



Minnesota Board of Water and Soil Resources.
Minutes.

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10/26/94

**BOARD OF WATER AND SOIL RESOURCES
ROOM 112 STATE CAPITOL
75 CONSTITUTION AVENUE
ST. PAUL, MINNESOTA 55155
OCTOBER 26, 1994**

BOARD MEMBERS PRESENT: Jim Nielsen, Jim Rossman, Dwain Otte, Kathy Roer, Marvell Tripp, Barb Cobb, Warren Rodning, Tim Hvidsten, Ted Lovdahl, and Howard Peterson.

BOARD MEMBERS ABSENT: Barbara Uppgaard and Glenn Annexstad.

AGENCY MEMBERS PRESENT:

Kim Benson-Johnson, Department of Health (MDH)
Paul Burns, Department of Agriculture (MDA)
Fred Bergsrud, U of M/Extension Service (MES)
Wayne Anderson, Pollution Control Agency (PCA)
Wayne Edgerton, Department of Natural Resources (DNR)

OTHERS PRESENT:

D'Wayne DeZiel, Minnesota Association of Soil and Water Conservation Districts (MASWCD)
Dan Livdahl, Minnesota Association of Conservation District Employees (MACDE)
Susan Schmidt, Legislative Water Commission (LWC)
Gary Nordstrom, Soil Conservation Service (SCS)

STAFF PRESENT:

Jim Birkholz
Greg Larson
Doug Thomas
Dave Behm
Ron Shelito
Dale Krystosek
Dan Steward
John Jaschke
Pete Waller
Bruce Sandstrom
Barbara Ohman
Tom Schwanke
Al Kean
Mary Jo Anderson

Chairman Nielsen called the meeting to order at 9:10 a.m.

94-58 **Adopt Agenda** - Moved by Lovdahl, seconded by Tripp to approve the agenda as presented. Affirmative: Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, and Nielsen. Opposed. None. Carried.

94-59 **Minutes of September 29, 1994** - Barb Cobb stated that a correction on page four is needed regarding her comments about the water planning program. It should read, "Barb Cobb mentioned that a voluntary water planning program in the metro region would be a significant change from the program assessment recommendation made at the August BWSR meeting." Kathy Roer stated that a correction is needed on page five, fourth paragraph, regarding the State Resolving Fund, should read, State Revolving Fund. Moved by Peterson, seconded by Cobb, to make the corrections on page four and five and approve the minutes of September 29, 1994, as circulated. Affirmative: Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, and Nielsen. Opposed. None. Carried.

Reports

Chairman's Report - Jim Nielsen reported that he and BWSR members Rossman, Annexstad, Otte, and Roer and staff met with Department of Finance and Governor's staff last week to discuss the budget for 1995-96.

Chairman Nielsen reported that BWSR is continuing to work on Minnesota's position and policy on the 1995 Farm Bill.

Chairman Nielsen attended the Environmental Quality Board (EQB) meeting.

Chairman Nielsen mentioned that a few BWSR members' terms expire in December; he asked them to contact him regarding this.

Executive Director's Report - Jim Birkholz reported on staff activities regarding state revolving fund technical assistance.

Jim reported that this may be the last time the BWSR meets off-site, as the office move is scheduled for the week of November 21. The new address will be One West Water Street; hopefully, we will meet there in December; there is ample parking available at the new location.

Jim reported that the BWSR all staff retreat was held in Brainerd.

Jim reported that we have received the draft confidential legislative audit report. Staff will respond to the Legislative audit findings by November 7. Board members will receive copies of the final public report after that date.

Committee Reports -

Feedlot Advisory Committee - Jim Rossman reported that the new feedlot committee is in the process of being formed, nothing to report at this time.

Dispute Resolution Committee (DRC) - Kathy Roer reported that the DRC met on October 13 to hear WCA appeals. The next scheduled meeting of the DRC is November 10 when four appeals may be heard, depending upon the process. The committee's December 8 meeting has been rescheduled for the afternoon of Tuesday, December 6, since the committee needs to meet the day before the full BWSR.

Wetland Conservation Act (WCA) Grant Agreements - Greg Larson and Matt Seltzer, Attorney General's office, discussed the issue of the three counties (Beltrami, Marshall, and Pennington) that have not adopted WCA or returned the grant fund. Lake County did not request funding and Koochiching County returned funds, although they have not adopted the Wetland Conservation Act. Matt sent a letter to each county attorney regarding the grant issue. He stated that there are two issues here; one is contractual related to the return of funds and the other is the basic issue of counties implementing the act as required by law and rule. Rossman suggested getting the parties together possibly at the Association of Minnesota Counties (AMC) convention in December, to address this issue. Chairman Nielsen asked Matt to follow up with the county attorneys involved to see where they are on this. Kathy suggested also meeting with Lake and Koochiching Counties. Discussion followed. Moved by Otte, seconded by Lovdahl, that BWSR would obligate the counties to fulfill the law, to pursue discussion with five counties in terms of adopting, and also pursue parallel actions to get funds returned, with a deadline of December 15. Affirmative: Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, and Nielsen. Opposed: None. Carried. Chairman Nielsen instructed Matt Seltzer to contact the county attorneys to set up a meeting. Ron and Matt will report back to full BWSR at the December board meeting.

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94-60

Revised Draft of Rules Regarding Watershed District Appeals - Doug Thomas and Matt Seltzer introduced and discussed the draft. There are two components: one, a formal appeal process and two, an informal dispute resolution role. Matt explained the appeal process structure. Kathleen Roer and Howard Peterson have met with Matt and Doug on this process and thanked them for their time. Kathy said the draft is for information and comment. Doug said the outside solicitation process for comments will close at the end of January.

Chairman Nielsen called for a break in the meeting at 10:20 a.m. The meeting reconvened at 10:30 a.m.

Watershed District Overall Plan Guidelines - Doug Thomas reviewed the guidelines for the board. Doug thanked the BWSR Bemidji office for meetings held in the northern region. Two districts responded with specific changes. Staff recommends and requests approval of the guidelines. Moved by Tripp, seconded by Cobb, to approve the watershed district

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94-61

overall plan guidelines. Affirmative: Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, and Nielsen. Opposed: None. Carried.

Wetland Conservation Act Program Assessment - Jim Birkholz stated that this is the final program assessment for review by the BWSR. Greg Larson summarized the staff program assessment of WCA. Greg reported that the next meeting of WHAC is November 2, at the Kelly Inn in St. Paul, at which time WHAC will be making recommended legislative changes that will be brought before the full BWSR in December.

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94-62

Middle River Snake River Watershed District Plan Approval - Doug Thomas gave an overview of the Middle River Snake River Watershed District Plan. Doug introduced Ron Adrian and Ron Osowski, representatives of the watershed district. Staff recommends approval of the plan. Tim Hvidsten commended Ron and Ron for their efforts in Marshall County. Moved by Hvidsten, seconded by Rodning to approve the Middle River Snake River Watershed District Plan. Affirmative: Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, and Nielsen. Opposed: None. Carried.

Blue Print Revised - Chairman Nielsen reported that the Governor's office directed the Department of Finance to negotiate with each agency on budget requests. Chairman Nielsen stated that the first draft blueprint was sent to members and presented at the meeting last week with the Department of Finance. This blueprint has been revised since that meeting. Chairman Nielsen stated that discussion today should be to give the blueprint further critical review. Jim Birkholz walked through the two-page summary and asked for Board reaction and debate on this budget request. The blueprint is a comprehensive package of staffing, funding and policy initiatives related to fully carrying out BWSR responsibilities. Fred Bergsrud stated that MES favors a partnership rather than contractual relationship for the education positions in the blueprint. Chairman Nielsen, Roer and Hvidsten agreed. Discussion followed. Chairman Nielsen suggested that members study further the addendum to the blueprint.

Chairman recessed the meeting for lunch at 12:00 p.m. The meeting reconvened at 1:00 p.m.

Budget discussion continued. Chairman Nielsen asked about prioritization of the blueprint. Members expressed concern about asking for such a significant staff increase. Chairman Nielsen said that's a huge increase in staff, but he doesn't feel embarrassed to ask for the resources and staff needed. After further discussion, Chairman Nielsen concluded that we will continue to move ahead.

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94-63

Metro Public Drainage System Inventory Report - Barbara Ohman highlighted the report for the Board's information. Bruce Sandstrom commended Barbara for her efforts on this report. Bruce explained that this is a legislative mandate, the statute requires the report. Moved by Otte, seconded by Cobb, to approve the Metro Public Drainage System Inventory Report for distribution. Affirmative: Cobb, Hvidsten, Lovdahl, Otte, Peterson, Rodning,

Roer, Rossman, Tripp, and Nielsen. Opposed: None. Carried.

Nine Mile Creek Watershed District Complaint - Bruce Sandstrom briefed the Board on a dispute regarding the Nine Mile Creek Watershed District watershed management plan for the Board's information.

State Revolving Fund (SRF) Agricultural Best Management Practices Loan Program Update - Paul Burns, Department of Agriculture, summarized and distributed informational materials to the Board on the SRF loan program. He reported that the purpose of the Agriculture Best Management Practices Loan Program is to provide low interest financing to farmers, agriculture supply businesses and rural landowners to make improvements or implement practices that will mitigate or prevent nonpoint source pollution.

Conservation Technical Assistance Update - Al Kean and D'Wayne DeZiel updated the Board on the SRF conservation technical assistance progress since at the September BWSR meeting. Al said the goal is get joint powers agreements set up between cooperating SWCDs and then to employ engineers and technicians in each area. Al said the original intent was to have river basin boundaries consistent with these areas, as much as possible.

1995 Natural Resources Block Grant Preview - Wayne Zellmer introduced the natural resources block grant for the Board's information. Wayne will present the allocations of county grants at the December meeting. Barb Cobb would like to have the breakdown listed so MASWCD will have this available.

Advisor Comments

Soil Conservation Service (SCS): Gary Nordstrom reported on the signing of the USDA reorganization bill by President Clinton on October 13. SCS has a new name, "Natural Resources Conservation Service". A consolidated farm service agency will also be created. Consolidation of field offices will likely occur according to the plan developed in Minnesota; SCS offices around the country are continuing to close. A forum will be held on these regarding reinventing the Soil Conservation Service at the Radisson South on December 10.

Minnesota Association of Watershed Districts (MAWD): Howard Peterson stated that MAWD's annual meeting will be held in Willmar, December 2-3, 1994.

Minnesota Association of Townships (MAT): Franklin Denn stated that there's a need for additional education regarding WCA.

Chairman Nielsen asked members to let Ron know if they plan to attend the various conventions so arrangements can be made.

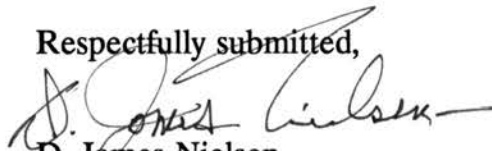
Fred stated that Pat Borich announced he will be retiring on January 3, 1995.

Wayne Edgerton distributed materials on sustainable development and ecosystem management that the Department of Natural Resources uses as organizing principles.

Susan Schmidt stated that the Legislative Water Commission's annual groundwater meeting is November 16-17; the following meeting is scheduled for December 19-20, to continue groundwater hearings and discuss legislative initiatives.

Chairman Nielsen adjourned the meeting at 2:55 p.m.

Respectfully submitted,



D. James Nielsen
Chairman

Low-Interest Loans for Water-Quality Improvement Projects

*A description of
available programs
funded by the
Minnesota State
Revolving Fund*



Prepared by:
Minnesota Pollution Control Agency
Minnesota Department of Agriculture
Department of Trade and Economic Development
Board of Water & Soil Resources
Public Facilities Authority

The Problem: Nonpoint Source Pollution

While most of the water pollution originating from "point" sources (municipal and industrial facilities) has been controlled in Minnesota, pollutants in runoff and seepage from land areas continue to degrade the state's water quality. This kind of water-quality degradation is called nonpoint source pollution. It is the major reason today that a number of Minnesota's surface and ground waters are not clean enough for recreation or drinking-water use.

Major origins: Agricultural runoff; pesticide and fertilizer use; feedlot runoff; urban runoff from streets, yards, and construction sites; leachate from septic systems; runoff from forestry and mining activities; highway de-icing chemicals; dredging and drainage activities; and the loss of wetlands.

Technical solutions: Best Management Practices (BMPs) for urban, forest, and agricultural areas; storm-water control; erosion control; buffer zones; feedlot management systems; proper septic-system installation and maintenance; construction-site management; well sealing; preservation and creation of wetlands; education.

Financing solutions: Minnesota Laws Chapter 632 (1994) makes funds available for nonpoint-source-pollution abatement loans. The loans are available through several state agencies, in many cases using already existing programs to deliver the loans.

The following loan programs provide funding through the state Water Pollution Control Revolving Fund, also known as the SRF.

Clean Water Partnership Loan Program

Minnesota Pollution Control Agency

Who is eligible? Local units of government — counties, municipalities, watershed districts, and joint powers organizations. Using the CWP loan, the local unit of government may loan the funds to individual homeowners, landowners, and businesses for water-quality projects within watersheds.

What is eligible? Projects that target the restoration and protection of a water resource (i.e., lake, stream, and/or groundwater aquifer). Loan funds will be used to implement Best Management Practices (BMPs) which address nonpoint sources of water pollution such as sedimentation basins, stream-bank stabilization, erosion-control practices, etc. Loan funds may be used to meet the cost share requirement of the Clean Water Partnership Grant Program.

When will loan funds be available? Loan awards will be made to the local units of government in early spring.

What will my interest rate be? The interest rate for 1994-95 loans to local units of government will be zero percent; loans used as the local match for CWP grants will have an interest rate two percent below the prime rate. Local governments may reloan funds at an interest rate of up to two percent, and may charge an origination fee of up to one-half percent.

How do I apply for a loan? Applications are accepted in the fall of each year. For the 1994 award cycle, applications are due Nov. 30.

