expenditures on Personal Services: 1984 - 1993

<i>Years</i>	<i>Total Expenditures: Personal Services</i>	<i>Total Staff</i>	<i>Cost per Staff</i>
<i>1984</i>	<i>3,595,000</i>	<i>235</i>	<i>15,298</i>
<i>1985</i>	<i>3,766,000</i>	<i>235</i>	<i>16,026</i>
<i>1986</i>	<i>3,984,000</i>	<i>224</i>	<i>17,786</i>
<i>1987</i>	<i>4,599,000</i>	<i>243</i>	<i>18,926</i>
<i>1988</i>	<i>5,506,000</i>	<i>249</i>	<i>22,112</i>
<i>1989</i>	<i>6,054,000</i>	<i>257</i>	<i>23,556</i>
<i>1990</i>	<i>6,573,000</i>	<i>*</i>	<i>*</i>
<i>1991</i>	<i>7,083,000</i>	<i>232.25</i>	<i>30,497</i>
<i>1992</i>	<i>7,729,000</i>	<i>*</i>	<i>*</i>
<i>1993</i>	<i>8,187,000</i>	<i>252</i>	<i>32,488</i>

* = Not Available

SOIL & WATER CONSERVATION DISTRICT

Expenditures on Personal Services:

1984 - 1993

- ▶ Soil and water conservation districts have increased their expenditures on personal services, yet overall staffing levels have remained relatively flat over the past 10-year period. There are several reasonable explanations for this apparent discrepancy between the relationship of the growth of expenditures and staffing levels. They are as follows:
- ▶ Double-digit inflation occurred during much of the mid- to late-1980s, which was largely responsible for the significant increase in overall personal services expenditures.
- ▶ Beginning in the late 1970s and early 1980s, soil and water conservation districts across the state began to increase the number of their employees to meet increasing demands from local landowners to apply soil and water conservation practices to control erosion and protect water quality. These entered the profession at relatively low wages, many without fringe benefits.
- ▶ Many of the employees hired in the late 1970s and early 1980s were retained by their respective SWCDs for many years. Consequently, these employees gained seniority within their positions which resulted in increased wages over time. Now, these employees are at or near the top of their respective paycales.
- ▶ Beginning in the mid-1980s, many SWCDs began to add employee benefit programs in efforts to retain these dedicated employees. Also, most SWCDs recognized the findings of comparable worth studies and incorporated paycale adjustments accordingly. These adjustments resulted in greater expenditures for personal services.
- ▶ Most SWCDs now have a manager directing the daily activities and programs of the district. These individuals are compensated at the highest paycale levels.
- ▶ Cumulatively, these actions are responsible for the significant increase in personal service expenditures by SWCDs and also explains why there has been no comparable increase in overall levels. It is also noteworthy to mention that as SWCDs have promoted from within, many of the technicians who previously provided one-on-one technical assistance to landowners are now less available to meet these requests. Consequently, as the SWCDs have increased their capacity to accept the delegation of many state (and federal) programs since 1984, their overall capacity to provide one-on-one technical assistance to their constituents has actually been reduced.

DRAFT
September, 1996

BOARD OF WATER AND SOIL RESOURCES
BYLAWS

ARTICLE I. Introduction

1. **Purpose**
The Board of Water and Soil Resources (BWSR) desires to conduct its business and perform all of its responsibilities and duties in an orderly, efficient, fair and lawful manner. These Bylaws are established for that purpose.
2. **Application of Bylaws**
Unless otherwise specifically indicated, these Bylaws shall apply to the transaction of all BWSR business and the conduct of all BWSR meetings and hearings.
3. **Compliance with Applicable Law**
It is the specific intent of the BWSR to perform all of its responsibilities and conduct all of its hearings and meetings in accordance with all applicable federal law and state statutes and regulations. The provisions of all such applicable law shall control over anything to the contrary in these Bylaws.

ARTICLE II. Membership, Officers and Duties

1. **Membership**
The Board of Water and Soil Resources shall be composed of 12 voting members appointed by the Governor according to MN Statute 103B.101 and five nonvoting members.

Individual members shall not act to represent the Board on any given subject unless specific Board action/position has been determined/ruled and the individual "action" thus represents the Board as a whole.

MN Statute 15.0575, subd. 4, provides that "[t]he chair of the board shall inform the appointing authority [i.e., the Governor] of a member missing three consecutive meetings. After the second consecutive missed meeting and before the next meeting, the secretary of the board shall notify the member in writing that the member may be removed for missing the next meeting."

