



Minnesota Board of Water and Soil Resources.
Minutes.

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April 2001

**BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET
"NEW CONFERENCE ROOM, LOWER LEVEL"
ST. PAUL, MINNESOTA 55107
April 25, 2001**

AGENDA

9:00 a.m. Call Meeting to Order

Adopt Agenda

Minutes of March 28, 2001

Reports

- Chair – Lee Coe
- Executive Director – Ron Harnack
- Dispute Resolution Committee – Lee Coe
- Wetlands Committee – Darrell Bruggman
- Cost-Share/Soil Conservation Committee – Dwain Otte
- Education and Public Relations Committee – Paul Krabbenhoft
- Financial Oversight Committee – Ginny Imholte
- Administrative Advisory Committee – Lee Coe

Agency Reports

- Department of Agriculture
- Department of Health
- Department of Natural Resources
- Minnesota Extension Service
- Pollution Control Agency

Consent Agenda

1. Rice County Request for Comprehensive Local Water Plan Extension – DECISION

Old Business

1. Dispute Resolution Committee Recommendation Regarding the Anoka County Ditch 53/62 – Greg Larson – DECISION
2. Legislative Update – Ron Harnack – INFORMATION
3. National Governor's Association (NGA) "Private Lands, Public Benefits" – Doug Thomas - INFORMATION

New Business

1. Update on Blue Ribbon Electronic Commerce Committee (BREC) and LINNET – Doug Thomas and Tim Ogg – INFORMATION
2. Special Funding Request – Lynda Peterson – DECISION
3. Local Water Planning Challenge Grants 2002/03 – Marybeth Block - DECISION

Advisory Comments

- Minnesota Association of Townships (MAT)
- Minnesota Association of Conservation District Employees (MACDE)
- Minnesota Association of Soil and Water Conservation Districts (MASWCD)
- Minnesota Association of Watershed Districts (MAWD)
- Natural Resources Conservation Service (NRCS)

Upcoming Meetings

- Next BWSR Meeting, May 23, 2001, St. Paul
- 2001 Local Water Planners Conference, June 27-28, Jackpot Junction, Morton

Adjourn



One West Water Street
Suite 200
St. Paul, MN 55107
(651) 296-3767
Fax (651) 297-5615

Field Offices

Northern Region:

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

3217 Bemidji Avenue N.
Bemidji, MN 56601
(218) 755-4235
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217 S. 7th Street
Suite 202
Brainerd, MN 56401-3660
(218) 828-2383
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Southern Region:

261 Highway 15 S.
New Ulm, MN 56073-8915
(507) 359-6074
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40--16th Street SE
Suite A
Rochester, MN 55904
(507) 285-7458
Fax (507) 280-2875

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

Metro Region:

One West Water Street
Suite 250
St. Paul, MN 55107
(612) 282-9969
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DATE: April 17, 2001
TO: Board of Water and Soil Resources Members, Advisors and Staff
FROM: Ronald D. Harnack, Executive Director *RDH*
SUBJECT: April 25th BWSR Meeting

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, April 25, 2001, beginning at 9:00 a.m. The meeting will be held in BWSR's new conference room, located in the lower level at One West Water Street, St. Paul. The following information pertains to the agenda items:

Consent Agenda

1. Rice County Request for Comprehensive Local Water Plan Extension: See attached. DECISION

Old Business

1. Dispute Resolution Committee Recommendation Regarding Anoka County Ditch 53/64 – DECISION
2. Legislative Update – INFORMATION
3. National Governor's Association (NGA) "Private Lands, Public Benefits" – See attached. INFORMATION

New Business

1. Update on Blue Ribbon Electronic Commerce Committee (BREC) and LINNET. See attached. INFORMATION
2. Special Funding Request – The Wright SWCD is requesting \$32,000 to pay for a feedlot pollution abatement project. The special funding request is the result of a project installed without official funding approval. See attached. DECISION
3. Local Water Planning Challenge Grants 2002/03 - As described in this month's Board Member Update, many innovative and worthwhile projects have been submitted for funding via the Local Water Planning Challenge Grant Program. Enclosed in your packet is a list of all the projects submitted for consideration by funding category (cash match only, cash/in kind over 10K, cash/in kind under 10K and lake management planning grants). The Board will be asked to endorse the funding recommendations of an interdisciplinary review team, who met on April 16th to finalize their recommendations. DECISION

If you have any questions, please feel free to give me a call. I look forward to seeing you on April 25!

**BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET
"NEW CONFERENCE ROOM, LOWER LEVEL"
ST. PAUL, MINNESOTA 55107
April 25, 2001**

PRELIMINARY AGENDA

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Minutes of March 28, 2001

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Upcoming Meetings

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- 2001 Local Water Planners Conference, June 27-28, Jackpot Junction, Morton

Adjourn

DRAFT

DRAFT

DRAFT

**BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET
CONFERENCE ROOM, LOWER LEVEL
ST. PAUL, MINNESOTA 55107
MARCH 28, 2001**

BOARD MEMBERS PRESENT: Jerome Deal, Jim Anderson-MES, Darrell Bruggman, Char Kahler, Paul Krabbenhoft, Wayne Edgerton-DNR, Ginny Imholte, JoAnn Coover, Dan Wilson-MDH, Victor Ormsby, Jack Frost, Clair Nelson, Barbara Weisman-MDA, Karen Harder, Tim Scherkenbach-PCA, Dwain Otte

BOARD MEMBER ABSENT: Lee Coe

STAFF PRESENT: Ron Harnack, Mary Jo Anderson, Al Kean, Jim Haertel, Kevin Lines

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Chair-Designate Jerome Deal called the meeting to order at 9:00 a.m. Chair Lee Coe's flight from Bemidji was cancelled due to mechanical problems, thus he was unable to attend the meeting today.

New board members JoAnn Coover, Karen Harder, and Victor Ormsby were welcomed. Introductions were made.

01-21 **Adopt Agenda** - Moved by Jack Frost, seconded by Char Kahler, to adopt the agenda as presented. Motion passed on a voice vote.

01-22 **Minutes of February 28, 2001** – Moved by Ginny Imholte, seconded by Dwain Otte, to approve the minutes of February 28, 2001, as circulated. Motion passed on a voice vote.

Reports

Chair's Report - Ron Harnack presented Chair Coe's report. Chair Coe attended the EQB meeting. The following three items were discussed at the EQB meeting: 1) EIS need decision for St. Paul cogeneration project. Based on the findings and conclusions, EQB determined that the proposed project does not require the preparation of an Environmental Impact Statement. 2) Hancock Pro Pork Feedlot Environmental Impact Statement Cost Agreement Dispute. EQB adopted a resolution that reduces the cost of the five components of the EIS. 3) Exemption application for the Arrowhead high voltage transmission line proposal. EQB approved the exemptions on transmission lines.

Executive Director's Report - Ron Harnack reported on staffing adjustments due to Jim Birkholz working half-time. Steve Woods has been assigned as acting operations director in addition to continuing to serve as metro supervisor; Doug Thomas as program and policy assistant director.

Dispute Resolution Committee (DRC) - Jim Haertel reported that there are presently three appeals pending. One appeal regards Anoka County Ditch number 53-62. The Rice Creek Watershed District denied an exemption involving the federal exemption. The Board has previously heard two appeals on this ditch at this location but they dealt with a different exemption. The DRC convened on March 8 and decided on jurisdictional issues and issues of standing as to who the active parties are. The DRC will convene on April 12 to hear the matter and bring it to the Board at the April Board meeting.

Another pending appeal regards a matter that was also previously heard by the DRC. It involves a replacement plan approval in Murray County that arose from a violation. The

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Murray SWCD previously approved a replacement plan and this Board reversed that approval. Now, Murray SWCD has approved another replacement plan and it has been appealed. At issue in this appeal is sequencing and whether any feasible and prudent alternatives are available that would avoid and minimize impacts to wetlands and the wetland is located within the shorelands of most significant recreational lake in southwestern Minnesota. No action has been taken on accepting the appeal at this time.

The final pending appeal regards an exemption approval by the Lac qui Parle – Yellow Bank Watershed District involving the federal exemption. No action has been taken on accepting the appeal at this time. Ron Harnack did discuss the matter with some county commissioners from the area who also supported getting together and finding a resolution. A few other notes as mentioned at the February Board meeting, the two orders from the January Board Meeting expanding Brown's Creek and Valley Branch Watershed Districts in Washington County were both appealed to the Court of Appeals by the Middle St. Croix WMO. That decision will probably be made this fall.

There was a favorable decision for BWSR from Washington County District Court in the litigation brought by the City of Hugo and several Hugo landowners against BWSR, the DNR and the Rice Creek Watershed District. The court's decision was extremely clear that a drainage ditch repair petition needs to be filed with the Rice Creek Watershed District before the matter could move forward in court. The Court ruled that Hugo has not exhausted their administrative remedies.

Wetlands Committee - Ron Harnack reported that the Senate Environment and Natural Resources Committee heard the wetlands bill yesterday. Ron reported that the first policy deadline is this week. Bills must be heard in the House or Senate committees this week or they are dead for this session. The next deadline is next Thursday when bills must be through the policy committees of the other body. Ron stated that WCA met the first deadline. The deadline for finance bills is April 25. The policy issues will be included in the omnibus bill. Ron stated that funding is the issue, whose pot does this come out of?

Education and Public Relations Committee - Paul Krabbenhoft reported that the Education and Public Relations Committee will meet in April and present a report at April BWSR meeting.

Administrative Advisory Committee - Ron Harnack stated that the Legislative Audit Report will be reviewed by the Administrative Advisory Committee. The Administrative Advisory Committee will need to schedule Ron's performance review.

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Agency Reports

Barbara Weisman, Minnesota Department of Agriculture (MDA), reported that applications are being reviewed for the sustainable agriculture program relating to alternative crops, fruits and vegetables. Barbara presented a packet of informational materials that MDA recently compiled regarding conservation programs. The informational packet will be distributed to SWCD offices. Barbara reported that she, Doug Thomas, and DNR staff attended the National Governor's Conference in Washington, D.C. to discuss conservation incentives on a national level. Barbara reported that on February 21, the MDA and MPCA signed a three-year memorandum of understanding (MOU) that allows MDA dairy inspectors to provide information to dairy farmers to help them comply with the state's new 7020 feedlot rules and other environmental regulations. The MOU does not transfer authorities. However, the two agencies will discuss the potential for MDA inspectors to eventually undertake environmental inspection and enforcement functions for dairy farms under an extension of the MOU. Feedback from the dairy industry, SWCDs and county officials will be sought during those discussions.

Dan Wilson, Minnesota Department of Health (MDH), gave an update on the property transfer of private well testing; unfortunately, this legislation was defeated in both houses yesterday. Dan stated that the federal legislation proposing federal standards on arsenic was put on stay by the Bush Administration. Dan stated that MDH will be watching this closely as it is a health concern.

Wayne Edgerton, Department of Natural Resources (DNR), reported that the consolidated conservation issue will be introduced by Senator Moe. The memorandum of understanding between DNR and Beltrami County was signed by the Beltrami County Board last week and signed by Commissioner Garber this week, addressing all-terrain vehicles, timber sales, payment-in-lieu of taxes. This legislation was just introduced and is on the agenda tomorrow for the Senate Environment and Natural Resources Policy Committee. Wayne stated that Representative Tim Finseth introduced HF #1009 regarding the trespass issue for lands in CRP, RIM and CREP. This legislation passed in the House Agriculture Committee last week. Wayne stated that the legislation regarding shooting enclosures for deer and elk passed in the House Agriculture Committee yesterday.

Jim Anderson, Minnesota Extension Service (MES), reported that a joint Minnesota/Iowa drainage forum will be held on April 4, starting at 9:00 a.m., at the Best Western Hotel in Clear Lake, Iowa. This forum presents an opportunity to share results on drainage research between Minnesota and Iowa. Jim stated that MES is working

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with the Minnesota Lakes Association (MLA) on the MLA Conference at Cragun's in Brainerd, May 3-5. The conference will present a series of educational programs on various lake issues. Jim reported that MES, BWSR, PCA, and MDA will be conducting a series of eight workshops with producers and consultants regarding nutrient planning and feedlot rules in May and June, with another series of workshops to be held this fall.

Tim Scherkenbach, Pollution Control Agency (PCA), reported on legislative budget concerns regarding the environmental tax proposal. PCA has not received good response in the House, but somewhat in the Senate. PCA policy issues include a number of feedlot program issues; environmental review; draft general MPDS permit; registration requirements for feedlots; transfer of feedlots; requiring delegation at the local level. Tim reported that PCA is going through refining reorganization, shifting managers to be more bureaucratically friendly. PCA is in the process of negotiating a contract with EPA on funding and TMDL reduction issue and requirements.

Consent Agenda

Wilkin County Request for Comprehensive Local Water Plan (CLWP) Extension –

**
01-23 Moved by Jack Frost, seconded by Clair Nelson, to approve the Wilkin County CLWP request for extension to June 30, 2002. Motion passed on a voice vote.

Old Business

2001 SWCD CREP Technician Grants - Kevin Lines explained that in 1999 and 2000, BWSR funded 14 SWCD CREP technicians to implement CREP. Available funds are \$425,000. In 2001, funding is requested to continue these positions in SWCDs. The only change in funding levels is that BWSR would fund West Ottertail at \$28,000 up \$4,000 from last year to bring them in line with the rest of the full-time funded staff. There would be a reduction in funding to the four-county group of Stevens, Douglas, Traverse and Grant from \$8,600 to \$5,000 due to funds left from previous years' grants.
**
01-24 Moved by Jack Frost, seconded by Char Kahler to approve the year three staffing grant agreements with SWCDs for CREP implementation. Motion passed on a voice vote.

Legislative Update - Ron Harnack reported that CREP is continuing to make progress in both houses. A CREP exhibit is being planned for display in the Capitol halls in the middle of May. Ron stated that there is much support for CREP from legislators in other parts of the state, not only in the Minnesota River area. Ron stated that Elaine Harder is the chief author of CREP; the first hearing in the House Environment Finance Committee will be held next Wednesday. Ron stated that feedlots is a big issue. The increase in cost-share dollars to help producers is coming through in the Governor's proposal. Ron stated that not all legislators are in support of this proposal for cost-share funds and loan money. There is strong concern for less than 500 unit facilities. Another legislative issue is non-point engineering assistance. Ron stated that WCA

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does not have a policy hearing scheduled in the House. Ron reported that Hennepin County SWCD and county commissioners unanimously voted to appoint SWCD supervisors rather than be elected officials. Ron's concern is that without public debate, this may have impacts on the delivery system at the local level. This legislation heard in Senator Vickerman's committee yesterday and referred to Senate Environment Policy Committee without recommendation. The bill will be held in the Senate Environment Committee tomorrow. This bill is for Hennepin SWCD only, not statewide, however it raises the issue statewide. Ron stated that this clearly needs to be addressed in a public policy review process. Another policy bill issue deals with subwatershed authority in the metro area, an agency bill. Staff have worked with the Department of Revenue on language. Hennepin County Auditor's Office spoke against this legislation due to the cost. This policy clarification is critical for the newly combined watershed districts in Washington County. BWSR is working with MAWD and the county folks to find a reasonable compromise. BWSR is currently tracking about 60 legislative bills, issues of local water planning to disaster relief. Ron asked that board members contact him if they're interested in a copy of BWSR's legislative tracking sheet. Ron reported that a bill was introduced to eliminate voting membership for agencies. This bill has not received a hearing in the House, there is no Senate companion, so as of March 30, it's dead. Ron explained that the next two weeks of session are critical; by the end of April, BWSR will know where the House and Senate will fund or not fund programs. The differences will be negotiated in conference committee in May. Adjournment date is May 21.

Update on Blue Ribbon Electronic Commerce Committee (BREC) and LINNET – Ron Harnack reported that this will be presented at the April board meeting.

Advisory Comments

Minnesota Association of Watershed Districts (MAWD) – Jerome Deal reported that the MAWD Legislative Breakfast went very well; it was well received by legislators and the largest attendance ever. Ginny Imholte reported that the MAWD summer tour will be held in the Lake Okabena area after the Local Water Planner's conference.

Natural Resources Conservation Services (NRCS) - Roger Mussetter reported that the Snake River flood prevention project in Warren was partially funded out of emergency funding, construction will begin this summer. Roger reported that Minnesota is a pilot state, one of six, to restore wetlands on CRP; FSA is writing the rules. Roger reported on staffing: a district conservationist has been hired in Lake of the Woods; a culture resource specialist will be hired; an additional engineer position will be hired. Roger stated that the hybrid popular biomass project was approved for the St. Peter area.

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Jerome Deal reported that the Red River Valley is moving forward with a legislative proposal regarding land removed from the local tax base as a result of watershed district projects. Watershed districts currently cannot pay in lieu of taxes. The legislation would provide this authority which would reduce the concern of townships over the loss of tax revenue.

Upcoming Meetings

- Next BWSR Meeting, April 25, 2001, in St. Paul
- The June BWSR Meeting will be held in conjunction with the Local Water Planners Conference, in Morton, Minnesota
- The July or August BWSR Meeting will be held in Aitkin County
- The October BWSR Meeting will be held in southeastern Minnesota

Chair-Designate Deal again welcomed the new board members and adjourned the meeting at 11:45 a.m.

Respectfully submitted,

Jerome Deal
Chair-Designate

OLD BUSINESS

1. National Governor's
Association (NGA)
"Private Lands, Public
Benefits"
INFORMATION

*Private Lands, Public Benefits:
A Policy Summit on Working Lands Conservation
March 16, 2001
JW Marriott-Washington, DC*

THURSDAY, MARCH 15, 2001

6:30-8:30 PM
Capitol Foyer

REGISTRATION

FRIDAY, MARCH 16, 2001

7:00-8:45 AM
Capitol Foyer

REGISTRATION AND CONTINENTAL BREAKFAST

8:45-9:00 AM
Salons F & G

VIDEO PRESENTATION

Joel Hirschhorn
Director, NGA Center for Best Practices, Natural Resources Policy Studies Division

9:00-9:35 AM

WELCOME

- Maryland Governor Parris N. Glendening
Chairman, National Governors Association
- Mack Gray
Acting Deputy Under Secretary for Natural Resources and the Environment, U.S. Department of Agriculture
- Christine T. Whitman
Administrator, U.S. Environmental Protection Agency

9:35-9:55 AM

INTRODUCTORY REMARKS

Iowa Governor Thomas J. Vilsack
Chair, NGA Committee on Natural Resources

9:55-10:15 AM

WHAT IS PRIVATE LANDS CONSERVATION AND WHAT ARE ITS BENEFITS?

Jean Hocker
President, Land Trust Alliance

10:15-10:30 AM
Capitol Foyer

BREAK

10:30-11:30 AM
Salons F & G

PANEL ONE: LANDOWNERS' STEWARDSHIP OPPORTUNITIES AND NEEDS

Moderator: Maryland Governor Parris Glendening
Chairman National Governors Association

Panelists:

- John Glenn
Farmer and Executive Director of the Rathbun, Iowa, Regional Water Association
- Ralph E. Grossi
Farmer and President of American Farmland Trust
- James Malone
Forest Landowner and Executive Director of the Alabama Treasure Forest Association
- Bill Miller
Rancher and Chair of the Malpai Borderlands Project

11:30 AM-12:00 PM

OPEN DIALOGUE

Lead Discussant: Bob Drake

Rancher and Chair of the National Grazing Lands Conservation Initiative

12:00-1:15 PM

LUNCHEON

Salons I & II

- Oklahoma Governor Frank Keating
Vice Chair, NGA Natural Resources Committee
- Theodore Roosevelt IV
Chair, League of Conservation Voters

1:15-2:15 PM

WHAT IS GOVERNMENT'S ROLE IN SUPPORTING WORKING LANDS CONSERVATION?

Salons F & G

- Oklahoma Governor Frank Keating
Vice Chair, NGA Natural Resources Committee
- Senator Tom Harkin (D-Iowa)
Ranking Member, Agriculture, Nutrition, and Forestry Committee
- Will Rogers
President, Trust for Public Land

2:15-2:45 PM

OPEN DIALOGUE

2:45-3:00 PM

BREAK

Capitol Foyer

3:00-4:00 PM

PANEL TWO: THE FUTURE OF PRIVATE WORKING LANDS CONSERVATION

Salons F & G

Moderator: Otto Doering, Ph.D.

Purdue University, Department of Agricultural Economics

Panelists:

- Craig Cox
Executive Vice President, Soil and Water Conservation Society
- Greg Low
Vice President of Conservation Programs, Nature Conservancy
- Bob Stallman
President, American Farm Bureau Federation
- Leland Swenson
President, National Farmers Union

4:00-4:45 PM

OPEN DIALOGUE

4:45-5:00 PM

CONGRESS OF PARTICIPANTS

Several broad principles for guiding future conservation policy will be presented and voted upon by participants.

Joel Hirschhorn

Director, NGA Center for Best Practices, Natural Resources Policy Studies Division

5:00-5:30 PM

CONCLUDING REMARKS

- Pearlie S. Reed
Chief, Natural Resources Conservation Service, U.S. Department of Agriculture
- Iowa Governor Tom Vilsack
Chair, NGA Committee on Natural Resources

5:30-7:30 PM

RECEPTION

Salon E

✓

Private Lands, Public Benefits:
A Policy Summit on Working Lands Conservation

Working Group Meeting

March 17, 2001

Willard Inter-Continental Hotel
1401 Pennsylvania Ave., NW, Washington, DC 20004
(202) 628-9100

- 7:00-8:30 AM **BREAKFAST AND REGISTRATION**
Pierce Room
- 8:30-9:00 AM **WELCOME AND DEFINITION OF PURPOSE**
- Iowa Governor Thomas J. Vilsack
Chairman, NGA Natural Resources Committee
 - Joel Hirschhorn
Director, NGA Center for Best Practices, Natural Resources Policy Studies Division
- 9:00-9:20 AM **INTRODUCTION OF ATTENDEES**
Mission of each organization and relation to summit.
(Please keep these remarks brief. We have a lot of groups and limited time.)
- 9:20-9:30 AM **INTRODUCTION OF FACILITATION/REVIEW OF SUMMIT DISCUSSION**
Adam Saslow
Consensus Solutions, Inc.
- 9:30-10:00 AM **PRESENTATION OF STATE EXAMPLES OF COORDINATED CONSERVATION PROGRAMS**
Moderator: Jim Cox
Executive Director, National Association of State Conservation Agencies
- State*
- Doug Thomas
Minnesota
 - Sarah Fast
Missouri Soil and Water Conservation Commission
 - Karl Brown
Pennsylvania
- 10:00-10:15 AM **BREAK**
- 10:15-11:45 **FACILITATED DISCUSSION**
- What would the ideal program to promote conservation on working lands look like?
 - *What are we trying to achieve?*
 - *Who pays?*
 - *Who provide input into program design and how?*
 - *Who administers?*
 - *Who participates in the program and how?*
 - *Who measures effectiveness?*
- 11:45 AM-1:00 PM **WORKING LUNCH AND ADVICE FOR AN NGA WORKING LANDS CONSERVATION PUBLICATION**
Help structure the NGA report on the future of conservation policy/programs.
- 1:00-1:30 **CONCLUSION**
Joel Hirschhorn
Director, NGA Center for Best Practices, Natural Resources Policy Studies Division

PRIVATE LANDS, PUBLIC BENEFITS

A POLICY SUMMIT ON WORKING LANDS CONSERVATION

March 16, 2001

J.W. Marriott, Washington, DC

Join key policy makers to discuss the future of working lands. The National Governors' Association is sponsoring a one-day policy summit to discuss the public and landowner benefits of improved conservation on working lands. We invite you to attend. If you are interested, please print out the registration form (see link below) and fax it to Telita Campbell (202/624-5313); or you may email the same information to Telita (tcampbell@nga.org).

Private lands conservation refers to the many ways landowners might use and manage their land to serve economic, environmental, and social goals. Helping landowners do more to conserve their private working lands—our nation's farms, ranches, and forests—is necessary to maximize conservation benefits such as:

- Reducing air and water pollution
- Preserving open and green spaces
- Preserving fish and wildlife habitats, endangered species, and biodiversity
- Managing and protecting watersheds and wetlands
- Maintaining scenic landscapes and recreational amenities
- Preventing soil erosion and improving soil quality
- Reducing the negative impacts of flooding
- Improving resilience to drought and invasive species
- Helping to sequester greenhouse gases
- Protecting sustainable capacities to produce food and fiber

Such benefits translate into enormous economic value to society and support a high quality of life and place for all Americans. However, public policy has provided insufficient and fragmented support to these potential national benefits of private lands conservation.

It is important to note that conservation policies do not necessarily have to include public acquisition of the land or extensive regulation. Although these policy options sometimes serve an important function, they cannot meet all of the nation's conservation goals.

NGA's landmark summit seeks to spark a nationwide dialogue about the benefits of using publicly supported private lands conservation as a complementary "third way" to attain environmental and natural resource objectives beyond those achieved through acquisition or regulation. This third way will seek to work in harmony with private landowners' goals of maintaining a sustainable, productive business while providing important public benefits.

The summit will serve as a first step toward developing a state-federal strategy to create such policy by bringing together leading policymakers, conservation specialists, and representatives from many other interested sectors to discuss these principal questions:

- What is private lands conservation and who will employ it?
- Why are new or revised private lands conservation policies needed to provide better solutions for environmental and natural resource problems?
- How can government provide more support for private lands conservation?

Following the summit, a working group of specialists will help NGA staff prepare a follow-up report that will provide a clear and compelling case for greater public policy support for private lands conservation, including major policy options for a coherent state and federal government strategy.

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

In Re: Wetland Conservation Act Appeal,

Messrs. Hentges, Preiner and Trost,

Appellants

Rice Creek Watershed District;
ABC League of Women Voters, St. Paul
Audubon Society, and the Izaak Walton
League, Minnesota Division,

Respondents

ORDER

BWSR File No. 01-1

Messrs. Hentges, Preiner and Trost appealed decisions of the Rice Creek Watershed District made November 22, 2000 and February 14, 2001 concerning exemptions to the Wetland Conservation Act and Anoka County Ditch 53/62. This matter was handled in two phases. Phase one determined jurisdictional issues, issues of standing (to appeal) and whether the November and February decisions should be consolidated. On March 8, 2001, the Dispute Resolution Committee ("DRC") of the Board of Water and Soil Resources ("BWSR") met concerning phase one. An order was issued, dated March 15, 2001. That Order is incorporated by reference and made a part of this Order and is attached thereto.

Phase two, the merits phase of these proceedings, was conducted by the DRC on April 12, 2001 at the BWSR offices at One West Water Street, St. Paul, Minnesota. The DRC heard oral arguments and considered the record, briefs and staff advisory report. DRC members Leland Coe (Chair), Clair Nelson, Jerome Deal, Dwain Otte and Char Kahler were in attendance. Paul R. Haik, Krebsbach and Haik, LTD., 701 Fourth Avenue South, Suite 500, Minneapolis, Minnesota 55415-1631 appeared on behalf of the appellants. Michelle J. Ulrich, 1561 Lincoln Avenue, St. Paul, Minnesota 55105 and Harold Sheff, Smith, Gendler, Shiell, Sheff & Ford, 601 Second Avenue, S., 3350 U.S. Bank Place, Minneapolis, Minnesota 55402 appeared on behalf of the Watershed District. A.W. (William) Clapp 111, 785 Goodrich Avenue, St. Paul, Minnesota 55105 appeared on behalf of the ABC League of Women Voters, St. Paul Audubon Society and the Izaak Walton League, Minnesota Division.

Based on the aforementioned information, review of the record and after discussion and consideration of motions by the members, the DRC voted unanimously to affirm the decisions of the Rice Creek Watershed District.

At its meeting on April 25, 2001, BWSR adopted a resolution to accept the recommendation of the DRC and authorized the Chair of the BWSR to issue this Order.

The findings and conclusions of the Rice Creek Watershed District in these proceedings are adopted in their entirety and are incorporated by reference into the following Order and Memorandum.

Based on the entire record of this proceeding, the BWSR makes the following:

ORDER

1. The November 22, 2000 decisions of the Rice Creek Watershed District regarding the Wetland Conservation Act that determined the drainage exemption (Minn. Rules Chapter 8420.0122, Subp. 2.C.) required wetlands to be replaced and the federal exemption (Minn. Rules Chapter 8420.0122, Subp. 3.A.) is not applicable are affirmed.
2. The February 14, 2001 decision of the Rice Creek Watershed District regarding the Wetland Conservation Act that determined the federal exemption (Minn. Rules Chapter 8420.0122, Subp. 3.A.) is not applicable is affirmed.
3. The attached memorandum is incorporated by reference and made a part of this Order.

Dated: April 25, 2001

Minnesota Board of Water and Soil Resources

Its Chair



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

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In Re: Wetland Conservation Act Appeal,

Field Offices

Messrs. Hentges, Preiner and Trost,

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Appellants

Rice Creek Watershed District;
ABC League of Women Voters, St. Paul
Audubon Society, and the Izaak Walton
League, Minnesota Division,

Respondents

ORDER

BWSR File No. 01-1

Messrs. Hentges, Preiner and Trost appealed a November 22, 2000 decision of the Rice Creek Watershed District ("District") concerning exemptions to the Wetland Conservation Act and Anoka County Ditch 53/62. Appellants also raised objections to a December 21, 2000 decision of the District. At a pre-hearing conference for the aforementioned appeal on January 25, 2001, the parties agreed to bifurcate the proceedings, with each phase to be separately briefed. Phase 1 determined jurisdictional issues and issues of standing, in this instance meaning parties to the appeal. On February 20, 2001, appellants appealed a February 14, 2001 decision of the District.

On March 8, 2001, the Dispute Resolution Committee ("DRC") of the Board of Water and Soil Resources met concerning phase 1. They considered the record, briefs and the staff advisory report. DRC members Leland Coe (Chair), Clair Nelson, Jerome Deal and Dwain Otte were in attendance. Paul R. Haik, Krebsbach and Haik, LTD., 701 Fourth Avenue South, Suite 500, Minneapolis, Minnesota 55415-1631 appeared on behalf of the appellants. Michelle J. Ulrich, 1561 Lincoln Avenue, St. Paul, Minnesota 55105 and Harold Sheff, Smith, Gendler, Shiell, Sheff & Ford, 601 Second Avenue, S.,

3350 U.S. Bank Place, Minneapolis, Minnesota 55402 appeared on behalf of the District.

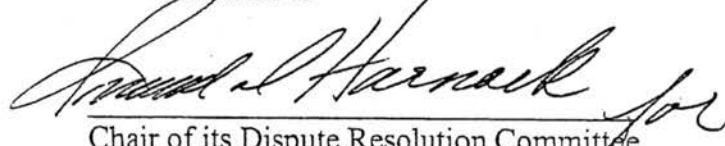
There were no formal oral arguments. Based on the aforementioned information, and after discussion and consideration of motions by the members, the DRC makes the following:

ORDER

1. Parties to the appeal also include the ABC League of Women Voters, St. Paul Audubon Society, and the Izaak Walton League, Minnesota Division and may also involve participation by MnDOT.
2. Issues are limited to the Wetland Conservation Act, specifically, the applicability of two WCA exemptions ("Drainage Exemption" and Federal Approvals Exemption") to one culvert under I-35W.
3. Issues raised by appellants concerning a December 21, 2000 decision of the District are moot and are not included in this proceeding.
4. The November 22, 2000 and February 14, 2001 decisions of the District should be combined into the briefs for phase 2 of this proceeding. Any additional items of record for the February 14, 2001 decision should be prepared by the District and made available to the parties as soon as possible.
5. Briefs should address the aforementioned issues and proceed according the schedule agreed to by the parties at the January 25, 2001 pre-hearing conference.

Dated: March 15, 2001

Minnesota Board of Water and Soil
Resources


Chair of its Dispute Resolution Committee

MEMORANDUM

This appeal involves three decisions made by the Rice Creek Watershed District (the District). Two of those decisions were made on November 22, 2000, and one of the decisions was made on February 14, 2001. The central issues in this appeal relate to the applications of certain Wetlands Conservation Act (WCA) exemptions to the proposed activity of lowering a culvert on I-35W that crosses Anoka County Ditch No. 53-62 and the cleaning out of sediment material from the ditch. Wetlands that have been in existence for a period of longer than 25 years will be impacted by lowering of the culvert and the removal of sediment.

The District's first determination on November 22, 2000 involved a decision on the application for exemption No. 2 under the Minnesota Rules 8420.0122, Subpart 2(c) to lowering the I-35W culvert in Anoka County Ditch No. 53-62. In its decision, the District determined that the exemption from the wetland replacement plan requirements of WCA, for the draining or filling of wetlands resulting from maintenance and repair of an existing public drainage system, Minn. Stat. § 103G.2241(2)(c) (2000), applied to wetland losses from lowering the interstate I-35W culvert in Anoka County Ditch No. 53-62. The District also found that 66.6 acres of wetland types 3-5 would be partially drained as a result of the lowering of the I-35W culvert, and that the mitigation or replacement requirement would be 66.6 acres of wetlands (Record Ex. No. 1).

The District's decision was made in response to a January 26, 2000 Order of the Board of Water and Soil Resources (BWSR), reversing an earlier decision by the District that the lowering of the culvert was exempt from the wetland replacement plan requirements under the incidental exemption provision of WCA, Minn. Stat. § 103G.2251(5) (2000) (Record Ex. No. 11). Appellants sought appeal of the November 22 district decision on November 26, 2000.

The second decision by the District on November 22, 2000 involved Appellants' application for Wetlands Conservation Act exemption based on federal approvals pursuant to Minnesota Rules 8420.0122, Subpart 3(A) to lowering of the I-35 culvert in Anoka County Ditch No. 53-62. The District determined that that exemption did not apply. Appellants also appealed that determination on November 26, 2000. The third part of this appeal involves the February 14, 2001 decision by the District regarding the application of WCA to a request for exemption again based on federal approval pursuant to Minnesota Rules 8420.122, Subpart 3(A). In its February 14, 2001 decision, the District determined that paragraph 103G.2241(3)(1) does not exempt from WCA replacement plan requirements for the draining of wetlands that would result from sediment removal. (Additional Record Ex. No. 3). Appellants appealed the third decision on February 20, 2001 and requested that it be combined with the appeal of the two prior decisions.