For more information contact

Minnesota Pollution Control Agency
Clean Water Partnership Program
520 Lafayette Road, St. Paul, MN 55155
(612) 296-6300 or (800) 657-3864



Agriculture Best Management Practices Loan Program

Minnesota Department of Agriculture

Who is eligible? Farmers, individual rural landowners, and agribusinesses.

What is eligible? Water-quality improvement projects that mitigate or prevent nonpoint-source pollution in rural areas. Examples of eligible projects include animal-waste control systems; abandoned well sealing; structural conservation practices such as waterways and erosion- and sediment-control basins and terraces; and non-structural conservation practices such as the purchase of conservation tillage equipment.

When will loan funds be available? Loans will be available in late 1994 or early 1995.

What will my interest rate be? The highest interest rate, or service fee, that private lenders may charge is three percent. Public lenders may charge two percent or less. The origination fee must be one-half percent or less.

How do I apply for a loan? Potential borrowers should contact their county or local Soil and Water Conservation District (SWCD) staff, who will direct them to the local lender. The local lender may be the county, SWCD, joint powers board, or a private financial institution. The county or local SWCD will evaluate and certify the proposed projects in light of priorities described in the local water plan.

For more information contact

Minnesota Department of Agriculture
Agriculture Best Management
Practices Loan Program
90 West Plato Boulevard, St. Paul, MN 55107
(612) 296-7686

This material may be made available in other formats such as Braille, large type, or audio tape upon request. People with hearing or speech impairments please call (612) 282-5332.

Tourism Loan Program

Department of Trade and Economic Development

Who is eligible? Corporations, sole proprietorships, or partnerships engaged in an existing tourism-related business. Eligible businesses are defined by Standard Industrial Codes (SIC) 7011 or 7033.

What is eligible? Septic-system upgrades or replacements for systems that are failing or are out of compliance with statewide septic-system standards.

When will loan funds be available? Look for funds to be available in October/November 1994 when the program's administrative rules are completed.

What will my interest rate be? Fifty percent of the project cost will be funded through the Tourism Loan Program at a two percent interest rate. The other 50 percent of the project cost may be funded through a local lender.

How do I apply for a loan? Applications are accepted year-round through the Department of Trade and Economic Development's (DTED) Single Business and Community Development Application process.

For more information contact

Department of Trade and Economic
Development, Tourism Loan Program
500 Metro Square, 121 7th Place East
St. Paul, MN 55101
(612) 297-1291
(800) 657-3502

Small-Cities Development Program

Department of Trade and Economic Development

Who is eligible? Local units of government including cities under 50,000 population and counties under 200,000 population. The local unit of government will provide pass-through loans to individual homeowners.

What is eligible? Septic-system upgrades or replacements for systems that are failing or out of compliance with statewide septic-system standards.

When will loan funds be available? Funding will be made available in conjunction with the 1996 Small Cities Development Program awards around March 1996.

What will my interest rate be? Funds will be provided to local units of government at zero-percent interest. The local units of government may assess individual borrowers no more than two percent interest for administrative costs.

How do I apply for a loan? Applications are accepted year-round through DTED's Single Business and Community Development Application process.

For more information contact

Department of Trade and
Economic Development,
Small-Cities Development Program
500 Metro Square, 121 7th Place East
St. Paul, MN 55101
(612) 297-1291
(800) 657-3502

Storm-Water Loan Program

Minnesota Pollution Control Agency/Minnesota Public Facilities Authority

Who is eligible? Municipalities as defined in statute — counties, cities, towns, the Metropolitan Waste Control Commission.

What is eligible? Projects to control nonpoint-source pollution caused by storm-water runoff.

When will loan funds be available? Loans will be available following completion of the required administrative rule revision, anticipated to be February 1995.

What will my interest rate be? Rates will be market rate or less. They will be determined by the Public Facilities Authority based on median household income.

How do I apply for a loan? First, applicants need to request placement on the MPCA's Project List and Intended Use Plan. Requests for placement on the Project List will be accepted in early 1995 following the completion of rule revision. Applicants then request placement on the IUP. Second, applications will be accepted year-round by the PFA using DTED's Single Business and Community Development application process.

For more information contact either the

MPCA's Water Quality Division
Storm-Water Loan Program
520 Lafayette Road
St. Paul, MN 55155
(612) 296-6300 or (800) 657-3864
or
DTED, Public Facilities Authority
Application Coordinator
500 Metro Square, 121 7th Place E.
St. Paul, MN 55101
(612) 297-1291 or (800) 657-3502



**ADDENDUM to Blueprint of BWSR Biennial Budget Request:
Prioritization Considerations for Board Members**

Function/Topic	Item	Implications if staff recommendations are NOT implemented:
A. Base Capacity		
Service to LGUs	(a) LGU answer person/LGU & operational handbooks (b) Training coordinator/program handbooks (c) Clerical assistance (d) Stable funding for SWCDs	(a) LGU support from BCs & BWSR central office staff regarding non-BWSR program areas would further diminish (b) BWSR staff support of coordinating training for non-BWSR program areas would further diminish (c) Effects of (a) and (b) above would be accentuated (d) SWCDs will not adequately administer state-delegated/mandated programs OR provide adequate assistance to landusers
Wetland Conservation Act	(a) Technical specialists (b) Metro region BC	(a) All/some BCs must be trained to fulfill technical roles OR seek DNR to do so (b) Insufficient assistance to LGUs on TEPs
Dispute Resolution	(a) Alternative dispute resolution specialist (b) Clerical assistance	(a) Amend statutes to eliminate appeals to BWSR of watershed district permit decisions or LGU WCA decisions; use existing court systems (b) Existing staff would be unduly burdened (i.e., some LGU service items would cease)
Agency Administration	(a) Information management specialists (b) Clerical assistance (c) Audit specialist	(a) Inability to compile/analyze program data, thus unable to assess outcomes or adequately report to Governor or legislature or clientele (b) Effects of (a) and (c) would be accentuated and all offices' efficiency and effectiveness diminished (c) Inability to address deficiencies identified in recent legislative audit; effects of (a) above would be accentuated
Water Management	(a) Metro water management specialist (b) Metro region BCs	(a) Make program voluntary OR amend statutes to transfer program to another agency (b) Make program voluntary OR amend statutes to transfer program to another agency
Soil Conservation	(a) Soil conservation specialist (b) Cost-share allocation adjustments	(a) BWSR will continue to lack coordinative or leadership role in this issue area (b) INFLATION RECOVERY: Ineffective buying power of current allocation ACP RECOVERY: Cumulative effects of (b) will be accentuated
B. Accelerative Capacity		
Education/Communication	(a) Regional contract positions with MES	(a) Insufficient LGU support from BWSR Communications Director, existing MES position, and BCs
Soil Conservation	(a) Soil conservation specialists (b) Cost-share allocation acceleration (c) Grants to counties to adopt ordinances (d) Contractual services to update soil surveys	(a) Inability to effectively encourage counties to adopt local ordinances to address erosion control (b) Insufficient achievement of erosion control and water quality goals identified in Minnesota Milestones report (c) Effects of (a) will be accentuated (d) Outdated info will impede federal-state-local ability to adequately target available resources to erosion and water quality concerns

PLEASE NOTE:

This Blueprint is offered as a comprehensive package of staffing, funding and policy initiatives. IF ANY modifications are made to these recommendations, the interrelationships and implications of the individual staffing, funding, and policy recommendations must be reconsidered. Also, staff implementation of the Wetland Conservation Act will continue to preempt most staff activities and will do so at an even greater expense of all other BWSR activities IF this package of recommendations is not fully implemented.

Blueprint of BWSR Biennial Budget Request:

Staff Recommendations from Program Assessments

Function/Topic	Comments	Additional Staff Capacity (full-time equivalent)	Funding Request (\$/year, thousands)
A. Base Capacity			
<i>Service to LGUs</i>	* LGU answer person/LGU & operational handbooks = 1.0 FTE * Training coordinator/program handbooks = 1.0 FTE * Clerical assistance = 0.5 FTE * Stable funding for SWCDs (50/50 grants) = \$ 1,000,000	2.5	154.0 (staff) 18.0 (training/printing) 1,000.0
<i>Wetland Conservation Act</i>	* Technical specialists = 3.0 FTE * Metro region BC = 1.0 FTE	4.0	250.1 (staff)
<i>Dispute Resolution</i>	* Alternative dispute resolution specialist = 1.0 FTE * Clerical assistance = 0.5 FTE	1.5	97.5 (staff)
<i>Agency Administration</i>	* Information management specialist (2 regional, 1 central) = 3.0 FTE * Clerical assistance (3 regional, 1 central) = 4.0 FTE * Audit specialist = 1.0 FTE	8.0	351.0 (staff)
<i>Water Management</i>	* Metro water management specialist (water & land mgt. section) = 1.0 FTE * Metro region BC = 2.0 FTE	3.0	208.0 (staff)
<i>Soil Conservation</i>	* Soil conservation specialist = 1.0 FTE * Cost-share allocation adjustments: (a) inflation recovery = \$ 1,000,000 (c) ACP recovery = \$ 2,000,000	1.0	62.4 3,000.0 (total cost-share)
SUBTOTALS		20.0	5,141.0
B. Accelerative Capacity			
<i>Education/Communications</i>	* BWSR funds for (regional) contract positions with MES	5.0	371.4
<i>Soil Conservation</i>	* Soil conservation specialists = 3.0 FTE * Cost-share allocation acceleration * Grants (50/50) to counties to adopt erosion control ordinances * Contractual services with counties to update soil surveys (50/50 grants)	3.0	187.2 2,000.0 1,000.0 1,000.0
SUBTOTALS		8.0	4,558.6
GRAND TOTALS		28.0	9,699.6

Policy Impacts of Program Assessments:

Law Change Required	Rule Change Required	Policy/Guideline Change/Development Required
no	no	yes
no	no	yes
no	no	no
no	no	yes
yes	yes	yes
no	no	no
no	no	yes
no	no	yes
no	yes	yes
no	no	no
no	no	yes
no	yes	yes
2	5	11
no	no	yes
no	no	yes
no	yes	yes
no	yes	yes
no	no	yes
0	2	5
2	7	16

METROPOLITAN PUBLIC DRAINAGE SYSTEM INVENTORY REPORT

DISCUSSION DRAFT

A summary report, in response to
Minnesota Laws of 1990, Chapter 601, Section 27,
prepared for the Minnesota Board of Water and Soil Resources



Prepared by
Barbara W. Ohman
Metro Board Conservationist

October 1994

PUBLIC DRAINAGE SYSTEM INVENTORY REPORT

BACKGROUND

In 1990, the Minnesota Legislature enacted a state law (L 90, C601, S 27) which charged drainage authorities in the metropolitan area with the responsibility to inventory and evaluate the public drainage ditches under their jurisdiction, and to submit a report to the Board of Water and Soil Resources (BWSR). The law also directed the BWSR to provide guidance and technical assistance to the drainage authorities in meeting this requirement.

In June, 1991, BWSR staff sent a mailing to all ditch authorities in the metro area, which included a recommended inventory form for use in reporting. In the cover letter, staff explained that the basic purpose of the inventory was to find out:

- how many public drainage systems exist in the metro area;
- where they are;
- what condition they are in;
- who is responsible for them;
- how they are currently being managed; and
- how they should be managed in the future.

There was no mandate in the law for the BWSR to do anything specifically with the information received. We should be confident there were no penalties for drainage authorities which did not submit a report before the July 1, 1992 deadline (62%). This report is a summary of the information received from those ditch authorities which submitted reports, and includes recommended statutory changes based on this information to allow for more efficient and effective management of public drainage systems in the urban and urbanizing areas. The work to assist with the inventory and to write the report was done within the constraints of existing BWSR staff; the legislation requiring this reporting did not address the BWSR request for additional staff to implement this and other new responsibilities contained in Chapter 601.

INVENTORY RESULTS

Based on information received and contacts made during the reporting process, there are approximately 123 public drainage systems in the metro area. The BWSR received some form of report for 112 (91%) of these ditches. Of the 13 known ditch authorities in the metro area, only Scott County did not file reports, indicating that they were not willing to commit the amount of time required to compile the information given what they felt was inadequate assistance and direction.

Attached with this report is a copy of the Public Drainage Ditch Inventory Form sent to ditch authorities in June, 1991. This copy includes a compilation summary of the responses received by BWSR. Though we received reports for 112 systems, only 91 were fully reported on the inventory form provided. Therefore, some assumptions were made for summary purposes based on the information supplied. However, since such a high

Public Drainage System Inventory Report
Board of Water and Soil Resources
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percentage of reports were received, the summary percentages should reflect a fairly accurate assessment of the metro area ditch systems.

Highlights:

- 91% of the public ditches were constructed prior to 1920, and only 10 public ditches were constructed in the seven county metro area from 1921 to present.
- 56% of the ditch systems are probably not providing the degree of drainage for which they were originally designed and constructed. These ditches were rated by the ditch authority to be poorly maintained (33%), very poorly maintained (15%), or functionally abandoned (8%).
- In fact, for 22% of the ditch systems, substantial areas of wetland originally totally drained by the ditch reestablished themselves due to lack of ditch maintenance (this seems to closely correspond to the combined 23% of the ditches that were rated as very poorly maintained or functionally abandoned).
- At least 4 systems (4%) were reported to be functioning primarily as storm sewers. Many ditch systems likely have elements that function as storm sewer conduits, but the reporting authority may not have considered including this as an appropriate response, based on the wording of the inventory form provided.
- 40% of the systems were rated as well-maintained or fairly well-maintained.
- 385,697 acres were reported to be contributing water to the 112 systems. Of this area, only 17% (64,507 acres) were reported as originally benefitted, and 36% (138,648 acres) are in urban or urbanizing areas.
- 41% of all the ditches reported have at least 25% of the drainage area in urbanization.
- While a high percentage (92%) of the ditches were reported to serve a "useful purpose" to at least one property, the poorly, or worse, maintained status of many of the ditches indicates that many may be serving only one or a very few properties, which is not the original intent of draining agricultural land for which the ditch was constructed. This issue is discussed later in this report.
- 68% of the surveys indicated that the ditch was inspected only when a problem arose or a complaint was registered.
- For 97% of the ditches there has been no right-of-way acquired for a 1-rod permanent grassed strip, as required by M.S. 103E.021.