2. Offices Designated

The officers of the BWSR shall be the Chair and the Vice-Chair. The Chair is appointed by the Governor from the voting members of the Board. The Vice-Chair shall be elected to a two-year term from the regular membership of the BWSR. The Vice-Chair shall be elected by majority vote at the first regularly scheduled meeting of every EVEN calendar year.

The Board shall employ an Executive Director, a salaried officer, who is the administrative and general manager of the BWSR. All additional staff shall report to the Executive Director.

3. Duties of Officers

a) Chair

The Chair shall have the following responsibilities:

- 1) Supervise the affairs of the Board and communicate such affairs to all board members.
- 2) Preside at all Board meetings.
- 3) Appoint committees and subcommittees as may be necessary and shall be ex-officio member of all committees.
- 4) May vote on all issues.
- 5) May schedule special meetings.

b) Vice-Chair

The Vice-Chair shall have the following responsibilities:

- 1) Perform those duties delegated by the Chair.
- 2) Act as Chair in the event of the Chair's illness, disability, absence from meeting or not being readily able to function as Chair.

c) Executive Director

The Executive Director shall be responsible to the Board and communicate/report regularly to the Chair. The Executive Director or designee shall attend all Board meetings but shall not vote. The Executive Director shall have the following responsibilities:

- 1) To see that all resolutions, rules, regulations and orders of the Board are carried out.
- 2) To present to the Board program plans, studies and reports prepared for Board purposes and action and recommend to the Board for adoption those measures deemed necessary to carry out the programs and duties of the Board or for the efficient administration of the affairs of the Board.

- 3) To communicate and interact with the Governor's office, state agencies and local government special districts legislature and to participate in relevant meetings as well as provide such meeting knowledge to Board.
 - 4) To keep the Board fully advised as to its financial condition and to prepare and submit an annual Board budget.
 - 5) To represent the Board's determined/ruled policy positions only.
 - 6) To record and maintain a record and minutes of the meetings and process and maintain all information relating to Board business.
 - 7) To set the original agenda for the Board, provide for meeting notices and handle all other administrative affairs.
 - 8) To sign documents as designated by the Board.
 - 9) To participate in an annual Personnel Review as directed by the Chair.
4. Vacancies of Officers
- a) Chair: In the absence of the Chair, the Vice-Chair shall preside.
 - b) Vice-Chair: If a vacancy occurs in the office of Vice-Chair, the regular members shall elect an individual to fill the remaining term time.
 - c) Chair, Vice-Chair: If at a Board meeting, neither the Chair nor Vice-Chair are present but a quorum exists, the members shall elect from within the membership an acting Chair to run the meeting.

ARTICLE III. Meetings and Hearings

1. Notice
Notices of all meetings and hearings of the BWSR shall be made in a manner in accordance with MN Statute 471.705 (Open Meeting Law). Notice shall be posted at the BWSR main office and reasonable effort shall be made to inform BWSR clientele by mail or message. Board meetings will be scheduled according to the current Board policy.
2. Open Meetings and Records
All meetings of the BWSR shall be open to the public. The votes of the members shall be recorded by voice vote or by roll call if so called. The minutes shall be available to the public during all normal business hours at the BWSR central office. Minutes of the BWSR Board meetings shall be permanently preserved.

3. Hearing Records

All information submitted to BWSR for hearing purposes becomes the property of the BWSR.

The BWSR shall be required to maintain all records gathered during public hearings. The Executive Director shall not be required to maintain the records for more than three years after the close of a hearing.

4. Quorum

A majority of the voting Board members is a quorum.

5. Voting

Each voting member shall have one (1) vote in the transaction of business of the Board. In order to vote, the member must be in attendance at the meeting. A vote will be recorded by voice vote unless a roll call vote is requested. A roll call vote may be requested by any member.

6. Meeting Arrangements

The BWSR shall normally meet the fourth Wednesday of the months so designated by Board policy at 9:00 AM until agenda business is complete.

A majority of BWSR members shall select a meeting location which shall be convenient and suitable for the members, staff and general public.

