

Minnesota Board of Water and Soil Resources. Minutes.

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August 20, 2018

April 2002

BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
WEDNESDAY, APRIL 24, 2002

AGENDA

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

Pledge of Allegiance

Adopt Agenda

Minutes of March 27, 2002

Open Mike (10-minute agenda time, two-minute limit/person)

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
- Administrative Advisory Committee – Lee Coe

Agency Reports

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

Committee Recommendations

Northern Water Planning Subcommittee

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

New Business

1. Washington Soil and Water Conservation District Name Change – Jim Haertel – DECISION

Information and Discussion

1. LCMR Initiatives – Doug Thomas

2. Biennial Budget Process 2004-05 – Tammy McGlone and Doug Thomas

3. WCA Rule Hearing Update – John Jaschke

Advisory Comments

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

12:00 p.m. Adjourn for lunch break

12:30 – 3:00 p.m. Reconvene as a Committee of the Whole: Local Water Management

Upcoming Meetings

- Next BWSR Meeting May 22, St. Paul
- BWSR Meeting June 26, Mankato
- BWSR Tour and Meeting, July 24-25, Kandiyohi County
- BWSR Meeting, August 28, St. Paul
- BWSR Meeting, September 25, in conjunction with the Local Water Planners Conference, September 23-25, Hinckley

Minnesota Board of Water & Soil Resources

Central Office: One West Water Street ▪ Suite 200 ▪ Saint Paul, MN 55107 ▪ Phone: (651) 296-3767 ▪ Fax: (651) 297-5615

DATE: April 15, 2002

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

FROM: Ronald D. Harnack, Executive Director

SUBJECT: April 24th BWSR Meeting

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, April 15, 2002, beginning at 9:00 a.m. The meeting will be held in the BWSR conference room, lower level, at One West Water Street, St. Paul. Parking is available across the street from the building. Please display the enclosed "temporary parking permit" on your vehicle's dashboard.

The following information pertains to agenda items:

Committee Recommendation

Northern Water Planning Subcommittee

1. Grant County Comprehensive Local Water Plan Extension - See attached. DECISION

New Business

1. Washington Soil and Water Conservation District (SWCD) Name Change – The Washington Soil and Water Conservation District Board of Supervisors submitted a resolution requesting their name be changed to the Washington Conservation District. Previously, the SWCD's in Anoka and Hennepin Counties changed their names similarly. The proposed name change does not mean that soil and water will no longer be the major focus of the District's operations. The proposed name change is intended to reflect a broader scope of conservation services provided by the District for an increasingly urbanized area. The Board does not have specific policy developed relating to district name changes. A draft Order approving the name change and a copy of the District's resolution are attached. DECISION

Information and Discussion

1. LCMR Initiatives - The 2003 LCMR proposals are on BWSR's website www.bwsr.state.mn.us for your review. Doug Thomas will present the following BWSR 2003 LCMR Proposals:

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

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

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

Fergus Falls
413 W. Stanton Avenue
Fergus Falls, MN 56537
phone (218) 736-5445
fax (218) 736-7215

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

New Ulm
261 Highway 15 S.
New Ulm, MN 56073
phone (507) 359-6074
fax (507) 359-6018

Rochester
40 16th Street S.E.
Suite A
Rochester, MN 55904
phone (507) 285-7458
fax (507) 280-2875

Saint Paul
One West Water Street
Suite 250
Saint Paul, MN 55107
phone (651) 282-9969
fax (651) 284-0000

- Rock for Shoreline Stabilization and Safe Harbor Construction $5,264,000
- Local Water Planning Matching Challenge Grants $3,650,000
- Water Management Training for Local Officials and Staff $266,779
- Updating Outmoded Soil Surveys; Improving Existing Soils Data $650,000
- USDA Aerial Photo Preservation and Digital Cataloging $855,800
- Inventory and Records Modernization of Public Drainage Systems $1,388,875
- Lakeshore Easement Program $5,000,000

2. Biennial Budget Process 2004-05 – Tammy McGlone and Doug Thomas will present information at the meeting.

3. WCA Rule Hearing Update – John Jaschke will present information (see attached). Additional information will be sent under separate cover.

Reconvene as Committee of the Whole: LOCAL WATER MANAGEMENT

If you have any questions regarding the agenda, please feel free to give me a call at 651-296-0878. I look forward to seeing you on April 24th!