STANDARD OF REVIEW

Pursuant to the Wetland Conservation Act, the procedure for reviewing an appeal is provided in Minnesota Rule 8420.0250:

The Board or its dispute resolution committee will affirm the local government unit's decision if the local government unit's findings of fact are not clearly erroneous; if the local government unit correctly applied the law to the facts, including this chapter; and if the local government unit made no procedural errors prejudicial to a party. Otherwise, the Board or its dispute resolution committee will reverse the decision, amend it, or remand it with instructions for further proceedings.

The Board and its dispute resolution committee have found that BWSR does have jurisdiction over this matter. Upon review by the DRC and the full Board, the District's findings and conclusions in this matter have been adopted in their entirety and incorporated by reference into the Board's order. Based on the extensive review of the record, the Board finds that the local government unit's findings of fact are not clearly erroneous. Moreover the local unit of

government correctly applied the law to the facts in this case. The Board further determines that no procedural errors were made prejudicial to a party.

The Board is charged with the ultimate responsibility for implementing the Wetland Conservation Act and hears appeals from local government decisions. Minn. Stat. § 103G.2242, subd. 9 (2000); *see also* Minn. Rule 8420.0250. Decisions on the merits of an appeal are subject to judicial review under Minn. Stat. § 14.63 through 14.69 (2000). *Drum v. Minnesota Board of Water and Soil Resources*, 574 N.W.2d 71, 74 (Minn. Ct. App. 1998). The *Drum* decision reflects long-standing recognition by Minnesota courts that ditch maintenance and drainage activity is subject to the state's current environmental laws. *See, McLeod County Board of Commissioners v. State of Minn. Dept. of Natural Resources*, 549 N.W.2d 630-33 (Minn. App. 1996), *pet. rev. denied* (Minn., Aug. 1996).

EXEMPTION DETERMINATIONS

In this appeal, Appellants' main thrust is to establish a Wetlands Conservation Act exemption based on federal approval pursuant to Minn. Stat. § 103G.2241, subd. 3(1) and Minn. Rules 8420.0122, subp. 3(A). This rule provides an exemption from the replacement requirements of the Wetlands Conservation Act for activities exempted from regulation by United States Code, Title 33, Section 1344(f), of the Federal Clean Water Act. The rule provides as follows:

A. Activities exempted from federal regulation under the United States Code, Title 33, Section 1344(f), as in effect on January 1, 1991.

The local government unit may certify the exemption only if the landowner furnishes proof of qualification for one of the exemptions from the United States Army Corps of Engineers.

This exemption does not apply to a project with a purpose of converting a wetland to a non-wetland, either immediately or gradually, or converting the wetland to another use, or when the fill will result in significant discernable

change to the flow or circulation of water in the wetland or partially draining it, or reducing the wetland area.

As promulgated by the Board of Water and Soil Resources, this rule goes to the core of what the Wetlands and Conservation Act was designed to protect. The ditch maintenance exemptions were specifically crafted to deal with land that has been previously altered through drainage and those exemptions demonstrate clear intent to protect certain wetlands that become reestablished through lack of maintenance or otherwise for the precise purpose that these wetlands and the activities related to them are not under other agency's jurisdiction.

The Board finds that the District correctly determined that the Section 1344(f) exemption is not applicable to either the culvert lowering or sediment removal in the present case for several reasons: First, Section 1344(f) of the Clean Water Act regulates the discharge and dredge of fill and material into water bodies. It does not regulate drainage. Appellants reliance on the letter from the Corps of Engineers of September 8 is misplaced. In its letter, the Corps relayed its position that the lowering of the culvert along I-35W is not within the Corps' regulatory jurisdiction. The Corps did not comment on what other jurisdiction may be applicable. (Exhibit 26, Tab 62). Appellants seek to have the inapplicability of Section 1344 operate as an all-inclusive exemption to the other clear drainage-related provisions of the Wetlands Conservation Act. Under Appellants' construction, WCA's role in ditch maintenance would be substantially negated. The Board further finds that the plain language of Minn. Rule 8420.0122, subp. 3(a), ¶3, prevents application of the federal approval exemption in this case. That language provides:

This exemption does not apply to a project for the purpose of converting wetland to a non-wetland, either immediately or gradually or converting the wetland to another use or when the fill will result in significant discernable change to the flow or circulation of the water in the wetland, or partly draining it, or reducing the wetland area.

The record in this case makes it clear that the lowering of the culvert along I-35W will drain 66 acres of types 3 to 5 wetlands and other types of wetlands as well that have been in existence more than 25 years. As identified by the technical evaluation panel in their report to the District dated March 14, 2001 (Record Supplement Ex. 12), the proposed sediment removal will drain wetlands. Based on the clear language of the Rule, the federal approval exemption is not applicable in this case. Under Minnesota law, the ditch maintenance activity in this case is subject to the State's environmental laws. *In re Christenson*, 417 N.W.2d 607, 615 (Minn. 1987).

NEW BUSINESS

1. Update on Blue
Ribbon Electronic
Commerce
Committee (BREC)
and LINNET
INFORMATION

Summary of the Blue Ribbon Electronic Commerce Committees Inaugural Meeting March 5th – 6th, 2001

BWSR has been investigating the development of a web based software system to support business between BWSR and LGU's. This system would be a tool used by LGU's, the data developed as a by product of it's use would be available to BWSR.

The Blue Ribbon Electron Commerce (BREC) committee meeting was held to communicate BWSR's current direction regarding the web based software system and to get feedback about that direction. The BREC body consisted of one supervisor and one employee representative from each SWCD Area, four Local Water Planners and a few BWSR staff.

Below you will find an executive summary of the session, an invitation letter that identifies the goals for the session, and finally raw notes regarding the proceedings of the session.

EXECUTIVE SUMMARY

In general the meeting was very positive. BWSR and it's LGU partner representatives seemed to have similar concepts of a web based tool and potential benefits. Some of the characteristics of a successful system are:

- + Web based
- + Includes spatial component (GIS)
- + Easy to use
- + Supports daily business processes so "reporting" is a by product of daily work instead of an extra job that needs to be done at the end of the year.

Feedback that BWSR received could be generally categorized under the following points.

- + Categorize local business function similar to Local Water Planning activities.
- + Use a phased approach and start with a big success. Locals can be skeptical of systems provided by the State given past efforts.
- + Don't focus so much on State programs.
- + There is tremendous opportunity here and we are glad to see the attempt made to capitalize on it.

Invitation Letter:

Following is the letter of invitation that went out to the participants. From this you can see the goals as they were stated prior to the meeting.

Dear:

Thank you for agreeing to participate in the Board of Water and Soil Resources (BWSR) upcoming Blue Ribbon Electronic Commerce Committee (BREC) on March 5th and

6th. You have been hand picked by your peers to represent the local governments that BWSR interacts with on a daily basis. The purpose of coming together as a blue ribbon committee is to help BWSR ascertain to what degree local government want to conduct business electronically with a special emphasis on state supported programs. A few of the outcomes, which we hope to achieve in this meeting, are:

- Define business functions performed by local governments, such as cost-share, WCA, reporting, conservation planning, etc.
- Identify business functions best done electronically.
- Identify the challenges, barriers, and benefits of doing business electronically.
- Clarify if reporting should be and outcome of a business process or a free standing system.
- Identify data privacy/access issues.
- Identify possible implementation strategies.

We are at a crucial time in deciding how BWSR and its local government partners embrace and adopt the new world of electronic commerce and business. Your participation will help shape the vision and direction that BWSR will take in the near future and in coming years.

The meeting will be held at the Riverwood Conference Center located between Elk River and Albertville (see attached map for directions). We will begin on Monday, March 5th at 4 pm and adjourn on Tuesday, March 6th at 3 pm. Your room and meals will be provided for by BWSR. In exchange we expect you to come prepared to think hard and actively participate in the discussions. A draft agenda is included with this mailing to help you prepare and to give you some food for thought.

Lastly I need to make a choice on your dinner selection for the evening of Monday the 5th. Your choice of entrees is New York Strip served with salad, vegetable, and baked potato or Swordfish Steak served with salad, wild rice and a vegetable. Please make your choice and let MaryJo Anderson at BWSR know by March 1st, by calling (651) 297-4290 or by e-mail maryjo.anderson@bwsr.state.mn.us.

I look forward to seeing you on the 5th and 6th. In the meantime if you have any questions please feel free to contact myself at (651) 297-5617 or Tim Ogg at (651) 297-8024.

Sincerely,

Doug Thomas, Assistant Director

NOTES FROM THE PROCEEDINGS OF THE MEETING

OVERALL CONCERNS

- Cost of the project
- Cost to LGUS to upgrade infrastructure
- Cost of LGUS to participate
- How are LGU's positioning themselves to take on/admin federal initiatives?
- Delivery to all LGU's BWSR works with

HOPES and DREAMS for the system

- General form for annual work plans
- Log time reporting via oracle – payroll program

FUNCTIOTNAL REQUIREMENTS for the system as stated by reps.

- Central location of data layers and ability to integrate local layers.
- Standardized parcel data.
- Enhance what LGU's are creating, not replace it.
- Time reporting by function/program
- Web site development (this data supplement locals efforts to communicate)
- Be dynamic so can link to other custom programs
- Landowner info i.e. location, programs, watershed etc.
- Track entities ??
- Cross link btw categories – modules – fields.
- Triggers, applied, approved, funded, unfunded, planned.
- Cross reference : spatial
- By in and use by other agencies

LOCAL ACTIVITIES

Initially BWSR brought a list of business functions broken down by State programs. BREC members didn't like the way things were listed. It didn't match up with the way they think of how they do business. So we changed the list of business functions based on their suggestions, which was to generally follow the reporting categories for local water planning activities.

The activity categories, in order of voted/ranked priority are:

1. Reporting / Work Plans / Budget
2. Land & Water Treatment

3. Inventory and Mapping
4. Regulatory Programs (WCA, Feedlots)
5. Monitoring / Data Collection
6. Planning i.e. Local Water Planning. Comprehensive Planning
7. Education Information.

Reporting – Work plans – Budgets

- NRBG
- LWP Challenge – part of NRBG
- 319
- NPEA – JPB
- SWCD Annual work plan/budget
- DNR Shoreland (part of NRBG)
- Reporting to State Auditor
- AgBMP
- EQIP

Challenges Barriers and Bennefits for Reporting – Workplans – Budgets

- Save a lot of time in this area
- Increase accountability – keep track of everything easily/timely
- Tracks (labor) match (benefit but maybe a challenge regarding staff acceptance) many are doing labor tracking. Begin as an optional component.
- Reporting increases likelihood staff will carry out tasks.
- Time reporting integrated w/ project reporting
- To be highly accurate should be tied w/ payroll but could be a barrier because of security/private data.
- Standardizing reporting is a benefit: "corporate reporting" w/ ability to do custom reporting.
- If linked to project, payroll, etc... are we getting into an accountability nightmare: allocations based on outcomes/activity level. State looking for outcomes, locals looking at project management.
- If you track everything you do its easier to document match.
- From state/auditor/legislature accountability isn't optional
- High benefit showing significant outcomes w/minimal investment.
- Match will be built in, no longer up front.
- Minimize effort to bring many reports together (NRBG)
- Barrier: not everyone is doing the same thing. Different LGU's carrying out same program differently. I.e. LWP.
- OPP: be able to meet reporting req. of other agencies this has to become a State Program. Use Board forum to accomplish this.
- Opportunity: Integrate systems locally.

Land and Water Treatment

- State Cost Share
- CRP
- CREP
- RIM
- EQIP
- 319
- Tree Program
- Equip Rental / Planting Services
- AgBMP loans
- Oak Wilt
- "Other" L&W Treatment?? Forest Management Plans?
- Conservation Farm Plans
- Nutrient Management Plans
- Forestry Management Plans
- Tree plans
- Windbreak programs

Challenges Barriers and Bennefits for Land and Water Treatment

- RIM easy to capture and start with. Do the same thing over/over
- Incorporate everybody's L/W treatment to truly capture accomplishments (feds, nonprofits) this is a plus for marketing also. Feds, nonprofits, local program, state
- Ability to track service programs like tree programs, inventory, sales, plantings, facilitate working w/others e.g. nice to know what district gets out of this program.
- Track by landowner: how many L/W projects are they involved in?
- Identify patterns of local adoption and use to market.
- Challenge: whose actually doing the project? They should be the one reporting the accomplishment. Avoid dual reporting but capture who did what and allow that to be viewed by all entities.
- Benefit: forms, apps, etc. change fairly frequently. This will facilitate everyone using the most up to date process.

Inventory and Mapping

- Local Water Planning
- 319
- Challenge Grants
- Local needs
- Drained/Banked/Wetlands
- Feedlots
- Exotic Species
- Ditches / Tile Intakes

Challenges Barriers and Bennefits for Iventory and Mapping

- Local governments looking at developing local layers: junkyards, pits, etc..

- Can look at other counties and learn from the layers they've developed.
- Barrier: How do you create continuity of data. Important to be able to compare apples to apples. What about local programs delivered differently across the state?
- Maps won't mean what they use to because they will be created at different points in time.
- Inventory is just a snapshot in time at a particular place. Don't feel that should be a priority. Maybe statewide but not local.
- Design a system to allow local inventories
- Standardization is important, what is a wetland?
- Benefit: facilitates watershed planning across jurisdictional boundaries.
- Standardization isn't that important if you know how the inventory/monitoring was done. What is quality of data?
- Display info geographically

Regulatory Programs

- WCA / Banking
- ISTS
- Feedlot
- Shoreland/Floodplain
- Drainage
- NPDES
- Site Visits
- Local programs/ordinances
- Violation / enforcement

Challenges Barriers and Benefits for Regulatory Programs

- Benefit: paper reduction very time saving because of triggers that guide the procedures.
- Benefit: reduces errors, and meeting time deadlines, very detailed proceedings w/legal implications.
- Streamline process
- Nicollet County land use program: tax parcels in ArcView esp. program w/ landowner info tied to GIS. Scott Co. using a program too. "expedia"
- Manage local permitting would be an important benefit.
- Barrier: integrating sophisticated co. program designed for similar purposes. Bridge folks w/ no technology and those w/ sophisticated programs.

Monitoring/Data Collection

- Local Water Planning
- 319
- Challenge Grants
- Local Programs e.g. gravel pits, wetlands

- Lakes / Rivers/ Streams/ Etc.
- Groundwater protection/legislation
- Rain Gauge Network

Challenges Barriers and Benefits for Monitoring/Data Collection

- Opportunity: easy to structure, could get quick product
- Is this LGU's niche? I see it more toward implementation
- OPP: coordinate monitoring efforts and use existing databases such as STORET identify where data is avoidable.
- Challenge: just finding where the data is located.
- Coordinate/share/coordinate/share – w/special emphasis on state agencies probably bigger than this effort but key.

Planning

- SWCD comprehensive planning
- Local Water Plan / updates
- Metro water planning – updates
- Watershed District Planning – updates
- Local planning – landuse planning, zoning. Shoreland Management plans. Construction sites, regulatory erosion control plans, other ordinance
- Comprehensive wetland management plans
- MHB??
- Landuse Planning

Challenges Barriers and Benefits for Planning

- Ability to report how much of what is recommended is actually carried out.
- Benefit: LWP, WD, WMO plans trigger update process helps manage the process
- Benefit: forestry/tree/farm/nutrient plans are on the system. Automated soils, sensitive areas at the table w/planner and landowner build in calculators: RULSE, once applied it becomes L/W treatment
- Track how many acres in a county or watershed have a plan or are at "T" or below.
- Barrier: data privacy
- If farm bill moves forward payment if planned this will position us to accommodate that but need links.
- Benefit: forms/process on computer reducing paperwork.
- Opportunity: to link modules planning/treatment.

Education / Information

- Local Water Planning
- 319
- Challenge Grants
- Local

- Educations Fairs
- Newsletters
- Testing Clinics
- Workshops
- Websites

Challenges Barriers and Benefits for Education and Information

- Low priority because it's not geographically relevant. Not a strong need to link to GIS
- Easy to report w/out electronic aids, so it's a lower priority
- Often easy to log w/workload reporting
- Can be reported as a local program or an off shoot of the other modules

Question was proposed to the group – “Should a web based farm planning tool be accessible to individual landowners?”

Responses

- Landowner pays taxes for us to do it.
- Tried it with lake shoreland planning. They will do homework but they won't write the plan.
- May work if integrating into Vo-Ag curriculum.
- May reach some, but not a blanket approach. A plus if they want to do it
- Runs against our “we'll do it for you” image.
- That's how Ag Extension approaches it, not SWCD's
- Perhaps the background piece, but not actual planning software.
- Consider how we can share farm plan information w/ coops (this is farmers responsibility)

Data Privacy Vs. Data Access - discussion

- Landowners may not work w/LGU if they know the info can be accessed by people in St. Paul. “Accessed by the Government”
- Unless a law ids data as private it's not.
- Build in landowner privacy but allow to identify a dot on a map
- Raw data shouldn't be easily accessed. You can comply w/ info requests w/ a map but don't have to provide landowner info.
- Build a system where landowner info (intent to apply conservation practices) that would be on local PC, but a summary of that data would be on a state server e.g. acres planned.
- Problem may be lack of security @ local level

- Does it make a difference where it is, as long as adequate security is provided?
- Can we encrypt the data to address this?
- Do we need to define and get data privacy protection? (Legislate our privacy definitions)
- May be particular concern because it will be shared w/other agencies.
- Conservation Plan stands out as different from program participation
- Resurrect cooperator agreement w/language addressing data privacy.
- Use the "RA" law. If used may help address this.
- Training issue
- What is public/private? Really a question of access
- What hurdles does the entity have to go thru to provide data?
- Permanent record v. temporary file
- Don't approach too strongly from a "protect the landowner" view. If it keeps us from getting what we want.

Two more groups of ideas seemed to be brought up during the 2 days.

Principles for the system

- Driven by local "activities" not State/Federal programs. Activities are just another way of saying "business functions"
- Easy to Use !!! This does not mean dumb it down.
- Flexibility. Programs will come and go in the future.
- Web-based
- Inter agency buy in
- Secure
- Make it interesting, fun to do
- Incentive to participate
- QA/QC what is entered

Some Generally Stated Desired Benefits

- Access to basic GIS functionality
- Marketing for BWSR and LGU's
 - + towards legislature, county boards, citizens, etc.
- Work efficiencies (increased productivity)
- An easy ability to Analyze/Summarize efforts by different geographic areas.
- Ability to accommodate unique programs and services offered by the LGU.
- Inter agency access to data/programs
- What are we going to drop?

Where do we go from here?

1. Take products from this meeting and meet w/Linnet to see where things fit their system and what it would cost to adapt.
2. MASWCD – Supervisors discussions. April/May 60-90 days. Are they behind the effort given more detail and the cost?
3. Summarize and publish results of this meeting. Distribute to all participants, water planner's focus group BWSR board, email to SWCD's and water planners.
4. Suggestion of placing a power point slide on BWSR's web site that explains this meeting, general intro into this effort, what are the expected benefits.

How do we go from here?

General steps that need to happen

1. Finalize project definition
2. Contracting
3. Development
4. Debugging
5. Training
6. Implementation

January 1, 2003 Kickoff. Offer a paper option when phasing in.

Keep this card in back pocket, get as many voluntary users as possible, consider charging those who use paper to recover State costs to enter in the data instead of mandating system use.

Brainstorm funding ideas.

- McKight foundation
- United States as a pilot
- DNR, Feedlot, ISTS Funds, BWSR Board with agency reps. has the ability to comment
- Rural Development Authority
- U of M
- Met Council
- BGIC
- SWCD's raising funds reinvesting state dollars/local dollars
- Watershed districts
- Counties
- MDA
- NASA/USGS
- ESRI
- Givespost.com
- NACD
- Other States?
- Local Initiative Funds

- Conservation Groups, DU , PF, TNC etc.

Appendix:

Below you'll find comments from the "around the room" activity of our session. We gave each person an opportunity to express anything they wanted to regarding this project.

Dick Borrell, Wright SWCD, Area IV:

Electronic concept is a must or we'll be buried by paper. Needs to be closer to 2-year project than a 5 year project.

Bill Best, BWSR:

Time is here we have done things different ways in different years. Getting this in place will allow LGUs to do their work efficiently. Reduce changes in playing field.

Mike Hewitt, Redwood SWCD, Area V:

Counties/others need to be aware so locals don't waste time inventing similar programs.

Kevin Clough, Kandiyohi SWCD, Area VI:

Believe in it whole-heartedly but do right! Test, do in steps not all in one shot.

Curt Borchert, Norman SWCD, Area I:

Will be great. Needs to be ongoing and flexible to add/drop activities. Don't build program specific and make sure has appropriate links. Don't change unless there's large consensus. Develop a way to request and decide on changes. Give locals a forum to suggest changes.

Dan Livdahl, Nobels SWCD, Area V:

While moving forewarned be sensible. Start w/web based glorified LARS w/ land and water treatment reporting. Start small

LeAnn Buck MASWCD Executive Director:

Like that it's not program driven, lay out a realistic timeline as this begins to congeal and move foreword.

Dennis Fuchs, Stearns SWCD, Area Farea IV:

Invite more stakeholders – or expand project. Especially counties NRCS. Really use the BWSR board. Keep SWCS and counties informed. Email an overview of this meeting soon.

Tim asked Dennis: "What is SWCD opinion to this project"

Dennis: "largely positive response. but one concern that BREC is too loaded with reps of "Techie" capable districts"

LeAnn Buck: spatial system and web based need to be emphasized to separate this effort from LARS/FOLKS

Chris Lord, Anoka SWCD, Area IV:

Important to get this elevated to a statewide effort ASAP. If we go too far the turf issues will arise in the form of negative opinions of the system.

Michele Stindtman, Faribault SWCD, Area VI:

Great tool especially when we have multiple programs admin by LGU. But you may have to do ground work where battles are going on because one LGU has the water plan other has cost-share. Be aware there are districts that aren't ready for this and are adamant about that fact. If they could see the big picture/benefits it'd be an easier sell.

Pam Rivers, Nicollet County, Water Planner:

I see a lack of being able to enter something and have it shared by all the local offices doing the work. e.g. MPCA feedlots. Positive way to report to the policy makers.

Scott Allen, Carver County, Water Planner:

Thinking big picture my issue is that there are so many pieces that need to be worked on-don't take on too much. I like the idea of web based LARS. Prioritize what needs to be done first. Needs to tie into things that are already being done and have defined reporting. (Other State agencies)

Doug Snyder, BWSR:

Build it for the people who want to use it. Don't dumb it down. Build w/idea to streamline work to increase productivity.

Jeff Nielsen, BWSR:

Tackle the things we understand and can get our arms around first. There are some things we know more about i.e. WCA, State Cost Share,. Take it slow but move forward. Work w/out board to get commitment from the agencies that are partners and other agencies "inch by inch life's a cinch, yard by yard life is hard"

Wayne Zellmer, BWSR:

Involved in the launching of LARS and people responded w/"can't you just send me the money" This is a much bigger deal. Have to get hardware/software that will work and get users comfortable-bring them up to speed technically.

Daryl Franklin, Mower SWCD, Water Planner:

Concerned about coordination. Get DNR/PCA involved. Their part of the money train. Concerned about timing:2002/03 NRBG? Good idea.

Merril Loy, Carlton SWCD, Area III:

Good idea but you have to sell: Break into modules, start with one that is simple and benefits LGUS

Craig Mell, Chisago SWCD, Area III

People are for making process/admin easier but uneasy about accountability.

John Voz, Mower SWCD, Area VII:

A little late but .. first module L&W treatment, first module spatial, don't dumb down.
discuss getting beat up by your own data. long range: it will affect funding.

Helen McLennan, Morrison SWCD, Area II:

Water planning has taught us to play together.

May be difficult to bridge the barrier between staff and supervisors/commissioners.
system designer: reputable company w/a company w/strong successes and capability.

Develop a strong contact to make sure we're protected.

Don't think LARS is that bad NOW.

Great idea-can't wait until the new system is in it's place.

Marilyn Bayerl Douglas County Water Planner:

make it local. Use ArcView, Oracle and other software that counties area already using.

Involving other agencies. e.g. Storet is soon to be revamped and it should be done w/this in mind.

NEW BUSINESS

2. Special Funding
Request

DECISION

Special Funding Request for Wright SWCD Pollution Abatement Project

BACKGROUND

Landowner Robert Berg of Wright County requested \$32,500 in cost-share for a \$55,000 agricultural pollution abatement system for his dairy operation, from the Wright Soil & Water Conservation District in the spring of 1999.

The Wright SWCD verbally informed Mr. Berg that MPCA 319 dollars were available for his Project. Mr. Berg commenced construction on the pollution abatement system in the summer of 1999, which was before official funding approval for the project was given (319 funds must receive official approval prior to construction similar to State Cost Share Program funds).

ISSUE

Because no formal approval was given from 319 funding before construction commenced, the Wright SWCD informed Mr. Berg his project was ineligible for funding. Mr. Berg feels that he was given funding approval for his project from the Wright SWCD.

On behalf of Mr. Berg, the Wright SWCD is requesting from BWSR funding for Mr. Berg's project. The Wright SWCD has no other available sources of funding for this project.

RECOMMENDATIONS

Option 1: Approve funding using State Cost Share Program funds.

Because construction of this project has already occurred, this project would be ineligible for State Cost Share Program funding, as the Program requires project approval prior to construction. A waiver of the State Cost Share Program Rule by the Board would have to occur for State Cost Share funds to be used for this project. Funding this Project would reduce the overall amount available for Special Projects.

Option 2: Approve funding using Local Water Planning funds.

This Project is eligible for Local Water Planning funds. However, using Local Water Planning funds for this project would decrease the overall amount available for the FY 01 Local Water Planning Challenge Grant Program.

Option 3: Deny BWSR funding.

WRIGHT SOIL AND WATER CONSERVATION BOARD

RESOLUTION

WHEREAS, Robert Berg started construction of an agricultural waste management system with the understanding that there would be funds available to defray costs associated with the pollution abatement aspects of the system; and

WHEREAS, those funds were subsequently denied due to timing problems associated with grant reception and start of construction; and

WHEREAS, there were mixed messages given by various agency personnel on what would be grant eligible based on the timing of the installation;

NOW THEREFORE BE IT RESOLVED:

THE Wright Soil and Water Conservation District Board requests the Board of Soil and Water Resources (BWSR) consider funding this project with special state cost share funds or other available funds to the amount that had formerly been secured from the Minnesota Pollution Control Agency (MPCA) 319 funds (\$32,500) on an "after the fact" basis.

BE IT FURTHER RSOLVED, THAT, to be eligible for the payment of these funds Mr. Berg must complete the plan as designed or obtain written approval of any requested changes from both the design engineer and MPCA.

Motion by Supervisor: Borrell Seconded by: Uecker

Motion Passed: Affirmative: Borrell, Uecker & Dahlman
Negative: McNamara

Date: 04-09-01

Attested to by Kenny Sexton

NEW BUSINESS

3. Local Water Planning
Challenge Grants
2002/03
DECISION

**2002-2003 Challenge Grant Applicants
Cash Match Only**

Applicant	Description	Water Source	Pred. CLWP	Grant Amount	Match Amount
Black Dog WMO	Demonstrate the effectiveness of a green roof (a.k.a. rooftop meadow) to reduce stormwater runoff volumes and peak flows in an ultra-urban environment	Streams/ Rivers	L&W	\$50,000	\$948,000
Blue Earth County	Create a mgmt system and database that will inventory and describe public ditch watersheds, identify problem ditches and support long-range maintenance plans .	Streams/ Rivers	Inventory	\$26,391	\$26,391
Minnesota River Basin JPB	Unify federal, state and local efforts by developing a locally-led approach that targets high priority strategies in major watersheds of the basin to implement objectives, indicators and targets established by Watermark	n/a	P & EC	\$125,000	\$125,000
Brown's Creek WSD	Identification, design, and implementation of a demonstration site for the education of member communities, developers and citizens regarding the environmental controls and stormwater management standards required by Brown's Creek WSD Rules.	n/a	E&I	\$25,000	\$25,000
Buffalo-Red River WSD	Create a tool to easily manage and disseminate data that can be used by other agencies.	Stream/ River	E&I	\$10,450	\$10,450
Carnelian - Marine WSD	Inventory and prescribe stewardship strategies for their long-term protection and management.	Streams/ Rivers	Inventory	\$49,500	\$49,500
Cass and Crow Wing Counties	Coordinate implementation of priority initiatives and land protection measures within the Pine River Watershed.	watershed	P & EC	\$75,000	\$76,500
Chippewa County	Improve water quality in the Spring Creek Sub-basin using whole farm planning and voluntary participation, and implementing bmp and environmental practices.	watershed	Mon/Inv	\$25,000	\$25,000
Clay County	Assess a subwatershed prone to severe erosion and flood damage using the Clay Wetland Model and engineering technology.	watershed	Inventory	\$25,000	\$25,000
Clearwater River WSD	Determine silt distribution and composition in selected lakes in CRWD. Those lakes being Clear, Louisa, Marie, Augusta, Clearwater East and West	Surface Water	Inventory	\$10,000	\$10,000
Crow Wing County	Help fund septic system inventories for four lake associations (8 total lakes) that have already completed Lake Management Plans.	Lake	L&W	\$17,000	\$32,240
Fillmore County	Provide incentives to livestock producers to set aside acres and apply manure on an annual rotating basis to demonstrate the soil-building benefits of manure.	watershed	L&W	\$50,000	\$58,950
Goodhue County	Properly dispose of milkhouse waste to improve the water quality of Wells Creek by preventing excess nutrients from entering the water.	Stream/ River	L&W	\$25,500	\$30,000
Grass Lake WMO	Eliminate untreated direct storm water discharge to Lake Emily and Lake Owasso and to control soil erosion from surface flow.	Lake	L&W	\$125,000	\$397,326
Gun Club Lake WMO	Gather relevant data necessary in the development of a comprehensive management plan for protection and restoration of this unique area (Nicols Fen, Kennaley's and Harnack Creeks) as a natural greenway.	Streams/ Rivers	Inventory	\$15,000	\$15,000
Heron Lake WSD	Remove and replace open tile intakes with subsurface intakes to Improve surface water quality in the Heron Lake WSD.	Surface Water	L&W	\$36,000	\$36,000
Houston County	Accelerate implementing Bear Creek Watershed Mgmt Plan by providing cost-share assistance for conservation practices not eligible for current PL-566 funding.	watershed	L&W	\$10,000	\$12,000
Houston County	Repair aging erosion control structures within the Lower Mississippi Basin in Minnesota to extend their life and improve water quality by reducing sedimentation and pollutant run-off.	Stream/ River	L&W	\$125,000	\$149,500

**2002-2003 Challenge Grant Applicants
Cash Match Only**

Applicant	Description	Water Source	Pred. CLWP	Grant Amount	Match Amount
Isanti County	Improve the Eutrophic condition of Green Lake by funding a new \$300,000 Flood control structure.	Lake	L&W	\$50,000	\$250,000
Itasca County	Protect water quality by implementing critical elements of the new Itasca County Comprehensive Land Use Plan adopted May 2000.	n/a	P & EC	\$40,000	\$40,000
Lake of the Woods County	Complete inventory of uninventoried ditch systems and rights of way, develop a ditch maintenance policy utilizing BMPs, and develop a buffer strip implementation plan.	Stream/ River	Inventory	\$30,000	\$30,000
Lake of the Woods County	Develop a comprehensive wetland protection and management plan and ordinance for LOW county.	Stream/ River	P & EC	\$40,000	\$40,000
Lower Mississippi River WMO	Create guidelines for stormwater planning in areas where stormwater goals conflict with each other and with regional development goals.	Lake	P & EC	\$45,000	\$45,000
Lower St. Croix Valley WSD	Economical, feasible, and reliable non-traditional flood relief measures need to be developed for a landlocked lake with a history of flooding houses, septic systems, and main neighborhood and emergency vehicle access.	Lake	Inventory	\$50,000	\$50,000
Marshall County	Correct stream flow problems on the Tamarac River. Woody debris is causing severe flow obstruction, excessive bank erosion, and infrastructure damage	Stream/ River	L&W	\$15,000	\$15,000
Marshall County	Stabilize drainage ditch and roadside ditch slopes where they outlet into the respective river.	Stream/ River	L&W	\$22,000	\$22,000
Nobles County	To improve surface water quality and reduce runoff in Nobles county and several watershed districts by establishing and agricultural BMP cost-share program	Surface Water	L&W	\$125,000	\$125,000
North Cannon River WMO	Evaluate the overall health of the Pine Creek and Trout Brook Sub-watershed of the Cannon River through water quality and quality monitoring, macroinvertebrate monitoring, landcover mapping, and citizen involvement	Stream/ River	Mon/Inv	\$32,000	\$32,162
North Fork Crow River Watershed District	Digitized (GIS) County and Judicial drainage ditch systems within the Watershed District so that better land use management can be implemented in protecting water quality and water quantity	Stream/ River	P & EC	\$13,500	\$13,500
Olmsted & Dodge Counties	Develop a South Zumbro Stormwater and Capital Improvement Plan that utilizes riparian buffers, rural section rain gardens, wetland restorations, stream bank erosion controls and stormwater management for water quality and wildlife habitat improvement.	watershed	P & EC	\$54,000	\$54,000
Polk County	Restoration and stabilization on the banks of the Red Lake River to protect city sewer pipes, thus safeguarding the river from contamination by pathogens and sedimentation.	Streams/ Rivers	L&W	\$125,000	\$751,000
Prior Lake-Spring Lake WSD	Improve water clarity in Spring and Upper Prior Lakes to eliminate toxic algae blooms, improve aesthetics, reduce nuisance Curlyleaf Pondweed conditions, and enhance coverage of native aquatic plants.	Lake	L&W	\$50,000	\$160,500
Red Lake WSD	Establish watershed assessment protocol procedures for developing water quality reports, field and lab standards operating procedures, quality assurance project plans and statistical analysis techniques.	n/a	E&I	\$50,000	\$50,000
Sauk River Watershed District	Reduce sediment and phosphorus loading to Lake Osakis from Judicial Ditch 2 (JD2) by constructing a sedimentation basin provides water quality benefits	Lake	L&W	\$125,000	\$125,000
Snake River WSD	To give Snake River Watershed residents, agencies and organizations information about best management practices, funding sources, completed watershed projects and upcoming activities in the watershed.	watershed	E&I	\$10,000	\$10,000