7. Order of Business

The following shall be the order of business of BWSR Board meetings:

- a) Approval of agenda
- b) Approval of minutes of previous meeting
- c) Chair's, Executive Director's and Committee Reports
- d) Advisory Member Comments
- e) Old Business
- f) New Business
- g) Board issues and information
- h) Guest Comments (at the discretion of the Chair)
- i) Adjournment

8. Parliamentary Procedure

Robert's Rules of Order, Revised, shall govern the conduct of the meeting except when state statute, policies and these bylaws state otherwise.

The Chair shall make all parliamentary rulings. The Executive Director or meeting designee shall serve as the parliamentarian advisor to BWSR.

9. Agenda Application

All matters for agenda consideration with pertinent information included shall be submitted to the Executive Director. Placement of items on the agenda will be at the discretion of the Chair and the Executive Director. The proposed agenda must have the approval of the Chair.

10. Adoption Amendments

Adoption

These Bylaws shall become effective immediately after approved by a majority vote of the Board.

Amendments

These Bylaws may be amended by a 2/3 vote of the members. All proposed amendments shall be presented in writing. The Board shall review the proposed changes at least one meeting prior to adoption.

BWSR Strategic Plan

—9/9/96 DRAFT—

Background:

Agency **statutory authority** (including authorization to “seek greater cooperation among state agencies”), **mission, history**: what makes BWSR unique is our ability to be “opportunists” on behalf of LGUs. As a small agency, we know our strength lies in our ability to be flexible and responsive. We seek to be catalysts for change. **Guiding principles.**

Environment:

1. How Minnesota’s natural resources are used: agriculture, forestry, urban growth, lakes/rec.
2. Changing expectations: Shifting relationships between the federal government, states, and LGUs. Local governments are assuming greater responsibilities in resource management.
3. State’s adoption of goal of sustainable development for natural resources.

Strategic goal:

Help ensure that local governments are effective managers of Minnesota’s water and soil resources.

Their own programs; state programs; Federal programs

Strategies:**1. Local water planning**

We will continue to use comprehensive local water planning as the primary method to plan for and implement water and related land resource protection strategies. The local water planning process is an effective way to define the roles and responsibilities of each of the local resource partners in a county or watershed management organization, and for establishing measures of success. This process also enables state and federal agencies to align their programs, authorities, and technical and financial assistance with local government resource priorities, and increase the efficiency of individual efforts.

2. Soil conservation

As Minnesota’s lead agency for soil conservation, we will use our relationship with local government, land-use authorities, and providers of financial and technical assistance to landowners to give renewed emphasis to the role of soil conservation in the protection of soil and water quality.

3. Metropolitan area

We will plan for and implement natural resource protection strategies in the Seven-County Metropolitan Area through the metropolitan local water planning process. We will enhance our partnership with the Metropolitan Council, work to create opportunities for delegation of state authority to local governments, engage counties in discussions of governance options for natural resource management, and seek new incentives for enhancing management of metropolitan natural resources.

4. Services to local governments

The BWSR provides *policy development, staff assistance, and funding* to local governments to help them to be effective managers of Minnesota's water and soil resources.

Policy Development. We will seek to make the state agencies voting members on the Board in order to better implement our statutory mandates; we will share information and facilitate discussions with and among local governments to help them build on successes, initiate new cooperative ventures and explore alternative organizational options.

Staff assistance to local governments. We will develop, maintain and enhance our *technical capability* in the following key disciplines: Engineering, Wetlands, Soil Conservation, Groundwater, and Computers/information management.

We will also continue to improve our *administrative assistance* to local governments by training staff in conflict resolution and mediation, updating program materials, designating a lead staff person for dealing with soil and water conservation district issues, supporting expanded participation in certification programs by local government staff, and training BWSR staff in quality management principles to help ensure continued improvement of local government natural resource management.

Funding to Local Governments. We will invest in projects and programs that enable local governments to implement conservation programs for treatment of priority areas. In so doing, we will help them build on successes and explore alternative ways to protect soil and water quality.

OVERVIEW OF THE NICOLLET COUNTY COMPREHENSIVE WATER PLAN
FOR THE AUGUST 28, 1996, BWSR BOARD MEETING

INTRODUCTION

Nicollet County is located in south-central Minnesota "in the crook of the elbow" of the Minnesota River. Triangular in shape, the county is bordered on the west, south and east by the Minnesota River and on the north by Sibley and Renville Counties. Incorporated cities include Courtland, North Mankato and St. Peter (the County Seat). Other smaller cities include Bernadotte, Klossner, New Sweden, Norseland, North Star, Osage, and Verse. The 1990 census indicates a county population of 31,076 in 1980. The majority of the county's population today resides in the cities of North Mankato and St. Peter. There are thirteen towns in the county, all of which have remained fairly stable in population. The county indicates modest population gains to peak at nearly 31,000 in the next several years.