RDH:mja
Enclosures

BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
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TEMPORARY PARKING PERMIT

BWSR Meeting
One West Water Street
Lower Level Conference Room
APRIL 24, 2002

TEMPORARY PARKING PERMIT

BWSR Meeting
One West Water Street
Lower Level Conference Room
APRIL 24, 2002

Dispute Resolution Report
April 11, 2002

There are presently nine appeals pending, which is the same amount as the last report. However, since the last report two new appeals have been filed and two appeals were denied (Wright and Douglas Counties). All of the appeals involve WCA.

The most recent appeals are of a replacement plan approval in Brooklyn Center for a highway project. The Shingle Creek WMO made the WCA decision. Two appeals have been filed on the project. No decision has been made on accepting the appeals.

Another appeal involves an exemption determination in Maple Lake. A cease and desist order was issued last June, an exemption was approved and then appealed. Under appeal the matter was remanded to the city for a TEP and the exemption was approved again. The recent approval was appealed. The appeal is being remanded again since the TEP did not involve the city or an on-site investigation.

There is an appeal of the Board's remand to Mower County regarding a landfill site. Under remand, the county denied an application for no-loss. The appeal has been accepted and a pre-hearing was held on April 11. The DRC will likely hear the matter in early June.

Another appeal is of an exemption determination in Hennepin County. The appeal involves a horse barn that is already built. The appeal has been accepted and a hearing was scheduled, but the briefing schedule is now on hold since a replacement plan application has been approved.

Another appeal involves the Board's remand to McLeod County. Under remand, the county approved an agricultural exemption. The appeal has been accepted but a pre-hearing has not been scheduled.

Another appeal is of a replacement plan denial in Stearn's County. The appeal involves a single family dwelling site near the Mississippi River. The appeal has been accepted and is being held in abeyance since the landowner is exploring his options with the county.

Another appeal involves a wetland banking site in Chisago County. The appeal has been accepted and is being held in abeyance to see how the site looks this spring.

Another pending appeal is in LaCrescent along the Mississippi River in Houston County. The replacement plan denial arose from a cease and desist order and a restoration order. The appeal has been accepted and a hearing is scheduled for May 6.

Committee Recommendation

Northern Water Planning Subcommittee

1. Grant County Comprehensive Local Water Plan Extension
   DECISION

GRANT COUNTY COMPREHENSIVE LOCAL WATER PLAN (FOR BOARD ACTION)

Grant County has a Comprehensive Local Water Plan (CLWP), which was approved, by the Minnesota Board of Water and Soil Resources and locally adopted via county resolution in 1995. The effective date (end date) of this CLWP is December 31, 2002.

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 addresses granting justify 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.

Grant County is an active player in several watershed level planning efforts currently underway: Chippewa River Watershed Project; the Pomme de Terre River Watershed and the Bois de Sioux Watershed District Plan. Because 80 percent of Grant County's land area is in agricultural production and the Federal Farm bill is not yet finalized and will certainly influence agricultural land use.

Board Conservationist Pete Waller recommends approval of Grant County's two-year extension request to December 31, 2002.

RESOLUTION REQUESTING EXTENSION
OF
GRANT COUNTY COMPREHENSIVE LOCAL WATER PLAN

WHEREAS, Grant County has a Comprehensive Local Water Plan (CLWP) which was first approved by the Minnesota Board of Water and Soil Resources in May of 1990. The second generation CLWP was adopted on January 21 1998. The effective date (end date) of this CLWP is December 31, 2002.

WHEREAS, the 1995 amendments to the Comprehensive Local Water Management Act, M.S. 103B.301, gives the Minnesota Board of Water and Soil Resources (BWSR) 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.

WHEREAS, Grant County is actively involved in several watershed level planning efforts currently underway and would request the full extension to work through the following projects: The Pomme De Terre River Watershed Project, The Chippewa River Project and the Bois De Sioux Watershed Plan.

WHEREAS, Theses watershed scale planning efforts will result in information that will benefit the county in updating the CLWP.

WHEREAS, 80 percent of the land area in Grant County is in agricultural production and legislation relating to agriculture in the form of a Farm Bill is very important to the direction Grant County pursues in implementing Best Management Practices to improve and protect water quality through the CLWP. Congress is currently in the process of writing legislation for a new Farm Bill which will be in effect for five to ten years. However the final rules for this new legislation may not be distributed to the county level for up to two years.