Table 1. Summary of Metro Ditch Systems Draining Urban Acreage

Ditch Authority	Total # Systems	Avg. % Urbanized
Anoka County	27	10%
Coon Creek WD	11	43%
Chisago/Washington County	1	40%
Dakota County	2	0%
Hennepin County	17	40%
Minnehaha Creek WD	8	41%
Rice Creek WD	22	51%
Ramsey County	3	100%
Vadnais Lake Area WMO	2	90%
Carver County	14	< 10%
Scott County	~ 10	No Report Submitted < 10%
Riley-Purgatory-Bluff Creek WD	5	100%
Nine Mile Creek WD	3	100%

COMMENTS AND RECOMMENDATIONS RECEIVED

The ditch authorities were also asked to make comments and recommendations for statutory changes in order to make future management of the ditch systems more efficient and economical. Additional discussion has also taken place since the inventory regarding funding of maintenance on ditch systems in the urban areas. This is a summary of the suggestions made.

Hennepin County recommended:

1. establishing an abandonment procedure through a County Board resolution.

Anoka County and the Rice Creek Watershed District recommended:

2. establishing an administrative process to most economically finance maintenance in the urban areas. Special property assessment is generally considered not to be a cost-effective method of financing in the urban and urbanizing areas.

Coon Creek Watershed District made the following specific recommendations:

3. Amend M.S. 103E.315, Subd. 5 and 103E.728, Subd. 2 to allow for the measuring of benefits based on the amount of runoff contributed; (Editor's note: Provide language which allows for a method of cost allocation based on the runoff contributed by each parcel of land to the drainage area, which would attribute the costs in proportion to the burden that each land parcel places on the drainage system, i.e. a user fee.)

4. Change the appeal process under M.S. 103D.535, Subd. 1 and 103E.091 to a process similar to that found under M.S. 429. (Editor's note: Unlike the processes under 103D and 103E, M.S. 429 provides for allowing a project to continue when an appeal is based on the amount to be paid. The drainage authority can revisit the assessment collection after the project is complete.)

5. Address situations where private ditches serve storm water purposes. There is a need to clarify and/or obtain maintenance rights. (Editor's note: During the subdivision process, easements should be established to provide access for on-going maintenance.)

STAFF ASSESSMENT AND GENERAL DISCUSSION

For the purposes of this report and recommendations, it is important to remember that watershed management organizations established under 103B, and watershed districts in the metro area, have the same authority for ditch management. "WMO" will be used in the discussion throughout and will refer to both types of boards, unless otherwise noted.

Based upon the information received and recent discussion with various ditch authorities, it is clear that the main problem with management of drainage ditches in the metro area is financing of maintenance and repairs. Costs involved with establishing a special assessment are inordinate when the drainage area is split between the varied land uses of residential, industrial and agricultural purposes. For example, one study documented that the cost to collect an assessment in the urban area was more than the assessment gained (i.e. it cost \$10 to collect \$6).

Furthermore, most ditches in the urban and urbanizing area are no longer providing the original function of draining agricultural property. Continuing to maintain ditches under a drainage law that was set up to provide for adequate drainage of agricultural property may not be in the best interest of the citizens of the urbanizing areas, because of the inequity which occurs between benefits received and assessments paid. However, while the ditches may no longer be providing the original function of draining land to put land into production, they often continue to serve important storm water functions for the urban and urbanizing areas. This "new use", for flood protection or water quality management, can be maintained under a different financing mechanism through comprehensive watershed planning, authorized under M.S. 103B.201 to 103B.255. With the drainage system fully under the management of a WMO, covered under the comprehensive WMO plan, all funding mechanisms available to the WMO, including ad valorem funding on a subwatershed basis, could be used to effectively and economically manage and maintain the system.

In 1990, the legislature attempted to address this issue by stating the following in M.S. 103D.621, Subdivision 1:

"The legislature finds that because of urban growth and development in the metropolitan area problems arise for the improvement and repair of drainage systems which were originally established for the benefit of land used for agriculture. The procedure for improvement and repair of drainage systems now in the metropolitan area should be simplified to more adequately and economically improve and repair drainage systems." (emphasis added)

This is legislative intent. However, no clear direction was given in the law to allow for a more cost-effective method of financing these improvements and repairs.

M.S. 103D.621, Subd. 3 requires the WMO to conform with sections 429.031; 429.041, subds. 1 and 2; 429.051; 429.061; and 429.071. Section 429.051, Apportionment of Cost, states that a governmental unit "may pay such portion of the cost of the improvement as the council may determine from general ad valorem tax levies" and that the governmental unit "may subsequently reimburse itself for all or any portion of the cost of a water, storm sewer, or sanitary sewer improvement so paid by levying additional assessments upon any properties abutting...". Emphasis is placed on the "may" in these statements, because it is BWSR's interpretation that the WMO has the authority to pay for ditch maintenance through an ad valorem levy, and does not need to collect an assessment to pay for this work. However, some WMOs and their legal counsels are reluctant to move on BWSR's interpretation without further legislative clarification. This position is directly opposed to the legislative intent discussed above.

GENERAL RECOMMENDATIONS

1) While WMOs have the authority to pay for routine ditch maintenance and repair through an ad valorem levy, it is not appropriate in all cases to assess that levy on a district-wide basis. Especially in the urban fringe areas, it is not fair and equitable to assess, for example, a city-dweller for the repairs on a ditch in the agricultural area or a Ramsey County resident for work on an Anoka County ditch, since neither assessed property may even contribute water to the ditch being repaired. Therefore, BWSR staff recommends that WMOs establish subwatersheds for the ditches, in which use of this levy could be made. To accomplish this, the intent of M.S. 103B.245, Subdivision 1 is to allow WMOs to establish watershed management tax districts. However, experience since the law passed in 1989 is that the attorneys for WMOs do not feel that this section applies to their boards. This law needs to be clarified on behalf of WMOs to clearly allow the establishment of subwatersheds in which payment of plan implementation costs may be made on an ad valorem basis. Portions of 103D and 103E should also be clarified to differentiate between "normal and routine maintenance" and "repair" of ditches. It may also be advisable to place limits on how much can be spent on normal and routine maintenance.

2) Management of the ditch systems in the metro area further needs to be streamlined by placing the responsibility under one type of authority. The discussion thus far has focused on the laws available to WMOs for management of the systems. However, the laws do not automatically give authority to the WMOs when appropriate. This is where the most significant law change is recommended. In the urban and urbanizing areas, the ditches, whether legally or functionally abandoned, are mainly being used as storm sewer conduits. Since WMOs are responsible for management of surface water in their watersheds, these systems should be managed under the adopted WMO plan consistent with sections 103B.205 to 103B.255.

3) In order for management of the drainage systems in the urban areas to be handled under a 103B plan, under existing law, they must first be legally abandoned to take them out of the purview of 103E. Additional language under 103E.811, (Abandonment of drainage system), is recommended to accomplish this end. The additional language recommended for this purpose is in the form of enabling legislation to set up a process to abandon a ditch upon development of 25% of the drainage area. Another method suggested is a legislative mandate abandoning a list of specific ditches and placing them under management by a WMO.

4) One additional problem area which should be examined is the burden of tax-exempt land uses within a watershed or subwatershed. Land uses which contribute a significant amount of runoff, but do not pay taxes, include churches, schools, highways, and wildlife management areas (like Carlos Avery in Anoka County), to name a few. Even if an acceptable financing formula is established, there is no way to collect a

contribution from these land uses except for an assessment. Counties utilizing Geographic Information Systems (GIS) could very easily set up an assessment procedure for WMO financing. This would essentially combine the administrative efficiency of collecting an ad valorem tax with the equity that would be provided by an assessment based on amount of runoff contributed by tax parcels.

Many cities currently finance their surface water management through a storm water utility authorized under Section 444, collected as a line item on their sewer or water bills. This allows collection of funds based on contributing runoff from some tax exempt parcels (i.e. churches), but not from tax exempt parcels such as county and state highways. If assessments were allowed based on this "contributing waters" concept instead of purely a "benefitted property" approach, a more equitable means of financing would be available to WMOs.

SUGGESTED LEGISLATIVE CHANGES - FOR DISCUSSION PURPOSES ONLY

Suggested new language to be added to 103E.811:

103E.811. Abandonment of drainage system

Subd. 2. **Petitioners.** (a) A petition must be signed by at least 51 percent of the property owners assessed for the construction of the drainage system or by the owners of not less than 51 percent of the area of the property assessed for the drainage system. For the purpose of the petition, the county is the resident owner of all tax-forfeited property held by the state and assessed benefits for the drainage system, and the board may execute the petition for the county as an owner.

(b) For drainage systems located within the seven county metropolitan area, once 25 percent of the drainage area of the affected system is subdivided for residential and/or other urban land use, a petition for abandonment of all or part of that drainage system may also be initiated by a petition signed by the majority of the governing bodies of the local governmental units affected by the entire drainage system.

(c) The following drainage systems are hereby abandoned as public drainage systems under Chapter 103E Anoka County Ditches #..., Carver County Ditches #..., Dakota County Ditches #..., Hennepin County Ditches #..., Ramsey County Ditches #..., Scott County Ditches #..., and Washington County Ditches #.... These drainage systems heretofore will be managed by the watershed management organization of jurisdiction according to an adopted plan consistent with sections 103B.205 to 103B.255.

Subd. 5. Abandonment hearing. (d) Notwithstanding Subd. 2 (c), in the seven county metropolitan area, no drainage system, or part thereof, can be abandoned unless the watershed management organization of jurisdiction first amends its plan pursuant to section 103B.231, provided the amended plan defines how the drainage system will be managed and maintained and how any valid drainage rights will be acquired or maintained. Prior to the adoption of the plan amendment, the governing body of the watershed management organization shall hold a hearing on the matter and provide notice to all owners of benefitted property affected by the proposed abandonment.

Suggested new language to be added to 103D.625:

103D.625. Drainage systems within watershed district

Subd. 3. Procedure for repair or improvement. After the transfer is ordered, all proceedings for repair and maintenance must conform to chapter 103E, except that in the seven county metropolitan area watershed management organizations may finance ditch repair or maintenance under section 103B.245.

Suggested amended language under 103B.245, necessary to clarify ad valorem levy authority on a subwatershed basis:

103B.245. Special tax district

Subdivision 1. Watershed management tax district. (a) Any local government unit or watershed management organization planning for water management under or implementing components of a plan pursuant to sections 103B.231 and 103B.235 may establish a watershed management tax district or districts in the territory within the watershed, for the purpose of paying the costs of the planning or implementation required under sections 103B.231 and 103B.235, and may apportion these costs to the properties within the watershed as special assessments proportionate to the benefit received or amount of water contributed, and/or as taxes based on either the amount of water contributed, or the values of the property affected.

(b) Any local government unit which has part of its territory within a watershed for which a plan has been adopted in accordance with section 103B.231 and which has a local water management plan adopted in accordance with section 103B.235 may establish a ~~watershed management~~ tax district or districts in the territory within the watershed and/or a subwatershed unit in the watershed, for the purpose of paying capital costs of the water management facilities described in the capital improvement program of the plans and for the purpose of paying for normal and routine maintenance of the facilities, and shall apportion these costs as special assessments proportionate to the benefit received or the amount of water contributed, and/or as taxes based on either the amount of water contributed, or values of property affected.

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

Subdivision 2. Procedure. (a) A county or local government unit may establish watershed management tax districts only ~~The district shall be established~~ by ordinance adopted after a public hearing, or by ordinance established under a joint powers agreement after a public hearing. Notice of the time, place, and purpose of the hearing shall be published for two successive weeks in the official newspaper of the local government unit, ending at least seven days before the day of the hearing. The ordinance shall describe with particularity the territory or area to be included in the district. After adoption, the ordinance shall be filed with the county auditor and county recorder. The district may be dissolved by following the procedures prescribed for the establishment of the district.

(b) A watershed management organization may establish watershed management tax districts only by amendment to its plan in accordance with section 103B.231, subdivision 11. The amendment shall describe with particularity the territory or area to be included in the tax district, the amount of the necessary levy and the length of time the district will remain in force. After adoption, the amendment shall be filed with the county auditor and county recorder of each county affected by the tax district. The tax district may be dissolved by the procedures prescribed for the establishment of the tax district.