Prior to drainage, most of Nicollet County was covered by wetlands. Over 456 miles of ditches, combined with individual farms and private ditches, has drained much of the wetlands to produce agricultural crops. Today, over 90% of the land is used for agriculture. According to Minnesota Agricultural Statistics, 285,000 acres of land remains as lakes and wetlands. Public lands (285,000 acres) account for 6% (over 17,000 acres) of the county. Approximately 1.5% of county land is forested or water oriented. The remaining land is

*Mary Jo.
For inclusion
in Sept.
Board Mtg
Packet.*

Nicollet County began its original Comprehensive Water Planning Project in 1986 as part of the South-Central Minnesota County Comprehensive Water Planning Project, a thirteen county joint powers board coordinated by Dr. Henry Quade and Dr. Robert Barrett of Mankato State University. The BWSR approved plan was adopted by the county in November 1990.

This recent plan update process began on November 29, 1994. The final draft of the plan update was distributed to state agencies for final review which began July 22, 1996. The ninety-day final review period will end on October 21, 1996.

PHYSICAL DESCRIPTION OF COUNTY

A line of bluffs separates the Minnesota River Valley from the rest of Nicollet County. The land above the bluffs is relatively flat, has areas of poor natural drainage and is used for agricultural purposes in areas that are not water oriented. The valley and ravines containing tributaries to the Minnesota River are largely forested with agricultural use in flat areas of the floodplain.

Nicollet County is covered by a layer of glacial drift composed of silty and clayey material mixed with boulders, sand and gravel ranging from 100 to 400 feet in thickness and is gently rolling. Because of the soil's composition, it has a moderately high water holding capacity. Bedrock outcrops are found in places along the bluffs of the Minnesota River Valley. Several shallow lakes are in the area above the bluffs, the largest of which is Swan Lake, the largest prairie pothole marsh in America. Two major watersheds drain the county: the Lower Minnesota River and the Middle Minnesota River.

Groundwater systems that supply well water in the county come from several aquifers including the Cretaceous, shallow glacial till, deep glacial till, Jordan, and Franconian-Ironton-Galesville. Quantity of water does not appear to be a problem from the deeper sources. Some known water quality problems are evident such as nitrate-nitrogen, chloride concentrations, iron, and sodium. The deeper aquifers appear to be protected from surface water pollution due to land-use practices unless a direct conduit, such as an improperly sealed abandoned well, is present. Shallow aquifers are susceptible to land-use practices.

ACCOMPLISHMENTS

During the five years since adopting the original plan, numerous activities have been evaluated and implemented by the county with cooperation of local units of government, county residents, and private groups. Some accomplishments are:

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Prior to drainage, most of Nicollet county was covered by wetlands. Over 456 miles of ditches, combined with individual farm drain tile systems and private ditches, has drained much of the wetlands to provide rich soil for growing agricultural crops. Today, over 90% of the land is used for agricultural purposes (285,000 acres according to Minnesota Agricultural Statistics 1995. Over 6% (over 17,000 acres) remains as lakes and wetlands. Public land accounts for approximately 1.5% of county acres due to the state as the primary public land holder of Fort Ridgely State Park and the St. Peter State hospital. Urban land use occurs largely in North Mankato and St. Peter which are located in the Minnesota River Valley. The remaining land is forested or water oriented.

Nicollet County began its original water planning in July 1986 as part of the South-Central Minnesota County Comprehensive Local Water Planning Project, a thirteen county joint powers board coordinated by Dr. Henry Quade and Dr. Robert Barrett of Mankato State University. The BWSR approved plan was adopted by the county in November 1990.

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ACCOMPLISHMENTS

During the five years since adopting the original plan, numerous activities have been evaluated and implemented by the county with cooperation of local units of government, county residents, and private groups. Some accomplishments are:

1. continuation of upgrading individual on-site septic systems.
2. establishment of stricter guidelines for on-site septic systems.
3. participation with the Brown-Nicollet-Cottonwood (B-N-C) Clean Water Partnership project in the implementation of BMP promotions, septic system upgrades, and other activities.
4. wellhead protection program and environmental education efforts through the B-N-C Clean Water Partnership project.
5. conducted an abandoned well sealing program.
6. the employment of a county feedlot officer to coordinate feedlot permit applications and educational efforts.
7. local administration of the Wetland Conservation Act (WCA) as well as wetland protection and restoration activities.
8. technical and financial assistance provided to county landowners for conservation practices to control erosion and sedimentation.
9. continued input and participation from local, state and federal agencies.
10. an active County Water Planning and Implementation Task Force and water plan coordinator to support plan implementation.