**2002-2003 Challenge Grant Applicants
Cash Match Only**

Applicant	Description	Water Source	Pred. CLWP	Grant Amount	Match Amount
Snake River WSD	Protect critical areas from erosion thereby reducing the amount of nutrients and sediment reaching surface waters in the Snake River Watershed	Surface Water	L&W	\$65,000	\$65,000
South Washington WSD	Secure additional ponding capacity, conservation easements and, emergency overflow routes for designed flooding in high priority locations during critical hydrologic events as an element of land use planning to minimize flood damages in watershed.	Streams/ Rivers	P & EC	\$50,000	\$50,000
South Washington WSD	Obtain a better understanding of precipitation, snow depth, soil moisture, and frost depth to help implement mgmt techniques that mitigate natural elements limiting infiltration during the critical spring snowmelt events.	Streams/ Rivers	L&W	\$50,000	\$60,000
South Washington WSD	Encourage developers to incorporate infiltration at a local scale by developing a cost-share program.	Streams/ Rivers	L&W	\$50,000	\$50,000
Stearns County	Compile information through a lakeshed assessment approach and organize it into a GIS database.	Lake	L&W	\$25,000	\$25,000
Stearns County	Solve lakeshed area problems by implementing conservation practices in areas identified by the Stearns County Lakeshed study.	Lake	L&W	\$50,000	\$50,000
Thirty Lakes WSD	Determine current and future Stormwater loading to the fifty-five lakes in the "Thirty Lakes WSD" based on current land use, current zoning and loading generated from projected zoning	Lake	P & EC	\$20,500	\$20,500
Todd County	Provide cost-share to Todd and Douglas County landowners to 1)perform soils investigations around unpermitted manure storage basins to evaluate compliance with current regulations, or 2) properly close and reclaim abandoned manure storage basins.	Stream/ River	L&W	\$125,000	\$125,000
Two Rivers WSD	Prevent erosion, sedimentation, & infrastructure damage in Springbrook Township by installing flow control, resloping road ditches, relocating dikes away from waterway edges, & seeding grass buffers.	watershed	L&W	\$14,450	\$14,450
Wadena & Becker Co's	Identify, prioritize, and assist in the closure of abandoned animal waste pits, to eliminate contamination of surface and ground water.	Groundwater		\$100,000	\$100,000
Washington Co and several WSDs	Integrate groundwater elements into watershed district management strategies and policies protecting lakes, wetlands, streams and water supplies dependent on groundwater.	Groundwater	Inventory	\$125,000	\$125,000
Watonswan County	The project purpose is to improve surface water quality by partnering with local townships and landowners to repairing eroding riverbanks and improving in-stream aquatic habitat.	Streams/ Rivers	L&W	\$44,000	\$44,000
Wild Rice WSD	Improve water quality/quantity mgmt decisions at the local, state and federal level by providing continuous stream flow data at critical locations in the WSD	Streams/ Rivers	mon	\$70,000	\$70,000
Wild Rice WSD	Reduce flood damages to public and private infrastruc-ture, including the City of Ada, by reducing the threat of ice jams that increase and overland flooding	Streams/ Rivers	L&W	\$125,000	\$143,000
Wilkin County	Install BMPs to reduce flooding and enhance natural resources.	Stearns/ Rivers	L&W	\$125,000	\$125,000
Winona County	Develop a GIS linked to a hydrologic and hydraulic water quality model for Winona to facilitate an effective watershed management program for the city.	Lake	P & EC	\$50,000	\$50,000
		Total		\$2,615,291	\$4,806,969

**2002-2003 Challenge Grant Applicants
Lake Management Grant**

Applicant	Description	Pred. CLWP	Grant Amount	Match Amount
Beltrami County and Turtle River Watershed Management Planning	Develop watershed database within 152,000 acre Turtle River Watershed focused on data collection to develop watershed management plan. Focus will be land use, lake monitoring and watershed assessment for 11 lakes and Turtle River with watershed.	P & EC	\$17,500	\$18,000
Cook County	A citizen team has proposed a watershed investigation agenda that includes inter-lake flow analyses, improved vegetation management for blowdown recovery areas, development/build out scenario analysis, expanded phosphorus/non-point simulation modeling and detailed map data	P & EC	\$5,000	\$4,000
Crow Wing County	The purpose of this project is to capitalize on the Initiative Foundations Healthy Lakes Program, which builds the capacity of citizen leaders to develop and implement lake management plans.	P & EC	\$10,000	\$22,500
Douglas County	Develop Lake Management Plans for three priority lakes in Douglas County. Facilitate lake association ability to take an active role in preserving the quality of these and other Douglas County Lakes through leadership training	P & EC	\$32,900	\$32,900
Elk River Watershed Association JPB	Evaluate watershed conditions of Little Elk Lake and prepare a lake management plan that will be implemented to complete projects that result in improved and protected water quality for the Little Elk Lake watershed	P & EC	\$4,100	\$9,300
Hennepin County	To develop an ecologically-based lake management plan that employs sustainable lake management approaches to protect and improve Gleason Lake's inflake and watershed resource including water quality, scenic/recreational amenities and fish and wildlife habitat	P & EC	\$23,500	\$23,500
Itasca County	Create a countywide program to assist lake associations and similar groups to develop effective lake/watershed management plans to sustain or improve the quality of specific lakes.	P & EC	\$35,200	\$36,280
Otter Tail County	To create a strategic vision for the Otter Tail County Pine *L.I.D, and establish goals, priorities, and policies for the next 20 years, resulting in the completion of a sustainable, comprehensive, ** Lake Management Plan.	P & EC	\$50,000	\$50,000
Pelican River WSD	To adopt the Minnesota Lake Association's management planning model (Sustainable Lakes) to Lake management planning for becker county lakes. The development of Lake Management Plans on all Becker County Lakes is the long-range goal	P & EC	\$17,000	\$17,000
Pope County Enviromental Services/Pelican Lake Association	To develop and implement a Lake Management Plan for Pelican Lake and Pelican Lake Watershed. The plan shall identify needs, detail action plans and work to coordinate all efforts and resources impacting the watershed.	P & EC	\$15,000	\$15,000
Red Lake WSD/Clearwater Lake Area Association	The purpose is to develop the Clearwater Lake Management Plan, needed to improve lake water quality, reduce sedimentation, and restore the natural shoreline, through active educational efforts with lakeshore owners and partnerships with local agencies.	P & EC	\$9,000	\$14,000
Rice County	Develop a county lake management plan involving public and private partnerships to develop long-term sustainable projects to protect and restore Rice County lakes and their watershed from recreational and aesthetic purposes.	P & EC	\$50,000	\$50,000
Rice Creek WSD	Develop a strategic lake management plan for Bald Eagle Lake. We will build on the project program developed by the Rice Creek WSD and the Lake Association and we will prepare a long-term, sustainable lake managementplan for Bald Eagle Lake.	P & EC	\$14,000	\$22,600

**2002-2003 Challenge Grant Applicants
Lake Management Grant**

Applicant	Description	Pred. CLWP	Grant Amount	Match Amount
Rice Creek WSD and Otter Lake Association	Develop a strategic lake management plan for Otter Lake. We will build on the project program developed by the Rice Creek WSD and the long-term Eurasian watermilfoil studies that have been conducted by the U of M.	P & EC	\$5,000	\$5,000
Sauk River Watershed District	Develop a Lake Management Plan for the Big Birch Lake Watershed, using the MLA Lake Management Model as a planning guide	P & EC	\$17,720	\$17,720
St. Louis County	Large lakes such as Lake Vermilion present complex economic and enviromental issues for citizens and decision makers. This project will develop a model that will expand upon the Minnesota Lakes Associatioin Sustainable Lakes Plan to address the unique issues of the large lakes.	P & EC	\$50,000	\$61,000
Wadena County	To develop and design implementing a lake management plan for Spirit Lake in Menahga. Furture growht and outhter municipal activities should fit into a management shceme that protects this urban lake.	P & EC	\$9,000	\$9,000
Lake Management Grant Totals			\$364,920	\$407,800

Local Water Planning Challenge Grants

Distribution for the past three cycles:

Grant year	Category	Number of application	Dollars available	Dollars requested	Ratio	Match offered
1999		63	\$423,000	\$1,499,532	3.54	<1,499,532
2000	Grants over \$7,500	84	\$1,690,000	\$3,595,946	2.13	\$4,722,760
	Grants under \$7,500	28	\$ 75,000	156,018	2.08	\$241,969
	total	112	\$1,765,000	\$3,751,964	2.13	\$4,964,729
2002	Cash match only	51	\$1,340,000	\$2,790,291	2.08	\$4,806,969
	Cash/In kind over 10K	14	\$160,000	\$529,837	3.31	\$ 681,635
	Cash/In kind under 10K	19	\$ 150,000	\$148,187	.98	\$221,790
	Lake Management Plans	17	\$350,000	\$364,920	1.04	\$407,800
	total	101	\$2,000,000	\$3,833,235	1.92	\$6,118,194

2002-2003 Grants:

- In early December the board approved policy changes from the 2000/01 LWP Challenge Grant Program.
- Applications were announced via the State Register and letters to eligible local units of government in early December.
- Invitations to review and rank the applications were sent to the 22 entities identified in rule.
- Applications were received in St. Paul on February 16, 2001.
- BC's reviewed applications from their areas.
- Review packages were sent to those accepting the invitation to review and rank the applications. Several reviewers attended a meeting on April 16 to finalize the recommendation to the board.

MN Dept of Agriculture
 MN Dept. of Health
 MN Dept. of Natural Resources
 MN Pollution Control Agency
 MN Planning
 MN Geologic Survey
 BWSR Northern Region
 BWSR Southern Region
 BWSR Metro Region
 BWSR Central Office

Met Council
 Association of Minnesota Counties
 MN Assoc. of Soil and Water Conservation Districts
 MN Assoc. of Conservation District Employees
 MN Assoc. of Planning and Zoning Administrators
 MN Assoc. of Watershed Districts

* Staff workloads barred AMC and MN Planning from submitting scores.

Recommendation of the Review Committee:

The fourteen scores of the reviewers were ranked using standardized scores, raw scores and ranked scores.

The review team agreed to recommend that the board fund the projects according to the order resulting from standardized scores rankings for both the cash only and cash/in kind over \$10K projects.

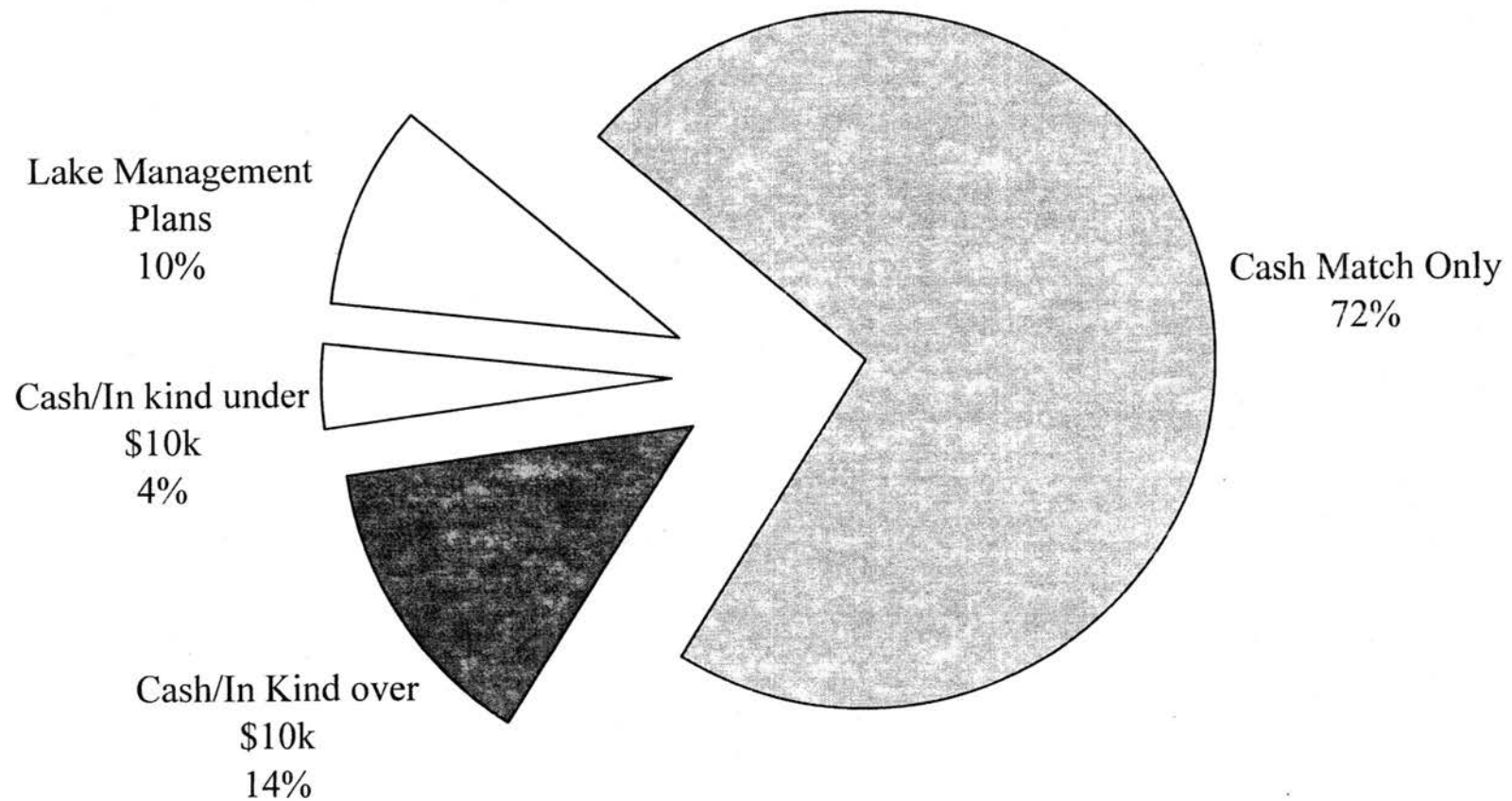
Because the project requests were less than (or close to) the dollars available for the categories of Cash/In kind Projects under 10K, and the lake management planning grants, all of the projects are recommended for funding.

Recommended Motion:

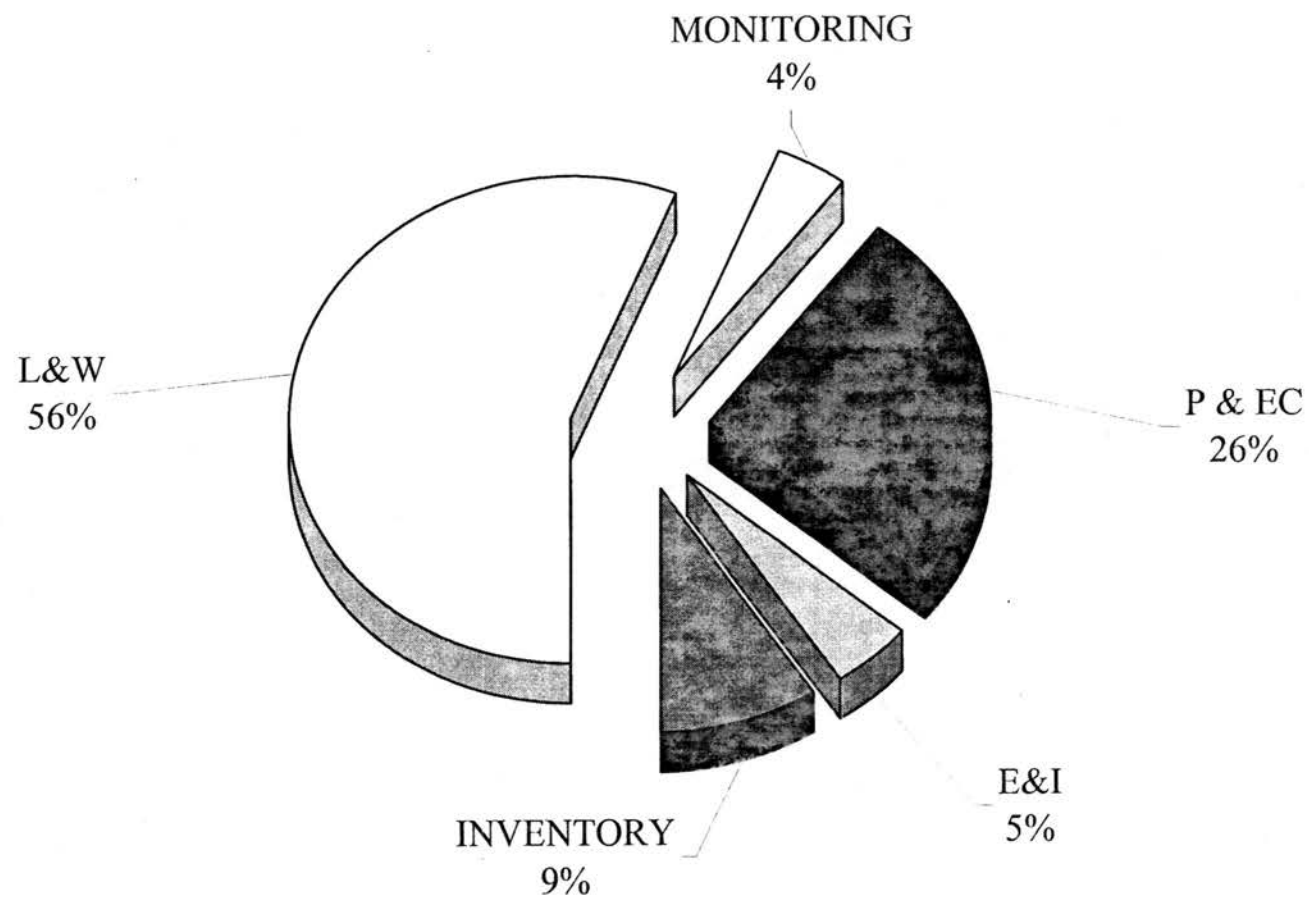
Contingent on the availability of Legislative appropriations, the BWSR approves funding the following challenge grant projects:

- All of the projects submitted in the cash/in kind under 10K category.
- All of the projects submitted in the lake management planning category with the understanding that Otter Tail County, Rice County and St. Lois County, each of whom requested \$50,000, will accept a reduction of \$5,000 making their total individual grants \$45,000.
- The standardized ranking will be used to fund projects submitted under the Cash and In Kind Over 10K category up to \$160,000.
- The standardized rankings will be used to fund projects submitted under the Cash Only category up to \$1,340,000.

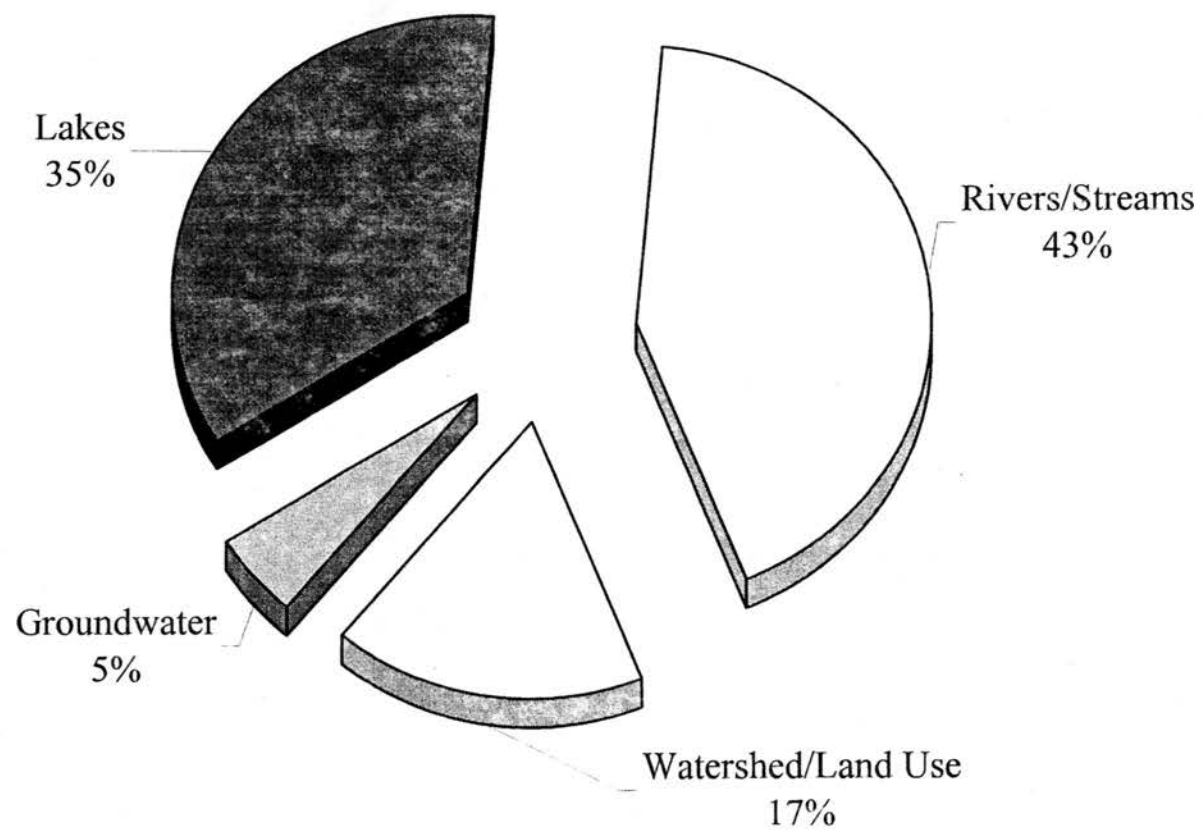
2002-2003 Challenge Grant
Distribution By Funding Category



2002-2003 Challenge Grant Applications
Distribution By Predominant CLWP



2002-2003 Challenge Grant Applications
Distribution By Water Source



Match Type: Cash Only

Allocation	Applicant	Description	Pred. CLWP	Grant Amount	Match Amount	Average Score	Average Rank	Average Raw Score
\$125,000	Polk County	Restoration and stabilization on the banks of the Red Lake River to protect city sewer pipes, thus safeguarding the river from contamination by pathogens and sedimentation.	L&W	\$125,000	\$751,000	1.39	#N/A	92.7
\$165,000	Itasca County	Protect water quality by implementing critical elements of the new Itasca County Comprehensive Land Use Plan adopted May 2000.	P & EC	\$40,000	\$40,000	0.88	#N/A	89.4
\$205,000	Lake of the Woods County	Develop a comprehensive wetland protection and management plan and ordinance for LOW county.	P & EC	\$40,000	\$40,000	0.78	12.0	87.2
\$230,000	Brown's Creek WSD	Identification, design, and implementation of a demonstration site for the education of member communities, developers and citizens regarding the environmental controls and stormwater management standards required by Brown's Creek WSD Rules.	E&I	\$25,000	\$25,000	0.69	13.6	86.5
\$255,000	Chippewa County	Improve water quality in the Spring Creek Sub-basin using whole farm planning and voluntary participation, and implementing bmp and environmental practices.	Mon/Inv	\$25,000	\$25,000	0.70	12.3	85.7
\$309,000	Olmsted & Dodge Counties	Develop a South Zumbro Stormwater and Capital Improvement Plan that utilizes riparian buffers, rural section rain gardens, wetland restorations, stream bank erosion controls and stormwater management for water quality and wildlife habitat improvement.	P & EC	\$54,000	\$54,000	0.63	15.6	85.5
\$359,000	Red Lake WSD	Establish watershed assessment protocol procedures for developing water quality reports, field and lab standards operating procedures, quality assurance project plans and statistical analysis techniques.	E&I	\$50,000	\$50,000	0.62	14.9	83.8
\$409,000	Stearns County	Solve lakeshed area problems by implementing conservation practices in areas identified by the Stearns County Lakeshed study.	L&W	\$50,000	\$50,000	0.59	15.1	84.2
\$434,000	Stearns County	Compile information through a lakeshed assessment approach and organize it into a GIS database.	L&W	\$25,000	\$25,000	0.56	14.9	85.2
\$559,000	Sauk River Watershed District	Reduce sediment and phosphorus loading to Lake Osakis from Judicial Ditch 2 (JD2) by constructing a sedimentation basin provides water quality benefits	L&W	\$125,000	\$125,000	0.56	16.0	82.1
\$659,000	Wadena & Becker Co's	Identify, prioritize, and assist in the closure of abandoned animal waste pits, to eliminate contamination of surface and ground water.		\$100,000	\$100,000	0.55	15.4	84.5
\$784,000	Nobles County	To improve surface water quality and reduce runoff in Nobles county and several watershed districts by establishing and agricultural BMP cost-share program	L&W	\$125,000	\$125,000	0.44	17.0	82.6
\$833,500	Camelion - Marine WSD	Inventory and prescribe stewardship strategies for their long-term protection and management.	Inventory	\$49,500	\$49,500	0.44	17.0	81.8
\$869,500	Heron Lake WSD	Remove and replace open tile intakes with subsurface intakes to Improve surface water quality in the Heron Lake WSD.	L&W	\$36,000	\$36,000	0.38	17.8	81.4
\$913,500	Watsonwan County	The project purpose is to improve surface water quality by partnering with local townships and landowners to repairing eroding riverbanks and improving in-stream aquatic habitat.	L&W	\$44,000	\$44,000	0.38	18.3	83.0
\$938,500	Clay County	Assess a subwatershed prone to severe erosion and flood damage using the Clay Wetland Model and engineering technology.	Inventory	\$25,000	\$25,000	0.39	18.0	82.9

Match Type: Cash Only

Allocation	Applicant	Description	Pred. CLWP	Grant Amount	Match Amount	Average Score	Average Rank	Average Raw Score
\$1,063,500	Washington Co and several WSDs	Integrate groundwater elements into watershed district management strategies and policies protecting lakes, wetlands, streams and water supplies dependent on groundwater.	Inventory	\$125,000	\$125,000	0.35	19.8	80.4
\$1,188,500	Wilkin County	Install BMPs to reduce flooding and enhance natural resources.	L&W	\$125,000	\$125,000	0.26	20.1	81.2
\$1,202,000	North Fork Crow River Watershed District	Digitized (GIS) County and Judicial drainage ditch systems within the Watershed District so that better land use management can be implemented in protecting water quality and water quantity	P & EC	\$13,500	\$13,500	0.24	21.3	81.4
\$1,252,000	Prior Lake-Spring Lake WSD	Improve water clarity in Spring and Upper Prior Lakes to eliminate toxic algae blooms, improve aesthetics, reduce nuisance Curlyleaf Pondweed conditions, and enhance coverage of native aquatic plants.	L&W	\$50,000	\$160,500	0.22	20.6	80.4
\$1,272,500	Thirty Lakes WSD	Determine current and future Stormwater loading to the fifty-five lakes in the "Thirty Lakes WSD" based on current land use, current zoning and loading generated from projected zoning	P & EC	\$20,500	\$20,500	0.21	20.8	80.9
\$1,304,500	North Cannon River WMO	Evaluate the overall health of the Pine Creek and Trout Brook Sub-watershed of the Cannon River through water quality and quality monitoring, macroinvertebrate monitoring, landcover mapping, and citizen involvement	Mon/Inv	\$32,000	\$32,162	0.13	22.0	79.2
\$1,340,000	Fillmore County	Provide incentives to livestock producers to set aside acres and apply manure on an annual rotating basis to demonstrate the soil-building benefits of manure.	L&W	\$14,500	\$58,950	0.12	23.6	80.3
	Minnesota River Basin JPB	Unify federal, state and local efforts by developing a locally-led approach that targets high priority strategies in major watersheds of the basin to implement objectives, indicators and targets established by Watermark	P & EC	\$125,000	\$125,000	0.09	22.4	79.8
	South Washington WSD	Secure additional ponding capacity, conservation easements and, emergency overflow routes for designed flooding in high priority locations during critical hydrologic events as an element of land use planning to minimize flood damages in watershed.	P & EC	\$50,000	\$50,000	0.07	23.2	81.3
	Gun Club Lake WMO	Gather relevant data necessary in the development of a comprehensive management plan for protection and restoration of this unique area (Nicols Fen, Kennaley's and Hamack Creeks) as a natural greenway.	Inventory	\$15,000	\$15,000	0.03	22.6	77.8
	Snake River WSD	Protect critical areas from erosion thereby reducing the amount of nutrients and sediment reaching surface waters in the Snake River Watershed	L&W	\$65,000	\$65,000	0.02	23.9	79.7
	Black Dog WMO	Demonstrate the effectiveness of a green roof (a.k.a. rooftop meadow) to reduce stormwater runoff volumes and peak flows in an ultra-urban environment	L&W	\$50,000	\$948,000	0.00	24.9	79.3
	Houston County	Repair aging erosion control structures within the Lower Mississippi Basin in Minnesota to extend their life and improve water quality by reducing sedimentation and pollutant run-off.	L&W	\$125,000	\$149,500	-0.01	24.3	76.0
	Goodhue County	Properly dispose of milkhouse waste to improve the water quality of Wells Creek by preventing excess nutrients from entering the water.	L&W	\$25,500	\$30,000	-0.04	24.3	77.5
	Houston County	Accelerate implementing Bear Creek Watershed Mgmt Plan by providing cost-share assistance for conservation practices not eligible for current PL-566 funding.	L&W	\$10,000	\$12,000	-0.12	25.6	78.3
	Wild Rice WSD	Improve water quality/quantity mgmt decisions at the local, state and federal level by providing continuous stream flow data at critical locations in the WSD	mon	\$70,000	\$70,000	-0.13	24.7	75.5

Match Type: Cash Only

Allocation	Applicant	Description	Pred. CLWP	Grant Amount	Match Amount	Average Score	Average Rank	Average Raw Score
	Wild Rice WSD	Reduce flood damages to public and private infrastructure, including the City of Ada, by reducing the threat of ice jams that increase and overland flooding	L&W	\$125,000	\$143,000	-0.16	26.1	76.2
	Crow Wing County	Help fund septic system inventories for four lake associations (8 total lakes) that have already completed Lake Management Plans.	L&W	\$17,000	\$32,240	-0.15	26.0	76.0
	Winona County	Develop a GIS linked to a hydrologic and hydraulic water quality model for Winona to facilitate an effective watershed management program for the city.	P & EC	\$50,000	\$50,000	-0.16	26.4	77.0
	Two Rivers WSD	Prevent erosion, sedimentation, & infrastructure damage in Springbrook Township by installing flow control, resloping road ditches, relocating dikes away from waterway edges, & seeding grass buffers.	L&W	\$14,450	\$14,450	-0.19	27.0	76.5
	Grass Lake WMO	Eliminate untreated direct storm water discharge to Lake Emily and Lake Owasso and to control soil erosion from surface flow.	L&W	\$125,000	\$397,326	-0.20	27.6	75.2
	Lower St. Croix Valley WSD	Economical, feasible, and reliable non-traditional flood relief measures need to be developed for a landlocked lake with a history of flooding houses, septic systems, and main neighborhood and emergency vehicle access.	Inventory	\$50,000	\$50,000	-0.21	26.8	75.8
	Todd County	Provide cost-share to Todd and Douglas County landowners to 1)perform soils investigations around unpermitted manure storage basins to evaluate compliance with current regulations, or 2) properly close and reclaim abandoned manure storage basins.	L&W	\$125,000	\$125,000	-0.22	26.6	73.3
	Cass and Crow Wing Counties	Coordinate implementation of priority initiatives and land protection measures within the Pine River Watershed.	P & EC	\$75,000	\$76,500	-0.24	27.1	77.0
	South Washington WSD	Obtain a better understanding of precipitation, snow depth, soil moisture, and frost depth to help implement mgmt techniques that mitigate natural elements limiting infiltration during the critical spring snowmelt events.	L&W	\$50,000	\$60,000	-0.41	29.9	75.2
	South Washington WSD	Encourage developers to incorporate infiltration at a local scale by developing a cost-share program.	L&W	\$50,000	\$50,000	-0.43	30.6	75.2
	Lower Mississippi River WMO	Create guidelines for stormwater planning in areas where stormwater goals conflict with each other and with regional development goals.	P & EC	\$45,000	\$45,000	-0.50	29.9	73.2
	Lake of the Woods County	Complete inventory of uninventoried ditch systems and rights of way, develop a ditch maintenance policy utilizing BMPs, and develop a buffer strip implementation plan.	Inventory	\$30,000	\$30,000	-0.49	31.1	71.2
	Isanti County	Improve the Eutrophic condition of Green Lake by funding a new \$300,000 Flood control structure.	L&W	\$50,000	\$250,000	-0.53	31.0	70.8
	Buffalo-Red River WSD	Create a tool to easily manage and disseminate data that can be used by other agencies.	E&I	\$10,450	\$10,450	-0.57	29.4	71.5
	Snake River WSD	To give Snake River Watershed residents, agencies and organizations information about best management practices, funding sources, completed watershed projects and upcoming activities in the watershed.	E&I	\$10,000	\$10,000	-0.61	33.2	71.8
	Blue Earth County	Create a mgmt system and database that will inventory and describe public ditch watersheds, identify problem ditches and support long-range maintenance plans .	Inventory	\$26,391	\$26,391	-0.61	34.0	70.0
	Marshall County	Correct stream flow problems on the Tamarac River. Woody debris is causing severe flow obstruction, excessive bank erosion, and infrastructure damage	L&W	\$15,000	\$15,000	-0.80	35.1	71.5