ATTACHMENT A
BWSR REPORT - JULY, 1994

PUBLIC DRAINAGE DITCH INVENTORY FORM
(Laws of 1990, Chapter 601, Section 27)

1. Drainage authority name: _____
2. Drainage ditch name and number: _____
3. Ditch location and drainage area boundary: (shown on attached quadrangle map)
4. Drainage area in acres: 385,697 ; Benefitted area in acres: 64,507
5. Approximate length in miles: Open Ditch 4.55 Buried Tile 4.3
6. Year constructed: 1889-1981; Original cost: \$ _____
7. Are original plans on file? Yes 76% No 24%; Location: _____
8. Date of original plans: 1889-1981
9. Are "as built" plans on file? Yes 23% No 77%; Location: _____
10. Year(s) improved: 1902 EARLIEST DATE; 1991 MOST RECENT
11. Are improvement plans on file? Yes 22% No 78%; Location: _____
12. Year(s) repaired: 1899 EARLIEST DATE; 1993-4 MOST RECENT
13. Are repair plans on file? Yes 17% No 83%; Location: _____
14. If the ditch was transferred from a county or joint county ditch authority to a watershed district or WMO, is the transfer order on file? Yes 44% No 33% NA 23%
15. Is the list of lands benefitted and damaged on file? Yes 80% No 20%
16. Have the benefits and damages been redetermined? Yes 21% No 79%; If yes, year(s) of redetermination: VARIED
17. Has right-of-way been acquired for a 1-rod permanent grassed strip? Yes 3% No 97%; If yes, has it been maintained? Yes _____ No _____
18. Is there a maintenance fund for the ditch? Yes 34% No 66%; If yes, current balance in maintenance fund: \$ VARIES: RANGE FROM \$50.00 TO \$30,000.00
19. What was the last year maintenance work was performed by drainage authority: NEVER TO A RANGE FROM 1904-1993

20. Have other local units or private parties performed maintenance work on the ditch?
Yes 55% No 20%; List parties: VARIES: LOCAL LANDOWNERS, DNR, MNDOT, CITY/CO. PUBLIC WORKS
UNKNOWN 23%

21. Have the alignment, grade, bottom width, or bridge or culvert crossings been materially changed from the original or improved construction, without going through formal ditch proceedings? Yes 26% No 63% UNKNOWN 11%

22. Is the ditch inspected annually 2%; every 2-5 years 27%; every 5-10 years; only when a problem arises 68%; or never 2%? Year of last inspection: _____

23. Approximate percentage of the ditch's contributing drainage area that is currently urbanized: 36%; rural: 64%

24. Have any substantial areas of wetlands originally totally drained by the ditch reestablished themselves due to lack of ditch maintenance? Yes 22% No 76%

25. What is the general condition of the ditch?

- a. well-maintained 9%
- b. fairly well-maintained 31%
- c. poorly maintained 33%
- d. very poorly maintained 15%
- e. functionally abandoned 8%
functioning as storm sewers 4%

26. Describe the existing condition of the ditch, including erosion/sedimentation problems:

27. Does the ditch continue to serve a useful purpose to one or more properties? Yes 92%
No 8%; Estimated acres of agricultural land currently benefitting: _____

28. What plans are there for future management of the ditch?

29. Additional comments or recommendations for statutory changes: _____

Agriculture Best Management Practices Loan Program: A Summary

Purpose: The purpose of the Agriculture Best Management Practices Loan Program (Ag BMP Program) is to provide low interest financing to farmers, agriculture supply businesses and rural landowners to make improvements or implement practices that will mitigate or prevent nonpoint source pollution.

Authority: The Minnesota Department of Agriculture (MDA) will administer the Ag BMP Program and will establish administrative guidelines for the program.

Appropriations: Up to \$20,000,000 for Fiscal Years 1995 and 1996 of the State Revolving Fund (SRF), administered by the Minnesota Public Facilities Authority, is authorized to be made available through the Ag BMP Program.

Application: The law establishes counties or their designees as "applicants" to the MDA for the loan funds. A group of counties may apply jointly or may designate another local unit of government, such as another county, a local Soil and Water Conservation District (SWCD) or a joint powers organization to act on their behalf. The application requesting loan funds must contain but will not be limited to the geographic area served, the type and estimated cost of projects for which loan funds are being requested and a ranking of proposed activities. The applicant will also designate a "local lender," which may be the county itself, an SWCD, a joint powers board or a private financial institution, to make and service loans directly to individual borrowers. In an area of the state where a county allocation request has not been made or has been rejected, individual borrowers may apply directly to the Department of Agriculture. If a county allocation request is rejected, the applicant must be notified in writing of the reasons and be given 30 days to submit a revised application.

Authority of Applicants: Applicants are authorized to enter into agreements with borrowers to finance eligible projects. Moreover, applicants may establish revolving loan programs to finance projects. The initial fifty percent of the funds allocated under the Ag BMP Program must be allocated to revolving loan programs. After ten years, the applicant must begin to repay these allocations.

Review and Ranking: The MDA is responsible for establishing the application procedure, reviewing loan fund requests, and making allocations. In doing so, the MDA will have the assistance of a subcommittee representative of state, local, federal, and other natural resource agencies to review and rank requests. Priority will be given to those practices that are identified in local water plans as best protecting water quality. Other criteria used to rank requests include:

- Whether the applicant intends to establish a revolving loan fund.
- Whether the proposed practices reflect a multijurisdictional approach to protecting a watershed.
- The extent to which the loans will be used in coordination with other programs.
- Whether the proposed practices are needed for compliance with existing water related rules or laws.

Fees: Local lenders may charge an origination fee that may not exceed 1/2%. Private lenders may charge a service fee that may not exceed 3% and public lenders may charge a service fee that may not exceed 2%.

Borrower Eligibility: Local lenders shall base borrower eligibility on the following criteria:

- Whether the activity is certified by a local unit of government as meeting priority needs identified in comprehensive local water plans and is in compliance with accepted standards.
- Whether the activity is certified as eligible under Environmental Protection Agency or other applicable guidelines.
- Whether the repayment is assured from the borrower.

Terms and Repayment: The local lender shall set the terms of the loans and is responsible for repaying the principal of the loan to the MDA. If defaults occur, it is the responsibility of the local lender to obtain repayment from the borrower. The loan may be assessed against the borrower's property.

Answers to Key Questions About the Agriculture Best Management Practices Loan Program

1. What is the Agriculture Best Management Practices Loan Program (Ag BMP Program)?

The Ag BMP Program is a state program created by the 1994 legislature to provide low interest financing to farmers, agriculture supply businesses, and rural landowners for the implementation of agriculture best management practices. The program will be administered by the Minnesota Department of Agriculture (MDA).

2. How is the loan program funded?

The program is funded by the State Revolving Fund (SRF). State Revolving Funds were set up under the 1987 Federal Clean Water Act to provide funding for municipal waste water treatment facilities. SRF's are federally funded and administered according to EPA guidelines. The EPA is now encouraging states to use the SRF funds to mitigate or prevent nonpoint source pollution.

3. How will the loan funds be distributed?

The MDA will allocate loan funds to local lenders based on requests by counties or their designees. The loans will be made to individual borrowers through local lenders, which may be counties, districts, Joint Powers Boards (JPB's), or private financial institutions. The MDA may make loans directly to a borrower if there is no designated local lender in the borrower's area.

4. How much money is available for the Ag BMP Program?

There is currently \$20 million allocated for the program with \$10 million available for loans each year for **Fiscal Year 1995 and Fiscal Year 1996**. As the loans are repaid, the repaid principal will be available for new loans. It is anticipated that additional funds will be available beyond the \$20 million, starting in 1997.

5. How can the low interest loans be used?

The loans may be used for prevention and mitigation of nonpoint source pollution. It is anticipated that eligible projects will include construction of animal waste control facilities, abandoned well sealing, practices that reduce erosion from run-off, and purchase of conservation tillage equipment.

6. Who is eligible for the low interest loans?

Farmers, rural land owners, and agri-businesses may apply for loans for measures that eliminate or reduce nonpoint source pollution. Livestock operations with more than 1,000 animal units that have pollution problems are considered to be point sources of pollution and are not eligible for the Ag BMP Program. There may be other loans available for point source pollution. For more information, call the MPCA at (612) 296-6300.

7. Who should potential borrowers contact?

Potential borrowers should contact their county or local Soil and Water Conservation District (SWCD) office. Loan application forms should be available by late summer or early fall. At that time the local media will carry announcements providing information to potential borrowers.

8. Who will decide if a borrower is eligible?

The proposed uses must meet two qualifications. The local SWCD will evaluate and certify the proposed projects in light of priorities described in the local water plan and for compliance with accepted standards. The local lender will determine the ability of the potential borrower to repay the loan.

9. How much time may the borrower take to pay back the loan?

The life of the loan will reflect accepted lending practices for the life of the project involved. Depending on the project or use, the borrower may take between 5 and 20 years to pay back the loan.

10. How much interest will the borrower have to pay?

The origination fee may not exceed 1/2%. The highest interest rate, or service fee, that private local lenders may charge is 3%. Public local lenders may charge 2% or less.

11. Is there a limit to the amount of loan funds available to one operation?

There is no limit defined in statute by the Ag BMP Program.

12. Is there a limit to the loan funds available in each county?

Allocation amounts for individual counties will be determined by number and amount of county requests. Generally speaking, the total amount available will limit the amount allocated.

13. How will priority for allocation of loan funds be set?

In general, the legislation sets forth the criteria to review and rank requests. Priority for allocation of loan funds will be assigned to those practices that are identified as priorities in the comprehensive local water plan and those improvements that will best protect water quality.

14. Can the loans dove-tail with state and federal cost-share?

Yes. Proposed improvements that combine the low interest loans with public and private sources of funding, such as state and federal cost share, will receive high priority.

15. What are local revolving loan program?

The law provides that local lenders may set up revolving loan programs and stipulates that the first 50% of funds available for the Ag BMP Program must be allocated to local lenders with revolving loan programs. Funds allocated to these local revolving funds can be used for new loans as old loans are paid back. After ten years, the principal of the revolving loan fund must be repaid to the MDA as it becomes available.

16. What should SWCD's be doing now?

District staff should examine their local water plans. The loans and the technical funding are intended for activities prioritized in local water plans. Areas indicating that requested funding will be used for these activities will get strong consideration in the program.

Districts should consider joining together with other area districts to carry out multi-jurisdictional activities to protect water quality. Since the loan program will have a large focus on watershed protection, it is anticipated that multi-jurisdictional activities that protect watersheds will have a high priority.

17. How will funding for technical assistance be allocated?

There is \$1,005,000 available for technical assistance to support the loan program by hiring technical staff. \$865,000 will be allocated to SWCD's and \$140,000 to the Board of Water and Soil Resources (BWSR). This technical assistance funding will increase in Fiscal Years 1996 and 1997 to \$1,280,000 per year. The servicing fee of 2% and origination fee of 1/2% that public lenders charge to borrowers will provide income that may be used to defray local costs and support the Ag BMP Program.

The information presented is a working guideline for the Ag BMP Program and is subject to change.

**Prepared by the Minnesota Department of Agriculture.
90 West Plato Blvd.
St. Paul, MN 55110**

For more information contact Tim McGuire at (612) 690-9028 or Paul Burns at (612) 296-1488.

July, 1994

State Revolving Fund - Agricultural Best Management Practices Loan Program
Meeting Dates:

<u>Location</u>	<u>Date and Time</u>	<u>Address</u>
St. Cloud	Wednesday, November 2 9:30 - 11:30	Stearns County Courthouse 705 Courthouse Sq.
St. James	Monday, November 14 1:30 - 3:30	Watsonwan Co. Courthouse Civil Defense Room 2nd Ave S. and 7th Street S.
Crookston	Wednesday, November 16 1:30 - 3:30	Polk Co. Corrections Center 600 Bruce St.
Rochester	Thursday, November 17 9:30 - 11:30	Olmsted Community Hospital 1650 4th Street SE
Marshall	Monday, November 21 9:30 - 11:30	Lyon County Courthouse 607 West Main Street
Grand Rapids	Wednesday, November 23 9:30 - 11:30	Itasca County Courthouse 123 4th Street NE
Fergus Falls	Monday, November 28 1:30 - 3:30	Ottertail County Courthouse 121 W. Junius

SECTION 6. RELATIONSHIP BETWEEN ECOSYSTEM-BASED MANAGEMENT, SUSTAINABILITY, AND BIODIVERSITY

Sustainability, Ecosystem-based Management, and Biological Diversity are umbrella concepts used by DNR as organizing principles for guiding natural resource management. These terms are closely related and are often used interchangeably. To understand their relationship, it may be useful to view sustainability as an outcome, Ecosystem Management as a methodology, and biodiversity as a measure or benchmark.

SUSTAINABILITY (A DESIRED OUTCOME)

Definition: Sustainability is the achievement of economic and social well-being without damaging the planet's resource base (e.g., its soils, water, vegetation and wildlife).

What Sustainability Means to DNR: Sustainability is the expected outcome of all resource management activities. Sustainability requires DNR to protect and restore natural systems so that their resources can be used indefinitely. Sustainability requires DNR to reconcile human needs and demands with the capacity of ecosystems to meet those demands.

ECOSYSTEM-BASED MANAGEMENT (A METHODOLOGY)

Definition: Ecosystem-based management is the collaborative process of sustaining the integrity of ecosystems through partnerships and interdisciplinary teamwork.

What Ecosystem Management Means to DNR: The approach requires that all DNR disciplines work together (in interdisciplinary teams) with strong public participation to develop and implement sustainability goals for entire ecological systems. This is different from the old model of "competing multiple-uses" where disciplines work in isolation to improve individual resources.

BIOLOGICAL DIVERSITY (A MEASUREMENT)

Definition: Biodiversity is the variety and abundance of life and its processes: It includes ecosystem diversity, species diversity, and genetic diversity. Biodiversity is a basic property of nature: It supports the integrity and resilience of life sustaining habitats (i.e., ecosystems).