STAFF REVIEW

The Nicollet County plan update lists many objectives and actions which indicate the approach proposed to address problems, opportunities and needs. The top plan objectives include:

1. Develop wetland initiatives.
2. Eliminate adverse effects from shoreland development.
3. Prevent future contamination of drinking water.
4. Promote proper land use to reduce pollution sources.
5. Encourage proper use of agricultural pesticides, fertilizers and manure management.
6. Promote proper disposal of unused agricultural chemicals and used containers.
7. Improve quality of runoff to wetlands, lakes, ditches and streams.
8. Monitor new and existing septic systems.
9. Reduce agricultural erosion.
10. Education and information activities to the public.
11. Maintain the Nicollet County Water Planning and Implementation Task Force.
12. Continue the position of county coordinator for comprehensive local water planning to administer the implementation of the plan.

Nicollet County submitted its plan update to BWSR on July 8, 1996. On July 17, 1996, the BWSR distributed the plan update to state agencies for their final review. BWSR staff will continue to work with Nicollet County to address any state agency comments that are presented during the final review process.

Information in this overview was obtained from the proposed Nicollet County Water Plan update.

Early on in the updating process, a county-wide Nicollet County Citizen's Attitude Survey was conducted. The following is a copy of Table 2: Countywide Water Issues By Importance included for your review.

TABLE 2: COUNTYWIDE WATER ISSUES BY IMPORTANCE

1995 Rank	Water Issue	Question Number	Total Weighted Import Score	1988 Rank
1	Purity of drinking water supplies	11	4.580	(1)
2	Pollution from waste disposal sites	16	4.054	(3)
3	Adequate municipal sanitary sewer system	1	3.974	(-)
4	Proper disposal of household hazardous waste (paint, oil, etc.)	14	3.946	(-)
5	Adequate septic and sanitary sewer systems	9	3.911	(6)
6	Surface pollution entering streams, rivers, and lakes	19	3.906	(4)
7	Improper mixing of sanitary sewer water and storm sewer water	7	3.858	(-)
8	Effective use of lawn chemicals without over use	26	3.725	(-)
9	Changes in agricultural practices affecting water resources	27	3.604	(5)
10	Changes in urban practices affecting water resources	30	3.562	(-)
11	Proper development adjacent to lakes and Streams	2	3.539	(20)
12	Proper construction, maintenance, & abandonment of wells	10	3.524	(14)
13	Stormwater management in cities and towns	20	3.508	(-)
14	Livestock, feedlot, and manure management	13	3.502	(-)
15	Water quality/quantity effects from ditch systems	15	3.488	(20)
16	Soil erosion	8	3.484	(10)
17	Protection of unique and scenic areas	25	3.455	(11)
18	Management of protected lakes, wetlands, and streams	6	3.436	(9)
19	Changes of recreational development affecting water resources	29	3.348	(23)
20	Drought and water shortages	21	3.338	(13)
21	Protection of lakes and stream shoreland	22	3.307	(15)
22	Improvement of fish and wildlife habitat	24	3.265	(8)
23	Flood problems	3	3.245	(17)
24	Restoration of drained wetlands	17	3.117	(12)
25	Flood plain protective measures	18	3.085	(24)
26	Ditching and tilling of land	5	2.995	(16)
27	Efficient use of sand and salt on roadways and streets	12	2.980	(-)
28	River and lake water levels	4	2.893	(20)
29	Changes in industry practices affecting water resources	28	2.793	(7)
30	Availability of water-based recreation	23	2.745	(18)

(-) Means issue was not in 1988 Survey

Minnesota River Run

c/o Minnesota River Basin Joint Powers Board

125 Charles Avenue

St. Paul, MN 55103-2108



FOR POSTAGE

SENDER:
REMOVE LABEL, AFFIX
POSTAGE, AND RE-MAIL

MINNESOTA RIVER

10 K RUN

RUN FOR THE RIVER

September 21, 1996 Shakopee, Minnesota

Register by mail...