Match Type: Cash Only

Allocation	Applicant	Description	Pred. CLWP	Grant Amount	Match Amount	Average Score	Average Rank	Average Raw Score
	Marshall County	Stabilize drainage ditch and roadside ditch slopes where they outlet into the respective river.	L&W	\$22,000	\$22,000	-0.94	34.2	70.3
	Clearwater River WSD	Determine silt distribution and composition in selected lakes in CRWD. Those lakes being Clear, Louisa, Marie, Augusta, Clearwater East and West	Inventory	\$10,000	\$10,000	-1.73	41.7	60.5
			Total	\$2,575,291	\$4,190,969			

Match Type: Cash/In-kind Over \$10,000

		Description	Pred. CLWP	Grant Amount	Match Amount	Ave. Raw Scores	Ave. Standardized Scores	Ave. Rank Scores
\$33,500	Benton and Morrison Counties	Install filter strips, headland plantings, waterways, nutrient management demonstration plots and other conservation measures on the Pierz Drumlin Field to reduce algae in Little Rock Lake.	L&W	\$33,500	\$33,650	89.4	0.73	4.5
\$83,500	Ramsey-Wash WSD	Restore 2,000 feet of degraded shoreline and establish over 60 native plant species.	L&W	\$50,000	\$79,000	86.7	0.58	4.8
\$105,250	Red Lake WSD, et.al	Assess the technical feasibility of various nutrient reductions and their effect on lake water quality.	Mon/Inv	\$21,750	\$32,250	86.5	0.39	5.4
\$116,250	Sherburne SWCD	Promote planting: native prairie, pasture improvement and previously cropped wetlands to native vegetation to reduce erosion, nutrient and sediment runoff and nitrate leaching.	L&W	\$11,000	\$11,000	84.3	0.27	6.4
\$136,250	Traverse County	Repair a severely eroded site, thereby reducing sediment loading, improve and protect water quality, improve fish habitat, and prevent further degradation of the shores of Lake Traverse.	L&W	\$20,000	\$20,000	84.1	0.29	6.0
\$154,250	Blue Earth County	Treat storm water entering the Minnesota River from densely developed area of the City of Mankato and to compare the effectiveness of at least 2 different technologies.	L&W	\$18,000	\$19,000	83.6	0.27	5.6
\$184,250	Morrison and Todd Counties	Reduce the phosphorus and nitrogen levels in the Swan River Watershed by nutrient management planning with all poultry producers.	P & EC	\$30,000	\$30,000	81.4	0.01	6.5
\$234,250	Traverse County	Remove all individual sewage treatment system at the Shady Dell development along Lake Traverse, currently all in the flood plain, and install one cluster system that meets all current regulations.	L&W	\$50,000	\$175,000	81.3	0.16	5.9
\$274,750	Elk River Watershed Association JPB	Reduce phosphorus and sediment reaching Mayhew Lake and other surface waters by giving watershed residents ownership of the water quality concerns. Ground water will be protected by demonstrating the effectiveness of nutrient management.	L&W	\$40,500	\$44,500	80.0	-0.31	8.3
\$334,135	Brown Nicollet Cottonwood JPB	Build and strengthen the watershed partnership in the eight counties of the Middle Minnesota Basin, assist in the development of strategic funding, and energize and engage the urban citizenry.	E&I	\$59,385	\$59,385	79.3	-0.34	8.0
\$367,837	Stearns County	Determine the impact of inputs from minor watersheds upon water quality within a 303d designated reach of the Sauk River.	L&W	\$33,702	\$37,100	78.9	-0.18	7.6
\$417,837	Faribault County	Develop user friendly methodology that can be used locally to inventory, categorize, and organize individual county drainage systems for better environmental controls and local decision making	P & EC	\$50,000	\$52,750	78.6	-0.06	7.7
\$457,837	Pope County	Give local zoning authorities the resources necessary to require Land Use Mitigation improvements within shoreland area in exchange for building permits in specific situations	L&W	\$40,000	\$48,000	72.4	-0.63	9.6
\$497,837	Wabasha County	Implement low cost effective management practices through education and incentives to reduce environmental impacts associated with feedlots.	L&W	\$40,000	\$40,000	67.6	-1.22	11.5
		Total		\$497,837	\$681,635			

Match Type: Cash/In-kind Under \$10,000

Applicant	Description	Pred. CLWP	Grant Amount	Match Amount
Aitkin County	To protect Aitkin County Wetlands by developing a Comprehensive Protection and Management Plan.	Inventory	\$9,999	\$9,999
Beltrami County	This project's purpose is to assist with groundwater protectin efforts through providing incentives for sealing of privately owned abandoned wells.	L&W	\$3,000	\$4,250
Cass County	Implement the Ground-water functional model being developed by the UofM Duluth to identify enviromentally sensitive area in the Upper Boy River Watershed. Incorporate these assessments in the CLMP and the county Comprehensive Land Use Plan	P & EC	\$6,500	\$10,000
Cass County	Reduce road-related storm water impacts to Leech Lake and its tributaries by inventorying water conveyance systems (culverts) prioritizing, problem sites, ground truthing minor watershed boundaries, and building the township's capability to address water quality impacts	Inventory	\$9,500	\$9,500
Faribault County	To eliminate discharge of untreated sewage to the Blue Earth River from dewllings in the Unincorporated areas of Guckeen, Huntley and Walters by developing a Feasibility Study/Facilities Plan for waste water treatment	P & EC	\$10,000	\$10,000
Freeborn County	Develop a feasibility/preliminary engineering report (per USAD guidelines) to treat waste water from the communities of Conger, Manchester, and Myrtle MN that will eliminate the discharge of untreated sewage into the Cedar, Shell Rock, and Winnebago River watersheds.	L&W	\$10,000	\$10,000
Hubbard County	This project widens the scope of the county-wide land use planning process to include an analysis of water resource/land use issues and the development of acceptable watershed-based strategies to address those issues	P & EC	\$7,500	\$7,500
Mower County	To develop an incentive program for establishing temporary vegetative cover on land in canning crop production.	L&W	\$5,250	\$5,250
Pelican River WSD	Prepare plan and designs for treatments to achieve a 50 percent reduction in nutrient and sediment loading from Rice Lake to Detroit Lakes. Such a treatment program would result in less available phosphorus in the summer months, thereby improving clarity and ensuring that Big Detroit will remain a mesotrophic lake.	P & EC	\$9,500	\$9,500
Pennington County	The grant is to complete the hydrology, modeling, and final report of the sediment study.	P & EC	\$5,000	\$5,000
Rock County	An enviromental education program consisting of approximately 16 hands-on learning stations covering enviromental topics including:trees, water quality, wetlands, wind and water erosion, and soils. Students will attend approximately 8 different sessions during the day	E&I	\$10,000	\$47,350
Sibley County	To protect the public water supply of the city of Green Isle.	L&W	\$2,500	\$2,500
Sibley County	To continue the County Well Sealing Program	L&W	\$7,000	\$7,000
Southeast MN Water Resources Board	To educate the public about the close connections between land use and ground water quality in southeast Minnesota's sensitive karst landscape by using the new karst education exhibit and learning trunks as primary education tools	E&I	\$9,999	\$10,000
Traverse County	The purpose is to repair a severely eroded site, thereby reducing sediment loading,improve and protect water quality, improve fish habitat, and prevent further degradation of the shores of Lake Traverse.	L&W	\$4,000	\$4,000

Match Type: Cash/In-kind Under \$10,000

Applicant	Description	Pred. CLWP	Grant Amount	Match Amount
Two Rivers WSD	All culverts located in selected sub-watersheds will be inventoried in order to provide detailed information on water flow patterns. The information gathered will be used for various water management initiatives including flood control, erosion control and water quality	Inventory	\$9,000	\$9,000
Wabasha County	Interact with minimum of 30 county farmers to reduce runoff from manure applications to impaired water systems of Zumbro River and Lake Pepin by minimizing the purchase of commercial fertilizer.	L&W	\$9,999	\$39,500
Wadena County	Regional shift, from agricultural to recreational land-use, is creating new challenges in land-use management.	P & EC	\$9,000	\$9,000
Wright County	To obtain baseline data for lakes to aid in developing water quality trends showing effectiveness and efficiency of implemented best management practices and to educate and energize landowners to install conservation measures within lakeshed.	mon	\$8,440	\$8,440
		Total	\$148,187	\$217,789

Lake Management Planning Grants

Applicant	Description	Pred. CLWP	Grant Amount	Match Amount
Beltrami County and Turtle River Watershed Management Planning	Develop watershed database within 152,000 acre Turtle River Watershed focused on data collection to develop watershed management plan. Focus will be land use, lake monitoring and watershed assessment for 11 lakes and Turtle River with watershed.	P & EC	\$17,500	\$18,000
Cook County	A citizen team has proposed a watershed investigation agenda that includes inter-lake flow analyses, improved vegetation management for blowdown recovery areas, development/build out scenario analysis, expanded phosphorus/non-point simulation modeling and detailed map data	P & EC	\$5,000	\$4,000
Crow Wing County	The purpose of this project is to capitalize on the Initiative Foundations Healthy Lakes Program, which builds the capacity of citizen leaders to develop and implement lake management plans.	P & EC	\$10,000	\$22,500
Douglas County	Develop Lake Management Plans for three priority lakes in Douglas County. Facilitate lake association ability to take an active role in preserving the quality of these and other Douglas County Lakes through leadership training	P & EC	\$32,900	\$32,900
Elk River Watershed Association JPB	Evaluate watershed conditions of Little Elk Lake and prepare a lake management plan that will be implemented to complete projects that result in improved and protected water quality for the Little Elk Lake watershed	P & EC	\$4,100	\$9,300
Hennepin County	To develop an ecologically-based lake management plan that employs sustainable lake management approaches to protect and improve Gleason Lake's inflake and watershed resource including water quality, scenic/recreational amenities and fish and wildlife habitat	P & EC	\$23,500	\$23,500
Itasca County	Create a countywide program to assist lake associations and similar groups to develop effective lake/watershed management plans to sustain or improve the quality of specific lakes.	P & EC	\$35,200	\$36,280
Otter Tail County	To create a strategic vision for the Otter Tail County Pine *L.I.D, and establish goals, priorities, and policies for the next 20 years, resulting in the completion of a sustainable, comprehensive, ** Lake Management Plan.	P & EC	\$45,000	\$50,000
Pelican River WSD	To adopt the Minnesota Lake Association's management planning model (Sustainable Lakes) to Lake management planning for becker county lakes. The development of Lake Management Plans on all Becker County Lakes is the long-range goal	P & EC	\$17,000	\$17,000
Pope County Enviromental Services/Pelican Lake Association	To develop and implement a Lake Management Plan for Pelican Lake and Pelican Lake Watershed. The plan shall identify needs, detail action plans and work to coordinate all efforts and resources impacting the watershed.	P & EC	\$15,000	\$15,000
Red Lake WSD/Clearwater Lake Area Association	The purpose is to develop the Clearwater Lake Management Plan, needed to improve lake water quality, reduce sedimentation, and restore the natural shoreline, through active educational efforts with lakeshore owners and partnerships with local agencies.	P & EC	\$9,000	\$14,000
Rice County	Develop a county lake management plan involving public and private partnerships to develop long-term sustainable projects to protect and restore Rice County lakes and their watershed from recreational and aesthetic purposes.	P & EC	\$45,000	\$50,000

Lake Management Planning Grants

Applicant	Description	Pred. CLWP	Grant Amount	Match Amount
Rice Creek WSD	Develop a strategic lake management plan for Bald Eagle Lake. We will build on the project program developed by the Rice Creek WSD and the Lake Association and we will prepare a long-term, sustainable lake management plan for Bald Eagle Lake.	P & EC	\$14,000	\$22,600
Rice Creek WSD and Otter Lake Association	Develop a strategic lake management plan for Otter Lake. We will build on the project program developed by the Rice Creek WSD and the long-term Eurasian watermilfoil studies that have been conducted by the U of M.	P & EC	\$5,000	\$5,000
Sauk River Watershed District	Develop a Lake Management Plan for the Big Birch Lake Watershed, using the MLA Lake Management Model as a planning guide	P & EC	\$17,720	\$17,720
St. Louis County	Large lakes such as Lake Vermilion present complex economic and enviromental issues for citizens and decision makers. This project will develop a model that will expand upon the Minnesota Lakes Associatiion Sustainable Lakes Plan to address the unique issues of the large lakes.	P & EC	\$45,000	\$61,000
Wadena County	To develop and design implementing a lake management plan for Spirit Lake in Menahga. Furture growht and outhur municipal activities should fit into a management shceme that protects this urban lake.	P & EC	\$9,000	\$9,000
Lake Management Grant Totals			\$349,920	\$407,800

FOR YOUR INFORMATION

(April 25, 2001)

- ❑ Updated Board Member Listing
- ❑ Updated BWSR Staff Listing
- ❑ "BWSR UPDATE"
- ❑ Memo regarding St. Louis County Comprehensive Local Water Management Plan 90-Day Review

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Char Kahler , 1966 50 th St. Fairmont, 56031 chark@kaco.net	Citizen	01-05-04	507-238-2244 507-235-9619 Fax
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Brian Dwight	(218) 755-3963
Cell Phone	(651) 485-8489
Bill Best	(218) 755-4176
Cell Phone	(651) 485-8490
Dale Krystosek	(218) 755-4236
Cell Phone	(651) 485-8491
Karen Johannsen	(218) 755-4235



Board of Water and Soil Resources UPDATE

A publication of the Minnesota Board of Water and Soil Resources

April 2001

L&WS

Local Water Planning Challenge Grants are competitive and aimed at helping local water resource managers achieve the goals and objectives listed in their county water plans or watershed district/management organization plans.

The first grants were offered in 1990 with approximately \$750,000 awarded. Local governments submitted projects again in 1992, '94, '96, and '98 with a total of about \$2 million being awarded in those years. The program was greatly enhanced in 1999 when LCMR augmented the BWSR funds with \$1 million.

LCMR is again recommending the Legislature appropriate \$1,340,000 to accelerate the achievement of local water planning goals. This year they have added the requirement that the local match must be cash. The \$750,000 BWSR funding allows cash or in kind for the local match.

The 2002 Local Water Planning Challenge Grant got under way in December 2000 when BWSR announced it would accept applications until February 16, 2001. A total of 101 projects were submitted requesting \$3,626,235 in grant money and contributing \$6,118,194 of local funds. This year, BWSR set aside some money specifically for projects that develop management plans for lakes. This has often come up as an important need from both local and state agency folks. Money was also set aside to fund smaller projects for \$10,000 and under.

State agency staff and individuals representing associations of the local government water resource managers spent many hours reviewing and ranking the applications. The review committee met on April 16 to finalize their recommendations for board action. Following board action, applicants will be notified of their funding status and successful applicants will prepare detailed workplans and

budgets and submit them to their board conservationist for approval. Hopefully the Legislature will pass the LCMR recommendations before July 1 so the projects can get under way!

-Submitted by Marybeth Block

NORTH

LWP: Kamal Alsharif attended four Water Planning Task Force meetings in Itasca, Pine,

Carlton, and Douglas counties and gave an overview of how BWSR can help with the county water plan education component. Some of the ideas in Itasca County came from the publication "A Decade of Protection."

WCA: In the past three months, Jim Lemmerman coordinated six wetland training sessions across the state. Close to 500 LGUs and other interested parties attended to learn about the changes to the Wetland Conservation Act. Jim was also involved in coordinating the informal follow-up sessions around the state. Next steps include coordination of the wetland delineation session this summer.

Education: Kamal participated in the Rural Living Expo, funded by the EQIP education grant, in Mora (Kanabec County). Community members attended sessions on septic systems, drinking water, monitoring and restoration of rivers, and many others. Another EQIP related activity was the NRCS and Extension committee meeting in St. Paul. The next step is to develop an EQIP education proposal to target limited resources and underserved individuals.

Kamal represented Minnesota at the National Envirothon winter meeting in Dallas/Fort Worth, Texas. Last year's host of the National Envirothon, Nova Scotia, gave a report. Topics include writing tests for the Envirothon and preparation for the 2001 competition. The 2001 host, Mississippi, gave an overview of their preparations. The state committee has the speakers, judges, and volunteers lined up.

Board of Water and Soil Resources Update, Page 2

Forestry: About 1,000 people, mostly private landowners and natural resource professionals, attended the celebration of the millionth acre under Forest Stewardship planning in Minnesota held in Duluth. Peter Raeker and Jim Lemmerman put together a news release about the SWCDs involvement with this planning process (which can be found on the BWSR web site), and Jim also made a presentation to interested landowners about the need and establishment of living snow fences.

The state staff foresters from the NRCS and the RC&D met with Jim and Ron Harnack to discuss some alternative agriculture practices, mainly planting and growing hybrid poplars. The RC&D forester and Jim will put a strategy together for Harnack's review.

Jim made a presentation at Vermilion Community College about the Forest Stewardship Program, living snow fences, and the potential for employment with SWCDs around the state. With the cuts in budget and other political realities, the SWCDs are in prime position to manage our natural resources. Jim also attended an advisory board meeting to develop curriculum for a Professional Forest Harvester Program at Vermilion. The college will be developing a nine-month program to train forest harvester personnel, which would include some natural resources management skills, as well as the mechanical skills of the machine operation.

-Submitted by Ron Shelito

METRO

Our address should be "One West Underwater Street" this month! The Mississippi is up against the levees outside our building and slowly filling the elevator shaft inside the building.

Steve Woods heads up the agency's presence on Metropolitan Council's Regional Environmental Partnership group that is trying to conduct the next metropolitan "blueprint." Three sub-groups are under way with

BWSR staff input. They are: Jim Haertel on the municipal NPDES security issue, Wayne Zellmer on grants coordination, and Doug Snyder on Comprehensive Environmental Planning.

The WMOs of western Hennepin County are tackling plan updates. In addition to the Pioneer/Sara and Elm Creek plans reported previously, Bassett Creek, Shingle Creek, and West Mississippi WMOs are moving ahead with their second-generation plans. Ron Struss is working with Bassett's aggressive public involvement plan, and Doug Snyder held separate meetings with staff and then commissioners of the Shingle Creek and West Mississippi WMOs to relay expectations.

Lynda Peterson and Doug Snyder organized and held WCA training sessions at Rockford Township and Lino Lakes. Lynda is also coordinating with the Clearwater River Watershed District's plan update effort. Primarily Metro staff serves this WD and the plan review will eventually pass through the Board's Metro sub-committee. Since Clearwater River Watershed District is a non-metropolitan WD (i.e. not subject to Metro 509 Water Planning Act), we are attempting to preserve the best of the "509" act features and have a final plan similar to those typically reviewed by the committee. Lynda is working with Tom Fischer and Dan Steward to get input on this watershed that straddles all three BWSR regions.

Phil Belfiori (with Greg Larson and Steve Woods) will represent BWSR as we try to budge the on-going city of Hugo versus Rice Creek WD/BWSR/DNR situation. Litigation resulted in a victory for RCWD/DNR/BWSR on all counts. The city is at last expressing an interest to discuss the alternatives. Primary players are the city and WD, with DNR playing a

secondary role as regulator and major landowner. BWSR has less of a stake in the proceedings but is interested in getting the parties talking and constructing a process by which they (the primary parties) can proceed.

-Submitted by Steve Woods



BWSR's St. Paul office is located off to the photo's left edge.

ENGINEERING

The second annual Iowa-Minnesota Drainage Forum was recently held in Clear

Lake, Iowa. Al Kean, chief engineer, and Greg Larson, state soil scientist, attended. This is a good forum for sharing the latest results of drainage research and discussing current issues and initiatives. The forum was well attended by people involved with various aspects of drainage and water management.

In case you haven't heard, Justin Jeffery, BWSR/NRCS training and design engineer, has decided to retire at the end of June, with more than 44 years of public service to his credit. Over the past several years, Justin has become the state expert and principal trainer for use of the Feedlot Evaluation Model, which is a critical tool for prioritizing feedlot cost-share and developing solutions for feedlot runoff problems. He has developed a guidance document for more effective and consistent use of the feedlot model. He has also been a key trainer and consultant to SWCD and NRCS staff for construction inspection, hydrology, ag waste system planning, streambank protection, and other engineering work. We'll miss the wisdom of his experience, his never-failing positive attitude, and his dedication to building technical assistance capacity through training!

Kevin Zytkevicz, engineering technician, will also be leaving BWSR. Kevin came to us last fall on a leave of absence from the DNR and is returning to the DNR to pursue new opportunities. We'll miss Kevin's substantial computer-aided design and surveying talents!

An ad is on the street for a graduate engineer to assist with CREP wetland restorations. Tips on potential candidates for this engineer position and for engineering technicians are welcome.

Gene Clark, lakeshore engineer, and Al are working with the Lake Superior Technical College to identify an intern to help Gene assist SWCDs and private

landowners with shoreline stabilization and other nonpoint best management practices. Areas of assistance will include computer-aided drafting, surveying, GIS application, construction oversight, and project monitoring.

Gene reports that the Great Lakes Commission has accepted a BWSR grant proposal for a shoreline revegetation demo project to be implemented in cooperation with the So. St. Louis SWCD and a private landowner.

Several BWSR staff members are reviewing a draft Minnesota Coastal Nonpoint Pollution Control Program document prepared by the PCA and DNR, with assistance from Mark Nelson, board conservationist. Minnesota was accepted into the federal Coastal Zone Management Program in July 1999. This document is in response to federal requirements and is intended to become the nonpoint section of the Lake Superior Basin Plan.

The Animal Agriculture GEIS is slowly progressing to a conclusion. Technical Work Papers and associated draft recommendations are being prepared for the subject areas of water quality, air quality, human health, soils and manure, land use, and the role of government. A spatial analysis task force has been formed to help define the most useful GIS information to include in the report. The EQB is seeking additional funding and time beyond the end of FY 2001 to complete the GEIS.

-Submitted by Al Kean

**Deadline for next
Update: May 16**

BRIEFS

Following is portion of a news release that was issued by BWSR in early April.

The Minnesota River Conservation Reserve Enhancement Program (CREP) is close to using its \$20 million allocated last year by the Minnesota Legislature.

The Legislature is currently debating the final level of funding for CREP. Full funding of \$51.4 million would allow the state to fully match the \$163 million in federal funding available to protect 100,000 acres of marginal cropland in the Minnesota River watershed.

At the end of February, the Board of Water and Soil Resources (BWSR) had nearly \$4.4 million in its CREP fund. Soil and Water Conservation Districts in the Minnesota River watershed have identified 7,087 acres as completed applications, which BWSR is processing now. That comes at a cost of \$4.6 million.

"Once again, the numbers tell the story here," said Ron Harnack, executive director of the Board of Water and Soil Resources. "We continue to have a strong demand for the program, and we expect that demand to continue."

As of March 29, there are 930 easements enrolled for a total of 34,228 acres. Although the final level of funding is yet to be determined, Harnack encourages landowners interested in the program to contact their local Soil and Water Conservation District office because he expects that the Legislature will provide a significant allocation for CREP in the end.

The program has been popular for a number of reasons, according to Harnack. "Landowners recognize that some of their land along rivers and streams are not economically viable for them to farm," he said. "When they take poorly producing land out of their economic picture, it increases their net overall."

Additionally, a lot of landowners want to set aside property for their children and grandchildren, and "leave a legacy for their family."

Another reason, he said, is that landowners believe that they need to address erosion and water quality and do it while there's a voluntary program. "They recognize that someday it may be mandatory and that there won't be dollars to make it happen."

Finally, many landowners want to provide more wildlife habitat. "They are avid hunters as well as farmers. CREP can provide a great opportunity for them as well."

BWSR recognized Jim Birkholz's service at BWSR at an event held in mid-March. Here, he and his wife Judy Erickson hold up the cake at the party.



In an e-mail Jim sent to BWSR staff in early April, he reported that his new title is "capacity project manager." He will work half time with his time split between this office, home, and the field.

Initially, Jim will be working closely with MASWCD and its partners to implement a capacity initiative which has been gestating for a few years. An important outcome of this initiative will be to "modernize" SWCD governance, authorities, and financing; and create new opportunities and help position SWCDs for successful delivery of services.



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(507) 537-6060
Fax (507) 537-6368

Metro Region:

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

April 9, 2001

TO: Commissioner, Minnesota Department of Agriculture (MDA)
Commissioner, Minnesota Department of Health (MDH)
Commissioner, Minnesota Department of Natural Resources (DNR)
Commissioner, Minnesota Pollution Control Agency (PCA)
Chair, Minnesota Environmental Quality Board (EQB)
Director, Minnesota Geological Survey (MSG)

FROM: Ronald Harnack, Executive Director

RE: *St. Louis County Comprehensive Local Water Management Plan*

On Monday, April 09, 2001, the Minnesota Board of Water and Soil Resources (BWSR) will begin the official 90-day state review of the updated *St. Louis County Comprehensive Local Water Management Plan*. Pursuant to Minnesota Rules, Chapter 9300.0170 the BWSR is forwarding the county water plan for your agency's review and comment. You have 45 days from receipt of this letter to submit comments, in writing, to the BWSR identifying the portions of the plan that the agency has determined to be inconsistent with the state law.

The *St. Louis County Comprehensive Local Water Management Plan* is being sent to your agency's 103B Technical Review Committee Member under separate cover. The 103B Technical Review Committee Members are:

- MDA, Mark Zabel
- MDH, Art Persons
- DNR, John Fax
- PCA, Glenn Skuta
- EQB, Gretchen Sabel
- MGS, Barb Palen

Thank you for helping local resource managers protect and conserve their water resources through comprehensive local water management plans.

c: BWSR Board members
BWSR Senior Management Team
Mark Nelson, BWSR Board conservationist
Mark Johnson, St. Louis County Water Plan Coordinator

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May 2001

**BOARD OF WATER AND SOIL RESOURCES
EARLE BROWN CENTER, ROOM 52
UNIVERSITY OF MINNESOTA/ST. PAUL CAMPUS
1890 BUFORD AVENUE
ST. PAUL, MINNESOTA 55108
May 23, 2001**

AGENDA

9:00 a.m. Call Meeting to Order

Adopt Agenda

Minutes of April 25, 2001

**Welcome to the University of Minnesota Extension Service –
Charles Casey, Dean and Director**

Reports

- Chair – Lee Coe
- Executive Director – Ron Harnack
- Dispute Resolution Committee – Lee Coe
- Wetlands Committee – Darrell Bruggman
- Cost-Share/Soil Conservation Committee – Dwain Otte
- Education and Public Relations Committee – Paul Krabbenhoft
- Financial Oversight Committee – Ginny Imholte
- Administrative Advisory Committee – Lee Coe

Agency Reports

- Department of Agriculture
- Department of Health
- Department of Natural Resources
- Minnesota Extension Service
- Pollution Control Agency

Consent Agenda

1. Douglas County Request for Comprehensive Local Water Plan
Extension – DECISION

Committee Recommendations

Metro Water Planning Sub-Committee

1. Lower Mississippi River Watershed Management Organization Watershed Management Plan – DECISION
2. Carver County Watershed Management Organization Watershed/Groundwater Management Plan - DECISION

New Business

1. Partnerships Between BWSR and MES
 - a. Signing Ceremony between BWSR and MES regarding the State Soils Office – INFORMATION
 - b. Other Staffing Partnerships – Jim Anderson INFORMATION
2. Farm Services Agency (FSA) Update – John Munson, Executive Director - INFORMATION
3. Legislative Update – Ron Harnack - INFORMATION

Advisory Comments

- Minnesota Association of Townships (MAT)
- Minnesota Association of Conservation District Employees (MACDE)
- Minnesota Association of Soil and Water Conservation Districts (MASWCD)
- Minnesota Association of Watershed Districts (MAWD)
- Natural Resources Conservation Service (NRCS)

Upcoming Meetings

- Next BWSR Meeting, June 27, 2001, Jackpot Junction, Morton
- 2001 Local Water Planners Conference, June 27-28, Jackpot Junction, Morton
- MAWD Summer Tour, June 28-30, 2001, Worthington
- NACD North Central Region Meeting, July 15-18, 2001, Radisson South, Bloomington
- BWSR Tour and Meeting, August 22-23, McGregor

Adjourn



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DATE: May 11, 2001
TO: Board of Water and Soil Resources Members, Advisors, Staff
FROM: Ronald D. Harnack, Executive Director
SUBJECT: May 23rd BWSR Meeting

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, May 23, 2001, beginning at 9:00 a.m. The meeting will be held at the University of Minnesota St. Paul Campus, Earle Brown Continuing Education Center, Room 52, 1890 Buford Avenue. Visitor/public parking is available; parking fees are approximately \$2.00/hour. See the attached map for directions. The following information pertains to the agenda items:

Consent Agenda

1. Douglas County Request for Comprehensive Local Water Plan Extension: See attached. DECISION

Committee Recommendations

1. Lower Mississippi River Watershed Management Organization (LMRWMO) Watershed Management Plan – On May 7, 2001, the BWSR Metro Subcommittee met and recommended approval of the Lower Mississippi River Watershed Management Organization Plan. The BWSR Metro region staff also recommended approval of the LMRWMO Plan. The Plan does fundamentally comply with Minnesota Rules 8410 and the fundamental planning expectations articulated by BWSR. The Plan accurately reflects a focused management framework consistent with the recommendations provided by the Citizen Advisory Committee and interagency plan reviews. See attached. DECISION
2. Carver County Watershed Management Organization Watershed/Groundwater Management Plan – In late October 1996, the BWSR declared all five joint powers watershed management organizations in Carver County non-implementing. Carver County has spent the last three years developing a water management plan that combine surface and ground water management. Metro region staff recommends approval of the Plan. On May 7, 2001, the BWSR Metro Water Planning Subcommittee reviewed the plan and recommended approval of the Carver County Plan. This water plan is unique in the metro area. The Plan was developed concurrently with Carver County's Comprehensive Land Use Plan. Carver County used this opportunity to use the information and issues identified through the water planning process to inform and revise their comprehensive plan. Both plans are better as a result. See attached. DECISION

New Business

1. Partnerships Between BWSR and MES
 - a. Signing Ceremony between BWSR and MES regarding the State Soils Office – INFORMATION
 - b. Other staffing partnerships - INFORMATION
2. Farm Services Agency (FSA) Update – John Munson, Executive Director, will provide information on FSA roles, responsibilities, relationships, and perspectives on conservation. INFORMATION
3. Legislative Update – INFORMATION

The Administrative Advisory Committee will meet immediately following the BWSR meeting. Additional information will be sent under separate cover.

If you have any questions, please feel free to give me a call. I look forward to seeing you at the St. Paul Campus on May 23!

May23notice

ST. PAUL CAMPUS



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Campus Express

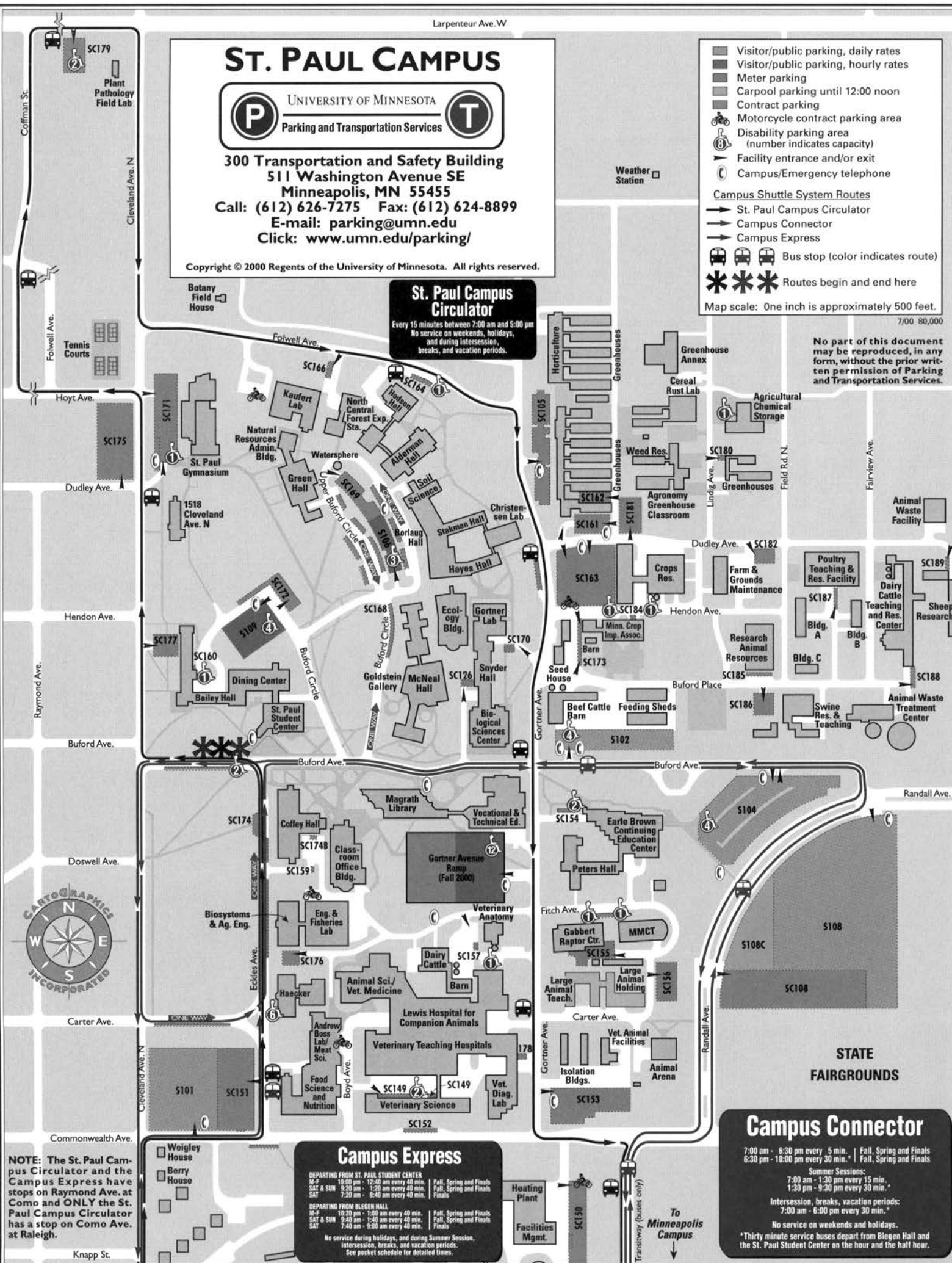
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Map scale: One inch is approximately 500 feet.