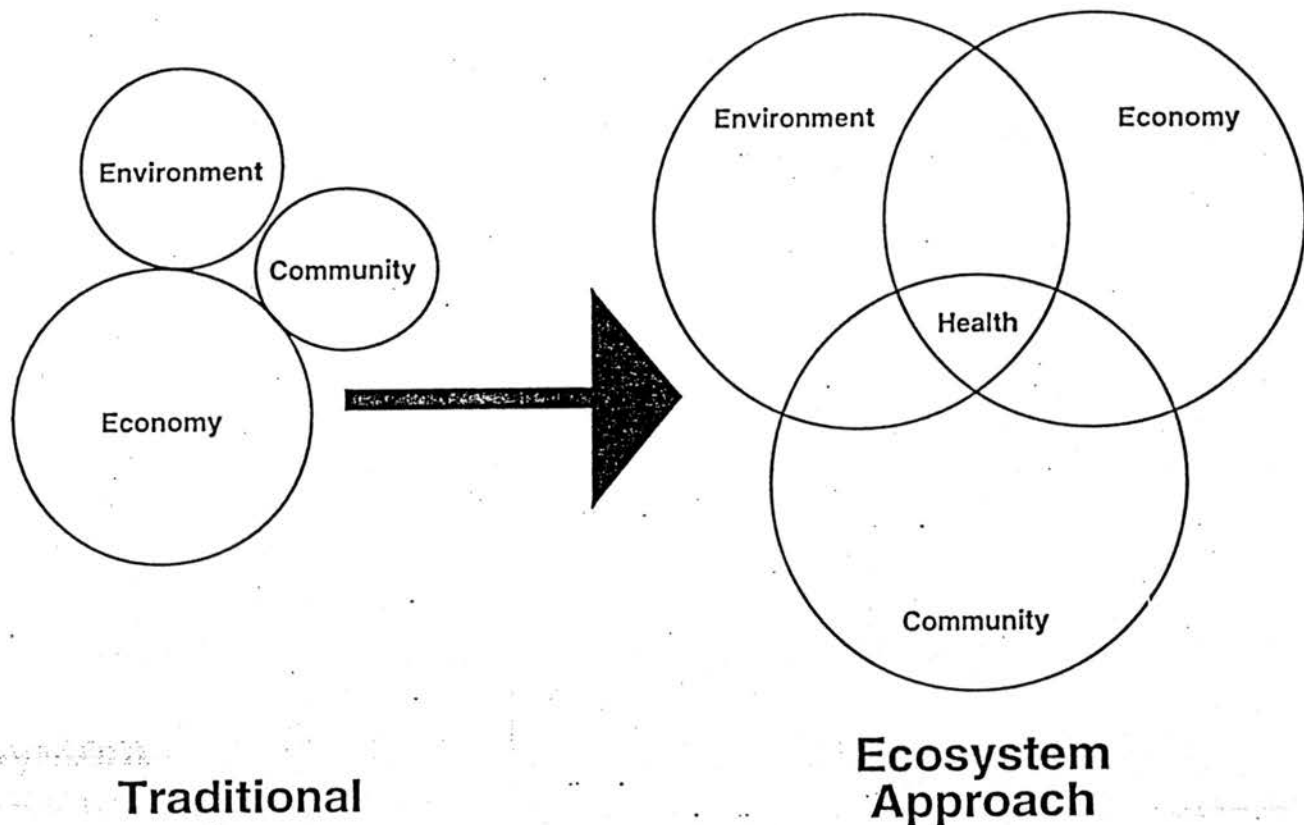
What Biodiversity Means to DNR: Indicators of biodiversity can be used as benchmarks to measure ecosystem health and hence the sustainability of our actions. Practical biodiversity measures are essential because traditional economic indicators do not reflect environmental degradation. Resource professionals must develop such indicators for tracking environmental quality trends. Biodiversity is one of the vital signs that measure our quality of life -- how much biodiversity is maintained will be a measure of our success as resource managers.

Source: *Directions for Natural Resources: An Ecosystem-based Framework for Natural Resource Management.*

Figure 1: The Three Interacting Dimensions of Ecosystem-based Management

The ecosystem-based approach holds that the economy, the community, and the environment are interrelated components of an ecosystem. Decisions and actions made in one area affect the others. These relationships can be visualized as three interlocking circles. Traditionally, decision-making has separated the three, with little understanding of their linkage.

Ecosystem health depends on (a) an environment that is viable and sustainable (i.e., supports human and non-human life); (b) an economy that is sustainable; and (c) a community that is liveable. The intersection of these circles represents the desired state of a "healthy" ecosystem.



Source: 1st International Symposium on Ecosystem Health and Medicine: Integrating Science, Policy and Management. (June 19-23, 1994, Ottawa, Canada.)

12/7/94

**BOARD OF WATER AND SOIL RESOURCES
ROOM 112 STATE CAPITOL
75 CONSTITUTION AVENUE
ST. PAUL, MINNESOTA 55155
DECEMBER 7, 1994**

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

BOARD MEMBERS ABSENT: Barbara Cobb.

AGENCY MEMBERS PRESENT:

Wayne Anderson, Pollution Control Agency (PCA)
Fred Bergsrud, Minnesota Extension Service (MES)
Kim Benson-Johnson, Department of Health (MDH)
Robert Patton, Department of Agriculture (MDA)

AGENCY MEMBERS ABSENT:

Department of Natural Resources

OTHERS PRESENT:

Matt Seltzer, Attorney General's office
Dave Benner, Natural Resources Conservation Service (NRCS)
Dan Livdahl, Minnesota Association of Conservation District Employees (MACDE)

STAFF PRESENT:

Ron Harnack
Jim Birkholz
Doug Thomas
Dale Krystosek
Mark Nelson
Al Kean
Greg Larson
Wayne Zellmer

Chairman Nielsen called the meeting to order at 9:07 a.m.

Ron Harnack recognized board members Barbara Uppgaard, Howard Peterson, and Warren Rodning, as their terms of office as board members expires in January 1995. Ron presented each with a certificate of commendation from Governor Carlson and a plaque from the BWSR. Chairman Nielsen deeply appreciated their concern and efforts as board members, and wished them well in their other activities.

Ron announced that Joan Miska has indicated that she will be resigning from the Wetland Heritage Advisory Committee.

**** 94-64** **Adopt Agenda** - Moved by Tripp, seconded by Otte, to adopt the agenda as presented. Affirmative: Annexstad, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

**** 94-65** **Minutes of October 26, 1994** - Moved by Otte, seconded by Annexstad, to approve the minutes of October 26, 1994, as circulated. Affirmative: Annexstad, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

Chairman's Report - Chairman Nielsen briefly commented on the 1995 Farm Bill. He also briefly commented on the BWSR's legislative audit.

Executive Director's Report - Ron Harnack reported that he met with the environmental cluster group on the budget/environmental package. He stated that the various conventions are underway, good participation, and BWSR staff has been successfully using them to touch base with local governments on many issues. Otte and Uppgaard commended staff on great communications with county commissioners at the AMC conference.

Committee Reports

Feedlot Committee - Jim Rossman reported that he's been invited by the Department of Agriculture and Pollution Control Agency to be an advisory member of the new feedlot advisory committee, with Al Kean as staff representative.

Education Committee - Tim Hvidsten reported that the education committee will be meeting in near future.

Dispute Resolution Committee (DRC) - Kathy Roer reported that the DRC heard two matters this month;

1) Wallace vs. Riley-Purgatory-Bluff Creek Watershed District; this matter is a wetland mitigation appeal that was first heard 11/10/94. The hearing was continued on 12/6/94. The DRC's decision was unanimous to remand the issue back to the Riley-Purgatory-Bluff Creek Watershed District, under permanent rules. Moved by Roer, seconded by Rossman, to approve the DRC's recommendation to BWSR to remand the issue back to the watershed

**** 94-66**

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

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94-67

2) The second appeal was the League of Women Voters vs. City of Coon Rapids. This matter was heard on 12/6/94. The appeal was whether or not the local governmental unit (LGU) met BWSR terms of process. Matt Seltzer, Attorney General's Office, recommended that the DRC review additional documents to be included as matter of record. The DRC's unanimous vote was to affirm the LGU's decision; and to exclude exhibit G and H from the record. Moved by Roer, seconded by Otte, to affirm the DRC's recommendation. Affirmative: Annexstad, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

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94-68

Roer said that the Trout Unlimited vs. Shakopee appeal was somewhat premature. The DRC decided to dismiss the appeal at this time without prejudice. Moved by Roer, seconded by Tripp, that the Board recommend dismissal of the appeal without prejudice. Affirmative: Annexstad, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

Chairman Nielsen instructed staff to prepare orders consistent with board's decisions.

Roer commented that there have been genuine differences regarding interpretations of some wetland rule and law provisions. Ron stated that several of these issues have been brought up before Wetland Heritage Advisory Committee (WHAC) and will be part of WHAC's report brought before the BWSR in January. Roer stated that interpretations need to be consistent.

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94-69

Water Plan Review Committee - Warren Rodning reported that the Water Plan Review Committee met on December 6, 1994, to review Koochiching County Water Plan; Wild Rice Watershed District Water Plan; Pelican River Watershed District Water Plan. The Review Committee recommended that the full BWSR approve these plans. Moved by Rodning, seconded by Lovdahl, to approve the Koochiching County Water Plan; Wild Rice Watershed District Water Plan; and the Pelican River Watershed District Water Plan. Affirmative: Annexstad, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

1995 Natural Resource Block Grant Allocation - Wayne Zellmer asked BWSR to authorize grants as proposed. Staff recommendation is to only withhold the Wetland Conservation Act (WCA) portion for next year if the county has not adopted the WCA; or if they have not returned the funds to withhold the entire block grant until the WCA 1994 funds are returned. Discussion followed. Moved by Tripp, seconded by Uppgaard, to withhold block grant from three counties - discussion followed. Uppgaard withdrew her second to the motion. Moved by Lovdahl, seconded by Rodning, to accept the block grant, except withhold 1995 WCA funds if they have not adopted, withhold 1994 amount owed. Discussion followed. Rodning withdrew his second to the motion. Moved by Lovdahl,

seconded by Otte, to authorize 1995 block recommendations as made by staff subject to withholding 1995 WCA portion of block grants for those counties who have not adopted WCA; pursue collection efforts; and to give legal counsel authority to commence legal action if necessary. Discussion followed; motion withdrawn. Roer offered another motion, seconded by Tripp, to authorize 1995 grants as prepared by staff, with assumption that WCA funds will be withheld from the five counties that have not adopted; counties that have not adopted WCA and not returned their 1994 WCA grant monies will have their entire block grant withheld until monies are returned.

Chairman Nielsen called for a recess in the meeting to correct language in Roer's motion.

Chair recessed the meeting at 10:40 a.m. The meeting reconvened at 11:00 a.m.

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94-70

The motion by Roer, seconded by Tripp, will read, "Authorize 1995 grants as prepared by staff and withhold 1995 WCA portion from those counties that have not adopted WCA. If by December 15, 1994, any county which has not adopted WCA has not returned the 1994 WCA portion of its 1994 grant, the entire 1995 block grant to that county will be withheld until such time as those funds are returned. Rodning said he opposes this motion, due to legal, moral and political reasoning. Affirmative: Annexstad, Otte, Peterson, Roer, Tripp, and Nielsen. Opposed: Hvidsten, Lovdahl, Rodning, Rossman, and Uppgaard. Carried.

Wetland Heritage Advisory Committee (WHAC) Status Report and Status of Non-Adoption Counties - Greg Larson said WHAC met on November 2 and 14. Joan Miska asked Greg to set up ad hoc committee to embellish on issues. It was reported that Joan Miska will be retiring as member of the WHAC. The WHAC will make recommendations to full BWSR at January meeting. Chairman Nielsen said once we have legislative agenda, and we understand what administration's position is, we may have to be active to get support.

Status of Appeals Before the Board - Jim Birkholz gave an update on an appeal complaint filed, Audubon vs. Nine Mile Creek Watershed District.

Jim gave a synopsis of the agreement:

BWSR will expedite review of Nine Mile Creek Watershed District Water Management plan in cooperation with commenting agencies; BWSR will temporarily stay a decision on the Audubon complaint; parties will share information on progress at least monthly; BWSR will approve the water management plan when the law and rule requirements are met; the watershed district will adopt and implement the water management plan within 120 days of Board approval.

1. Approve the basis of the draft agreement between BWSR, Audubon and Nine Mile Creek WD;

2. ~~Appoint an ad hoc committee to work with staff regarding guidance for approval of~~

2. Appoint an ad hoc committee to work with staff regarding guidance for approval of second generation WMO plans. The committee would be required from now until the approval of the three second generation plans currently in review;

3. Initiate development of a policy regarding non-adoption of any WMO plans after BWSR approval.

94-71 Uppgaard commended this process. Moved by Uppgaard, seconded by Rossman, to approve the agreement. Affirmative: Annexstad, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

Chairman Nielsen asked that Barb Cobb and Dwain Otte be on the ad hoc committee to work with Jim on this.

94-72 Fridley vs. Rice Creek Watershed District - Staff recommendation is to hold this appeal in abeyance pending judicial reviews currently underway, and not to go before DRC. Moved by Annexstad, seconded by Otte, to accept staff's recommendation to hold this appeal in abeyance pending judicial reviews currently underway and not go before the DRC. Affirmative: Annexstad, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

Engineering/Technical Committee Recommendations - Al Kean gave status update of implementation of technical staffing within joint powers areas of SWCDs. Al said staff requested endorsement of:

1. concept of 11 joint powers agreement areas statewide;
2. an engineer/technical team in each area;
3. granting procedure.

Discussion followed. Chairman Nielsen has a problem with who the fiscal agent is; staff needs to come back with an executed contract.

Chairman recessed for lunch at 12:25 p.m. The meeting reconvened at 1:10 p.m.

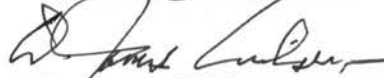
94-73 D'Wayne DeZiel arrived at the meeting and continued the discussion on the SRF technical staffing. Chairman Nielsen said accountability needs to be clarified. Uppgaard asked if staff could come back next month with more information on local acceptance and joint powers agreement status. Moved by Rodning, seconded by Lovdahl, to approve concept and procedures, as expressed in Kean's report of 12/6/94 to BWSR, with exception of paragraph E. Affirmative: Annexstad, Hvidsten, Lovdahl, Otte, Peterson, Rodning, Roer, Rossman, Tripp, Uppgaard, and Nielsen. Opposed: None. Carried.

Budget Blue Print - Ron Harnack updated the BWSR on the first biennial budget from the environmental agencies. The key themes to the budget this year are ecosystems, sustainable

development, and delineation of roles and responsibilities. Board members desiring more detail regarding the executive budget process should call Ron.

Chairman Nielsen adjourned the meeting at 1:25 p.m.