Register by mail through September 11\$10.00

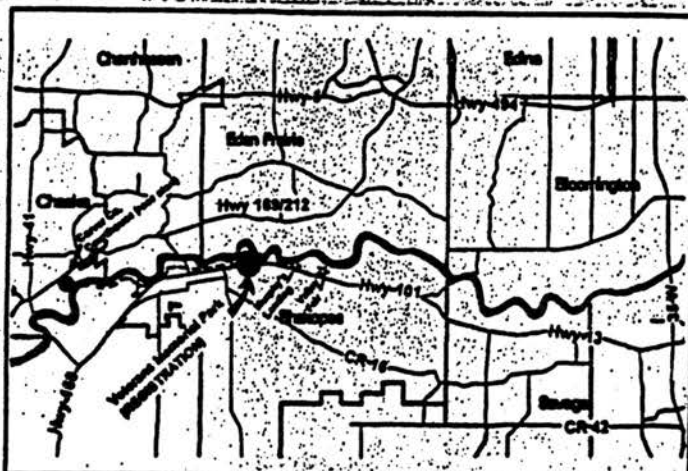
Send registration and fee to: Minnesota River 10K Run, c/o Minnesota River Basin JBP, 125 Charles Avenue, St. Paul, MN 55103-2108

Register in person...

Register in person the day of the run\$13.00

Register at Veterans Memorial Park in Shakopee from 8:00 a.m. to 9:00 a.m.
(see directions below to Veterans Memorial Park)

NOTICE: Race will be limited to the first 200 registrants.



- Registration and awards ceremony are at Veterans Memorial Park in Shakopee.
- Parking available at the park.
- Bussing available to the start.
- Last bus leaves at 9:00 a.m.
- For race info call Rick Recker at 612-375-0805.

Registration Form

Name: _____

Address: _____

Day Phone: _____ Evening Phone: _____

Please check:

Male	Age	Female
_____	Under 18	_____
_____	19-24	_____
_____	25-29	_____
_____	30-34	_____
_____	35-39	_____
_____	40-44	_____
_____	45-49	_____
_____	50-54	_____
_____	55-59	_____
_____	60-64	_____
_____	65-over	_____

In case of emergency contact: _____ Telephone: _____

WAIVER: I know that the Minnesota River 10K Run is a physically strenuous activity; there may be adverse weather, and there may be other users on the course. I know that I should not enter unless physically able and properly trained. I will participate in the Minnesota River 10K Run and hereby waive, release, and disclaim all claims for damages and personal injury of which I may incur before, during, or after the above named event, against any and all run officials involved with the Minnesota River 10K Run, including all persons and organizations involved with the run. This Release Waiver extends to all claims of every kind or nature whatsoever, foreseen or unforeseen, known or unknown. Applications for minors will be accepted only with a parent's signature.

Signature (by parent or guardian if under 18): _____ Date: _____

Minnesota River 10K Run 1st Annual Run for the River

September 21, 1996, 9:30 a.m.

Veterans Memorial Park, Shakopee, Minnesota

The Minnesota River Run is a 10K run on paved trails along the Minnesota River. The course is a beautiful tree canopied trail that will take you along the Minnesota River, through wetlands and wildlife areas, past the ruins of an abandoned brewery, and over a converted railroad bridge. This may well be the most attractive course in Minnesota.

- River Run T-shirts to all finishers
- Bussing available to starting line
- Awards for all classes
- Refreshments available before and after the run.

Proceeds from the Minnesota River 10K Run will be given to the Minnesota River Basin Joint Powers Board to help fund river clean-up throughout the Minnesota River Basin.

The Minnesota River is one of the most polluted major rivers in the nation. The pollution comes from cities, farms, industry, and even our own yards. The Governor is calling September 21st "Minnesota River Basin Clean-Up Day" and has set a goal of making the Minnesota River swimmable and fishable by the year 2010.

With the participation of athletes and our sponsors, we hope to make the Minnesota River 10K Run an annual event to celebrate the Minnesota River and raise funds to help clean-up rivers throughout the Minnesota River Basin.

Run for the River... cleaning up the Minnesota River is everybody's responsibility.

Schedule

- 8:00 Packet and shirt pick-up/Day-of-race registration
- 8:30 Buses leave for starting line
- 9:00 Last bus leave for starting line
- 9:30 Minnesota River Run start
- 11:00 Awards ceremony

Presented by...

Minnesota River Basin Joint Powers Board