7/00 80,000

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No service during holidays, and during Summer Session,
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See pocket schedule for detailed times.

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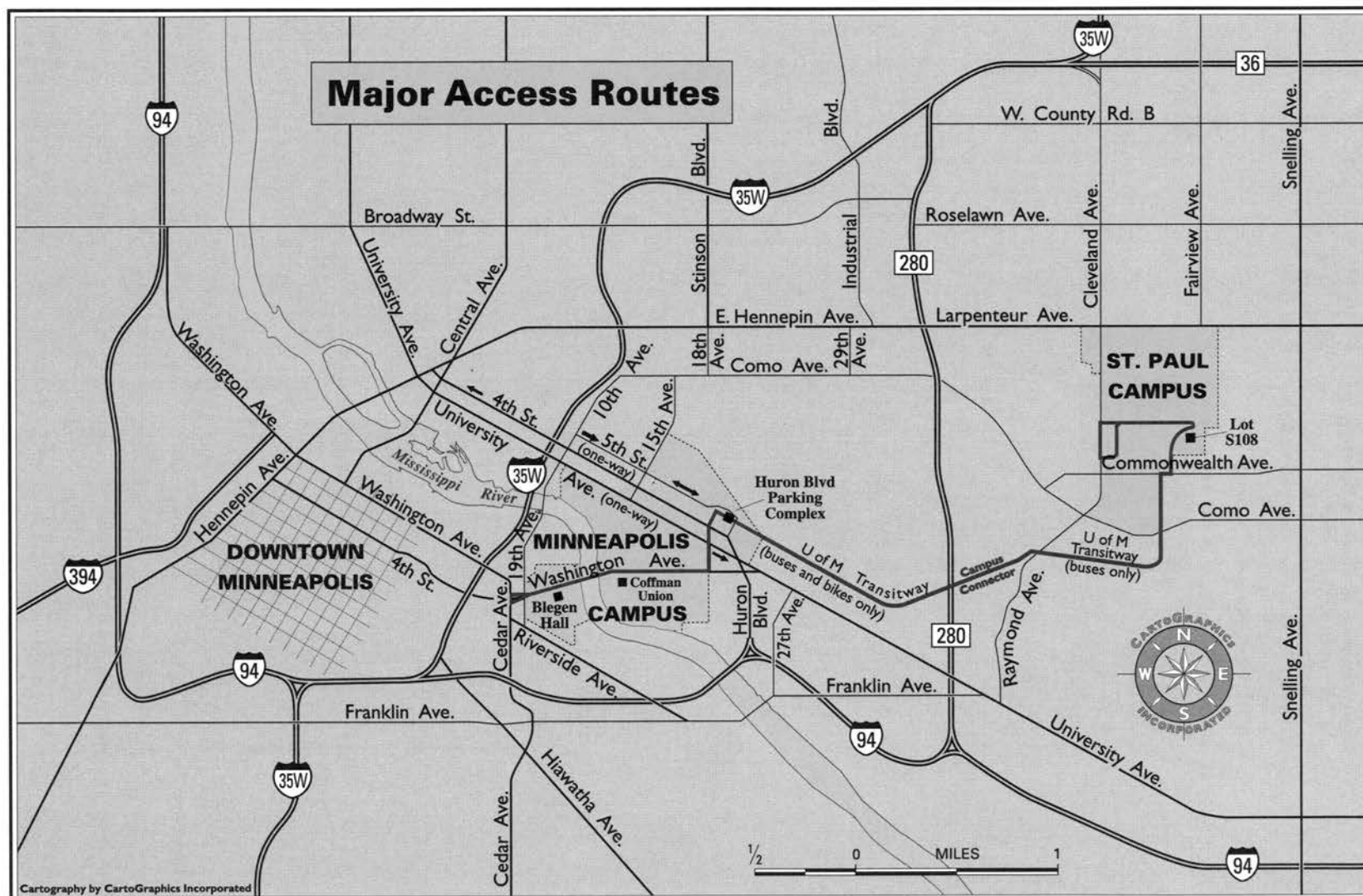
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7:00 am - 6:00 pm every 30 min.

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have stops on Raymond Ave.
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**BOARD OF WATER AND SOIL RESOURCES
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Adjourn

Consent Agenda

1. Douglas County Request
for Comprehensive Local
Water Plan Extension –
DECISION

DOUGLAS COUNTY COMPREHENSIVE LOCAL WATER PLAN (FOR BOARD ACTION)

Douglas County has an approved and locally adopted Comprehensive Local Water Plan (CLWP). The effective date (end date) of this CLWP is December 31, 2001.

The 1995 amendments to the Comprehensive Local Water Management Act, M.S. 103B.301, gives the Board of Water and Soil Resources authority to grant extensions to counties for the purpose of extending the ending date of their water plans. These extensions must be requested in writing and cannot be for more than two years.

At their December 15, 1999, board meeting, the BWSR approved a local water planning document which addressed BWSR expectations, internal actions, and multi-planning strategies. Multi-planning strategies address granting justifiable CLWP extensions to counties where other planning efforts (water or watershed level) are currently underway. These other efforts require the input of the water planner and associated technical advisors in the county. Completion of other water planning efforts would benefit the CLWP update.

Douglas County is an active participant in update of the county's Subdivision, Planned Unit Development Ordinance, EPA 319 Stormwater Detention Grant, and the following watershed based projects: Chippewa River, Pomme de Terre River and Sauk River.

Board Conservationist Pete Waller recommends approval of Douglas County's extension request to December 31, 2003.

**RESOLUTION NUMBER 01-26 REQUESTING THE EXTENSION
OF
DOUGLAS COUNTY COMPREHENSIVE LOCAL WATER PLAN**

Commissioner Kabac offered the following resolution,

WHEREAS, the 1995 amendments to the Comprehensive Local Water Planning Act, M.S. 103B.301 gave the MN Board of Water and Soil Resources (BWSR) authority to extend the ending date of local water plans for a period not to exceed 2 years; and

WHEREAS, Douglas County has a current state approved and locally adopted Comprehensive Local Water Plan with an end date of December 31, 2001; and

WHEREAS, Douglas County is an active participant in other major planning efforts currently underway such as the update of Douglas County's Subdivision, Planned Unit Development Ordinance, 319 Stormwater Detention Grant, and continued participation in the Chippewa, Pomme de Terre, Long Prairie, and Sauk River Watershed projects. These projects require county staff and commissioner time and work effort; and

WHEREAS, these other major planning efforts will result in information that will benefit the county during its Comprehensive Local Water Plan efforts; and

WHEREAS, to continue as an active participant and obtain information that will benefit the Comprehensive Local Water Plan update, Douglas County will not be able to complete its Comprehensive Local Water Plan update prior to December 31, 2003.

NOW, THEREFORE BE IT RESOLVED, that the Douglas County Board of Commissioners request from BWSR a two (2) year extension of their existing Comprehensive Local Water Plan.

BE IT FURTHER RESOLVED, Douglas County will insure continued public participation in the form of Water Plan Task Force and Public Information meetings.

BE IT FURTHER RESOLVED, no projects will be ordered or commenced under M.S. 103B subd. 3 or 4 during the extension period.

Commissioner Loring seconded the adoption of the resolution, and it was declared upon the following vote: Ayes: 5

Nays: 0

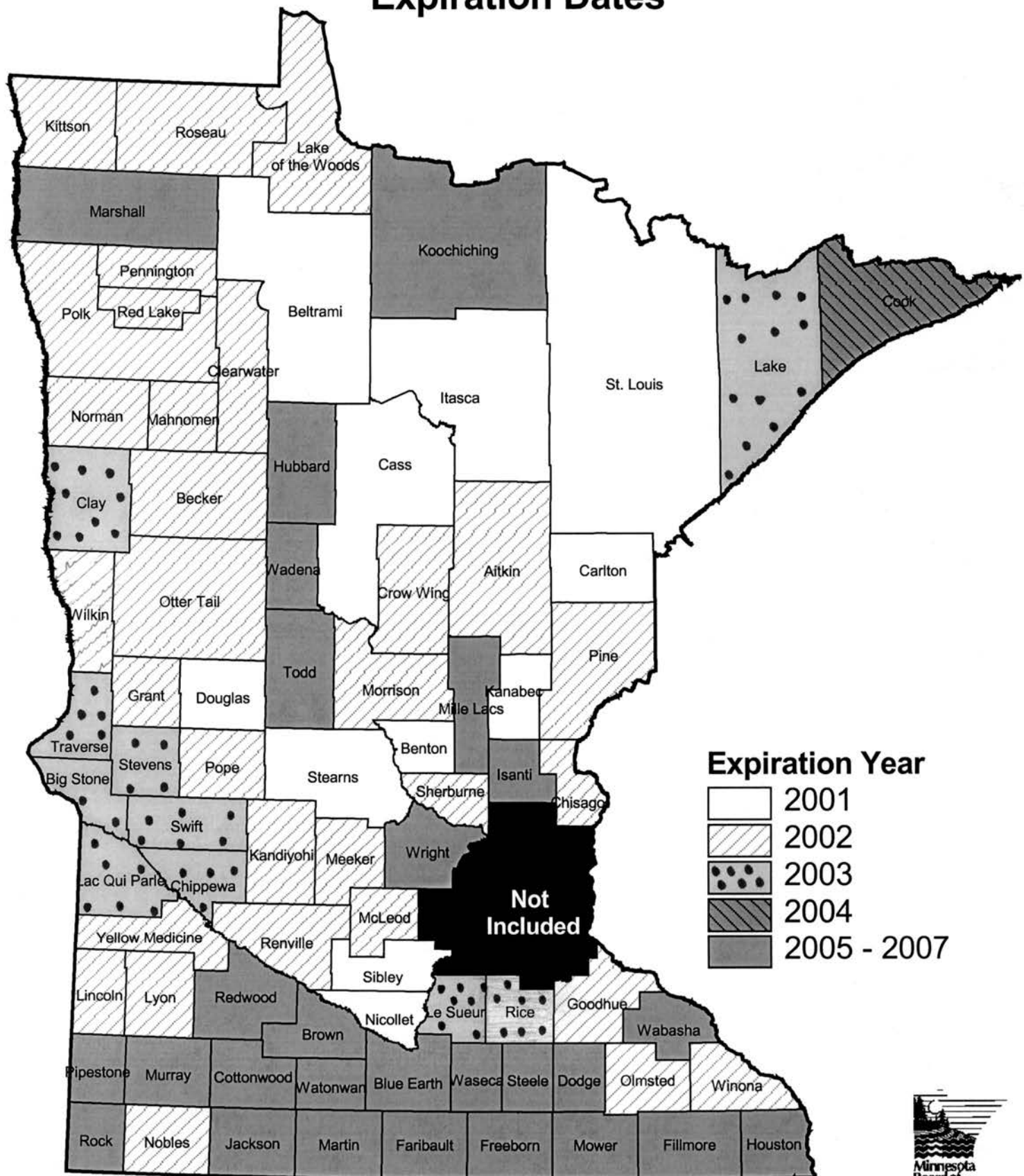
Vern Loring
Chair, Douglas County Board

ATTEST:

William B. Schalow
William B. Schalow
County Coordinator

RECEIVED
MAY 09 2001
Bd. of Water & Soil Resources
St. Paul

County Water Plan Expiration Dates



Consent Agenda

1. Douglas County Request
for Comprehensive Local
Water Plan Extension –
DECISION

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DOUGLAS COUNTY COMPREHENSIVE LOCAL WATER PLAN**

Commissioner Kabac offered the following resolution,

WHEREAS, the 1995 amendments to the Comprehensive Local Water Planning Act, M.S. 103B.301 gave the MN Board of Water and Soil Resources (BWSR) authority to extend the ending date of local water plans for a period not to exceed 2 years; and

WHEREAS, Douglas County has a current state approved and locally adopted Comprehensive Local Water Plan with an end date of December 31, 2001; and

WHEREAS, Douglas County is an active participant in other major planning efforts currently underway such as the update of Douglas County's Subdivision, Planned Unit Development Ordinance, 319 Stormwater Detention Grant, and continued participation in the Chippewa, Pomme de Terre, Long Prairie, and Sauk River Watershed projects. These projects require county staff and commissioner time and work effort; and

WHEREAS, these other major planning efforts will result in information that will benefit the county during its Comprehensive Local Water Plan efforts; and

WHEREAS, to continue as an active participant and obtain information that will benefit the Comprehensive Local Water Plan update, Douglas County will not be able to complete its Comprehensive Local Water Plan update prior to December 31, 2003.

NOW, THEREFORE BE IT RESOLVED, that the Douglas County Board of Commissioners request from BWSR a two (2) year extension of their existing Comprehensive Local Water Plan.

BE IT FURTHER RESOLVED, Douglas County will insure continued public participation in the form of Water Plan Task Force and Public Information meetings.

BE IT FURTHER RESOLVED, no projects will be ordered or commenced under M.S. 103B subd. 3 or 4 during the extension period.

Commissioner Loring seconded the adoption of the resolution, and it was declared upon the following vote: Ayes: 5

Nays: 0

Vern Loring
Chair, Douglas County Board

ATTEST:

William B. Schalow
William B. Schalow
County Coordinator

RECEIVED
MAY 09 2001
Bd. of Water & Soil Resources
St. Paul

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

In the Matter of Extending the Comprehensive Local Water Plan
for **Douglas** County (1995 Minnesota Session Law, Chapter 184,
Section 24 authorizing BWSR to grant extensions).

Whereas, Douglas County has a state approved Comprehensive Local Water Plan that is effective until December 31, 2001 pursuant to Minnesota Statute 1990, Section 103B.301, and

Whereas, the Douglas County Board of Commissioners requested an extension of the Comprehensive Local Water Plan to the Board of Water and Soil Resources on April 11, 2001, pursuant to Minnesota Session Law 1995, Chapter 184, Section 24, and

Whereas, the Board of Water and Soil Resources has authorization to grant extensions pursuant to Minnesota Session Law 1995, Chapter 184, Section 24.

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

FINDINGS OF FACT

1. On April 11, 2001 the Board of Water and Soil Resources received a resolution from Douglas County requesting an extension of their Comprehensive Local Water Plan.
2. On April 30, 2001, the Board of Water and Soil Resources staff reviewed and recommended approval of the extension request by Douglas County.

CONCLUSIONS

1. All relevant requirements of law and rule have been fulfilled. The Board of Water and Soil Resources has proper jurisdiction in the matter of extending the Comprehensive Local Water Plan of Douglas County pursuant to Minnesota Session Law 1995, Chapter 184, Section 24.

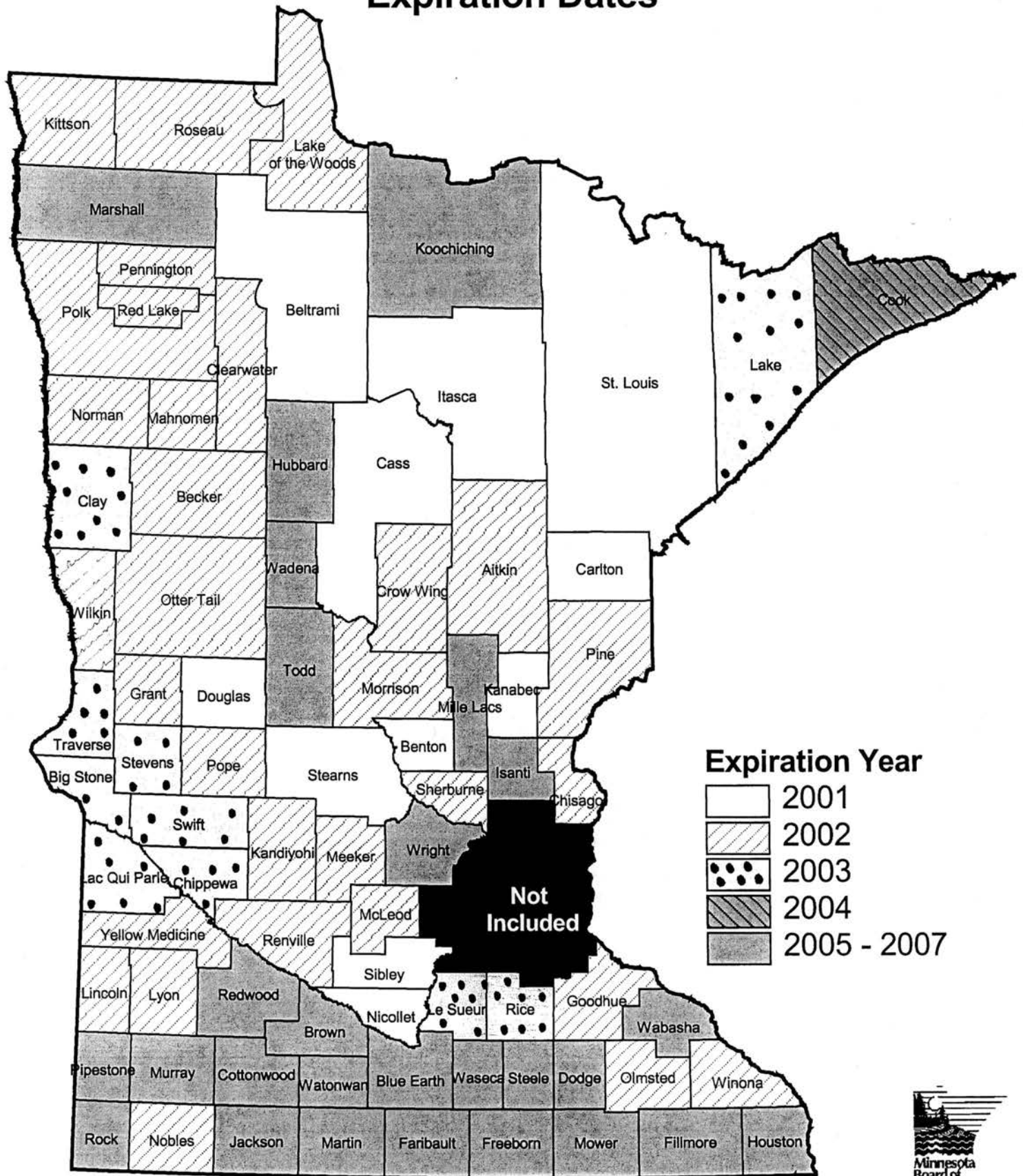
ORDER

The Board of Water and Soil Resources hereby approves the extension of the Douglas County Comprehensive Local Water Plan until December 31, 2003. Dated at St. Paul, Minnesota, this 23th day of May, 2001.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Leland Coe, Chair

County Water Plan Expiration Dates



Committee Recommendations

1. Lower Mississippi River
Watershed Management
Organization Watershed
Management Plan
DECISION

OVERVIEW

Lower Mississippi River Watershed Management Organization Plan

Background

On May 7, 2001, the BWSR Metro Subcommittee recommended approval of the Lower Mississippi River Watershed Management Organization Plan to the BWSR Board. The BWSR Metro Region Staff also recommends approval of the LMRWMO Plan.

Summary of Plan Review Process and Plan Strengths

In a letter dated September 15, 2000 the BWSR included the following initial comments: 1) Plan does not call for retention and infiltration in landlocked watersheds, 2) The Plan does not set consistent minimum building elevation policy for landlocked basin, 3) the Plan does not describe how the WMO will evaluate /measure success of the programs it oversees and how programs will be revised over time, 4) BWSR is hopeful that the LMRWMO will maintain an ongoing CAC/TAC as a way to foster community awareness and support,

In a letter dated February 6, 2001 the BWSR stated: 1) The LMRWMO should consider adding education into the annual list of expenditures by incorporating it into the implementation section of the Plan, 2) The LMRWMO should also consider adding a table that compares the goals and specific management standards of the MNRRA (contained on pg. 2-7) and a table that summarizes the implementation sections of the municipal river corridor plans, 3) The WMO should pursue establishing quantified standards for volume controls, specifically in the landlocked subwatershed. The LMRWMO final Plan dated April 5, 2001 included changes in Plan related to issues defined in final draft plan review letter. The Plan does fundamentally comply with Minnesota Rules 8410 and the fundamental planning expectations articulated by BWSR.

Highlights of the Plan include: 1) definition of specific projects, responsible parties and set time line, 2) identification of priority issues determined through citizen involvement and agency participation, 3) concise implementation section with identified management standards and activities, 4) communication partnership with cities on management and monitoring programs.

Watershed Description

The Lower Mississippi River Watershed Management Organization (LMRWMO) is approximately 55.5 square miles in size and includes part of Cities of Inver Grove Heights, Lilydale, Mendota Heights, South St. Paul, Sunfish Lake, West St. Paul, St. Paul. (See enclosed map). The LMRWMO abuts the south and west sides of the Mississippi River, from the Mississippi River's confluence with the Minnesota River to Rosemount. The LMRWMO has provided a valuable forum for the member communities to evaluate and solve the drainage issues within the watershed.

Committee Recommendations

1. Lower Mississippi River
Watershed Management
Organization Watershed
Management Plan
DECISION

OVERVIEW

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Background

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In a letter dated February 6, 2001 the BWSR stated: 1) The LMRWMO should consider adding education into the annual list of expenditures by incorporating it into the implementation section of the Plan, 2) The LMRWMO should also consider adding a table that compares the goals and specific management standards of the MNRRA (contained on pg. 2-7) and a table that summarizes the implementation sections of the municipal river corridor plans, 3) The WMO should pursue establishing quantified standards for volume controls, specifically in the landlocked subwatershed. The LMRWMO final Plan dated April 5, 2001 included changes in Plan related to issues defined in final draft plan review letter. The Plan does fundamentally comply with Minnesota Rules 8410 and the fundamental planning expectations articulated by BWSR.

Highlights of the Plan include: 1) definition of specific projects, responsible parties and set time line, 2) identification of priority issues determined through citizen involvement and agency participation, 3) concise implementation section with identified management standards and activities, 4) communication partnership with cities on management and monitoring programs.

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

In the Matter of the review of the Watershed
Management Plan for the **Lower Mississippi River**
Watershed Management Organization pursuant to
Minnesota Statutes Sections 103B.231, Subdivision 9

ORDER
APPROVING WATERSHED
MANAGEMENT PLAN

Whereas, the Board of Managers of the Lower Mississippi River Watershed Management Organization (LMRWMO) submitted a Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) pursuant to M.S. Section 103B.231, Subd. 9, and;

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

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

FINDINGS OF FACT

1. **District Establishment.** The LMRWMO was established by an executed joint powers agreement on October 25, 1985
2. **Requirement to Plan.** The Metropolitan Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251. The LMRWMO Plan provides the forum for the cities to systematically prioritize and address intercommunity drainage issues. The LMRWMO also provides valuable drainage planning in the Highway 110-494 watershed, allowing the cities within this watershed to coordinate their development plans with the drainage requirements of all the cities along the corridor.
3. **Nature of the Watershed.** The Lower Mississippi River Watershed Management Organization (LMRWMO) is approximately 55.5 square miles in size and includes part of the Cities of Inver Grove Heights, Lilydale, Mendota Heights, South St. Paul, Sunfish Lake, West St. Paul, St. Paul. (See enclosed map). The LMRWMO abuts the south and west sides of the Mississippi River, from the Mississippi River's confluence with the Minnesota River to Rosemount.
4. **Local Review.** The LMRWMO circulated a copy of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7, prior to submittal to the Metropolitan Council.
5. **Metropolitan Council Review.** In a letter dated September 15, 2000, the Council

5. **Metropolitan Council Review.** In a letter dated September 15, 2000, the Council suggested that LMRWMO take more of a leadership role in ensuring the uniform application of BMP's during the development review process and recommended that a wetland plan needs to be completed. In a letter dated January 31, 2001 the Council stated, "The LMRWMO has put together a watershed management plan that has the potential to be an excellent tool for local units of government to use in writing their local water management plans".
6. **Department of Agriculture Review.** The MDA did not provide comments on the LMRWMO Plan.
7. **Department of Health Review.** The MDH did not provide comments on the LMRWMO Plan.
8. **Department of Natural Resources Review.** The MDNR did not provide comments on the LMRWMO Plan.
9. **Pollution Control Agency Review.** In a letter dated September 14, 2000 the MPCA questioned what the WMO is doing to promote infiltration and low impact development in the watershed. The MPCA also had many questions regarding the oversight and review as well as what the WMO does to ensure compliance with standards in the Plan and what consequences will be if the cities do not meet requirements. The MPCA did not provide a 45-day comment letter.
10. **Board Review.** In a letter dated September 15, 2000 the BWSR included the following initial comments: 1) The Plan does not call for retention and infiltration in landlocked watersheds, 2) The Plan does not set consistent minimum building elevation policy for landlocked basins, 3) The Plan does not describe how the WMO will evaluate /measure success of the programs it oversees and how programs will be revised over time, 4) BWSR is hopeful that the LMRWMO will maintain an ongoing CAC/TAC as a way to foster community awareness and support, 5) The Plan should go further to provide a better land planning/water planning link with integration with surface water systems, critical area and land use sections of the Inver Grove Heights Comprehensive Plan. In response the LMRWMO provided an application to BWSR for a planning challenge grant for alternative stormwater management techniques in the lower landlocked portion of the watershed. The BWSR requested the LMRWMO provide further details of how the City of Inver Grove Heights is addressing the issue of landlocked basins. The WMO also provided more specific education direction that targets specific watershed needs as part of a grant to the Dakota County Environmental education program. Finally the Plan was modified to include a summary of the MNRRA /critical area and member communities active in river corridor property.

In a letter dated February 6, 2001 the BWSR stated: 1) The LMRWMO should consider

adding education into the annual list of expenditures by incorporating it into the implementation section of the Plan, 2) The LMRWMO should also consider adding a table that compares the goals and specific management standards of the MNRRA (contained on pg. 2-7) and a table that summarizes the implementation sections of the municipal river corridor plans, 3) The WMO should pursue establishing quantified standards for volume controls, specifically in the landlocked subwatershed.

The LMRWMO final Plan dated April 5, 2001 included changes in the Plan related to issues defined in the final draft plan review letter. The Plan does fundamentally comply with Minnesota Rules 8410 and the fundamental planning expectations articulated by BWSR.

11. Highlights of the Plan. The critical elements included in the Plan are:

- a. Definition of specific projects/actions, responsible parties and set time line,
- b. Identification of priority issues determined through citizen involvement and agency participation,
- c. Concise implementation section with identified management standards and activities,
- d. Communication and partnership with cities on management and monitoring programs.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Watershed Management Plan for the Lower Mississippi River Watershed Management Organization pursuant to Minnesota Statutes Sections 103B.201, Subd. 9.
3. The Lower Mississippi River Watershed Management Organization Plan attached to this Order defines water and water-related problems within the LMRWMO boundaries, possible solutions thereto, and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Plan dated April 2001 as the Watershed Management Plan for the Lower Mississippi River Watershed Management Organization.

Dated at Saint Paul, Minnesota this 23rd day of May, 2001.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Leland Coe, Chair

F/LGU/JPA-WMO/bdorder lower miss

Committee Recommendations

2. Carver County Watershed
Management Organization
Watershed/Groundwater
Management Plan
DECISION

OVERVIEW
CARVER COUNTY WATER MANAGEMENT PLAN
METROPOLITAN AREA LOCAL WATER MANAGEMENT
SECOND GENERATION PLAN

Background

In October of 1996, the Board of Water & Soil Resources (Board) declared the Carver Creek, Bevens Creek, South Fork Crow River, Chaska Creek, and Hazeltine Bavaria Creek Joint Powers Water Management Organizations (WMOs) "non-implementing" and terminated the Organizations. Carver County held a series of meetings to determine the preferred, future watershed management structure. Carver County assumed the responsibility in 1997 and spent the three years developing a water management plan that combines surface and ground water management.

Plan Process

This water plan is unique in the Metro area. The Plan was developed concurrently with Carver County's Comprehensive Land Use Plan and Groundwater Plan. The County adopted a groundwater plan in 1992 and completed an update in 1997. One of the strengths of the Plan is the process used to gather information and input from a wide variety of stakeholders. The review agencies participated throughout the development of the Plan as part of the Technical Advisory Committee (TAC), as did the County's citizen Water, Environment, and Natural Resources Committee (WENR). The TAC and WENR provided comments to the County over the three years these committees met and Carver County staff used the opportunity to utilize the information and issues identified through the planning process to inform and revise both their water plan and comprehensive plan. The result of this broad-based participation throughout the plan development is that both plans are better.

Carver County circulated a copy of the initial draft Plan to local units of government, the county, the state review agencies, the Metropolitan Council, and the Board in June of 2000. The review agencies comments were limited during this review due to their early and continuing participation in the TAC and were in support of the Plan. Carver County made a few changes, based on the comments received, to the initial draft Plan. The Board's review began on February 16, 2001, when Carver County submitted an amended, final draft of the Plan. No additional agency comments were received during this review. On May 7, 2001, Carver County and Board staff made a presentation of the amended final draft Plan to the Metro Water Planning subcommittee of the Board.

Plan Strengths

Carver County has an extensive monitoring program of its lakes, rivers, and creeks including outfalls to the Minnesota River, which it now has incorporated into an annual water quality report. The integration of surface and ground water planning with the County's Comprehensive Plan is key to the future implementation both plans' goals to preservation and restore habitat, and create a continuous corridor to enhance wildlife habitat, recreational opportunities, and water quality in the county. The Plan contains an aggressive and extensive information, education, and public outreach program, which the County in coordination with Minnesota Extension has staffed and begun to implement. The Plan calls for, and the County recently finished, a GIS wetland inventory, and function and value assessment. The Plan identified the need to develop a single set of environmental controls and standards to maintain water quality. The County has begun this process and hopes to complete it in 2001.

County Description

The Carver County Water Management Area (CCWRMA) is comprised of 5 watersheds – Bevens Creek, Carver Creek, Chaska Creek, Hazeltine Bavaria Creek, and the South Fork of the Crow River. The CCRWMA covers approximately 280 square miles in Carver County. Carver County is located in the southwest of the Twin Cities metropolitan area. Although the county is seeing rapid urban growth on its eastern side, the CCWRMA is predominantly rural, agricultural in nature. In addition to the five creeks and rivers, the CCWRMA contains other significant water resources - e.g. Lake Waconia, Lake Bavaria, and Hazeltine Lake. With the exception of the Crow River, which flows into the Mississippi River, all the creeks flow to the Minnesota River.

Committee Recommendations

2. Carver County Watershed
Management Organization
Watershed/Groundwater
Management Plan
DECISION

OVERVIEW
CARVER COUNTY WATER MANAGEMENT PLAN
METROPOLITAN AREA LOCAL WATER MANAGEMENT
SECOND GENERATION PLAN

Background

In October of 1996, the Board of Water & Soil Resources (Board) declared the Carver Creek, Bevens Creek, South Fork Crow River, Chaska Creek, and Hazeltine Bavaria Creek Joint Powers Water Management Organizations (WMOs) "non-implementing" and terminated the Organizations. Carver County held a series of meetings to determine the preferred, future watershed management structure. Carver County assumed the responsibility in 1997 and spent the three years developing a water management plan that combines surface and ground water management.

Plan Process

This water plan is unique in the Metro area. The Plan was developed concurrently with Carver County's Comprehensive Land Use Plan and Groundwater Plan. The County adopted a groundwater plan in 1992 and completed an update in 1997. One of the strengths of the Plan is the process used to gather information and input from a wide variety of stakeholders. The review agencies participated throughout the development of the Plan as part of the Technical Advisory Committee (TAC), as did the County's citizen Water, Environment, and Natural Resources Committee (WENR). The TAC and WENR provided comments to the County over the three years these committees met and Carver County staff used the opportunity to utilize the information and issues identified through the planning process to inform and revise both their water plan and comprehensive plan. The result of this broad-based participation throughout the plan development is that both plans are better.

Carver County circulated a copy of the initial draft Plan to local units of government, the county, the state review agencies, the Metropolitan Council, and the Board in June of 2000. The review agencies comments were limited during this review due to their early and continuing participation in the TAC and were in support of the Plan. Carver County made a few changes, based on the comments received, to the initial draft Plan. The Board's review began on February 16, 2001, when Carver County submitted an amended, final draft of the Plan. No additional agency comments were received during this review. On May 7, 2001, Carver County and Board staff made a presentation of the amended final draft Plan to the Metro Water Planning subcommittee of the Board.

Plan Strengths

Carver County has an extensive monitoring program of its lakes, rivers, and creeks including outfalls to the Minnesota River, which it now has incorporated into an annual water quality report. The integration of surface and ground water planning with the County's Comprehensive Plan is key to the future implementation both plans' goals to preservation and restore habitat, and create a continuous corridor to enhance wildlife habitat, recreational opportunities, and water quality in the county. The Plan contains an aggressive and extensive information, education, and public outreach program, which the County in coordination with Minnesota Extension has staffed and begun to implement. The Plan calls for, and the County recently finished, a GIS wetland inventory, and function and value assessment. The Plan identified the need to develop a single set of environmental controls and standards to maintain water quality. The County has begun this process and hopes to complete it in 2001.