Respectfully submitted,

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

D. James Nielsen
Chairman

Amended
filed with the Board a Motion to Dismiss and a Motion to Expedite. Major dollars are allegedly at stake. The record is about 1.5 inches thick and has been provided to the DRC. It is hoped that the DRC can make a recommendation to the Board at the Dec. 7, 1994 meeting. *My Bid Minute*

Fridley v. Rice Creek Watershed District (8410.0180 appeal)

On Oct. 18, 1994 the City of Fridley filed an appeal under MS 103B.231 and related rules (8410.0180) relating to Rice Creek WD's Sept., 1994 adoption of certain plan amendments. This issue is a very complex, confusing legal issue (in my opinion). The best way I can summarize it in the fewest words is as follows:

- Rice Creek adopted plan amendments in 1993 following the amendment process in their approved 509 plan. The plan extended to 1990.
- Ramsey County filed sued in District Court.
- In May, 1994 the District considered additional plan amendments, following the plan amendment process in their original plan.
- In June 1994 the District Court ruled the 1993 amendments invalid because the plan had expired. The court basically said that the District had to follow the process in the law, not the process in their expired plan.
- Fridley appeal the lower court decision to the Court of Appeals. The Court of Appeals is hearing oral argument on Dec. 6, 1994.
- In Sept., 1994 the District adopted portions of the plan amendments considered in May, but not the Locke Lake capital improvement project.
- Fridley is basically appealing the issue of whether a WMO can adopt only a portion of a plan amendment after going through the due process provided by the amendment process.

My recommendation to the Board is to not act on the appeal until the appeal process is completed on the disposition of the 1993 amendment. I find it odd that the District is adopting any plan amendment when the District court ruled the process they followed essentially invalid.

Pearce v. Minnehaha Creek Watershed District (103D Appeal)

Pearce appealed to the BWSR relating to a project proposed in their watershed management plan. On Oct. 27, 1994 the parties agreed to defer from any litigation for two months in order to attempt to negotiate a settlement.

Levine & Ramey v. Minnehaha Creek Watershed District (103D appeal)

On Oct. 17, 1994, private citizens Levine and Ramey filed an appeal with BWSR relating to the District's approval of a development in Mpls. adjacent to a wetland known as the "Ewing Wetland." It has been a highly visible dispute since it is one of the last remaining wetlands in Mpls. with several articles about it appearing in the Star & Tribune. I have not had any time to deal with this appeal at this time

a:appeal.sta

P.S. Mr. Steve Spartz just filed another appeal with us today by fax. We are not certain whether it is a valid appeal or not at the time of this writing. It appears that it relates to condition placed on his license by Minnehaha Crk WD.

November 29, 1994

To: Ron Harnack
From: Bruce Sandstrom *Bruce S.*
Re: Status Report on Pending Appeals

You asked for a brief status report on the appeals pending on this date.

Trout Unlimited v. City of Shakopee (WCA appeal)

*dismiss
w/o prejudice
appeal*

Pre-hearing conference was scheduled for Oct. 13, 1994 but was canceled at the last minute. The reason for the cancellation was that the City Attorney took the position that the City had not officially approved the replacement plan and so there was nothing to appeal at this time. On Dec. 6, 1994 I will be recommending that the DRC dismiss the appeal without prejudice. Trout Unlimited understands the situation and said that they would be formally withdrawing its appeal at this time, but haven't done so to date. I recommended in a letter to the parties that TU ask to be placed on Shakopee's "notice list" so that they would not have to re-certify their 100+ signature petition in order to re-instate their appeal.

Wallace v. Riley Purgatory Creek WD (WCA appeal)

Pre-hearing conference held on Oct. 13, 1994. Hearing held by DRC at 9:00, Nov. 10, 1994 and was continued to Dec. 6, 1994. On Dec. 6, 1994 additional documents may be included as part of the record by the DRC as part of the record and a recommendation is expected to be made on that date. Board action expected on Dec. 7, 1994.

Audubon v. Nine Mile Creek Watershed District (8410.0180 appeal)

*dismissed
w/o prejudice
appeal*

Board found just cause for the appeal at the August Board meeting. I prepared a staff report dated Oct. 18, 1994 which was reviewed with you and Matt Seltzer per rules. A meeting of the parties, including representatives of the City of Eden Prairie and the City of Hopkins, was held on Nov. 17, 1994 to discuss the contents of my draft report. Jim Birkholz facilitated the meeting. Bd Member Barb Cobb was present and provided valuable input. A proposal to settle the grievance was generally agreed to and will be placed in writing by Jim Birkholz today or tomorrow. Audubon has in concept agreed to not pursue their appeal further at this time if certain actions take place towards the review, approval and adoption of the District's recently submitted watershed management plan as is expected to be laid out in Jim's draft agreement. A necessary outgrowth of this dispute will be that the Board will have to adopt a definitive policy on what to do when a WMO does not have an up-to-date plan. This policy will have to apply to all WMOs, not just Nine Mile Creek.

League of Women Voters v. City of Coon Rapids (WCA Appeal)

admitted

A pre-hearing conference was held on Nov. 10, 1994. The DRC is hearing the matter on Dec. 6, 1994. The developer, Muir Northtown Limited Partnership, has

**OVERVIEW OF KOOCHICHING COUNTY
COMPREHENSIVE WATER PLAN
BWSR BOARD MEETING
DECEMBER 7TH, 1994**

Introduction

On June 6, 1990, the Koochiching County Board authorized the development of a comprehensive local water plan. The Koochiching SWCD was given the responsibility for the development of the plan. In the spring of 1993 the district contracted with a private consultant to complete the water plan. That fall the consultant broke the services agreement with the SWCD and the district again assumed responsibility for the plan. The project manager resigned in the spring of 1994. The county board appointed the Planning and Zoning Office with the development of the plan. A draft plan was submitted for local review in July. In October the county submitted the revised plan for state review. A public hearing was held November 29, 1994. A 21-member task force met numerous times during the past 4 years to review data, discuss issues, identify goals and develop the management plan.

Background Information

Koochiching County is located in extreme north-central Minnesota, approximately 300 miles north of the Twin Cities. Nearly all of the county drains northward into the Rainy River and Rainy Lake. Most people think that Koochiching County is water oriented. In reality, there is only one lake of significance, that being the Rainy. The county has 10 other small lakes.

International Falls, one of 5 incorporated municipalities, is the county seat. The 1990 population was estimated at 16,293, or about 5.2 persons per square mile. Most of the population is concentrated near the shores of Rainy Lake and Rainy River, and the City of International Falls. County population growth is expected to decrease slightly but steadily in the future. In addition, there are a substantial number of summer residents and seasonal tourists/sports enthusiasts. Nearly three-fourths of the county is state, federal or tribal lands. Agricultural land-uses occupy 5% of the county's 3,125 square miles. The county's lakes occupy less than 1% of the surface area. Forestry dominates land-use in Koochiching County.

Overview of Koochiching County CLWP - Page 2

Staff Review

The Koochiching County Water Plan Task Force has developed a comprehensive water plan that will meet present and future natural resource needs of the county. The County Environmental Services Department, cooperatively with other natural resources agencies and institutions, will be responsible for directing the implementation of the water plan.

Much of Koochiching's future growth depends on tourism and recreational development. Both types of development hinge largely on water quality. The county recognizes that this development should be carried out with the proper application of appropriate landuse and site design standards. The county recently passed a new shoreland zoning ordinance. They have been working with Lake of the Woods County to establish the Rainy and Rapid Rivers Management Board to implement a locally administered Wild and Scenic Rivers type program.

Surface and ground water quality information for Koochiching County is lacking in scope and detail. Few natural resource problems exist that cannot be readily inventoried and managed. Compared to many other areas in the state, Koochiching County has relatively small scale problems that may require only small scale cures. Due to limited staff and budget the county has few resources to solve what problems do exist. The local water plan implementation funds could help to build the capability of local natural resources agencies in the county.

BWSR staff will be working with the project manager and task force to see that the comments made in the preliminary and final reviews are addressed in the plan. No review problems are anticipated.

a:overview.koo

WILD RICE WATERSHED DISTRICT

11 East 5th Avenue Phone 218-784-4085
ADA, MINNESOTA 56510

Report to the Minnesota Association of Watershed Districts
from the Wild Rice Watershed District

A major workload for the District continues to be the enforcement of its rules and operation of a permit program. In 1994 seventy five permit applications were submitted to the Board for consideration.

The Managers and Staff continue to be involved in the resolution of numerous drainage, flooding, and diking disputes throughout the District. In 1994 twenty investigations were conducted to facilitate resolution of water related conflicts.

The District is committed to maintenance of its projects and drainage systems. The following activities were completed on District projects in 1994.

1. Establishment of eight miles of grass buffer strips on County Ditch #14.
2. Expended \$4,000 on beaver damage control.
3. Performed cleaning on one mile of Clay County Ditch No. 52.
4. Performed cleaning and erosion control practices on two miles of County Ditch #37.
5. Performed surveys and investigation for repairs of seven miles of J.D. 53, Lat. 1.
6. Completed backsloping and repairs on three miles of County Ditch #14.
7. Compliance Notices are being issued to restore grass strips on Projects 5, 20 & 23.
8. Completed 100 miles of spraying for tree growth and cattails.
9. Completed Flood Disaster claims approved by FEMA totaling \$38,000.
10. Completed benefiting area maps for 102 ditch systems within Norman County.

Above normal precipitation put a greater emphasis on flood damage reduction projects, reducing erosion and preservation of the District's wetland resources. The following related projects/initiatives were completed in 1994.

1. A 16-mile clearing and snagging project on the Wild Rice River, COE project, \$204,000.
2. Requested FDR funding for a pilot "Ice Control Project" on the Wild Rice River.
3. Involved in cooperative project to remove flood prone structures from within the flood plain.
4. Pursuing Civil Works project to restore the historic flow diversion on the Marsh River.
5. Completed Levee Rehabilitation project on Wild Rice River, COE PL 84-99, \$504,000.
6. Completed bank stabilization project on Kirk Strand property.
7. Field surveys completed for an erosion control project on White Earth River, SLR.funded.
8. Currently negotiating for options to purchase 102 acres for a "Wetland Banking Project".

The District anticipates that its revised "Watershed Management Plan" will be approved by the BWSR in 1994.

The District is also in the process of developing a water quality monitoring program and continues its ongoing stream gauging program.

PELICAN RIVER WATERSHED DISTRICT

Background -

- Becker County Commissioners petitioned to establish Pelican River Watershed District in 1965
- "Overall Plan" was approved in 1967
- Watershed Management Plan revision process began in 1990
 - Several versions submitted to BWSR between November, 1990 and May, 1992 were found to be deficient
 - Another version submitted in November, 1992
 - This version was withdrawn due to personnel changes and change in direction of the District
 - Present version proposed April 1994

PELICAN RIVER WATERSHED DISTRICT - MISSION STATEMENT (revised 3/17/94)

"The mission of the Pelican River Watershed District is to enhance the quality of water in the lakes within its jurisdiction. It is understood that to accomplish this, the District must ensure that wise decisions are made concerning the management of streams, wetlands, lakes, groundwater, and related land resources which affect these lakes."

PAST PROJECTS

RESEARCH

- Nutrient budget study, EPA sponsored (Neel, 1973)
- Surface hydrologic investigation, (USGS 1970, 1981, 1982)
- Study of weed harvesting, EPA sponsored (Neel, 1973)
- Investigation of septic impacts on Lake Sallie (Lee, master's thesis 1972)
- Monitoring of improvements to Detroit Lakes wastewater treatment system (Neel, 1978, 1981)

- Study of watershed lakes for remedial action (Hogan, Instrumental Research, 1984)

CLEAN LAKES PROJECT

- District received an EPA grant to evaluate "restoration" of Lakes Sallie and Detroit
- Some funding for implementation has been received

AQUATIC VEGETATION HARVESTING

- Originally planned as means for nutrient removal
- Continued for aesthetics for recreational use

OTHER LAKE PROTECTION ACTIVITIES

- Promoting extension of sewer and water around Detroit Lakes
- Worked for upgrading City of Detroit Lakes waste water treatment system (1976)
- Control of flowering rush, an exotic plant
- Utilizing rule making authority, District requires permits for activities such as construction, septic servicing, supports strict enforcement of Shoreland Ordinance, WCA, federal wetland regulations.

IDENTIFIED PROBLEMS

- ** Cultural eutrophication of lakes within District
- ** Cause of water quality problems is excess phosphorus in lakes
- ** Sources of phosphorus:
 - Atmosphere
 - Ground water
 - Surface water
 - Internal loading
- ** Exotic plant - Flowering Rush - is spreading in several lakes in the Pelican River chain
- ** Other nuisance aquatic vegetation along shorelines

WATER QUALITY GOALS

In accordance with the Managers' understanding of the District's Mission, the following is the overriding goal of the District:

"THE WATER QUALITY IN DISTRICT LAKES SHALL NOT BE FURTHER DEGRADED"

Previous studies have shown that several lakes within the Pelican River Watershed District "may be poised for rapid deterioration; the legacy of inaction now could be severe, perhaps irreparable damage." This assessment has given rise to a second goal:

"LAKE WATER QUALITY FOR SALLIE, LITTLE DETROIT, AND LITTLE FLOYD LAKES WILL BE IMPROVED TO THE CONDITION OF OTHER NEARBY LAKES"

WATER QUALITY ENHANCEMENT AND PROTECTION PLAN

3 general approaches will be employed as part of the overall strategy for achieving District water quality improvement goals:

1. Implement "Best management practices" throughout the district
2. Reduce upstream releases of stored sediments and nutrients
3. Undertake certain specific in-lake treatments

1. "BEST MANAGEMENT PRACTICES" AND RELATED MEASURES

- a. Storm water runoff treatment
- b. Septic system monitoring and modernization
- c. Sanitary sewer conversions
- d. Upgrade of Detroit Lakes Wastewater Treatment Plant
- e. Shoreland zone management practices
- f. Improve feedlot and other agricultural practices
- g. Streambank protection and stabilization

h. Education

i. Continue water quality monitoring efforts

2. CONTROLLING EPISODIC NUTRIENT AND SEDIMENT RELEASES FROM UPSTREAM AREAS

a. By-pass Lake St. Clair

b. Alum treatment of outlet flows from Lake St. Clair

c. In-lake alum treatment of Muskrat and St. Clair lakes

d. The Pelican River Headwaters Program (proposed wetland restoration in upstream areas)

e. Melissa Lake Program (evaluate impacts of stored nutrients being discharged to Lake Melissa)

3. IN-LAKE TREATMENTS

a. Weed harvesting on Lakes Detroit, Sallie and Melissa

b. Control of Flowering Rush

c. In-lake alum treatment of Lake Sallie

d. Further study of Little Floyd and Little Detroit Lakes

STAFF RECOMMENDATIONS

- Plan is very well researched and well written.
- The District has done a good job of organizing the plan and following the Administrative Guidelines for Watershed District Management Plans.
- DNR commented on Plan in letter dated July 13, 1994. Overall, comments were positive and complement the Pelican River Watershed District for the comprehensive approach in developing "an integrated and balanced watershed management plan."
- The DNR did mention a perceived weakness related to the plan's lack of attention to groundwater issues. While BWSR recognizes the importance of groundwater, the District's mission very clearly lays out a focus on lake water quality. Consequently, we have recommended that the District not be required to add additional groundwater information to the plan.
- We have determined that the Revised Plan meets the minimum requirements as described in M.S. 103D.405 for revised watershed management plans.
- BWSR staff recommend approval of the plan.