WHEREAS, To continue as an active participant and obtain information from watershed planning efforts and new Farm Bill legislation that will benefit the CLWP update, Grant County will not be able to complete its CLWP update prior to December 31 2004.

NOW, THEREFORE, BE IT RESOLVED, that the Grant County Board of Commissioners request from the BWSR a two (2) year extension of their existing CLWP.

BE IT FUTHER RESOLVED, Grant County will insure continued public participation in the form of the County Environmental Advisory Council and public informational meetings.

BE IT FUTHER RESOLVED, no projects will be ordered or commenced under M.S. 103B.331, subd. 3 or 4 during the extension period.

Motion by Commissioner Foss and Commissioner Wagner seconded the adoption of the resolution and it was declared upon the following Ayes 5 Nays 0.

WITNESS my hand and the Official Seal, this 6th day of February, 2002.

Richard A. Kastner

Dr. Richard Kastner Chairman, Grant County Board of Commissioners

DRAFT

DRAFT

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 **Grant** County (1995 Minnesota Session Law, Chapter 184, Section 24 authorizing BWSR to grant extensions).

Whereas, Grant County has a state approved Comprehensive Local Water Plan that is effective until June 30, 2002 pursuant to Minnesota Statute 1990, Section 103B.301, and

Whereas, the Grant County Board of Commissioners requested an extension of the Comprehensive Local Water Plan to the Board of Water and Soil Resources, 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 February 14, 2002, the Board of Water and Soil Resources received a resolution from Grant County requesting an extension of their Comprehensive Local Water Plan.

2. On March 21, 2002, the Board of Water and Soil Resources staff reviewed and recommended approval of the extension request by Grant 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 Grant 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 Grant County Comprehensive Local Water Plan until December 31, 2004. Dated at St. Paul, Minnesota, this 24th day of April, 2002.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Leland Coe, Chair
April 24, 2002

New Business

1. Washington Soil and Water Conservation District Name Change DECISION

RESOLUTION NO. 02-01

WASHINGTON SOIL AND WATER CONSERVATION DISTRICT
BOARD OF SUPERVISORS

RESOLUTION IN SUPPORT OF CHANGING THE NAME OF THE WASHINGTON SOIL AND WATER CONSERVATION DISTRICT

Supervisor McConnell offered the following resolution and moved its adoption; seconded by Supervisor Rydeen.

WHEREAS, the Washington Soil and Water Conservation District was formed in accordance with MN Statutes,

WHEREAS, the Washington Soil and Water Conservation District changed its name from the Washington County Soil and Water Conservation District to its present name. The previous name change was intended to shorten and simplify the organization's name,

WHEREAS, Washington County has become increasingly urban in nature and the operations of the District do not solely focus on traditional agricultural "soil and water" conservation practices. And the Mission of the Washington SWCD is to provide quality technical and educational services for the enhancement protection and conservation of natural resources for the citizens and local government units of Washington County,

WHEREAS, the Washington Soil and Water Conservation District provides a broader scope of conservation services than the name implies,

WHEREAS, these contemporary conservation services implement state policy to protect public lands, preserve natural resources, control floods, protect the tax base, preserve wildlife, and conserve soil and water resources,

WHEREAS, the State of Minnesota has contemplated and allowed name changes for soil and water conservation districts through State Statute 103C.215,

WHEREAS, an Attorney General's opinion has determined that a "soil conservation district could change its name...and it would not be necessary that the word "soil" or the word "water" be included as part of the name,"

WHEREAS, the Washington Soil and Water Conservation District wishes to change its name to reflect the broader conservation services it provides,

NOW, THEREFORE, BE IT RESOLVED, that the Washington Soil and Water Conservation District change its name to the Washington Conservation District.

The question was on the adoption of the Resolution and there were four (4) yeas and one (1) absent as follows:

	Yea	Nay	Abstain	Absent
Smallidge	X			
Rydeen	X			
Bischoff				X
McConnell	X			
Johnson	X			

Upon vote, the Chair declared the Resolution passed.

IN TESTIMONY WHEREOF, I set my hand this 13 day of March, 2002.