County Description

The Carver County Water Management Area (CCWRMA) is comprised of 5 watersheds – Bevens Creek, Carver Creek, Chaska Creek, Hazeltine Bavaria Creek, and the South Fork of the Crow River. The CCWRMA covers approximately 280 square miles in Carver County. Carver County is located in the southwest of the Twin Cities metropolitan area. Although the county is seeing rapid urban growth on its eastern side, the CCWRMA is predominantly rural, agricultural in nature. In addition to the five creeks and rivers, the CCWRMA contains other significant water resources - e.g. Lake Waconia, Lake Bavaria, and Hazeltine Lake. With the exception of the Crow River, which flows into the Mississippi River, all the creeks flow to the Minnesota River.

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

In the Matter of the review of the Watershed
/Groundwater Management Plan for the **Carver County**
Watershed Management Organization pursuant to
Minnesota Statutes Sections 103B.231, Subdivision 9
and 103B.255, Subdivision 10.

ORDER
APPROVING WATER
MANAGEMENT PLAN

Whereas, the Carver County Watershed Management Organization (Carver County) submitted a Watershed/Groundwater Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subdivision 9, and 103B.255, Subdivision 10;

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

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

FINDINGS OF FACT

1. Establishment. In October of 1996, the Board of Water & Soil Resources (BWSR) declared the Carver Creek, Bevens Creek, South Fork Crow River, Chaska Creek, and Hazeltine Bavaria Creek Joint Powers Water Management Organizations (WMOs) "non-implementing" and terminated the Organizations. On October 30, 1996, BWSR sent the Carver County Board of Commissioners a letter notifying the Board of its responsibility for water management pursuant to MS 103B.231 Subd. 3 (b). The County assumed all water management responsibilities in all of the areas of the County that were previously under the Joint Powers WMOs; hereafter referred to as the Carver County Water Resource Management Area (CCWRMA). In addition to its existing authorities, MS 103B gives the County all of the authority and responsibility for management – planning, funding, regulation, and implementation – of a watershed management organization.

The County also has authority and responsibility for groundwater planning and management pursuant to 103B.255. The County is the primary planning entity for groundwater planning for the entire County area. MS 103B.255 - Groundwater plans, Subd. 1 requires that watershed and local water management plans comply with the provisions of the groundwater plan. The County adopted a groundwater plan in 1992 and completed an update in 1997.

Because of the intimate relationship between surface and groundwater, the groundwater plan is being incorporated with the 2nd Generation Water Plan. The essential purpose of the Carver County is to provide for the long-term management of water and associated land resources within the CCWRMA.

2. **Requirement to Plan.** The Metropolitan Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251 and may prepare and adopt a groundwater plan in accordance with Section 103B.255.

3. **Nature of the Watershed.** The CCWRMA is comprised of 5 watersheds – Bevens Creek, Carver Creek, Chaska Creek, Hazeltine Bavaria Creek, and the South Fork of the Crow River. The CCWRMA covers approximately 280 square miles in Carver County. Carver County is located in the southwest of the Twin Cities metropolitan area. Carver County is predominantly rural, agricultural in nature. The eastern portion of the county is rapidly developing urban area. In addition to the five creeks and rivers, the CCWRMA contains other significant water resources - e.g. Lake Waconia, Lake Bavaria, and Hazeltine Lake. With the exception of the Crow River, which flows into the Mississippi River, all the creeks flow to the Minnesota River.

4. **Local review.** Carver County circulated a copy of the draft Plan to local units of government, the county, the state review agencies, the metropolitan council, and the Board for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7.

5. **Agency Review.** The agencies participated throughout the Plan development as part of the Technical Advisory Committee. The agencies provided comments to the County over the three years this committee met. In June of 2000, the state review agencies reviewed the Carver County initial draft Plan. The comments were limited and in support of the Plan. The following summarize each agency's comments.

5a. **Metropolitan Council Review.** The Metropolitan Council provided written comments on the Plan to the Board containing the following findings and conclusions:

1. The Plan's policies are consistent with the policies of the Council's *Water Resources Management Development Guide*.
2. The Plan is consistent with the Council's *Recreation open Space Development Guide Policy Plan*.
3. The Council recommends editing a few maps to make them easier to read and the inclusion of a maps in the Plan identifying drainage area, surface topography, and direction of surface water flows.
4. The Council commends the County for preparation of an excellent Water Quality Report and recommends water quality goals be set as an item in the Water Quality Implementation Table.
5. Carver County should work with its member communities on adopting and enforcing

equitable erosion control standards.

6. The Council recommends the inclusion of references to enforcement procedures for all regulatory controls listed in the Plan.

5b. Department of Natural Resources Review. No written comments were provided to the Board.

5c. Department of Health Review. The Department of Health provided written comments on the Plan to the Board containing the following findings and conclusions:

- 1) Carver County is to be commended for the way they have successfully incorporated wellhead protection in the Plan.
- 2) MDH applauds the dedication with which Carver County encourages efforts to have unused wells sealed.
- 3) In addition, MDH provided extensive comments to Carver County regarding updates to groundwater programmatic changes and terminology since the groundwater update was completed in 1997.

5d. Department of Agriculture Review. The Department of Agriculture provided written comments on the Plan to the Board containing the following findings and conclusions:

- 1) MDA suggested changes to goals and policies dealing with streambank erosion and vegetative buffers.
- 2) MDA suggested additional Plan language or policy be developed which identifies the responsibility of the County for the unincorporated areas in the county.

5e. Pollution Control Agency Review. No written comments were provided to the Board.

Carver County responded by making some of the recommended changes to the final draft Plan and by responding directly to the agencies in writing regarding the recommendations not accepted or implemented at this time.

6. **Board Review.** On February 16, 2001, Carver County submitted an amended Plan that addressed most of the above noted agency concerns. The Metro Water Planning Subcommittee of the Board and Board staff met with the Carver County on May 7, 2001. Carver County made a presentation of the final amended Plan and requested the Board at the next Board meeting approve the Plan.

7. **Highlights of the Plan.** The following are some of the highlights of the Plan as amended:

- a) The implementation of national and state goals and policies, and goals and policies unique to Carver County;
- b) A GIS wetland inventory, and function and value assessment;
- c) An extensive monitoring program of its lakes, rivers, and creeks including outfalls to the Minnesota River;
- d) Preservation and restoration of habitat, in order to create a continuous corridor to enhance wildlife habitat, recreational opportunities, and water quality in the county;
- e) Extensive information, education, and public outreach program;
- f) The integration of surface and ground water planning with the County's Comprehensive Plan; and
- g) The development of an annually updated water quality report.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Watershed Management Plan and Groundwater Plan for the Carver County Watershed Management Organization pursuant to Minnesota Rules Chapter 8410 and Minnesota Statutes Sections 103B.201, Subdivision 9, and 103B.255, Subdivision 10.
3. The Carver County Water Management Plan attached to this Order defines water and related land use problems within Carver County's boundaries, possible solutions thereto, general objectives and policies of Carver County, and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Rules Chapter 8410 and Minnesota Statutes Sections 103B.201 to 103B.251, and 103B.255.

ORDER

The Board hereby approves the attached Plan dated February 2001 as the Water Management Plan for the Carver County Watershed Management Area.

Dated at Saint Paul, Minnesota, this 23rd day of May 2001.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Leland Coe
Chair

New Business

1. Partnerships Between
BWSR and MES
 - a. Signing Ceremony –
State Soils Office

INFORMATION

Memorandum of Agreement

DRAFT

State Soils Office

Board of Water and Soil Resources

And

University of Minnesota Department of Soil, Water and Climate

Proper management of soil is vital to preservation of food and fiber production and environmental quality. The Board of Water and Soil Resources (Board) is the state soil conservation agency. Faculty and staff of the University of Minnesota Department of Soil, Water and Climate (Department) provide technical information and support to the board and its clientele through its research, teaching and extension activities. Because of the importance of soil and their identified roles in promoting its proper management, the Board of Water and Soil Resources and the University of Minnesota Department of Soil, Water and Climate both view soil as a high priority topic for collaboration and outreach.

Therefore, it is agreed by the Board of Water and Soil Resources and Department of Soil, Water and Climate at the University of Minnesota will establish a "State Soil Office". The intent of this agreement is to build upon an established relationship by sharing resources and expertise to better serve both the Board and Department.

Both parties agree to collaborate as follows:

- Faculty from the Department and staff from the Board will meet initially, and annually thereafter, to discuss and plan collaborative and outreach activities specific to state soils office.
- A soil scientist from the Board will assume the role of "State Soil Specialist" and staff the state soils office.
- Both parties agree to enter into agreements, if needed, concerning the use of office space and facilities for the purpose of carrying out collaborative efforts.
- Constituent groups will be invited to collaborate to ensure the relevance of this joint effort.

This agreement is effective July 1, 2001.

We, the undersigned, agree to the provisions of this memorandum, which may be amended by mutual agreement.

Executive Director, Board of Water and Soil Resources

Date

Head, Department of Soil, Water and Climate

Date

New Business

3. Legislative Update
INFORMATION

S. F. No. 2351 / H. F. No. 766

**ENVIRONMENT AND NATURAL RESOURCES, DEPARTMENT OF
NATURAL RESOURCES (DNR)** - Omnibus environment and natural
resources and agriculture appropriations bill.

MOTION FOR CONFERENCE COMMITTEE

House: 05/08/2001 -- Senate: 05/02/2001

PASSAGE

House: -- Senate:

CONFEREES AND DATE OF APPOINTMENT

House: 05/10/2001

Holsten;Finseth;Ozment;Harder;Osthoff

Senate: 05/07/2001

Price;Krentz;Higgins;Frederickson;Dille

OTHER ACTION

S. F. No. 2340 / H. F. No. 2189

TRANSPORTATION AND DEPARTMENT OF TRANSPORTATION

(DOT) - Omnibus transportation funding bill regulating transportation, criminal justice and prevention programs, providing infrastructure, proposing a constitutional amendment, and appropriating money.

MOTION FOR CONFERENCE COMMITTEE

House: 05/08/2001 -- Senate: 05/02/2001

PASSAGE

House: -- Senate:

CONFEREES AND DATE OF APPOINTMENT

House: 05/10/2001

Molnau; Stanek; Workman; Holberg; Murphy

Senate: 05/07/2001

Johnson, Dean; Kelly, R.C.; Ranum; Terwilliger; Ourada

OTHER ACTION

From: <Raybohnmg@aol.com>
To: <Raybohnmg@aol.com>, <PegBohn@aol.com>, <merleanderson@cloudnet.com>, <James.Birkholz@bwsr.state.mn.us>, <bds wd@traversenet.com>, <kchandler@barr.com>, <CCWD@aol.com>, <mdeutschman@mpls.houstoneng.com>, <draeg001@tc.umn.edu>, <Cfiskness@aol.com>, <roland@lkdlink.net>, <Ronald.Harnack@bwsr.state.mn.us>, <nfcwrsd@midstate.tds.net>, <admin@minnehahacreek.org>, <DAVEMORAN-PL@worldnet.att.net>, <nnelson@barr.com>, <elpson@worldnet.att.net>, <rhcock@lakesnet.net>, <hlwd@frontiernet.net>, <bobhult@pconline.com>, <imholte@lakesnet.net>, <plslwd@cpinternet.com>, <rwmwd@mtn.org>, <srwd@saukherald.com>, <suscribner@yahoo.com>, <smith@smithparker.com>, <TomorViv@twn.com>, <doug.thomas@bwsr.state.mn.us>, <mpanzer@wenck.com>, <jabwrwd@rrv.net>, <dml@mn.nrcs.usda.gov>, <okabenaachedawd@netscape.net>, <ymrw@starpont.net>, <swenson@eor.cnchost.com>, <vanambur@cord.edu>, <shrwd@gvtel.com>, <LWHarste@info-link.net>, <cohofter@aps.mntm.org>, <tguetter@lakesnet.net>, <jor@rrv.net>, <Bbeduhn@hdrinc.com>, <pblixt@opencircle.org>, <PHaik@haik.com>, <eevenson@minnehahacreek.org>, <mjacobs@barr.com>, <jhanson@barr.com>, <siox@mnns.com>, <KDeter@rnoon.com>, <JKolb@rnoon.com>, <mmoore@ci.woodbury.mn.us>, <cliff@rwmwd.org>, <mrsrwd@ruralaccess.net>, <paulsws@earthlink.net>, <dedgerton@bonestroo.com>, <CarMarWD@aol.com>, <rrwd@means.net>, <dskral@tekstar.com>, <RPN@wiktel.com>, <deellefson@mail.co.lac-qui-parle.mn.us>, <dml2@mnworthing.fsc.usda.gov>, <hansonr@gvtel.com>, <wwright01@email.msn.com>, <lanning@wiktel.com>, <comserv@frontiernet.net>, <dogaard@means.net>, <brrwd@rrt.net>, <lakeswsd@brainerd.net>, <kate.drewry@state.mn.us>, <mrsrwd@wiktel.com>, <jellis@minnehahacreek.org>, <mtdeneen@email.msn.com>, <holtman@smithparker.com>, <ckjacobs@loretel.net>, <dcjohnso@hdrinc.com>, <rlwaters@wiktel.com>, <MLTolly@aol.com>, <jimwy@albanytel.com>, <Fornine@aol.com>
Date: 5/10/01 1:01PM
Subject: MAWD Legislative Update

MAWD Legislative Update
 May 9, 2001

The final committee deadline was Wednesday, April 25th. All bills had to be out of all policy committees in both bodies to remain viable for the session and out of all finance or budget divisions, or in the respective tax committees.

Most of the viable legislation of interest to watershed districts was either placed in an omnibus budget division bill or in the omnibus taxes bill. The final days of session are rapidly approaching and most of the conferees for the various omnibus bills are still yet to be appointed. Old-timers at the capitol observe that this session is running later than most can remember. Hopefully, the work will get done.

We have made excellent progress on our top legislative priority, the administrative levy increase issue, and have language in both the House and Senate omnibus taxes bills. Below are the various bills of interest to watershed districts and their present status.

SF 178 Moe HF 1167 Skoe: Red Lake WD Membership. Red Lake watershed district manager position authorized to represent the Red Lake Indian Reservation. No hearings have been held. No action this session.

SF 241 Berg HF217 Peterson; Lazarus Creek floodwater retention project. Appropriates \$1.5 million from the general fund for construction of the Lazarus Creek floodwater retention project. ACTION: Heard before the Senate Environment & Agriculture Division for possible inclusion in the omnibus bill. No House action. Not included in the Senate Bonding Bill.

SF 448 Frederickson HF 532 Harder; CREP funding bill. Appropriates \$48.9 million from bond proceeds for easements. \$2.6 million appropriated for implementation

costs. ACTION: Heard before the respective finance divisions for inclusion in their omnibus bills and or bonding bills. Senate Rules Committee did a delete everything amendment to HF1266 (the House Ag Finance Bill) and attached SF 1404, the Senate Bonding bill. It will be transferred back to the House for their action. Earlier House action provided \$20 million in easements and \$4.3 million for implementation in the House Environment Finance bill (HF766). The House position continues to be no bonding bill, although some doubt that. The Senate provided full funding of \$51 million for CREP in the Senate Bonding bill (HF1266).

SF 483 Vickerman HF 561 Harder; Heron Lake WD Admin Levy Increase. Increases administrative levy limit to \$225,000. ACTION: Heard before House & Senate Property Tax Divisions for possible inclusion in their omnibus tax bill. Replaced by HF1635 & SF1846 (MAWDΓÇÖs administrative fund bill) in the House & Senate Taxes bills.

SF604 Pariseau HF 652 Anderson, B.; Eminent Domain. Requires reimbursement of fees to owner if final award is 15% or more of original offer, lengthens quick-take period. ACTION: Tabled by House Local GovΓÇÖt Committee.

SF2307 Ranum HF 820 Erhardt; Enforcement Levy. Watershed districts authorized to increase levies up to \$125,000 for enforcement purposes. ACTION: Heard in House Property Tax Division - amended to \$75,000. House Omnibus Taxes bill (HF2498) includes \$50,000 for enforcement fund for Minnehaha Creek WD.

SF 917 Robling HF 1349 Molnau; Provides for separate county levy for watershed management. ACTION: Heard in both House & Senate Property Tax Divisions for possible inclusion in omnibus taxes bill. Included in both House & Senate Omnibus Taxes bills.

SF 1137 Berg HF1083 Fuller; Beaver Damage Control Grants. Appropriates \$250,000 per year to the Dept. of Ag for beaver damage control grants. ACTION: Heard in Senate Environment & Agriculture Finance Division and House Ag Finance Division. Moved to House Environment Finance Division. Heard in House Environment Finance Division and sent back to House Ag Finance Division for their action. \$73,000 per year was included in Senate Environment Finance bill (SF2351). No funding in House Environment or Ag Finance bill.

SF 1402 Langseth HF Finseth; Appropriating money for flood hazard mitigation grants. Appropriates \$16.95 million from bond proceeds for flood hazard mitigation grant program for the Red River basin. ACTION: Hearings held in both the House & Senate finance divisions for possible inclusion in their omnibus bills. \$234,000 included in House Environment Finance bill (HF766), and \$234,000 included in Senate Bonding bill (HF1266).

SF1486 Stevens HF 1828 Ozment; Wetland replacement and classification & wetland delineator certification program. ACTION: Heard in both policy committees and passed to Finance Divisions. Amended in both the House and Senate to delete certification program and funding. On House floor awaiting

action. In Senate Finance Committee to be heard on May 10.

SF 1496 Murphy HF XXXX; Authorizing tax levies in subwatershed units. ACTION: Heard in Senate Environment Policy Committee, passed to Taxes Committee. Not part of Senate Taxes bill.

SF1524 Stumpf HF Finseth; Ring Dikes. Appropriates \$1.5 million for construction of ring dikes. ACTION: Heard in the House & Senate environment finance divisions for possible inclusion in the omnibus bill. \$750,000 for one year appropriated in Senate Environment Finance bill, \$250,000 first year and \$318,000 second year appropriated in House Environment Finance bill.

SFXXXX HF1578 Goodno; Authorizing an ad valorem levy for WDs. Provides for ad valorem tax not to exceed 0.02418 percent for development, construction, and maintenance of projects and programs of benefit to the district, provided the district does not have a construction fund financed by a levy through a joint powers agreement. No action on this legislation.

SF 1555 Higgins HF 1524 Leppik; Phosphorus fertilizers use regulation. Phosphorus fertilizer use restricted in metro area. ACTION: House bill has passed through three committees and is on the floor. Senate bill was scheduled but not heard. Metro area local government opposed this legislation because it took away their local control over this issue. Legislation is dead for this session.

SF 1565 Higgins HF 1508 Howes; Phosphorus fertilizers use regulation. Phosphorous-based fertilizer application restricted statewide. No action.

SF 1811 Ourada HF 1763 Olson; Transfer of public drainage systems. Allows transfer of a public drainage system to a water management authority. ACTION: Passed Senate Environment Policy and Ag Policy Committees. Awaiting final action on the Senate floor. Passed House Environment Policy, being heard in various House committees. Failed to meet committee deadline, so bill is dead for this session.

SF 1846 Stumpf HF 1635 Daggett; Administrative levy increase and name change. Sub watershed unit tax levies authorized, and ad valorem tax levy authorized for watershed management cost increases, Administrative levy increase to \$345,000 and fund name change. ACTION: Heard and amended in the House Property Tax Division and Senate Property Tax Division. Subwatershed district and ad valorem tax levy dropped from bill and petition for basic water management added. House & Senate Omnibus Taxes bills (HF2498) include administrative levy name change and increased to .048 with \$250,000 cap. Language for petition for basic water management also included in both bills. Senate Tax bill also includes provision on payment in lieu of taxes for the Red River Water Management Board projects.

SF 2119 Fischbach HF 1990 Stang; Watershed district borrowing modified. Exempts projects secured by special assessment from borrowing limits. ACTION: Passed House Environment Policy, moved to Taxes Committee. Heard in Senate Environment Committee, amended to \$300,000 level, and passed to Senate floor. May be heard by House Taxes committee after passage of omnibus bill.

SF 2205 Stevens HF 2191 Ozment; Local road wetland replacement funding.

Authorizes .18% of annual net revenue in highway user tax distribution fund appropriated from the general fund and .06 % of annual net revenue in the highway user tax distribution fund for wetland replacement purposes. ACTION:

Heard in Senate Environment Finance Division for possible inclusion in their omnibus bill. Heard in House Environment Finance Division, passed and re-referred to House Transportation Finance Division. \$2.7 million in Senate Transportation Finance bill. No other funding allocated at this time.

Please circulate copies of this MAWD Legislative update to other managers and staff in your watershed district. Thank you.

From: Judith Erickson <jlerickson@tcinternet.net>
To: leann buck <lbuck@PioneerPlanet.infi.net>, Sheila Vanney <vanney@hotmail.com>
Date: 5/10/01 12:39PM
Subject: Conferees named -- Cation Needed!

May 11, 2001

Memo To: SWCDs
From: Judy Erickson

Re: Session Update

Soil and Water Conservation Districts have stepped to the plate this year and your efforts are paying off. There was a significant delay in the appointing of House conferees on the Environment Budget Bill. They have been appointed finally and as we go into the last week of the session, it is your time to make the last push in support of MASWCD's legislative priorities.

1. CREP. This week marks a critical time for the full funding of the Conservation Reserve Enhancement Program. Here's a quick report on where CREP stands.

Senate Action: On Monday, May 7th, the Senate voted 50-14 to approve HF1266, which is the bonding bill and includes language to fully fund CREP at \$50 million. THANKS TO COALITION MEMBERS WHO RESPONDED TO THE ACTION ALERT LAST FRIDAY AND CONTACTED SENATORS!

Since bonding has to be initiated by the House, the Senate Rules Committee did a "delete all" from HF1266 on Friday, May 4, and attached SF1402. Now HF1266 will be transferred back to the House and the House will most likely table the bill. If the House determines it will do a bonding bill, the House will take the bill off the table and amend the bill. Then a conference committee will have to be named to work out the differences. Those working on CREP lobbying tell us that a conference committee could come together early next week.

Earlier House Action: The House Environment and Natural Resources Budget bill, HF766, provides \$20 million in easements and \$4.3 million for implementation. That bill passed the House May 1. There were no CREP amendments offered. The House position continues to be no bonding bill.

What's at stake? If there isn't a House bonding bill, it will be unlikely full funding for CREP will be accomplished this year. CREP needs full funding this year to ensure that all federal dollars are fully leveraged. The House's funding scenario for \$20 million for easements will result in only 68,000 acres of the 100,000 acres enrolled in CREP and will allow \$53.7 million earmarked for Minnesota to be used by another state. That money would no longer be available for Minnesota. On the other hand, full funding would release approximately \$98 million in federal funds to Minnesota for the program.

Action: What can people do? Call their legislators and remind them of the importance of supporting full funding of CREP this session. If we want to get funding for RIM Reserve back before the Legislature, we must finish funding CREP this year.

2. SF2351. Omnibus Environment and Agriculture Finance Bill.

Conferees appointed.

Senate Conferees: Price, Krentz, Higgins, Frederickson, Dille.

House Conferees: Holsten, Ozment, Finseth, Harder, Osthoff,

This Conference Committee will conferee both the House Environment Budget bill and the House Agriculture Budget Bill.

Action: Please contact your senators and legislators, especially if they are a conferee in support of the SWCD funding Initiative programs as outlined below. We are in terrific shape to secure full funding for this initiative if you swing into action once more!

**If your local legislator is a conferee, please make sure to contact them!

SWCD Funding Initiative.

General Services Increases

Senate: Fully funded at \$270,000 for the biennium

House: No increases

NPEA Increases

Senate: Fully funded at \$637,000 for the biennium.

House: No increases.

Feedlot Cost Share Increases:

The Governor's recommendation to shift funding from General Cost Share to Feedlot Cost Share was not adopted by the House or Senate.

Senate: Funded an increase of \$1.4 million for the biennium out of PCA's Cleanwater Partnership funds.

House: Funding provided at \$3.5 million, program is administered by the Department of Agriculture. We are concerned with this provision as the Department of Agriculture is not set up to implement a cost-share program. SWCDs who effectively deliver this program are not even referenced in the Legislation. Finally, the language is open ended leaving a lot of discretion to the Commissioner of Agriculture which may not represent the needs of the small feedlot operations.

Provides \$500,000 for the feedlot specialist program in the Department of Agriculture, the authorizing language is included in the bill.

***If you are concerned about these provisions, please be sure to contact your legislators and express yourself.

Special Projects Cost Share:

Senate: No increase.

House: Fully funded at \$1 million for the biennium.

Soil Surveys.

Senate: Increased funding at \$500,000 for the biennium.

House: No increases.

Ag BMP Loan Program.

Changes are included in both the House and Senate.

Easy Come. Easy Go!

The House provisions which transferred the following activities to BWSR were removed in the House Ways & Means Committee and are no longer under consideration.

- * Transfers \$150,000 for the biennium from DNR's Ecological Services program to BWSR for management assistance to lake associations and shore land owners.
- * Transfers \$218,000 for the biennium from DNR's Ecological Services program to BWSR to deliver and interpret ecological data for local units of government, etc.
- * Transfers \$550,000 for the biennium from DNR's Ecological Services program to BWSR to provide technical assistance to local units of government., etc.
- * Transfers \$955,000 for the biennium from DNR's Wildlife Division to BWSR to provide technical assistance to improve wildlife habitats on private lands.

HF 766/SF /SF 1402(Bonding) Comparision

Item	House Position	Senate Position
Operating Budget	The House reduced agency operating funds for salary increases from the 3% recommended by the Governor to 1% which amounts to a reduction amount of \$223,000 for the biennium to BWSR.	Appropriates the Governors Recommendation for agency base budget.
CREP	The House provides \$20 million for easements from a special revenue contingency account, \$724,000 for the shortfall of the 2000 bonding bill implementation and \$2.967 million of new general fund dollars for implementation. When added to the base funding for easement implementation, this provides the full funding for \$20 million in easement acquisitions. The house is maintaining their position that there will be no bonding bill this session.	The Senate provides \$2,034 million in general fund for implementation and has a bonding bill which includes \$43 million for easements and \$5.9 million for implementation. This takes care of the full funding needed to match federal funds with a 100,000 acre goal.
Feedlot Cost Share	The House provides approximately \$3 million to the Commissioner of Agriculture for a new cost share program to be developed by the Commissioner that is not exclusively for water quality. The chair of the committee wanted a program that would be of benefit to farmers and allow for expansion of facilities to be covered in a cost share program. As a result of the new money in cost share in the Ag bill, the Environment and Natural Resources committee reduced the BWSR cost share rider from \$1.5 million to \$1.0 million. The Ag bill does not have a provision to allow any of the Ag Department cost share program to be used for technical assistance. As it is appropriated in another section of law (not BWSR's cost share) the authority for districts and NPEA to use a % of the total for administrative cost or technical assistance does not exist unless the Commissioner of Ag builds it into the program he designs or implements. The house does not appropriate new funding for county delegated permits.	The Senate bill does not appropriate any new dollars to BWSR for feedlot cost share. The Senate appropriates new funding to PCA, Clean Water Partnership in the amount of \$700,000 with a rider to transfer this money to BWSR for feedlot cost share. This does provide new funding for feedlot cost share but it will not be in the BWSR base, it will be in MPCA's base. The Senate also appropriated \$535,000 new general fund dollars for the clean water partnership to add to the delegated permitting process. These dollars are transferred to BWSR in a rider.
NPEA	No new funding is provided for this activity in the House bill.	The Senate increases the base funding for this activity by \$637,000 for the biennium to fully fund the JPB's. (A MASWCD initiative, \$295,000 the first year and \$342,000 the second.
General Services Grants	No new funding is provided for this activity in the House bill.	The Senate increases the base funding for this grant by \$270,000 for the biennium to address inflation. (A MASWCD initiative, \$100,000 the first year and \$170,000 the second.
Red River Basin Board	No funding is provided for this board in the House bill.	The Senate provides \$200,000 for the biennium for the board provided matching funds are received from ND, SD and Manitoba.

HF 766/SF /SF 1402(Bonding) Comparision

Item	House Position	Senate Position
Soil Surveys	No funding is provided for this activity in the House bill.	The Senate bill provides \$500,000 for the biennium for grants to counties for cost sharing on updating and digitizing outmoded soil surveys.
SWCD Cost Share	The House provides an additional \$1 million for the biennium for a new special projects program for erosion and sediment control and water quality improvement.	No new funding is provided for this activity by the Senate.
Grazing Lands Management	No new funding is provided for this activity in the House bill.	The Senate bill provides \$200,000 for the biennium for technical assistance to farmers and ranchers for grazing systems.
St. George Watershed	No new funding is provided for this activity in the House bill.	The Senate bill provides \$100,000 for a grant to the town of West Newton to reimburse them for costs in construction of the St. George community wastewater treatment systems.
Lottery in Lieu	The House appropriates \$1.989 million to BWSR from Lottery in Lieu funds for statewide techncial assistance to improve wildlife habitat on private lands (\$772,000 the first year and \$181,000 the second), funds for assistance to lake management associations and shoreland owners (75,000 the first year and \$293,000 the second), \$218,000 to Chisago County SWCD for lake quality improvements in Chisago County, and \$225,000 each year to provide technical assistance to LGU's citizen organizations and resource agencies. These are one-time appropriations.	The Senate has no similar provision for BWSR to receive Lottery in Lieu funding.
North Shore Management Board	The House reduced all funding for this organization from the NRBG grant.	Senate funds this organization at the same level in NRBG.
St. Louis River Board	The House reduced all funding for this organization from the NRBG grant.	Senate funds this organization at the same level in NRBG.
MN River JPB	The House reduced all funding for this organization from the NRBG grant.	Senate funds this organization at the same level in NRBG.
SE MN Resources Board	The House reduced all funding for this organization from the NRBG grant.	Senate funds this organization at the same level in NRBG.
Local Government Wetland Road Replacement	No funding is provided for this activity in the House bill.	The Senate provides \$8,000 for the bienium for this activity. It was a typing error that they do not have the \$792,000 to fix. The Senate bonding bill passed out of committee yesterday with no funding for the projects. The Senate intends to delete this item from the environment and finance omnibus bill in conference committee and spend the \$8,000 elsewhere since the project did not make the bonding bill.