MEETING NOTES
BWSR WATER PLAN REVIEW COMMITTEE
December 7, 1994
6

Meeting was called to order at 1:35 pm by Warren Rodning

Committee members present included: Warren Rodning
 Barbara Uppgaard
 Howard Peterson

KOOCHICHING COUNTY WATER PLAN

Bill Best, BWSR Board Conservationist, Bemidji Field Office introduced Nolan Baratonow, Koochiching County Planning and Zoning Administrator.

An overview of the plan was presented by Bill Best, areas covered included:

- ** The history of the planning process in the county.
- ** A description of the physical features in the county.
- ** A description of the major resource issues identified in the plan.
- ** A summary of agency comments on the plan and how the county responded to them.

During discussion of the plan the county identified that the priority for implementation in 1995 will be on-site septic along Rainy Lake as it is estimated that there is a 90% + failure rate and the lake is used as the primary drinking water supply for the majority of residents. Another priority for implementation will be the gathering of local data on potential contaminant sources and water quality within the county as very little is known at this time on these areas.

Presentation was concluded with staff recommending approval of the plan. Committee members agreed to recommend approval to the full Board.

WILD RICE WATERSHED DISTRICT

Bill Best, BWSR Board Conservationist, Bemidji Field Office introduced Warren Seykora, Manager, Sanford Moen, Manager, and Jerry Bennett, Administrator.

An overview of the plan was presented by Bill Best, areas covered included:

- ** History of the district.
- ** A description of the drainage, topography, and geology of the district and how they relate to current problems and issues.
- ** A discussion of programs that the district is carrying out that include education, programs, such as benefitted areas mapping and stream monitoring, and projects.
- ** A discussion of problems identified in the plan which include, floodwater damage, erosion, loss of natural habitats from land conversions, and the lack of water based

recreation.

Following the conclusion of Bill's formal comments discussion centered around agency participation in the plans and agency comments.

Presentation was concluded with staff recommending approval of the plan. Committee members agreed to recommend approval to the full Board.

PELICAN RIVER WATERSHED DISTRICT

Dale Krystosek, BWSR Board Conservationist, Bemedji Field Office introduced Richard Hecock, Administrator.

An overview of the plan was presented by Dale Krystosek, areas covered included:

- ** A history of the district including when it was established. The Pelican River WD is unique in that it was the first district established in the State primarily for the purpose of protecting, and restoring water quality in lakes.
- ** A discussion of some of the past accomplishments by the district such as it completed the first septic system study in the State, it was the first district to do an assessment based on recreational benefit, and held the State's first eutrophication conference.
- ** A discussion on the primary goals of the district which include upland treatment and wetland restoration, stormwater management, in lake treatments to control phosphorous releases, and vegetation management.
- ** Specific programs of the district include public education, stormwater treatment, wetland restorations, and exotic species control of flowering rush.
- ** Agency comments and district response.

A short presentation was done by Richard Hecock on the programs and activities of the district.

Presentation was concluded with staff recommending approval of the plan. Committee members agreed to recommend approval to the full Board.

Meeting adjourned at 4:15 pm.

DATE: December 6, 1994
TO: BWSR Board Members
FROM: Al Kean, Chief Engineer *AmK*
SUBJECT: SRF Technical Staffing

PURPOSE: This memorandum reflects the current status of implementation of technical staffing within joint powers areas of SWCDs and seeks endorsement of recommended staffing plans, funding priorities and grant procedures.

BACKGROUND: At the September board meeting, the Conservation Partnership Technical Advisory Committee (TAC) recommended, and the board endorsed, the concept of river basin/watershed based joint powers areas (JPAs) of SWCDs for implementation of SRF technical staffing. The primary objective of this concept is to provide statewide coverage of technical support on a quasi watershed basis, within reasonably sized geographic work areas. This concept envisioned providing one engineer and one lead technician in a host district within each JPA to provide increased engineering sign-off capability and design assistance to existing SWCD staff. Recall that \$865,000 was appropriated to the BWSR as pass through funding to SWCDs in FY 95 for technical staffing to help implement the SRF loan program for nonpoint source best management practices. This level of funding reflected a first year start-up lag period. We have estimated that approximately \$1.1 million would be available in FY 96 for this technical technical staffing.

At the October board meeting, we presented a plan of 11 JPAs for technical staffing (see attached map) and indicated the support of MASWCD and its member districts for this plan. We also indicated that the joint powers areas were beginning to be organized and joint powers agreements developed. Host districts for staff and fiscal agents for receiving and managing staffing funds had not yet been defined.

ISSUES: The following issues have surfaced as the JPAs have been getting organized.

- a) Workload to staff ratios: Although anticipated SRF and other technical workload was considered in the definition of the 11 proposed JPAs, river basin boundaries and work area size were the primary variables used to define JPA boundaries. Concerns have arisen in at least one JPA that because of size and potential workload, more than one engineer and one technician may be needed for technical assistance. Expected state funding levels for this initiative next fiscal year and beyond are a related factor in this issue.
- b) Technical staff expertise and salaries: SWCDs are asking about the requirements for staff

expertise and salaries that will be set by the BWSR.

- c) Eligible staffing costs: SWCDs have a number of questions about what will and won't be funded as part of the technical staffing plan (e.g. equipment, transportation, office costs).
- d) Hiring procedures: BWSR and MASWCD staff, and some JPAs have been trying to define the best procedures for hiring technical staff within JPAs.
- e) Grant procedures: BWSR staff have been identifying how to get the grants for technical staffing out to the JPAs in a timely manner, recognizing the time it takes to get official joint powers agreements developed and signed.

DISCUSSION AND RECOMMENDATIONS: The Technical Advisory Committee (TAC) met on November 30, 1994 to discuss and make recommendations regarding the issues outlined above. Following are recommendations and rationale of the committee and BWSR staff.

a) Workload to staff ratios: Consideration was given to providing more or less than one engineer and one technician in each joint powers area. This issue is related to issue b) in regard to the requirement to have an engineer in each area. The TAC held to the belief that increased engineering sign-off capability is a current need, and will surely be an increasing need due to the SRF workload and the uncertain technical assistance capacity of the Natural Resources Conservation Service. It also held to the belief that relative workloads are uncertain at this time, and that statewide coverage is needed. BWSR and MASWCD staff considered a staffing plan with 10 joint powers areas, with the idea of potentially providing more than one engineer and one technician in one or more large JPAs. The TAC did not support any revision of the proposed JPA boundaries, or the idea of providing less than one engineer and one technician in some JPAs, due to the planning that has occurred to date and the anticipated difficulties with workload, travel distances and shared staff. An alternative suggested by BWSR staff, as a response to the potential need for more than one engineer and one lead technician in some JPAs, is the possible use of some funds from an EPA Section 319 grant (approx. \$260,000) that the BWSR is to receive for SRF implementation, to temporarily fund challenge grants for additional staffing. The TAC and BWSR staff are seeking board endorsement of staying with 11 joint powers areas with one engineer and one lead technician per area, as the base technical staffing for SRF support.

b) Expertise and salary requirements: Al Kean prepared draft position descriptions for JPA engineers and lead technicians and provided them to the TAC for review and comment in November. Comments of the TAC have been incorporated. These position descriptions will be provided to the JPAs asap. The expected appropriate starting salary ranges are \$40-45,000 for registered engineers and \$25-30,000 for lead technicians.

c) Equipment and eligible staffing costs: The TAC and BWSR staff recommend that computers, computer-aided design and drafting (CADD) software, and total station surveying equipment be

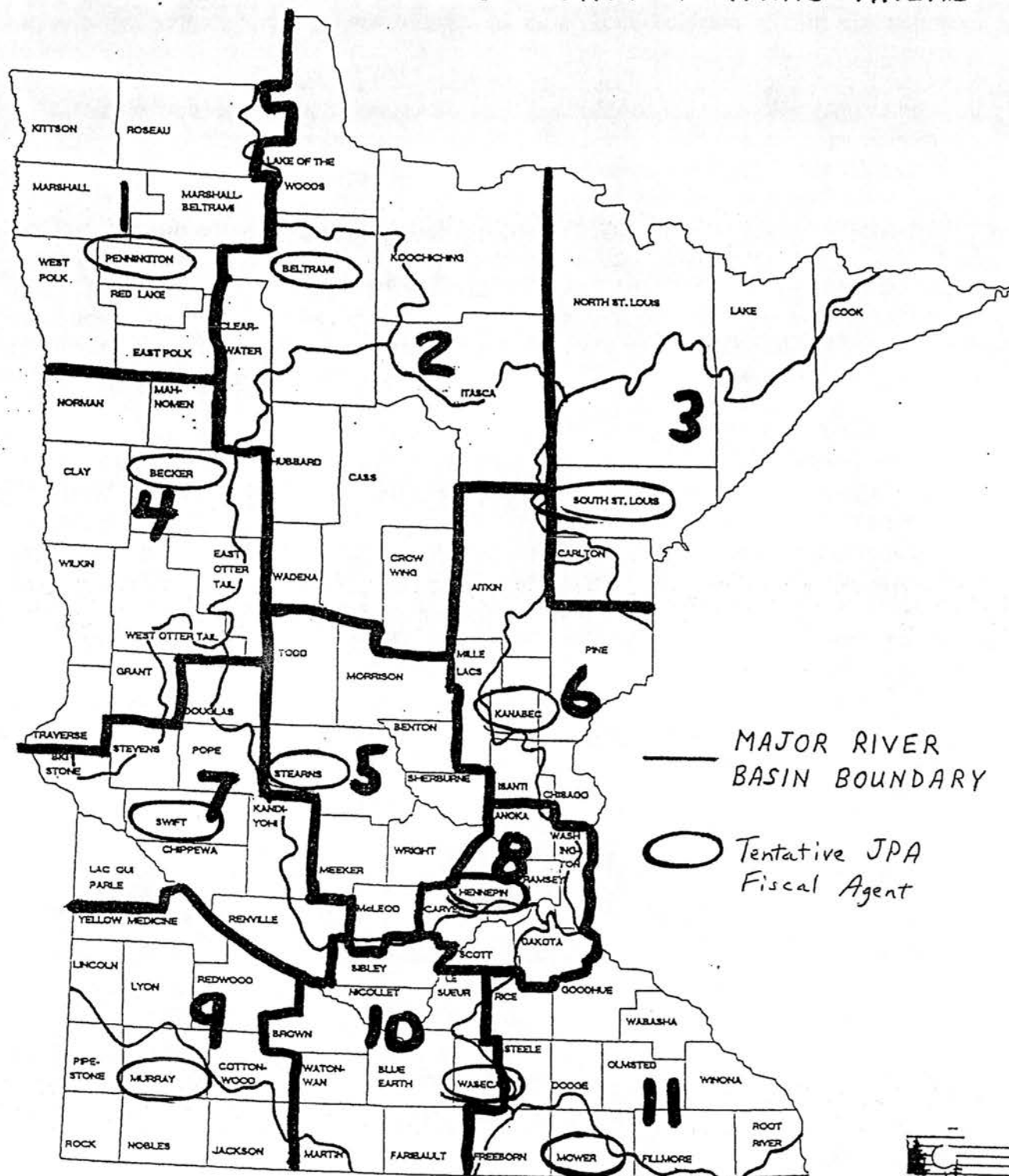
the top priorities for equipping JPA engineers and technicians. We propose to purchase this equipment all at once and provide it to the JPAs, in order to have the substantial negotiating power of large volume purchases. This equipment would be purchased with FY 95 funds, which will be available due to the late start of staffing. In addition to staff salary and benefit funding, a lump sum would be provided to JPAs on an annual basis for transportation, office costs, equipment repair/enhancement and other costs of the engineers and technicians. JPAs would define their own priorities for utilization of the lump sum funding. Because the total funds provided to JPAs will likely not cover all expenses, JPAs could hire engineers or technicians on a part time basis, if feasible. Annual budget plan submissions and financial reports are envisioned for sound fiscal management and audit purposes.

d) Hiring procedures: The TAC recommends consolidated advertisement for all engineers and technicians, on a regional or national basis, with the applications of interested candidates being supplied to JPAs. JPAs would also be able to advertise locally, as they see fit. BWSR staff recommend that an engineer with appropriate expertise be a member of the hiring committees within each JPA to help select engineers. BWSR engineers, or possibly NRCS engineers, would be made available to assist in this capacity, or possibly a local engineer with appropriate expertise.

e) Grant procedures: The proposed deadline for getting grants out to JPAs is January 15, 1995. Because joint powers agreements may not be complete in time to meet this deadline, BWSR staff recommend that we grant FY 95 funds to SWCDs designated as the fiscal agent for each JPA. The fiscal agent would not be required to be a host district for staffing, and could change next fiscal year. All of the JPAs have, or are close to having a fiscal agent identified for FY 95, and a number of JPAs have host districts for staff identified as well. SWCDs that have been tentatively defined as the fiscal agent for their respective JPA are identified on the attached map.