Mary P McConnell

Mary McConnell, Secretary

DRAFT

DRAFT

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

In the Matter of the name change for the Washington Soil and Water Conservation District, pursuant to Minn. Stat. § 103C.215

ORDER NAME CHANGE

Whereas, Washington Soil and Water Conservation District Resolution No. 02-01 dated March 13, 2002, was adopted by a majority of the Board of Supervisors, and;

Whereas, Resolution No. 02-01 seeks to change the name from the Washington Soil and Water Conservation District to the Washington Conservation District, and;

Whereas, Minn. Stat. § 103C.215 allows a soil and water conservation district name change when a resolution stating the new name is adopted by a majority of the Board of Supervisors, and;

Whereas, the Board of Water and Soil Resources has proper jurisdiction to change the name of a soil and water conservation district.

Now Therefore, the Board hereby makes the following Order.

ORDER

The name of the Washington Soil and Water Conservation District is hereby changed to the Washington Conservation District pursuant to Minn. Stat. § 103C.215.

Dated at Saint Paul, Minnesota this _____th day of April, 2002.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Leland G. Coe, Chair

Information and Discussion

1. LCMR Initiatives

LCMR Initiatives

- Rock for Shoreline Stabilization and Safe Harbor Construction $5,264,000
- Local Water Planning Matching Challenge Grants $3,650,000
- Water Management Training for Local Officials and Staff $266,779
- Updating Outmoded Soil Surveys; Improving Existing Soils Data $650,000
- USDA Aerial Photo Preservation and Digital Cataloging $855,800
- Inventory and Records Modernization of Public Drainage Systems $1,388,875
- Lakeshore Easement Program $5,000,000

Title: Rock for Shoreline Stabilization and Safe Harbor Construction

Total Biennial Project Budget: $5,264,000

Funding Priority: A-1, A-2, B-1, C-1, C-3, and C-5

Project Manager: Allan Kean, P.E.

Affiliation: Minnesota Board of Water & Soil Resources

Mailing Address: One West Water St., Suite 200, St Paul, MN 55107

Telephone Number: (651) 297-2907

E-Mail: al.kean@bwsr.state.mn.us

Fax: (651)-297-5615

Web Address: www.bwsr.state.mn.us

Location: Lake Superior Shoreline (St. Louis, Lake and Cook Counties)

I. PROJECT SUMMARY AND RESULTS: Waste rock from Minnesota's iron range would be used along the North Shore of Lake Superior to stabilize eroding shoreline and reduce sedimentation, and to construct breakwaters for safe harbors.

II. DESCRIPTION OF PROJECT RESULTS: Although the North Shore of Lake Superior is known for its rocky shoreline, it also includes many bays and other reaches of shoreline that are composed of erodible red clay. Approximately 35 miles of the North Shore's total length of 200 miles have been identified as having high erosion potential. Because the bottom of Lake Superior drops off quite rapidly along the North Shore, the most productive aquatic habitat is concentrated in relatively narrow zones along the shore. Protecting this narrow zone from the harmful effects of erosion and sedimentation is critical to the health of North Shore fisheries.

The rocky shoreline, frequency of unexpected and often violent storms, and extremely cold water along the North Shore of Lake Superior make it the most dangerous coastal area on the Great Lakes. Small craft traveling along the shore have few options for safely riding out a storm. The three commercial ore boat harbors and the few natural coves do not provide adequate protection and are very dangerous due to the large waves that can occur within these basins. Even with the lack of safe harbors and protected launching and retrieval facilities, the number of small craft boaters on Lake Superior has steadily increased. The goal is to meet the U.S. Army Corps of Engineers standard to provide a safe harbor for small craft every 30 miles along the North Shore.

Armor stone is often used to stabilize eroding shorelines. Soil and Water Conservation Districts (SWCDs) and the Board of Water and Soil Resources (BWSR), in partnership with public and private landowners, have stabilized over 8,000 feet of shoreline at 30 sites along the North Shore in the past eight years using 32,400 cubic yards of armor and buttress stone. This has kept an estimated 14,500 tons per year of sediment, 73 tons per year of phosphorus and 15 tons per year of nitrogen from eroding into Lake Superior. More than 115 additional sites have been investigated to date. The estimated need during the next 10 years for armor and buttress stone to stabilize eroding shorelines along the North Shore is approximately **60,000 cubic yards**.

The recently completed Silver Bay safe harbor and marina required approximately 168,000 cubic yards of rock. An additional **100,000 cubic yards** (about 151,500 tons) of rock will be needed to construct smaller safe harbors at McQuade Road, Knife River and Two Harbors.