CREP APPLICATIONS IN PROCESS
May 10, 2001

County	At BWSR Offices				Completed at SWCD				Pending at SWCD				Total Aps in Process			
	# of Aps	Acres	State \$	Federal \$	# of Aps	Acres	State \$	Federal \$	# of Aps	Acres	State \$	Federal \$	# of Aps	Acres	State \$	Federal \$
Big Stone	0	0.0	0.00	0.00	2	10.0	7,200.00	16,560.00	6	275.0	198,000.00	455,400.00	8	285.0	205,200.00	471,960.00
Blue Earth	2	91.4	82,007.40	188,617.02	10	173.0	124,560.00	286,488.00	4	266.0	191,520.00	440,496.00	16	530.4	398,087.40	915,601.02
Brown	5	313.3	301,856.00	694,268.80	3	111.6	80,352.00	184,809.60	0	0.0	0.00	0.00	8	424.9	382,208.00	879,078.40
Carver	0	0.0	0.00	0.00	3	114.4	82,368.00	189,446.40	2	200.0	144,000.00	331,200.00	5	314.4	226,368.00	520,646.40
Chippewa	9	1,085.6	861,236.70	1,980,844.41	10	836.0	601,920.00	1,384,416.00	18	340.0	244,800.00	563,040.00	37	2,261.6	1,707,956.70	3,928,300.41
Cottonwood	0	0.0	0.00	0.00	7	100.0	72,000.00	165,600.00	0	0.0	0.00	0.00	7	100.0	72,000.00	165,600.00
Dakota	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Douglas	3	28.7	13,747.10	31,618.33	7	386.1	277,992.00	639,381.60	5	200.0	144,000.00	331,200.00	15	614.8	435,739.10	1,002,199.93
Faribault	4	183.3	180,521.50	415,199.45	18	465.0	334,800.00	770,040.00	12	340.0	244,800.00	563,040.00	34	988.3	760,121.50	1,748,279.45
Freeborn	0	0.0	0.00	0.00	3	102.0	73,440.00	168,912.00	5	183.0	131,760.00	303,048.00	8	285.0	205,200.00	471,960.00
Grant	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Hennepin	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Jackson	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Kandiyohi	2	131.4	104,474.30	240,290.89	3	288.0	207,360.00	476,928.00	8	365.0	262,800.00	604,440.00	13	784.4	574,634.30	1,321,658.89
Lee qui Parle	5	208.0	123,292.80	283,573.44	4	250.0	180,000.00	414,000.00	10	500.0	360,000.00	828,000.00	19	958.0	663,292.80	1,525,573.44
LeSueur	0	0.0	0.00	0.00	1	7.5	5,400.00	12,420.00	3	60.0	43,200.00	99,360.00	4	67.5	48,600.00	111,780.00
Lincoln	4	267.3	155,324.30	357,245.89	3	30.0	21,600.00	49,680.00	1	10.0	7,200.00	16,560.00	8	307.3	184,124.30	423,485.89
Lyon	6	180.0	98,905.50	227,482.65	7	400.0	288,000.00	662,400.00	3	117.2	84,384.00	194,083.20	16	697.2	471,289.50	1,083,965.85
Martin	2	55.5	55,501.30	127,652.99	22	660.0	475,200.00	1,092,960.00	30	600.0	432,000.00	993,600.00	54	1,315.5	962,701.30	2,214,212.99
McLeod	0	0.0	0.00	0.00	1	15.7	11,304.00	25,999.20	1	15.0	10,800.00	24,840.00	2	30.7	22,104.00	50,839.20
Murray	0	0.0	0.00	0.00	10	993.9	715,608.00	1,645,898.40	12	911.6	656,352.00	1,509,609.60	22	1,905.5	1,371,960.00	3,155,508.00
Nicollet	0	0.0	0.00	0.00	8	277.3	199,656.00	459,208.80	8	108.0	77,760.00	178,848.00	16	385.3	277,416.00	638,056.80
Otter Tail, West	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Pipestone	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Pope	2	87.7	39,066.20	89,852.26	9	630.0	453,600.00	1,043,280.00	3	250.0	180,000.00	414,000.00	14	967.7	672,666.20	1,547,132.26
Redwood	1	11.4	6,757.70	15,542.71	6	174.0	125,280.00	288,144.00	3	60.0	43,200.00	99,360.00	10	245.4	175,237.70	403,046.71
Renville	5	217.2	171,521.00	394,498.30	5	341.5	245,880.00	565,524.00	5	500.0	360,000.00	828,000.00	15	1,058.7	777,401.00	1,788,022.30
Rice	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Scott	1	2.2	1,997.60	4,594.48	1	10.1	7,272.00	16,725.60	2	20.0	14,400.00	33,120.00	4	32.3	23,669.60	54,440.08
Sibley	0	0.0	0.00	0.00	0	0.0	0.00	0.00	6	147.7	106,344.00	244,591.20	6	147.7	106,344.00	244,591.20
Steele	0	0.0	0.00	0.00	1	18.0	12,960.00	29,808.00	4	260.0	187,200.00	430,560.00	5	278.0	200,160.00	460,368.00
Stevens	1	18.0	13,834.00	31,818.20	1	26.5	19,080.00	43,884.00	6	147.6	106,272.00	244,425.60	8	192.1	139,186.00	320,127.80
Swift	1	10.9	3,897.77	8,964.87	7	385.0	277,200.00	637,560.00	14	1,039.0	748,080.00	1,720,584.00	22	1,434.9	1,029,177.77	2,367,108.87
Traverse	0	0.0	0.00	0.00	0	0.0	0.00	0.00	6	605.0	435,600.00	1,001,880.00	6	605.0	435,600.00	1,001,880.00
Wascon	2	217.4	202,966.70	466,823.41	0	0.0	0.00	0.00	8	190.0	136,800.00	314,640.00	10	407.4	339,766.70	781,463.41
Watouwan	2	28.5	23,653.90	54,403.97	4	100.0	72,000.00	165,600.00	6	250.0	180,000.00	414,000.00	12	378.5	275,653.90	634,003.97
Yellow Medicine	1	93.6	48,462.36	111,463.43	6	220.0	158,400.00	364,320.00	6	200.0	144,000.00	331,200.00	13	513.6	350,862.36	806,983.43
Tabor Hoek	3	100.0	72,000.00	165,600.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	3	100.0	72,000.00	165,600.00
David Sill	4	300.0	216,000.00	496,800.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	4	300.0	216,000.00	496,800.00
Chris Hughes	13	390.0	280,800.00	645,840.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	13	390.0	280,800.00	645,840.00
Tom Fischer	8	326.1	234,792.00	540,021.60	0	0.0	0.00	0.00	0	0.0	0.00	0.00	8	326.1	234,792.00	540,021.60
Dave Peterson	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Pete Waller	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Doug Snyder	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
TOTALS	86	4,347.5	3,292,616.13	7,573,017.10	162	7,125.6	5,130,432.00	11,799,993.60	197	8,160.1	5,875,272.00	13,513,125.60	445	19,633.2	14,298,320.13	32,886,136.30

CREP Summary
May 10, 2001

County	Applications In Program 4/27/01				Applications In Process 5/10/01				Total			
	# of Esmt	Acres	State \$	Federal \$	# of Aps	Acres	State \$	Federal \$	# of Aps	Acres	State \$	Federal \$
Big Stone	8	66.9	31,378.67	72,170.94	8	285.0	205,200.00	471,960.00	16	351.9	236,578.67	544,130.94
Blue Earth	57	1,493.9	1,206,738.42	2,775,498.37	16	530.4	398,087.40	915,601.02	73	2,024.3	1,604,825.82	3,691,099.39
Brown	37	1,545.5	1,332,980.33	3,065,854.76	8	424.9	382,208.00	879,078.40	45	1,970.4	1,715,188.33	3,944,933.16
Carver	1	36.6	29,972.66	68,937.12	5	314.4	226,368.00	520,646.40	6	351.0	256,340.66	589,583.52
Chippewa	75	2,536.2	2,056,062.90	4,728,944.67	37	2,261.6	1,707,956.70	3,928,300.41	112	4,797.8	3,764,019.60	8,657,245.08
Cottonwood	37	1,195.7	891,383.71	2,050,182.53	7	100.0	72,000.00	165,600.00	44	1,295.7	963,383.71	2,215,782.53
Dakota	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Douglas	14	571.0	276,777.59	636,588.46	15	614.8	435,739.10	1,002,199.93	29	1,185.8	712,516.69	1,638,788.39
Faribault	40	1,015.3	890,883.72	2,049,032.56	34	988.3	760,121.50	1,748,279.45	74	2,003.6	1,651,005.22	3,797,312.01
Freeborn	3	109.1	115,533.52	265,727.10	8	285.0	205,200.00	471,960.00	11	394.1	320,733.52	737,687.10
Grant	1	34.3	19,173.00	44,097.90	0	0.0	0.00	0.00	1	34.3	19,173.00	44,097.90
Hennepin	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Jackson	7	276.7	228,313.82	525,121.79	0	0.0	0.00	0.00	7	276.7	228,313.82	525,121.79
Kandiyohi	24	1,115.6	800,076.69	1,840,176.39	13	784.4	574,634.30	1,321,658.89	37	1,900.0	1,374,710.99	3,161,835.28
Lac qui Parle	90	4,451.1	2,871,124.16	6,603,585.57	19	958.0	663,292.80	1,525,573.44	109	5,409.1	3,534,416.96	8,129,159.01
LeSueur	30	840.1	711,191.92	1,635,741.42	4	67.5	48,600.00	111,780.00	34	907.6	759,791.92	1,747,521.42
Lincoln	37	1,639.6	803,976.15	1,849,145.15	8	307.3	184,124.30	423,485.89	45	1,946.9	988,100.45	2,272,631.04
Lyon	46	1,674.2	1,153,340.68	2,652,683.56	16	697.2	471,289.50	1,083,965.85	62	2,371.4	1,624,630.18	3,736,649.41
Martin	36	1,040.1	1,000,939.43	2,302,160.69	54	1,315.5	962,701.30	2,214,212.99	90	2,355.6	1,963,640.73	4,516,373.68
McLeod	2	120.6	103,178.69	237,310.99	2	30.7	22,104.00	50,839.20	4	151.3	125,282.69	288,150.19
Murray	13	735.3	498,714.89	1,147,044.25	22	1,905.5	1,371,960.00	3,155,508.00	35	2,640.8	1,870,674.89	4,302,552.25
Nicollet	13	684.3	517,690.21	1,190,687.48	16	385.3	277,416.00	638,056.80	29	1,069.6	795,106.21	1,828,744.28
Otter Tail, West	11	372.0	177,251.33	407,678.06	0	0.0	0.00	0.00	11	372.0	177,251.33	407,678.06
Pipestone	6	213.0	136,904.64	314,880.67	0	0.0	0.00	0.00	6	213.0	136,904.64	314,880.67
Pope	35	2,171.0	1,031,687.85	2,372,882.06	14	967.7	672,666.20	1,547,132.26	49	3,138.7	1,704,354.05	3,920,014.32
Redwood	97	4,129.9	3,131,201.33	7,201,763.06	10	245.4	175,237.70	403,046.71	107	4,375.3	3,306,439.03	7,604,809.77
Renville	115	3,661.3	2,922,988.94	6,722,874.56	15	1,058.7	777,401.00	1,788,022.30	130	4,720.0	3,700,389.94	8,510,896.86
Rice	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Scott	2	24.8	11,514.95	26,484.39	4	32.3	23,669.60	54,440.08	6	57.1	35,184.55	80,924.47
Sibley	2	37.2	32,723.52	75,264.10	6	147.7	106,344.00	244,591.20	8	184.9	139,067.52	319,855.30
Steele	3	39.1	38,232.26	87,934.20	5	278.0	200,160.00	460,368.00	8	317.1	238,392.26	548,302.20
Stevens	4	74.9	49,295.80	113,380.34	8	192.1	139,186.00	320,127.80	12	267.0	188,481.80	433,508.14
Swift	41	1,675.4	1,141,914.99	2,626,404.48	22	1,434.9	1,029,177.77	2,367,108.87	63	3,110.3	2,171,092.76	4,993,513.35
Traverse	3	133.7	55,841.96	128,436.51	6	605.0	435,600.00	1,001,880.00	9	738.7	491,441.96	1,130,316.51
Waseca	37	989.6	890,242.95	2,047,558.79	10	407.4	339,766.70	781,463.41	47	1,397.0	1,230,009.65	2,829,022.20
Watsonwan	37	1,214.6	1,093,266.21	2,514,512.28	12	378.5	275,653.90	634,003.97	49	1,593.1	1,368,920.11	3,148,516.25
Yellow Medicine	72	2,969.7	1,792,764.15	4,123,357.55	13	513.6	350,862.36	806,983.43	85	3,483.3	2,143,626.51	4,930,340.97
Tabor Hoek				0.00	3	100.0	72,000.00	165,600.00	3	100.0	72,000.00	165,600.00
David Sill				0.00	4	300.0	216,000.00	496,800.00	4	300.0	216,000.00	496,800.00
Chris Hughes				0.00	13	390.0	280,800.00	645,840.00	13	390.0	280,800.00	645,840.00
Tom Fischer				0.00	8	326.1	234,792.00	540,021.60	8	326.1	234,792.00	540,021.60
Dave Peterson				0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Pete Waller				0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Doug Snyder				0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
TOTALS	1,036	38,888.3	28,045,262.04	64,504,102.69	445	19,633.2	14,298,320.13	32,886,136.30	1,481	58,521.5	42,343,582.17	97,390,238.99

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CREP APPLICATIONS IN PROCESS

May 10, 2001

County	At BWSR Offices				Completed at SWCD				Pending at SWCD				Total Aps in Process			
	# of Aps	Acres	State \$	Federal \$	# of Aps	Acres	State \$	Federal \$	# of Aps	Acres	State \$	Federal \$	# of Aps	Acres	State \$	Federal \$
Big Stone	0	0.0	0.00	0.00	2	10.0	7,200.00	16,560.00	6	275.0	198,000.00	455,400.00	8	285.0	205,200.00	471,960.00
Blue Earth	2	91.4	82,007.40	188,617.02	10	173.0	124,560.00	286,488.00	4	266.0	191,520.00	440,496.00	16	530.4	398,087.40	915,601.02
Brown	5	313.3	301,856.00	694,268.80	3	111.6	80,352.00	184,809.60	0	0.0	0.00	0.00	8	424.9	382,208.00	879,078.40
Carver	0	0.0	0.00	0.00	3	114.4	82,368.00	189,446.40	2	200.0	144,000.00	331,200.00	5	314.4	226,368.00	520,646.40
Chippewa	9	1,085.6	861,236.70	1,980,844.41	10	836.0	601,920.00	1,384,416.00	18	340.0	244,800.00	563,040.00	37	2,261.6	1,707,956.70	3,928,300.41
Cottonwood	0	0.0	0.00	0.00	7	100.0	72,000.00	165,600.00	0	0.0	0.00	0.00	7	100.0	72,000.00	165,600.00
Dakota	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Douglas	3	28.7	13,747.10	31,618.33	7	386.1	277,992.00	639,381.60	5	200.0	144,000.00	331,200.00	15	614.8	435,739.10	1,002,199.93
Faribault	4	183.3	180,521.50	415,199.45	18	465.0	334,800.00	770,040.00	12	340.0	244,800.00	563,040.00	34	988.3	760,121.50	1,748,279.45
Freeborn	0	0.0	0.00	0.00	3	102.0	73,440.00	168,912.00	5	183.0	131,760.00	303,048.00	8	285.0	205,200.00	471,960.00
Grant	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Hennepin	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Jackson	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Kandiyohi	2	131.4	104,474.30	240,290.89	3	288.0	207,360.00	476,928.00	8	365.0	262,800.00	604,440.00	13	784.4	574,634.30	1,321,658.89
Lac qui Parle	5	208.0	123,292.80	283,573.44	4	250.0	180,000.00	414,000.00	10	500.0	360,000.00	828,000.00	19	958.0	663,292.80	1,525,573.44
LeSueur	0	0.0	0.00	0.00	1	7.5	5,400.00	12,420.00	3	60.0	43,200.00	99,360.00	4	67.5	48,600.00	111,780.00
Lincoln	4	267.3	155,324.30	357,245.89	3	30.0	21,600.00	49,680.00	1	10.0	7,200.00	16,560.00	8	307.3	184,124.30	423,485.89
Lyon	6	180.0	98,905.50	227,482.65	7	400.0	288,000.00	662,400.00	3	117.2	84,384.00	194,083.20	16	697.2	471,289.50	1,083,965.85
Martin	2	55.5	55,501.30	127,652.99	22	660.0	475,200.00	1,092,960.00	30	600.0	432,000.00	993,600.00	54	1,315.5	962,701.30	2,214,212.99
McLeod	0	0.0	0.00	0.00	1	15.7	11,304.00	25,999.20	1	15.0	10,800.00	24,840.00	2	30.7	22,104.00	50,839.20
Murray	0	0.0	0.00	0.00	10	993.9	715,608.00	1,645,898.40	12	911.6	656,352.00	1,509,609.60	22	1,905.5	1,371,960.00	3,155,508.00
Nicollet	0	0.0	0.00	0.00	8	277.3	199,656.00	459,208.80	8	108.0	77,760.00	178,848.00	16	385.3	277,416.00	638,056.80
Otter Tail, West	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Pipestone	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Pope	2	87.7	39,066.20	89,852.26	9	630.0	453,600.00	1,043,280.00	3	250.0	180,000.00	414,000.00	14	967.7	672,666.20	1,547,132.26
Redwood	1	11.4	6,757.70	15,542.71	6	174.0	125,280.00	288,144.00	3	60.0	43,200.00	99,360.00	10	245.4	175,237.70	403,046.71
Renville	5	217.2	171,521.00	394,498.30	5	341.5	245,880.00	565,524.00	5	500.0	360,000.00	828,000.00	15	1,058.7	777,401.00	1,788,022.30
Rice	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Scott	1	2.2	1,997.60	4,594.48	1	10.1	7,272.00	16,725.60	2	20.0	14,400.00	33,120.00	4	32.3	23,669.60	54,440.08
Sibley	0	0.0	0.00	0.00	0	0.0	0.00	0.00	6	147.7	106,344.00	244,591.20	6	147.7	106,344.00	244,591.20
Steele	0	0.0	0.00	0.00	1	18.0	12,960.00	29,808.00	4	260.0	187,200.00	430,560.00	5	278.0	200,160.00	460,368.00
Stevens	1	18.0	13,834.00	31,818.20	1	26.5	19,080.00	43,884.00	6	147.6	106,272.00	244,425.60	8	192.1	139,186.00	320,127.80
Swift	1	10.9	3,897.77	8,964.87	7	385.0	277,200.00	637,560.00	14	1,039.0	748,080.00	1,720,584.00	22	1,434.9	1,029,177.77	2,367,108.87
Traverse	0	0.0	0.00	0.00	0	0.0	0.00	0.00	6	605.0	435,600.00	1,001,880.00	6	605.0	435,600.00	1,001,880.00
Waseca	2	217.4	202,966.70	466,823.41	0	0.0	0.00	0.00	8	190.0	136,800.00	314,640.00	10	407.4	339,766.70	781,463.41
Watonwan	2	28.5	23,653.90	54,403.97	4	100.0	72,000.00	165,600.00	6	250.0	180,000.00	414,000.00	12	378.5	275,653.90	634,003.97
Yellow Medicine	1	93.6	48,462.36	111,463.43	6	220.0	158,400.00	364,320.00	6	200.0	144,000.00	331,200.00	13	513.6	350,862.36	806,983.43
Tabor Hoek	3	100.0	72,000.00	165,600.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	3	100.0	72,000.00	165,600.00
David Sill	4	300.0	216,000.00	496,800.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	4	300.0	216,000.00	496,800.00
Chris Hughes	13	390.0	280,800.00	645,840.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	13	390.0	280,800.00	645,840.00
Tom Fischer	8	326.1	234,792.00	540,021.60	0	0.0	0.00	0.00	0	0.0	0.00	0.00	8	326.1	234,792.00	540,021.60
Dave Peterson	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Pete Waller	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Doug Snyder	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
TOTALS	86	4,347.5	3,292,616.13	7,573,017.10	162	7,125.6	5,130,432.00	11,799,993.60	197	8,160.1	5,875,272.00	13,513,125.60	445	19,633.2	14,298,320.13	32,886,136.30

CREP Summary
May 10, 2001

County	Applications In Program 4/27/01				Applications In Process 5/10/01				Total			
	# of Esmt	Acres	State \$	Federal \$	# of Aps	Acres	State \$	Federal \$	# of Aps	Acres	State \$	Federal \$
Big Stone	8	66.9	31,378.67	72,170.94	8	285.0	205,200.00	471,960.00	16	351.9	236,578.67	544,130.94
Blue Earth	57	1,493.9	1,206,738.42	2,775,498.37	16	530.4	398,087.40	915,601.02	73	2,024.3	1,604,825.82	3,691,099.39
Brown	37	1,545.5	1,332,980.33	3,065,854.76	8	424.9	382,208.00	879,078.40	45	1,970.4	1,715,188.33	3,944,933.16
Carver	1	36.6	29,972.66	68,937.12	5	314.4	226,368.00	520,646.40	6	351.0	256,340.66	589,583.52
Chippewa	75	2,536.2	2,056,062.90	4,728,944.67	37	2,261.6	1,707,956.70	3,928,300.41	112	4,797.8	3,764,019.60	8,657,245.08
Cottonwood	37	1,195.7	891,383.71	2,050,182.53	7	100.0	72,000.00	165,600.00	44	1,295.7	963,383.71	2,215,782.53
Dakota	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Douglas	14	571.0	276,777.59	636,588.46	15	614.8	435,739.10	1,002,199.93	29	1,185.8	712,516.69	1,638,788.39
Faribault	40	1,015.3	890,883.72	2,049,032.56	34	988.3	760,121.50	1,748,279.45	74	2,003.6	1,651,005.22	3,797,312.01
Freeborn	3	109.1	115,533.52	265,727.10	8	285.0	205,200.00	471,960.00	11	394.1	320,733.52	737,687.10
Grant	1	34.3	19,173.00	44,097.90	0	0.0	0.00	0.00	1	34.3	19,173.00	44,097.90
Hennepin	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Jackson	7	276.7	228,313.82	525,121.79	0	0.0	0.00	0.00	7	276.7	228,313.82	525,121.79
Kandiyohi	24	1,115.6	800,076.69	1,840,176.39	13	784.4	574,634.30	1,321,658.89	37	1,900.0	1,374,710.99	3,161,835.28
Lac qui Parle	90	4,451.1	2,871,124.16	6,603,585.57	19	958.0	663,292.80	1,525,573.44	109	5,409.1	3,534,416.96	8,129,159.01
LeSueur	30	840.1	711,191.92	1,635,741.42	4	67.5	48,600.00	111,780.00	34	907.6	759,791.92	1,747,521.42
Lincoln	37	1,639.6	803,976.15	1,849,145.15	8	307.3	184,124.30	423,485.89	45	1,946.9	988,100.45	2,272,631.04
Lyon	46	1,674.2	1,153,340.68	2,652,683.56	16	697.2	471,289.50	1,083,965.85	62	2,371.4	1,624,630.18	3,736,649.41
Martin	36	1,040.1	1,000,939.43	2,302,160.69	54	1,315.5	962,701.30	2,214,212.99	90	2,355.6	1,963,640.73	4,516,373.68
McLeod	2	120.6	103,178.69	237,310.99	2	30.7	22,104.00	50,839.20	4	151.3	125,282.69	288,150.19
Murray	13	735.3	498,714.89	1,147,044.25	22	1,905.5	1,371,960.00	3,155,508.00	35	2,640.8	1,870,674.89	4,302,552.25
Nicollet	13	684.3	517,690.21	1,190,687.48	16	385.3	277,416.00	638,056.80	29	1,069.6	795,106.21	1,828,744.28
Otter Tail, West	11	372.0	177,251.33	407,678.06	0	0.0	0.00	0.00	11	372.0	177,251.33	407,678.06
Pipestone	6	213.0	136,904.64	314,880.67	0	0.0	0.00	0.00	6	213.0	136,904.64	314,880.67
Pope	35	2,171.0	1,031,687.85	2,372,882.06	14	967.7	672,666.20	1,547,132.26	49	3,138.7	1,704,354.05	3,920,014.32
Redwood	97	4,129.9	3,131,201.33	7,201,763.06	10	245.4	175,237.70	403,046.71	107	4,375.3	3,306,439.03	7,604,809.77
Renville	115	3,661.3	2,922,988.94	6,722,874.56	15	1,058.7	777,401.00	1,788,022.30	130	4,720.0	3,700,389.94	8,510,896.86
Rice	0	0.0	0.00	0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Scott	2	24.8	11,514.95	26,484.39	4	32.3	23,669.60	54,440.08	6	57.1	35,184.55	80,924.47
Sibley	2	37.2	32,723.52	75,264.10	6	147.7	106,344.00	244,591.20	8	184.9	139,067.52	319,855.30
Steele	3	39.1	38,232.26	87,934.20	5	278.0	200,160.00	460,368.00	8	317.1	238,392.26	548,302.20
Stevens	4	74.9	49,295.80	113,380.34	8	192.1	139,186.00	320,127.80	12	267.0	188,481.80	433,508.14
Swift	41	1,675.4	1,141,914.99	2,626,404.48	22	1,434.9	1,029,177.77	2,367,108.87	63	3,110.3	2,171,092.76	4,993,513.35
Traverse	3	133.7	55,841.96	128,436.51	6	605.0	435,600.00	1,001,880.00	9	738.7	491,441.96	1,130,316.51
Waseca	37	989.6	890,242.95	2,047,558.79	10	407.4	339,766.70	781,463.41	47	1,397.0	1,230,009.65	2,829,022.20
Watsonwan	37	1,214.6	1,093,266.21	2,514,512.28	12	378.5	275,653.90	634,003.97	49	1,593.1	1,368,920.11	3,148,516.25
Yellow Medicine	72	2,969.7	1,792,764.15	4,123,357.55	13	513.6	350,862.36	806,983.43	85	3,483.3	2,143,626.51	4,930,340.97
Tabor Hoek				0.00	3	100.0	72,000.00	165,600.00	3	100.0	72,000.00	165,600.00
David Sill				0.00	4	300.0	216,000.00	496,800.00	4	300.0	216,000.00	496,800.00
Chris Hughes				0.00	13	390.0	280,800.00	645,840.00	13	390.0	280,800.00	645,840.00
Tom Fischer				0.00	8	326.1	234,792.00	540,021.60	8	326.1	234,792.00	540,021.60
Dave Peterson				0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Pete Waller				0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
Doug Snyder				0.00	0	0.0	0.00	0.00	0	0.0	0.00	0.00
TOTALS	1,036	38,888.3	28,045,262.04	64,504,102.69	445	19,633.2	14,298,320.13	32,886,136.30	1,481	58,521.5	42,343,582.17	97,390,238.99

2001 Plan of Work

BWSR Education and Public Relations Committee

(Based on the May 1998 BWSR Educational Strategy)

Educational goal: To help local governments meet their educational and outreach needs.

Educational objectives from 1998 BWSR Educational Strategy (bulleted in bold):

- **Serve as education information clearinghouse:** Remain current in knowledge of existing educational resources and serve as an education information clearinghouse to LGU's.

Recommended 2001 actions to achieve objective:

1. Create "Information Packs" for specific BWSR programs; wetlands, CREP, RIM, watershed plan development, etc. These collections will allow quick response to information requests.
Priority: High
2. Make sure educational resources useful to LGU's are listed on the SEEK website. Inform LGU's about the SEEK website and its usefulness (SEEK stands for "Sharing Environmental Education Knowledge" is maintained by the Minnesota Office of Environmental Assistance at <http://www.seek.state.mn.us/>).
Priority: Medium
3. Review existing Email distribution lists used for information sharing to LGU's. Facilitate creation of new Email distribution lists if needed.
Priority: Medium

- **Serve as a link back to state agency resources:**

Recommended 2001 actions to achieve objective:

1. Encourage state agencies to be involved at LGU annual association meetings (e.g., MASWCD and MAWD) either through presentations, trade fair booths, or both.
Priority: Low-Medium
2. Monitor BWSR website to make sure links with state agency education resources are kept current.
Priority: Low-Medium

- **Advocate for LGU's ability to deliver education and training programs:**

Recommended 2001 actions to achieve objective:

1. Through the Environmental Education Advisory Board, assure state agencies are aware of the educational capacity of SWCD's, Watershed Districts, Lake Districts and Associations, Counties, and Cities.
Priority: High

- **Building capacity of LGU's as educators:**

Recommended 2001 actions to achieve objective:

1. Support "EdTeams", county or regionally based groups designed to improve communications and cooperation among education providers. Examples of existing teams include the Arrowhead Water Quality Team, Pick-Um-Cluster, Anoka County Education Group and the Metro WaterShed Partners. Work to strengthen existing groups and explore creation of a new group in an under-served area of the state.
Priority: High
2. Challenge LGU's to expand educational content in annual operation plans when warranted. Encourage measurable outcomes.
Priority: High
3. Along with partners, sponsor a "Managing Drainage on a Watershed Basis" conference as a follow-up to the 1999 Drainage Forum.
Priority: Med-High
4. Encourage practice of LGU's including educational segments at the beginning of Supervisor and Manager meetings and at their annual association conferences.
Priority: Med-High
5. Through BWSR's biennial review of LGU groundwater education (a legislative responsibility), develop recommendations on how LGU groundwater education can be enhanced. Facilitate actions taken on recommendations.
Priority: Med-High
6. Offer training that will enable LGU's to improve their educational programming within their current budget and program requirements. Annual association meetings would be ideal for such training.
Priority: Med-High

END

** Information*

BOARD OF WATER AND SOIL RESOURCES

INTERNAL MEMORANDUM

DATE: May 10, 2001

TO: MaryJo Anderson
Ron Harnack

FROM: John Jaschke *JJ*

RE: **Potential Items for May 23, 2001 Board Meeting**

There are four potential items for inclusion in the upcoming or a future Board meeting related to wetlands:

- 1) **WCA/Public Waters Rulemaking Schedule.** The BWSR and DNR - Division of Waters are required to adopt permanent rules for the Wetland Conservation Act and Public Water Law programs no later than July 30, 2002. This requirement is an outgrowth of the 2000 Legislation (Senate File #83) that integrated some aspects of Minnesota Rule Chapter 8420 and Minnesota Rule Chapter 6115. BWSR and DNR staff have collaborated on development of a schedule for rulemaking that addresses both the informal and formal aspects of getting the rules completed. The Board is being presented with this information so that they are aware of certain dates that the full Board and/or the Wetland Committee will need to make decisions in conjunction with staff to accomplish the rulemaking as required in law. (See attached draft rulemaking schedule.)
- 2) **Wetland Conservation Act History.** May 2001 marks the 10-year anniversary of the Wetland Conservation Act being signed into law. While there has been and continues to be evolution of this program, a review of what has happened over the past ten years, especially for new Board members, would be a timely item to review in conjunction with the rulemaking schedule. (See attached history of Wetland Conservation Act and related regulations in Minnesota.)
- 3) **SWANCC vs. USACOE and/or 404 Assumption.** The draft analysis could be shared as an informational item with the Board or perhaps it should first be part of a Wetland Committee discussion. (See attachment.)
- 4) **WCA NRBG Reallocation.** The time has come, or perhaps it came some time ago, when a review of the original allocation formula for WCA Program administration grants to local governments is needed. The BWSR Grants Team and select staff from the agency will be developing options for Board consideration and approval over the next 9 to 12 months. One goal is to have the reallocation be synchronous with the rule amendments that may address potential Section 404 Program Assumption from the U.S. Army Corps of Engineers. Another goal is to have the reallocation complete by August 2002 in time for counties to take the revised formula and incorporate it into their budget planning for calendar year 2003 county budgets. It is expected that this work will begin in earnest sometime this fall. (See attached draft.)

P.S. Day one of the all BC meeting is on the same day so I will need to arrange and coordinate my schedule and that of others if you want me to present any of these items.

Attachments

c: Doug Thomas

Final Draft TIMELINE FOR ADOPTION OF AMENDMENTS TO WCA & PW RULES

Reviewed by: John Jaschke, John Linc Stine, Bruce Gerbig, and Kathy Lewis on 5-02-01

Prepared by: John Jaschke on 5-10-01

Informal Stage (incomplete):

Note: Separate drafting teams will be formed for concurrent and coordinated development of WCA (Chapter 8420) and PW (Chapter 6115) proposed rules.

May 1, 2001: Internal DNR Statewide Interdisciplinary Review Service (SIRS) begins

May 23, 2001: BWSR Board meeting to endorse rulemaking schedule

June 5, 2001: Second DNR Statewide Interdisciplinary Review Service (SIRS) meeting

~ August 1, 2001: Initial Stakeholders Meeting

~ September 15, 2001: Final Stakeholders meeting to review draft proposed rule and explain formal rulemaking processes.

Formal "Dual Notice" Rulemaking Process:

By Monday, June 11, 2000 – memo to Governor's Office announcing rule amendment

By Monday, June 25, 2001 – Publication Order for Request for Comments to State Register

Monday, July 9, 2001 – Request for Comments published in State Register (at least 60 days prior to Dual Notice per Minn Stat 14.101)

Monday, October 15, 2001 – **Proposed Rules and SONAR approved by Board and Commissioner and sent to Governor's Office** and copy of proposed rule to Commissioner of Agriculture (at least 30 days prior to Dual Notice per Minn Stat 14.111)

Monday, October 22, 2001 – Revisor's certificate approving rules for publication

By Monday, November 26, 2001 – Receive Governor's Office approval

Wednesday, December 19, 2001 – Submit Dual Notice, Rules, SONAR, and Notice Plan to OAH (at least five working days prior to Dual Notice because ALJ has five working days to review per Minn R 1400.2080, subp. 5 and Minn R 1400.2060, subp 3)

Wednesday, December 19, 2001 – BWSR Board Resolution authorizing Executive Director to give Dual Notice

Monday, January 7, 2002 – Dual Notice mailed to all on BWSR and DNR rulemaking mailing lists (at least 30 days prior to end of comment period per Minn.R.1400.2080, subp.6) and notice per notice plan including notice to legislature (chief authors and committee chairs) and web site publication. Rules and SONAR also to legislative reference library.

Tuesday, January 8, 2002 – publication order to State Register (by Wednesday noon a week and a half before publication date)

Tuesday, January 22, 2002 – Dual Notice published in State Register (day after holiday)

Monday, February 25, 2002 – End of comment period (30 days after Dual Notice published)

Anticipate that Hearing will be Requested (otherwise formal process is reduced by about 3 months)

Tuesday - Thursday, March 5-7, 2002 – Hearings if more than 25 request (not sooner than 40 days after Dual Notice per Minn Stat.14.22, subd.2 with at least one hearing in an agricultural area of state (per Minn Stat 14.14, subd.1b)

Wednesday, March 27, 2002 – Agency's and public's comments to the hearing record (comment period lasts five working days, may be extended to 20 calendar days if ordered by ALJ. Minn.Stat.14.15, subd.1: Minn.R.1400,.2300,2530,.2540)

Wednesday, April 3, 2002 – Agency response to comments and information submitted during comment period (five working days)

Wednesday, May 15, 2002 – Chief ALJ issues hearing report (within 40 days of close of response period but can be extended upon request by ALJ. Minn.Stat.14.15, subd.2).

Friday, June 14, 2002 – Agency decides if changes to proposed rule are needed in three categories: i.) technical only, notice to Governor and ALJ, ii.) recommended by ALJ, notice to Governor only, or iii.) substantive, then must notice and wait for response from Governor (14 days) and ALJ (10 days).

Wednesday, June 26, 2002 – BWSR Board passes resolution to authorize Executive Director to sign Order Adopting Rules, DNR Commissioner signs order Adopting Rules.

Wednesday, June 26, 2002 – Order Adopting Rules (at least five working days after approval from ALJ or Chief ALJ)

Wednesday, June 26, 2002 – File rules with Secretary of State.Minn.Stat.14.16, subd.3

Wednesday, June 26, 2002 – Give notice of filing (on same day file with Secretary of State)

Wednesday, June 26, 2002 – Secretary of State forwards approved rule to Revisor

Monday, July 1, 2002 – Revisor sends BWSR/DNR Notice of Adoption and BWSR/DNR sends Notice of Adoption of State Register.

Monday, July 15, 2002 – Notice of Adoption published in State Register (Monday, July 22, 2002 would be last possible date for publication)

Monday, July 22, 2002 – rules effective five working days after published in State Register per Minn.Stat.14.27 (Must be effective on or before July 31, 2002)

S:\WCA and PW rules schedule 2001.doc

A Brief Historical Background on Wetland/Public Waters Issues and a Chronology of State Laws Since 1858¹

Wetlands/Public Water Management have been issues throughout Minnesota's history.

The debate over the value of wetlands, and their resulting drainage, has been the paramount water issue since Minnesota gained statehood in 1858. Early water management in Minnesota consisted mainly of manipulating surface waters--mostly wetlands and small lake areas--attempting to make more land suitable for farming.

Surface water was viewed as a "common enemy" and wide scale drainage was the order of the day early in the twentieth century. Wetlands were considered "undesirable wastelands."

Governor Alexander Ramsey, in an 1861 speech to the legislature, said: "From their nature and situation they [wetlands] are capable of easy reclamation. In a climate so dry as ours, we may naturally expect that lands of this class will eventually be the most valuable in the state."