Minnesota Soil & Water Conservation Districts

TECHNICAL STAFFING JOINT POWERS AREAS



7/26/94
swod.app



DATE: December 6, 1994

TO: BWSR Board Members

FROM: Al Kean, Chief Engineer *AmK*

SUBJECT: SRF Technical Staffing

*MJ (Bd
minutes)*

PURPOSE: This memorandum reflects the current status of implementation of technical staffing within joint powers areas of SWCDs and seeks endorsement of recommended staffing plans, funding priorities and grant procedures.

BACKGROUND: At the September board meeting, the Conservation Partnership Technical Advisory Committee (TAC) recommended, and the board endorsed, the concept of river basin/watershed based joint powers areas (JPAs) of SWCDs for implementation of SRF technical staffing. The primary objective of this concept is to provide statewide coverage of technical support on a quasi watershed basis, within reasonably sized geographic work areas. This concept envisioned providing one engineer and one lead technician in a host district within each JPA to provide increased engineering sign-off capability and design assistance to existing SWCD staff. Recall that \$865,000 was appropriated to the BWSR as pass through funding to SWCDs in FY 95 for technical staffing to help implement the SRF loan program for nonpoint source best management practices. This level of funding reflected a first year start-up lag period. We have estimated that approximately \$1.1 million would be available in FY 96 for this technical technical staffing.

At the October board meeting, we presented a plan of 11 JPAs for technical staffing (see attached map) and indicated the support of MASWCD and its member districts for this plan. We also indicated that the joint powers areas were beginning to be organized and joint powers agreements developed. Host districts for staff and fiscal agents for receiving and managing staffing funds had not yet been defined.

ISSUES: The following issues have surfaced as the JPAs have been getting organized.

a) Workload to staff ratios: Although anticipated SRF and other technical workload was considered in the definition of the 11 proposed JPAs, river basin boundaries and work area size were the primary variables used to define JPA boundaries. Concerns have arisen in at least one JPA that because of size and potential workload, more than one engineer and one technician may be needed for technical assistance. Expected state funding levels for this initiative next fiscal year and beyond are a related factor in this issue.

b) Technical staff expertise and salaries: SWCDs are asking about the requirements for staff

expertise and salaries that will be set by the BWSR.

- c) Eligible staffing costs: SWCDs have a number of questions about what will and won't be funded as part of the technical staffing plan (e.g. equipment, transportation, office costs).
- d) Hiring procedures: BWSR and MASWCD staff, and some JPAs have been trying to define the best procedures for hiring technical staff within JPAs.
- e) Grant procedures: BWSR staff have been identifying how to get the grants for technical staffing out to the JPAs in a timely manner, recognizing the time it takes to get official joint powers agreements developed and signed.

DISCUSSION AND RECOMMENDATIONS: The Technical Advisory Committee (TAC) met on November 30, 1994 to discuss and make recommendations regarding the issues outlined above. Following are recommendations and rationale of the committee and BWSR staff.

a) Workload to staff ratios: Consideration was given to providing more or less than one engineer and one technician in each joint powers area. This issue is related to issue b) in regard to the requirement to have an engineer in each area. The TAC held to the belief that increased engineering sign-off capability is a current need, and will surely be an increasing need due to the SRF workload and the uncertain technical assistance capacity of the Natural Resources Conservation Service. It also held to the belief that relative workloads are uncertain at this time, and that statewide coverage is needed. BWSR and MASWCD staff considered a staffing plan with 10 joint powers areas, with the idea of potentially providing more than one engineer and one technician in one or more large JPAs. The TAC did not support any revision of the proposed JPA boundaries, or the idea of providing less than one engineer and one technician in some JPAs, due to the planning that has occurred to date and the anticipated difficulties with workload, travel distances and shared staff. An alternative suggested by BWSR staff, as a response to the potential need for more than one engineer and one lead technician in some JPAs, is the possible use of some funds from an EPA Section 319 grant (approx. \$260,000) that the BWSR is to receive for SRF implementation, to temporarily fund challenge grants for additional staffing. The TAC and BWSR staff are seeking board endorsement of staying with 11 joint powers areas with one engineer and one lead technician per area, as the base technical staffing for SRF support.

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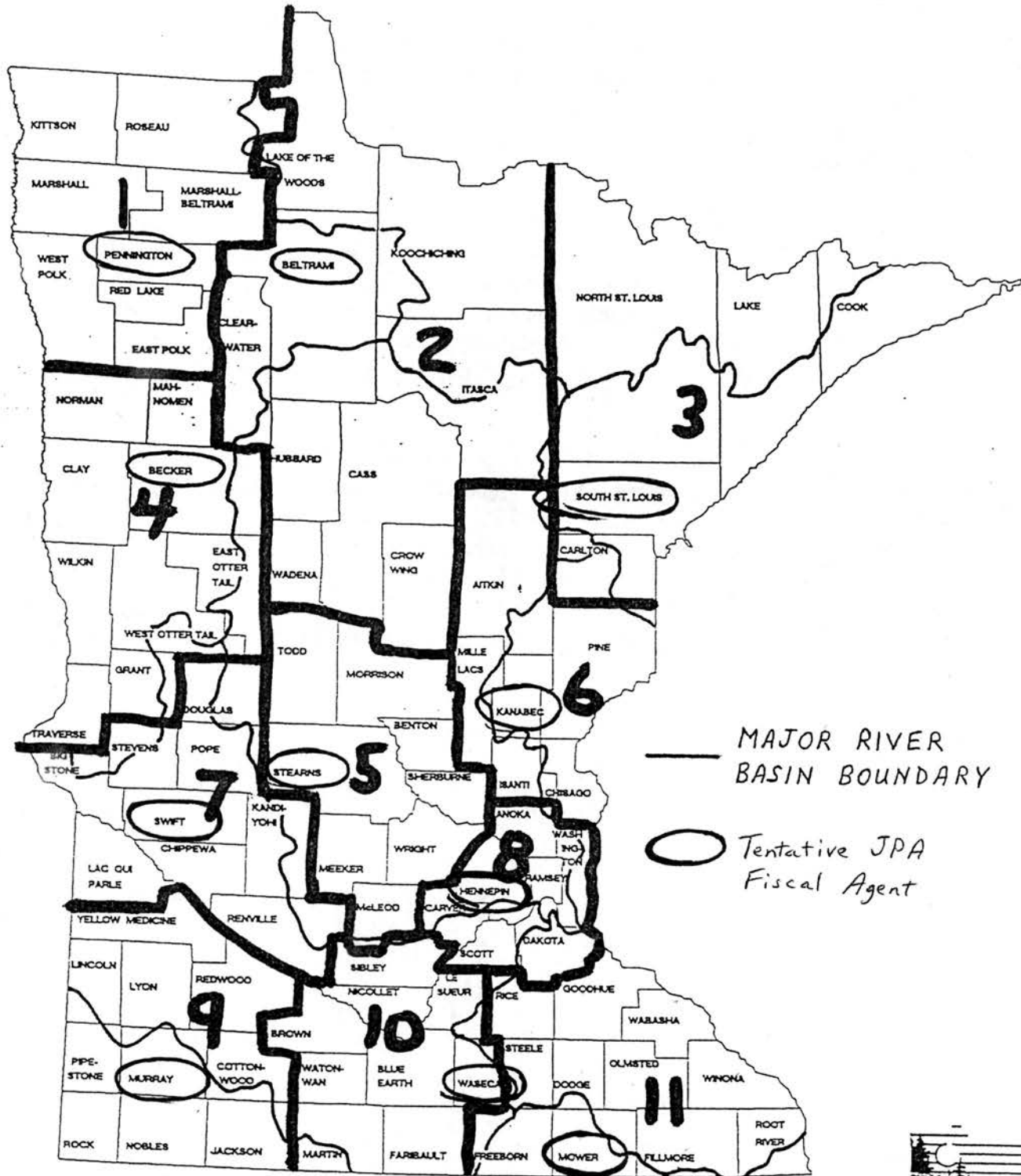
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Minnesota Soil & Water
Conservation Districts

TECHNICAL STAFFING JOINT POWERS AREAS



7/26/94
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*Approve the concept &
secure approval of MDA or JPA
and agreement from them to
accept accountability*



FY 94 ROLL-OVER FUND ALLOCATION

SUMMARY

Number of applications received: 70
 Funds requested: \$851,482
 Funds available: \$208,000
 Applications recommended for funding: \$208,000

ALLOCATION STRATEGY

Due to the great disparity between funds requested and funds available, it was the BWSR staff Grants Team's goal to divide the funds available amongst as many SWCDs as possible, while funding as many practices as possible and to not target a specific practice(s) or geographic area. Applications with a (X) in the "FEMA" column may be eligible for FEMA funding via the flood recovery effort.

The following is a list of all applications received. The ones listed in **bold** are recommended for funding.

#	District	FEMA? Practice	Amount
1	Cass	SLR (lake)	7,100.00
2	Kanabec	ECS	50,000.00
3		AWCS	35,000.00
4		AWCS	30,000.00
5	Scott	SWCS-wascobs	3,300.75
6		SWCS-waterway	1,500.00
7		SWCS-(side inlet structure)	2,250.00
8		SWCS-waterway, wascob, grade stab.	15,000.00
9		SWCS-grade stab.	15,000.00
10	Chippewa	SLR (stream)	10,000.00
11	Stearns	SLR (stream)	7,500.00
12	Traverse	Field Windbreaks	20,000.00 (10,000.00)
13	Marshall-Beltrami	ECS	1,653.50
14	Rice	Terraces	7,500.00
15		Terraces	1,500.00
16	Watonwan	SWCS-waterway	1,556.25
17	Steele	SWCS-wascobs	10,000.00
18	Pennington	SWCS-grade stab.	9,450.00
19		SLR (stream)	5,538.40
20	West Polk	ECS, CAS	20,000.00

21	Lincoln	SWCS-wascobs	8,699.00
22		*well sealing	10,500.00
23	Kandiyohi	X SLR (roadside)	6,730.57
24	Carver	X SWCS-road culverts?	4,700.00
25		SWCS-ecs?	5,000.00
			(4,000.00)
26	South St. Louis	SLR (lake)	20-50K
27		SLR (stream)	4,000.00
28		SLR (road)	2,500.00
29	Blue Earth	AWCS	15,000.00
30		AWCS	22,500.00
31		AWCS	29,480.00
32	Freeborn	SWCS-wascobs	4,395.00
33		SWCS-grade stab.	1,275.00
34	Goodhue	X SLR (stream)	50,000.00
35		SWCS-waterway	4,000.00
36		X SWCS-waterway	1,250.00
37	Dakota	SWCS-wascobs	6,600.00
38		SWCS-waterway	1,350.00
39		SWCS-waterway	1,500.00
40		SWCS-waterway	3,300.00
41	Jackson	SWCS-waterway	1,500.00
42		SWCS-waterway	750.00
43		SWCS-waterway	750.00
44		SWCS-waterway	1,500.00
45		SWCS-waterway	1,125.00
46	Aitkin	SLR (lake)	8,000.00
47	Fillmore	Terraces	100,000.00
			(10,000.00)
48	Nobles	X CAS, SWCS-waterways Diversions	21,787.00
			(13,600.00)
49	Brown	AWCS	14,149.80
50		AWCS	25,950.00
51		AWCS	28,875.00
52	Anoka	CAS-slr?	27,000.00
53		SLR (stream)	30,000.00
54	Pipestone	SWCS-waterway	6,430.00
55		SWCS-waterway	5,300.00
56		SWCS-waterway	2,128.00
57		SWCS-waterway	11,650.00

58		*well sealing	6,333.57
59	Rock	X Terraces	4,044.00
60		Terraces	7,950.00
61		X Terraces	5,250.00
62		Terraces	8,702.00
63		Terraces	8,000.00
64		AWCS	8,500.00
65		Terraces	1,687.50
		<u>Late Applications</u>	
66	Wabasha	ECS	5,250.00
67		SWCS-?	5,625.00
68	Kittson	SLR (stream)	5,000.00
69	Norman	AWCS	23,017.50
70	Blue Earth	AWCS	15,000.00

* well sealing is not an approved practice

acronyms

AWCS-animal waste control system
 SLR-streambank, lakeshore, and roadside
 SWCS-stormwater control system
 ECS-erosion control structure
 CAS-critical area stabilization
 wascob-water and sediment control basin

ALLOCATION OF SPECIAL MINNESOTA RIVER BASIN FUND

BACKGROUND

The Board of Water and Soil Resources received \$600,000 for FY 94 to accelerate water quality practices installation in the Minnesota River Basin. Subsequently, an allocation procedure is needed. A meeting was held in our southern region to discuss allocation options. Also, input from all SWCDs in the river basin was invited. Input from SWCDs and the meeting referenced above has been summarized below. BWSR staff have prepared comments and recommendations as well.

General SWCD Feedback

- * Keep allocation procedure simple.
- * It is unrealistic to satisfy all SWCD funding requests.
- * Allow SWCDs the flexibility to fund practices of their choice. (Do not limit practices to AWCSSs.)
- * Do not fund SWCDs to contract with private engineers for technical assistance.

General BWSR Staff Comments

- * SWCDs should **apply** for funds.
- * Funding priority should be given to SWCDs where projects have been identified via an inventory or assessment, i.e. AGNPS, phase 1 of CWP, etc...
- * Use 20% of allocation to **increase** the number of technicians.
- * Funding priority be given to SWCDs inter-organized, such as joint powers groups and cooperative SWCD ventures.

Fund Allocation Recommendations by BWSR Staff

1. Fund two or three watershed groups, such as a joint powers group or similar cooperative venture, that have developed an implementation plan.
 2. Allocate all funds to SWCDs via a special project application.
 3. Divide the allocation between recommendations #s one and two, with more money going to recommendation #1, such as a 60:40 ratio.
- * BWSR staff recommends #3

BWSR Staff Recommendation to Fund Technical Assistance

- * Fund SWCDs to hire new technicians via a long-range decreasing scale agreement. Upgrades to engineers would be at SWCD expense.