Many existing rock quarries along the North Shore of Lake Superior are no longer producing rock for armor stone and no new quarries have been opened for many years. As a result, construction contractors are experiencing increasing difficulty obtaining rock suitable for shoreline stabilization and safe harbor construction. This project will utilize the vast resources of waste rock from Minnesota iron mining to provide a total of approximately **160,000 cubic yards** (242,300 tons) of much needed rock for North Shore erosion control and safe harbor projects over the next 10 years.

Result 1 "Identify & Prepare Stockpile Sites" **Budget: $150,000**
Two sites are expected to be needed for stockpiling rock for shoreline stabilization, one between Duluth and Two Harbors (to serve St. Louis and western Lake County shorelines) and another between Two Harbors and Taconite Harbor (to serve eastern Lake County and Cook County). The McQuade Road safe harbor project has an existing site available for stockpiling rock. Rock stockpile sites for the Two Harbors and Knife River safe harbors will be selected close to the project locations and may be at the same sites as for shoreline stabilization rock. Government land will most likely be selected to minimize costs. Accessibility from railroads will be a critical factor in selecting stockpile sites. Site preparations will include access road and storage area preparations, as well as limited site security measures.

Personnel: $13,000 (identify, coordinate, contract and supervise stockpile site preparations)

Development: $137,000 (stockpile site and access road preparations)

Result 2 "Purchase & Transport Rock" **Budget: $5,040,000**
A total of 160,000 cubic yards of rock will be obtained from iron mining waste rock stockpiles in northeast Minnesota and transported via existing rail lines to North Shore stockpile locations. EVTAC Mining Co. is currently supplying Twin City landscaping companies with waste rock in this manner. Refer to the attached site map for locations of existing rail lines, locations of the proposed three safe harbors and potential stockpile locations. Rock transportation from mining stockpiles to rail lines and from rail lines to stockpile locations is expected to require truck hauling.

Personnel: $25,000 (coordination, contracting and quality control)

Acquisition: $5,015,000 (rock for shoreline erosion control and safe harbor construction)

Result 3 "Design & Implementation of Shoreline Stabilization Projects" **Budget: $74,000**
A minimum of three high priority shoreline erosion control projects would be implemented during the LCMR project period. The Carriere project (State-owned shoreline adjacent to the Twin Points boat access, which will require approximately 3,500 cubic yards of rock to stabilize), the Re project (approximately 1500 feet of red clay shoreline within Burlington Bay at Two Harbors) and the Franta project (approximately 500 feet of tall clay shoreline in St. Louis county) all contribute significant quantities of clay sediment to areas of high priority fishery habitat. Engineering assistance for investigation, design and construction inspection will be provided through the BWSR or DNR.

Rock from this project for shoreline stabilization on private lands will be available through SWCDs and the existing State Cost-Share Program for priority shoreline erosion control projects. The cost of the rock used will be considered state cost-share. Participating landowners will be required to pay at least 25% of the total project cost, including transportation of the rock from the stockpile location to the project site and project construction. It is expected that the rock supplied will constitute about 50%, on average, of the total project costs. The remaining project costs will be paid by the landowner, or other eligible state and federal grants or loans, which are expected to include EPA Section 319 and Great Lakes Commission grants. Landowner cost-share could involve loans through an existing Lake Superior Clean Water Partnership Project. The rock stockpiled for shoreline stabilization is expected to meet these erosion control needs for up to 10 years.

Rock for safe harbors and shoreline stabilization on public lands will be utilized for these projects as final design and construction proceeds. Design and construction of the safe harbor projects will be funded separately. The McQuade Road and Two Harbors safe harbors are tentatively scheduled for construction in FY 03-04, while the Knife River Harbor is scheduled several years later.

Personnel: $74,000 (engineering investigation, design and construction inspection for a minimum of three high priority shoreline stabilization projects)

III. TOTAL PROJECT REQUEST BUDGET

All Results: Personnel: $112,000 (engineer, 0.5 FTE for 2 years, $104,000; contract administration, 0.1 FTE for 1 year, $8,000)

All Results: Development: $137,000 (preparation of rock stockpile sites, including necessary clearing and access road improvements)

All Results: Acquisition: $5,015,000 (acquisition and stockpiling of rock)