As settlement increased, especially along the state's rivers, floods and property damage often occurred and wetlands in floodplain areas came to be valued as storage basins.

The drought cycle has greatly influenced lawmakers on drainage and wetlands issues over the years. A series of wet summers would affect the need for more drainage. In recent years, summer drought patterns have increased public concern for wetland preservation.

A Brief Chronology of State Laws on Wetlands/Public Waters Management

- 1858** Chapter 73 allowed private corporations to be formed for the purpose of draining lands and creating water privileges.
- 1883** Chapter 108 allowed county commissioners to authorize the construction of ditches or water courses within the county, including the drainage of "shallow, grassy, meandered lakes under four feet in depth."
- 1897** Chapter 257 created a state drainage commission to "have care, custody, control and supervision of all drainage ditches in the state." It also provided the first statutory definitions of public and private waters. This law and the powers of the drainage commission were expanded by statutory amendments through 1917.
- 1919** Chapter 65 abolished the state drainage commission and the Department of Drainage and Waters, under the control of a commissioner, was established.
- 1931** The Department of Conservation was created and Drainage and Waters became a division within the new department. During the 1930s, the Depression and periods of drought, along with increased conservation concerns, halted wide-scale drainage efforts.
- 1947** Chapter 142 declared "all waters providing substantial public use and that are navigable in fact" to be public waters. Drainage of public waters could occur only if they were deemed "non-public," or permission was acquired from the Commissioner of Conservation.

¹ The chronology does not cover judicial case laws. (Note: This brief represents an historical perspective prepared by John Helland, Legislative Analyst, as a House Research Information Brief with updates provided by John Jaschke, Minnesota Board of Water and Soil Resources. Changes in the Wetland Conservation Act since the brief was written in March, 1996 have also been incorporated. A paper entitled "History of Water Management and Protection in Minnesota" by Tom Lewanski, Office of Planning, Department of Natural Resources, provided material for this historical information brief.)

- 1951** The "Save the Wetlands" program was enacted, which used federal funds (Pittman-Robertson) to acquire wetlands for state wildlife management areas.
- 1955** Chapter 681 brought conservation into the drainage code; it required that in determining the benefit of a proposed drainage system, the conservation of soil, water, forests, wild animals and related natural resources must be considered.
- 1961** Chapter 754 created state policy that, where practicable, all state agencies shall conserve precipitated water in areas where it falls.
- 1973** Chapters 315 and 479 were enacted that (1) expanded the definition of public waters to include "all waters which serve a beneficial public purpose, thereby including wetlands; and (2) required new elements, including environmental concerns, that need to be considered before establishing or improving drainage systems.
- 1976** Chapter 83 established a program to inventory and specify public waters once and for all, including wetlands. The state water bank program was created, where easements could compensate landowners who agreed to preserve their wetlands.
- 1979-1984** The public waters inventory was begun in 1979 to identify all public waters, and final publication of county inventory maps was finished in 1984.
- 1991** Chapter 354, the Wetland Conservation Act, created a "no net loss policy;" provided for mitigation of drained or filled wetlands; allowed local units of government administrative authority; and authorized the Board of Water and Soil Resources (BWSR) to adopt rules and acquire permanent easements for Type 1 to 3 wetlands.
- 1993** Chapter 175 allowed counties or watersheds that had 80 percent or more of their presettlement wetlands remaining to mitigate for draining or filling on a one to one acre basis. Created a de minimis exemption of up to 400 square feet of wetland area. Rules under the 1991 Wetland Conservation Act were adopted by BWSR.
- 1994** Chapter 627 allowed local governments some flexibility in adopting a comprehensive wetland management plan that could substitute for parts of the BWSR rule on wetlands. It also allows existing roadways to be upgraded to current construction and safety standards, if wetland impacts are minimized and less than one-half acre is impacted.
- 1996** Chapter 462 amended the Wetland Conservation Act to provide a more streamlined notification process. Exemptions were also reformatted for easier interpretation, with expansion of exemptions covering agricultural land, individual sewage treatment systems, wildlife habitat improvement projects, drainage and de minimis. The 1996 amendments provided that local governmental units may develop Local Comprehensive Wetland Protection and Management Plans as an alternative to the Rules, with flexibility in the application of sequencing standards, replacement standards and certain exemptions. 1996 changes also amended the requirements for public road project replacement, including the provision that the BWSR will replace wetlands drained or filled from the repair, reconstruction or rehabilitation for existing local government public roads.
- 2000** Chapter 382 amended the Wetland Conservation Act and Public Waters Law to provide greater consistency and coordination between the state's two water/wetland regulations. The changes allowed DNR to waive permit jurisdiction to local governments for projects affecting public waters wetlands and allowed DNR to make updates and corrections to the Public Waters Inventory with local government concurrence.

DATE: May 4, 2001

TO: Ron Harnack, Executive Director

FROM: John Jaschke, Land and Water Section Administrator
ph: 651-297-3432, e-mail: john.jaschke@bwsr.state.mn.us

SUBJECT: **Preliminary Assessment of: SWANCC v. USACOE and Section 404 Assumption in Minnesota**

The following is a preliminary assessment of the impacts of the SWANCC v. USACOE and the State's potential assumption of the Section 404 Waters/Wetland Regulatory Program.

SWANCC vs. USACOE

1. Introduction. On January 9, 2001 the U.S. Supreme Court issued a decision, Solid Waste Agency of Northern Cook County (SWANCC) v. United States Army Corps of Engineers (Slip Opinion, No. 99-1178, October Term, 2000); herein referred to as *SWANCC v. USACOE*) that limits the scope of the United States Army Corps of Engineers (Corps) Clean Water Act regulatory permitting program (Section 404) as applied to "isolated" waters. Finding that there was not a clear indication of Congressional intent, the Court declined to interpret the statute as allowing jurisdiction to be asserted over isolated waters based solely on the basis of their use as migratory bird habitat. The Court also acknowledged the significant nexus between wetlands and "navigable waters" but that the word "navigable" in the statute was of "limited effect" and went on to hold that Section 404 does extend to non-navigable wetlands adjacent to open waters.

What the case in essence says is: **Section 404 (and other parts of the CWA) does not apply to non-navigable, intrastate or isolated waters/wetlands.** However, the definitions of "isolated" and "navigable" (including related terms such as "adjacent" and "tributary") are yet unknown and will likely go through a cycle of test case assessment, implementation guidance, policy, federal rule development and court action at both the regional and national level before they are stable. For a much more complete analysis of SWANCC v. USACOE, download the analysis from the Association of State Wetland Managers at <http://www.aswm.org> from which excerpts for this analysis were obtained.

2. Affects on States. By narrowing the water and wetland areas subject to federal regulation, the decision also narrows the areas and activities subject to Clean Water Act Section 401 programs which require State approval for federally permitted activities. It partially narrows the areas and activities subject to State CZM consistency review and it partially limits the areas and activities addressed by State 404 "assumption" programs and by State Programmatic Permits. The decision affirms the "primary responsibilities and rights of the States" or over land and waters and shifts more of the economic burden for regulating wetlands to states and local governments. According to some states, this Supreme Court decision removed nearly 80 percent of wetlands from EPA's and the Corps' jurisdiction. However, that the percentage is likely more in the neighborhood of 10 to 40 percent based on some preliminary analysis. Whatever the

precise percentage, the approximately 35 states without state statute regulatory programs for freshwater wetlands are now left without any protection for non-navigable, intrastate or isolated wetlands. In the remaining 15 states that do have state based protection for freshwater wetlands (Maine, California, Massachusetts, Michigan, New Jersey, New Hampshire, Oregon, Minnesota, Maryland, Florida - except for panhandle, Pennsylvania, New York, Washington, Connecticut, and New Hampshire) the ruling can only mean no more, and possibly less, protection unless state authority is subsequently expanded.

3. Affects in Minnesota. The Wetland Conservation Act (WCA) and DNR Public Waters (PW) Program in concept provide a "seamless coverage" for regulation of all wetlands in Minnesota, except for those on federal or tribally owned land. However, there are some gaps exposed by SWANCC v. USACOE in that some activities exempt from state regulations¹ were protected only by federal regulation and are now without any regulatory controls for non-navigable, intrastate or isolated wetlands. These exposures are not yet quantified, but the reality is that fewer wetlands will be regulated by the USACOE in the prairie pothole/agricultural area of the state (where there are also fewer wetlands remaining on the landscape) and less change will occur in the wetland abundant areas of the state (northeast quadrant) since many of those wetlands are not isolated and many are on government-owned land. The task of quantifying non-regulated wetlands could be estimated using GIS data and analysis but first requires that EPA and the USACOE develop guidance and definitions for "isolated" and "navigable" (including related terms such as "adjacent" and "tributary).

Another aspect of SWANCC v. USACOE that the MPCA needs to assess is that of applicability to the NPDES permit program. According to Larry Zdon, for the purposes of wastewater and stormwater NPDES permitting, virtually all waters and wetlands were considered waters of the U.S. Now, wastewater discharge situations or stormwater discharges to non-navigable, intrastate or isolated waters/wetlands are unlikely to be subject to NPDES permit requirements.

404 Program Assumption

1. History/Authorization. The Section 404(a) Program was enacted as part of the original Clean Water Act in 1972 and is implemented - with EPA oversight - by the U.S. Army Corps of Engineers which also administers the Section 10 program (Rivers and Harbors Act of 1899). Section 404(g), adopted in 1977, authorizes EPA to approve state programs for "discharge of dredged or fill material into the navigable waters (other than those waters which are presently used, or are susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce...) including wetlands adjacent thereto". 404 Assumption essentially means that EPA agrees that the state either has, or will have before it assumes, equivalent or greater standards, procedures and outcomes as compared to the Section 404 Program. Michigan assumed the 404 Program in 1984 and New Jersey assumed the program in 1994. The following web sites provide an overview of the process and describe the legal procedures and requirements for assumption:

<http://www.epa.gov/owow/wetlands/facts/fact23.html>

<http://www.epa.gov/OWOW/wetlands/40cfr/part233.html>.

¹ These WCA exemptions include: agricultural activities when the owner is participating in the federal farm program, agricultural activities on types 1, 2 and 6 wetlands, permanent forest roads, activities in incidental wetlands, certain activities for utilities and public works, grandfathered approved development, or certain de minimis activities.

2. Estimates of Program Overlap for Minnesota. The Minnesota Wetland Conservation Act and Public Waters Program together exert jurisdiction over all waters and wetlands in the state, except for those on federal or tribally owned land. The federal programs (Sec. 404 and Sec. 10) cover these same waters plus those on federal or tribally owned land. Although this is not quantifiable, my estimate of the jurisdictional overlap between current federal and state programs in Minnesota is:

95% overlap for 404 and WCA

99% overlap for 404/Sec. 10 and Public Waters

These percentages will likely decrease some because the changes brought on by SWANCC v. USACOE can only mean the Corps will regulate less wetland area.

3. Conclusions. State Assumption of the 404 program would be the most straightforward way to provide landowners with one-stop-shopping for waters and wetlands permits. Three things would have to be done:

- (i) The state laws, the WCA in particular, would need some modifications to match the requirements of Sec. 404 in some limited areas. Specifically, the WCA exemptions for: permanent forest roads; type 1, 2, and 6 agricultural wetlands; previously approved development; federal approvals; parts of the incidental wetlands exemptions and parts of the de minimis exemption would have to be eliminated or modified, *but only for non-isolated or navigable (including adjacent and tributary) wetlands*. Also, the state would need to establish an Administrative Penalty Order (APO) process for waters and wetlands that would be similar to existing authority at the federal level.
- (ii) Some portion of the USACOE personnel managing wetlands in Minnesota would need to be replaced using state funding as there would be additional training, project and program oversight, data management and federal coordination (Endangered and Threatened Species Act – USFWS, National History Presentation Act – SHPO, program and project review – EPA) requirements placed on the state, and to a lesser extent, on local governments. Although some overall efficiencies will be realized, an estimate of 6-7 FTEs at the state level is projected based on the expected federal diminution of involvement.
- (iii) An agreement developed to take advantage of the opportunity to link the Federal Farm Program's "Swampbuster" provisions with the state-assumed 404 program so that agricultural landowners achieve can realize similar benefits from better coordinated regulation.

Alternative options such as broadened and simplified general permits and/or letters of permission, in combination with interagency personnel agreements, should be explored fully in order to assess which path could best achieve the objectives of maintaining environmental protection, streamlining procedures and paperwork for landowners and achieve optimum use of staff resources at all levels of government.

DRAFT

Steps to take to finalize a reallocation of the WCA portion of the NRBG

1. Determine a time frame for the reallocation. It has been determined that the reallocation should be synchronous with any WCA rule amendments that would be done related to 404 Assumption. This means that the reallocation formula should be completed by August 2002.
2. Analysis of past activity reports as well as a reassessment of the variables used to determine the original allocations including wetland area on nongovernment land, population per square mile, population trends to indicate future development, and number of building permits issued in the county.
3. Establish management team principles for how the reallocation should be done including any sideboards and distribution schemes that are to be considered.
4. Have the Grants Team come up with a variety of options for the formula and distribution.
5. Have the Wetland Committee review the recommendations of the Grants Team after they have been once again been reviewed by the Managers Team.
6. Have the Board make a decision with a possibility of providing an opportunity for a hearing before the Board or Wetland Committee if a local government feels aggrieved by the allocation decision.
7. Consider a challenge grant option or process for some of the created surplus or for some work items that would not be considered general administration.

The goal is to get this completed August 2002 so that counties can do the planning for their annual budget, which begins with the calendar year.

Prepared by John Jaschke (May 10, 2001).

c: Grants Team
Senior Management Team
Ron Harnack

FOR YOUR INFORMATION

(May 23, 2001)

- ❑ BWSR Update
- ❑ Updated Board Member Listing
- ❑ Memo from Marybeth Block regarding St. Louis County Comprehensive Local Water Plan
- ❑ "Minnesota Grown Directory 2001"



Board of Water and Soil Resources UPDATE

A publication of the Minnesota Board of Water and Soil Resources

May 2001

SOUTH

Conservation Reserve Enhancement Program

May finds us on the heels of the largest monthly acreage enrollment into CREP. Counties submitted applications totaling 4,700 acres in April. This is twice the monthly activity since last fall.

Can we sustain this activity? Preliminary numbers for May look very similar. We have reached a critical mass of CREP participants where the program is starting to catch on and is an OK thing to do among landowners. Although the warm-up period took longer than we would have liked, we still have a good 14 months remaining to make a difference. The credit goes out to those people working with the landowners. We have approximately 30,000 eligible landowners in the watershed and we've personally contacted 20,000 of them with direct proposals for their farms and specific follow-up. This task is the only way CREP will succeed and can only be accomplished by the local work force. This local work force consists of 14 SWCD staff hired for CREP specifically, 20 DNR CREP technicians, and at least another 40 dedicated SWCD and NRCS staff making CREP a major part of their work priorities. We will have talked to every eligible landowner by the end of CREP.

-Submitted by Tabor Hoek

Nutrient Management Software

Last fall a team of nutrient management specialists from the Minnesota Extension Service, NRCS, and BWSR released new software called the Nutrient Management Planner for Minnesota. The program is designed to be as straightforward as possible, while generating reports that meet requirements for the 7020 feedlot rules and USDA programs such as EQIP. It is intended to give plan writers a crop nutrient management tool that generates field specific, farmer-friendly plans, simplifies the process of complying with program requirements, and

promotes interagency consistency regarding crop nutrient management.

A crop nutrient management plan is comprised of several components that will provide guidance for making decisions on location, rate, timing, form, and method of nutrient application. The program's crop recommendations are based on published information from the University of Minnesota Extension Service and are consistent with the USDA NRCS-Minnesota 590 (Nutrient Management) Standard.

In April, 170 software recipients were mailed a survey to assess the need for improvements. Among 71 survey responses (58 LGU staff, 10 consultants, 3 producers), 246 plans have been written with the program since its release last October. While the users suggested several minor improvements, the overall level of satisfaction is high.

BWSR recently granted \$15,000 to the University of Minnesota Water Resource Center to make software improvements based on the user survey and make the program available through a website. Because there is no ongoing technical support for the program, its release has been limited primarily to government staff. With adequate website support, the program could become available to private sector agricultural professionals and producers.

-Submitted by Derek Fisher

2001 Tillage Transect Survey

As this spring's planting is delayed, so is the 2001 tillage transect survey. Wet soils won't be the only hang-up for this year's survey. The recent NRCS budget crunch may result in a low transect survey participation rate. NRCS staff have received a mandate that this spring and summer they must focus on reimbursable activities, which means they cannot support the transect survey.

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Last spring, state-level NRCS support caused tillage transect participation to jump from 43 counties to 74 counties, with many of the new participants in the southeast and northwest. To continue this year, SWCDs will need to work with other local partners to cover their survey route.

-Submitted by Derek Fisher

L&WS

In 1987, metropolitan counties were given the authority to prepare and adopt groundwater plans through Minnesota Statutes Chapter 473.8785 (now 103B.255). That provided a mechanism for counties to set priorities, address issues, and build local capacity for the protection and management of groundwater.

What are implications of groundwater protection and management in the Twin Cities? "It's a hugely important issue in the Metropolitan area," said Eric Mohring, BWSR hydrogeologist. Counties in the area have a high reliance on their groundwater for their domestic, municipal, industrial, and agricultural water supplies.

The metropolitan area has productive aquifers, but they have limits, Mohring said. Development and urban sprawl have implications on groundwater; counties in the southwestern portion of the Metropolitan area have concerns about meeting all of their groundwater needs.

A number of successes have come out of this planning process, according to Mohring. "Every county in the metro area has technical groundwater capacity at some level. Either they have staff on hand or have access to local tools to protect and manage local groundwater," he said.

Another example is the cooperation between counties. The Metro Area Ground Water Alliance, an association of metropolitan water resource professionals, has been formed through the efforts of county groundwater planners and managers in the seven-county metropolitan area. This association organizes the annual Children's Water Festival.

Hennepin County was the first county to begin groundwater planning in 1988, with authority

delegated to the Conservation District. Other counties followed shortly after with their planning process. Washington County started in 1989, with the county planning department taking the lead. Dakota and Carver counties began groundwater planning in 1990 and were lead by the county planning departments. Ramsey and Scott Counties began groundwater planning in 1992 and 1993, respectively, with authority delegated to the Soil and Water Conservation Districts.

BWSR sent information and guidelines to counties for the metropolitan county groundwater plans in early 1990. BWSR awarded matching grants of \$15,600 to the six metropolitan counties preparing plans. Metropolitan counties with approved groundwater plans can use matching grants to implement items in their plans.

Following is a progress report of metropolitan counties and their planning processes:

- Anoka County**, though not participating in the official metropolitan groundwater planning process, has prepared a "groundwater protection assessment." The county public health department coordinates the county groundwater planning and management activities.

- Carver County's** groundwater plan was approved in August 1992. The plan identified the following as immediate planning and implementation issues: integration of groundwater planning into comprehensive plans; adoption of groundwater sensitivity maps; feedlot and septic system impacts; agricultural and urban chemical and fertilizer use; water quality monitoring; data collection and maintenance; abandoned wells; and land-spreading.

The county has prepared a comprehensive water plan dealing with both surface and groundwater issues. It is in the final stages of review, and approval is expected within 3 months.

- The Dakota County** groundwater plan was approved in March 1992. It contains more than 100 initiatives on various aspects of groundwater protection. Primary objectives include: information and education; abandoned wells; pesticide issues;

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industrial issues; aquifer and well-head protection; and groundwater supply.

An updated plan was approved in July 2000. It concentrates on a county groundwater inventory and on setting long-range management goals for groundwater-related issues. The plan provides a detailed implementation strategy to be administered by the Dakota County Office of Planning. The plan was developed with the objective to parallel goals and management actions from the Dakota County Comprehensive Plan 2020. The plan also integrates groundwater management with the other aspects of natural resource and surface water planning.

•**Hennepin County's** plan received state approval in March 1994. Although the county has not formally adopted the plan, the county is proceeding with implementation of many aspects of the plan.

Plan goals for cities will include management according to geographic location and hazard potential, delineation of wellhead protection areas around public supply wells, applying existing zoning authority to protect groundwater, ranking and management of hazardous land use activities according to risk, using a GIS system to manage groundwater information, location of abandoned wells, and adoption of contingency plans for groundwater.

•**The Ramsey Soil and Water Conservation District** has coordinated groundwater plan development since 1992. The plan received state approval in September 1995. The plan focuses on developing protection programs that cities and other local units of government can use to protect groundwater within their jurisdictions and on creating a framework for coordinating groundwater protection activities among local governments.

•**The Scott Soil and Water Conservation District** coordinated groundwater plan development since 1993. A draft plan was submitted for local review and preliminary state agency review in late 1996. In 1997, the groundwater planner left the SWCD, and groundwater planning functions were transferred to the county Planning, Inspections, and Environmental Health Department. The plan underwent considerable revisions during 1998 and was ap-

proved in January 1999. It was the first plan to be published on the web.

•**Washington County's** draft plan was submitted for preliminary review in late 1992. The county has not submitted a revised draft for review and approval. The plan emphasizes public input over technical considerations. County staff have put a lot of effort into working with the advisory groups and subcommittees. Washington County is updating their plan, with an expected completion date of summer 2001.



Ten years ago this month on May 20, 1991, the Wetland Conservation Act (WCA) became reality after passing the House and then the Senate in the final seconds of the 1991 legislative session. Then Gov. Arne Carlson signed the bill (HF1, Chapter 354) on June 4, 1991, creating a comprehensive wetland regulatory program implemented via a partnership between state and local governments. The impetus for the legislation came from former Sauk Rapids Rep. Marcus Marsh, who currently directs legislative and government relations for the Minnesota Association of Farm Mutual Insurance Companies and is also a member of the MPCA Board. Rep. Marsh's personal frustration in being unable to stop a wetland from being destroyed led to introduction of legislation that failed in 1988 and again in 1989. In 1991, led by the late Rep. Willard Munger, Duluth, chairman of the House Environment and Natural Resources Committee, a significant compromise was reached that established the local/state partnership. In the past 10 years, five legislative amendments addressed the complexities of crafting a program that works across Minnesota's diverse landscape: 1993 (Chapter 175), 1994 Chapter (627), 1996 (Chapter 462), 1998 (Chapter 312), 2000 (Chapter 382). Another amendment is likely to become law again this year as HF1828 has been passed by the House and Senate and awaits the Governor's signature. Although the WCA, including the Wetland Banking Program, is among the most comprehensive in the country, continued evolution is likely to address the variation in local implementation, achieve additional coordination with the DNR's Public Waters regulations, and minimize regulatory duplication by alignment

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with the federal Section 404 and "swampbuster" programs administered by the U.S. Army Corps of Engineers and the U.S. Department of Agriculture, respectively.

-Submitted by John Jaschke

ENGINEERING

Due to the rather late and wet spring, surveying work for CREP and RIM/WRP wetland restorations has been slow to hit full stride this year. Our engineering technicians (Jim Luniewski, Karen Bonde, Jeff Hedtke, and Jeremy Larson) and Tom Wenzel, design engineer, have been hustling on good weather days to investigate and survey many sites. Tom is also coordinating with the SWCD joint powers staff and other CREP partners to have them conduct initial investigation and topographic surveys.

Al Kean, chief engineer, and Tom have interviewed candidates for an unclassified Grad II Engineer position at BWSR for CREP wetland restoration design, construction, and surveying assistance. We intend to have this position filled soon. Al and Tom conducted interviews this week for a BWSR CREP technician to fill the position recently vacated by Kevin Zytkevicz, who returned to the DNR.

Another CREP engineering staffing initiative is to hire a consulting engineering firm via the state master roster of prequalified consultants. Al sent out a request for proposal to a half dozen consultants earlier this week.

On another staffing front, Gene Clark, lakeshore engineer, recently interviewed two candidates for an intern position to assist with lakeshore engineering site investigations, computer-aided design, construction inspection, and geographic information system applications. This position will be through the Lake Superior Technical College and funded by a grant from the Minnesota Coastal Program, which is an outgrowth of Minnesota adopting the federal Coastal Zone Management program.

Gene is currently helping North Shore SWCDs and landowners line up contractors for five lakeshore stabilization projects to be constructed this year. Gene continues to work with SWCDs, the DNR, PCA, and others to seek or to implement Great

Lakes Commission and Coastal Program grants for North Shore project prioritization tools using GIS and a tall clay slope revegetation project. The toe of the latter project was previously stabilized using an armor stone revetment and buttress.

Justin Jeffery, training and design engineer, created a number of PowerPoint presentations for engineering training courses on compact disc. He is also compiling and organizing handout material. These efforts will enable his training tools for Feedlot Evaluation, Ag Waste System Planning, Hydrology, Construction Inspection, and Streambank Protection to be used by others.

Training sessions for wetland restoration design and construction have been scheduled for Fergus Falls on July 25-26; Montevideo on Aug. 1-2; and Owatonna on Aug. 22-23. The focus will be on projects for which practice Standard 587, Structure for Water Control, is applicable. See the Partnership Schedule of Events for additional information.

BRIEFS

Cory Mausolf is the new central office receptionist. Cory started in early May.

Prior to BWSR, she worked at Woodbury Health Care Center, Northern States Power Company, Summit Orthopedics, and St. Paul Radiology. Welcome, Cory!

Full funding for CREP received editorial support from several newspapers this month. *Marshall Independent*, *Mankato Free Press*, *StarTribune*, and *Pioneer Press* all published editorials in favor of Gov. Ventura's and the Senate's support of full funding.

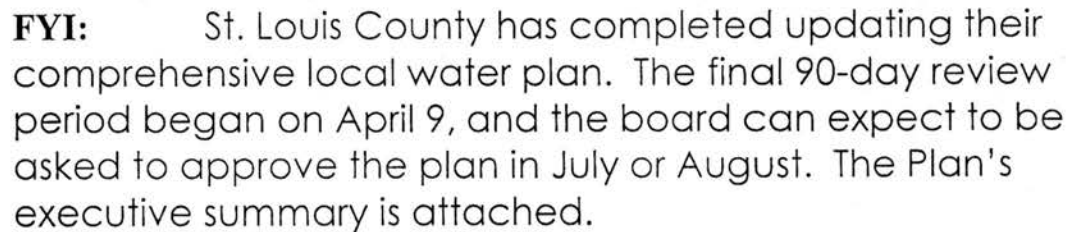
More than 125 high school students from across Minnesota will test their knowledge of environmental issues at the 2001 Minnesota State Envirothon on Wednesday, May 23, at Camp Wilderness, near Park Rapids. The State Envirothon is the culminating event of nine regional Envirothons organized by the state's Soil and Water Conservation Districts. The top three teams from regional Envirothons are invited to attend the state event.

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To: Board Members

From: Marybeth Block, BWSR Water Plan Coordinator



St. Louis County, including Duluth

Duration of the proposed plan: 5 years (but no expiration date listed)

**St. Louis County Water Plan 2001
Planning Commission Recommendation
Recommended to County Board on
March 15, 2001**



**Send Comments to:
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Duluth, MN 55802**

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St. Louis County Water Plan 2000

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St. Louis County Water Plan 2000

Background

The St. Louis County Water Plan was adopted in 1992 with amendments in 1999 relating to wetland program administration.

The water planning effort to date has many accomplishments including:

- Development of Shoreland Management Best Management Practices ("BMP") in cooperation with other counties in the region.
- Expanded lake water quality monitoring program in cooperation with the North Soil and Water Conservation District.
- Development of a county geographic information system.
- Establishment of a county web site that includes GIS maps.
- Developed a program for financial assistance to homeowners for on-site sewage treatment systems.
- Established new county shoreland regulations that met the requirements of the state while addressing unique county issues.
- Implementing a plan for enforcing county official controls such as zoning.
- Improved the regulation of borrow pits within the county.
- Support for infra structure improvements including Pike Lake and North Shore sewer projects.
- Improved and expanded public information efforts relating to county regulations.
- Began the program of local wetland administration.

The county water plan has had areas that have not been implemented. These include a groundwater study for the Duluth and Iron Range, environmental audit for county agencies involved in environmental issues, and development of implementation of a wellhead protection plan. The groundwater study would require substantial non-county financial resources. The sources of funding for such a program have not been identified. Changes have occurred regarding how the environmental programs are operated, although no formal audit has been performed. The wellhead protection plan requires information from the State of Minnesota Health Department which has not yet been developed.

Revised Plan

All plans should be examined from time to time to determine what issues and approaches are still valid and whether or not there are new challenges to address. The county water plan needs to be revised. In part, this need is triggered by a state requirement from the Board of Water and Soil Resources to update the plan, but also there are new issues that need to be addressed.

The revised plan builds upon the experiences from the first plan. The county has had nearly eight years of experience with plan implementation. Many of the issues remain from the first plan, but the revised plan changes the emphasis or updates ideas to meet new challenges. The new plan is also formatted differently from the first plan in order to make plan's direction clearer. The new plan is divided into the following areas:

- Goals are the broad stated directions the county should take on water related issues.
- Objectives are more specific areas that should be addressed during the next five years.
- Action items are the specific means that should be taken to achieve the objectives.
- The county water plan is in effect until it is updated by the County Board, but it is expected that the minimum amount of time for plan implementation is five years. During the time frame of five years, priorities need to be set regarding what issues need to be emphasized early on in the process. This plan contains priority ranking from one to three, with three being the lowest and one being the highest. A rating of one would require immediate attention from the county, while a rating of three means that the issue can wait or often must wait for other issues to be resolved. A ranking of "2" typically means this is an ongoing effort within the county or local governments. This means that priority one issues would be addressed in the 2001, 2002 time period; priority 2 issues are typically ongoing projects or in case of new issues they will be addressed in 2002 and 2003; priority 3 issues are often those issues where, while important, additional work by others must be done before they can be addressed so the typical time frame for priority 3 issues is 2003 or later. Indicators are the means that will be used to determine success of the program during the planning period. Most of the county policies are county wide, although within certain action sections, there may be references to specific watersheds or subwatersheds.

The changes between the updated water plan and the first plan can be classified as follows: New areas of emphasis, refinement from previous policies, policies essentially remaining unchanged and areas not included in the new plan. The following summarizes the changes:

New Areas of Emphasis:

Goal 1 Surface water quality: Objective 5 Natural Disasters
Goal 1 Objective 6 Resource Protection
Goal 1 Objective 8 Water Export
Goal 3 Septic Systems Objective 2 Alternative Systems
Goal 3 Objective 6 Septic System Management
Goal 3 Objective 7 Use of Public Lands
Goal 4 Planning Objective 2 Lake Classification System
Goal 4 Objective 4 Individual Plans
Goal 4 Objective 7 Stormwater Management Plans
Goal 8 Erosion Control/Runoff/ Flood Control Objective 8 Flood Control
Goal 11 Recreation Objective 1 Diverse Recreation Opportunities
Goal 11 Objective 2 Maintain and Improve Recreation

Refinement of Policies From Previous Plan:

Goal 1 Surface water quality Objective 1 Lake Monitoring
Goal 1 Objective 3 Shore Impact Zones
Goal 2 Education and Information Objective 2 User Friendly Information
Goal 2 Objective 3 Central Sources of Information
Goal 2 Objective 4 Septic System Information
Goal 2 Objective 5 Junk Vehicle Information
Goal 2 Objective 8 Records Management
Goal 3 Septic Systems Objective 1 Septic System Problem Areas
Goal 3 Objective 4 Sewage Treatment
Goal 3 Objective 5 Septic System Financial Assistance
Goal 4 Planning Objective 2 Mine Pit Lakes
Goal 4 Objective 6 Planned Unit Development
Goal 5 Groundwater Objective 1 Groundwater Study
Goal 5 Objective 2 Wellhead Protection
Goal 5 Objective 4 Leaking Storage Tanks
Goal 7 Animal Waste Objective 2 Livestock and Kennel Facilities
Goal 8 Erosion Control, Runoff, Flood control Objective 2 Erosion Control Plans
Goal 8 Objective 3 Shore Impact Zones
Goal 9 Organization Objective 1 Plan Implementation
Goal 10 Infrastructure Objective 1 Specific Improvements.
Goal 10 Objective 3 Hazardous Waste Sites

Policies Essentially Remaining the Same:

Goal 1 Surface Water Quality Objective 2 Watershed Plans
Goal 1 Objective 4 Trout Streams
Goal 1 Objective 7 Rivers
Goal 2 Education and Information Objective 1 BMP
Goal 2 Objective 6 Ground water information
Goal 3 Septic Systems Objective 3 Point of Sale
Goal 4 Planning Objective 1 Data Availability
Goal 4 Objective 5 Land Uses
Goal 5 Objective 3 Well Sealing
Goal 5 Objective 5 Borrow Pits
Goal 7 Objective 1 Feedlots
Goal 8 Erosion Control, Runoff, Flood Control Objective 4 Large Parking Lots
Goal 8 Objective 5 Forestry BMP
Goal 9 Organization Objective 2 Annual Report
Goal 10 Infrastructure Objective 2 Dams

Policies Dropped From New Plan

Historical and Archaeological Sites: Dropped for not being relevant to water resources.
Contaminated Soils from Underground storage tanks: Policy specifics no longer needed.
Septage Disposal: Issue not seen as a significant water related issue.
Solid Waste issues: These issues are addressed in county solid waste plan.

Amendment Process

The county water plan is part of the county's comprehensive planning Ordinance #27. Amendments to the plan are handled through the process outlined in that ordinance. Plan amendments can be initiated by the Planning Commission, county staff, County Board, towns and cities, as well as individuals. The amendments are referred to the County Planning Commission for public hearing. Notification of plan amendments are sent to all cities and towns within the county, as well as the Indian Reservations and affected groups and agencies. County Planning staff will prepare a report to the Planning Commission and it will be presented at the hearing. The Commission, upon conclusion of the hearing, will make a recommendation to the County Board of Commissioners who in turn will hold another public hearing on the proposal. The County Board sets the effectuation date for any plan amendment.