TOTAL BUDGET: $5,264,000

IV. PAST AND CONCURRENT SPENDING:

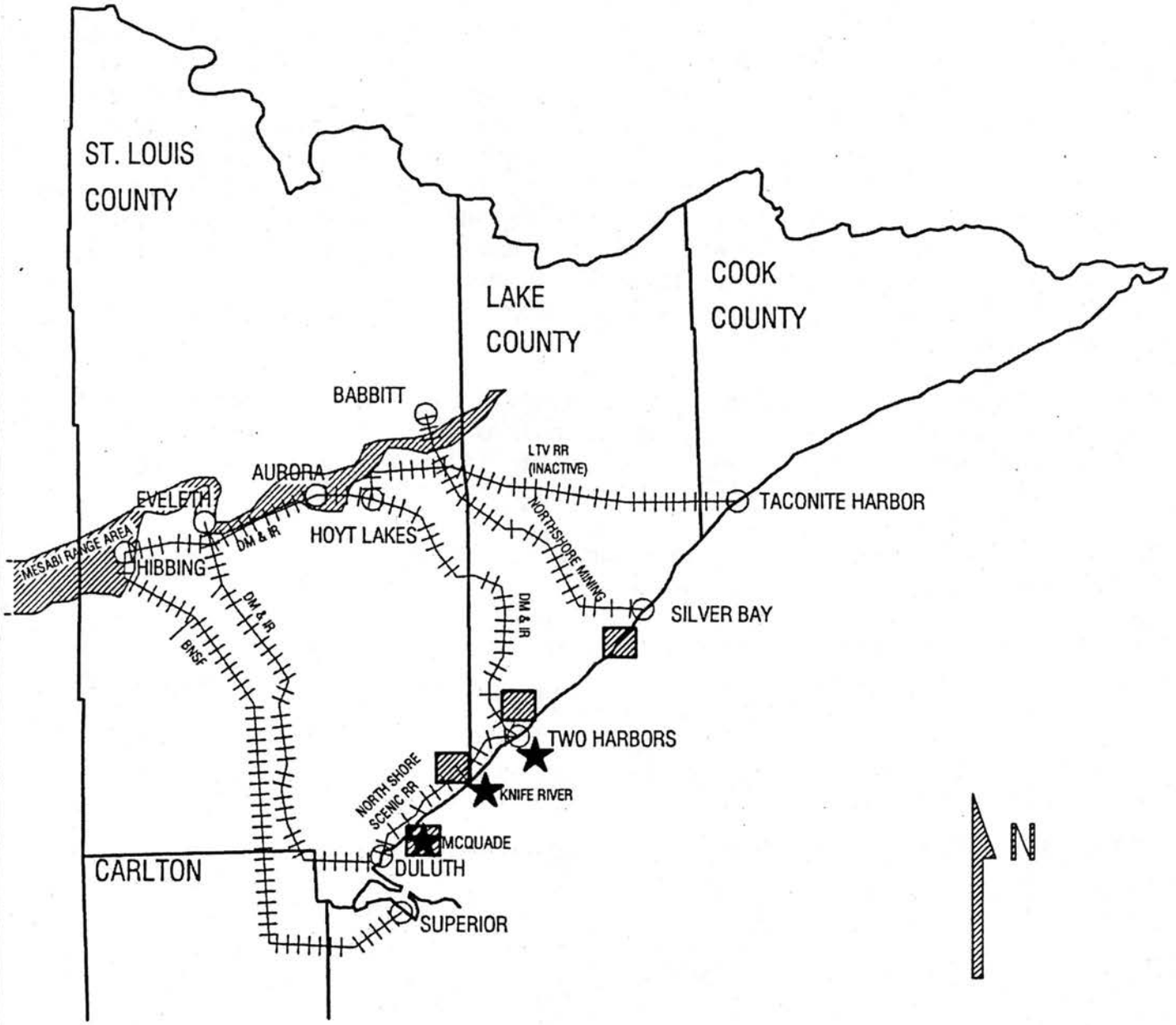
A. Past Spending: No money has been spent in the past on this proposed LCMR project.

B. Concurrent Spending for the Project Period: Approximately $430,000 of landowner cost-share and other eligible federal and state grants for 3 high priority shoreline erosion control projects on private lands. Separate current and future funding for safe harbor design and construction.

C. Project Partners: Partners include the Minnesota Board of Water and Soil Resources, Minnesota Department of Natural Resources, South St. Louis, Lake and Cook Soil and Water Conservation Districts, and private property owners along the North Shore of Lake Superior.

D. Time: The Knife River safe harbor and an estimated 24 additional shoreline erosion control projects are expected to be constructed using rock supplied by this project for up to 8 years after the LCMR project period. Engineering assistance for shoreline stabilization projects after June 30, 2005 is estimated to cost approximately $52,000 per year (estimated 2003 dollars) for 8 years. Engineering costs for the Knife River safe harbor are expected to be from separate project funding.

Title: Rock For Erosion Control And Safe Harbor Construction



LEGEND

- RAILROAD
- POTENTIAL STOCKPILE LOCATION
- SAFE HARBOR PROJECT

Minnesota Board of Water & Soil Resources

ROCK FOR EROSION CONTROL AND SAFE HARBOR CONSTRUCTION

PROJECT VICINITY MAP

Project Manager Qualifications

Allan Kean has served as Chief Engineer and administrator of the Engineering Section for the Board of Water and Soil Resources since September 1992. He is responsible for directing a wide range of engineering functions to assist local governments to protect water and soil resources. This includes engineering assistance for wetland restorations via the Reinvest in Minnesota Reserve program, erosion control along the North Shore of Lake Superior, feedlot pollution abatement and various types of erosion control practices via the State Cost-Share Program, as well as drainage and flood damage reduction technical assistance. Al has previously managed several EPA Section 319 grants, as well as professional and technical services contracts.

Al worked for the U.S. Army Corps of Engineers from 1975 to 1992 in the areas of hydraulic, coastal and geotechnical engineering, as well as project management. He served as a team leader for many of those years.

Mr. Kean received a Bachelor of Science degree in Civil Engineering from the University of Minnesota in 1975 and a Master of Science degree in Civil Engineering from the University of Illinois in 1985. He is a licensed Professional Engineer in Minnesota.

Organization Description

The mission of the Board of Water and Soil Resources is: "to assist local governments to manage and conserve their irreplaceable water and soil resources".

Minnesota Statutes 103B.101 directs the BWSR to facilitate communication and coordination among state agencies and between state and local units of government to make the expertise and resources of the state agencies involved in water and soil resources management available to local units of government.

The BWSR works closely with Soil and Water Conservation Districts on the North Shore of Lake Superior, and with other state and federal agencies, to reduce erosion, sedimentation and associated nonpoint source pollution of Lake Superior. Shoreline stabilization is key component of these erosion control efforts. The BWSR has served as project manager for numerous grants from the Great Lakes Commission and EPA Section 319 Program for runoff and erosion control along the North Shore of Lake Superior.

The BWSR administers the State Cost-Share Program, which is implemented through SWCDs and is a source of funding for erosion control on private lands.

The facilitation work of the BWSR includes coordination with the DNR regarding rock availability for shoreline stabilization and safe harbor construction along the North Shore of Lake Superior, and with the Minnesota Pollution Control Agency for integration of state and federal cost-share and loan programs for erosion control.

LCMR Proposal 2003

Title: Local Water Planning (LWP) Matching Challenge Grants

Total Biennial Project Budget: $3,650,000

Funding Priority: C I-5

Project Manager: Marybeth Block

Affiliation: Board of Water and Soil Resources

Mailing Address: One West Water Street, Suite 200, St. Paul, Mn 55107

Telephone Number: (651) 297-7965

E-Mail: *marybeth.block@bwsr.state.mn.us*

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Web Address: *www.bwsr.state.mn.us*

Location: statewide

I. PROJECT SUMMARY AND RESULTS: Support quality local water management through competitive grants to local governments to carry out activities identified in approved, locally adopted water management plans and update plan development guidance.

II. DESCRIPTION OF PROJECT RESULTS: Local water planning assesses *local* water conditions and utilizes an advisory committee of elected officials, citizens and resource managers to identify high priority *local* water issues, and how those issues will be addressed. LWP Challenge (competitive) Grants are the main funds available to carry out those activities. Last LWP Challenge Grant funding cycle local governments submitted 101 applications for projects totaling $7,666,470; 66 projects were funded. Given the budget reductions at all levels, many funding sources have been drastically cut and it is reasonable to expect a marked increase in the request for LWP Challenge Grants. The LCMR's financial support of local water management will be earmarked to projects statewide that address local conditions and concerns, and involve local citizens in the solutions. Funding this proposal will help to accomplish the recommendation in Minnesota Planning's recent legislatively commissioned report on state water program reorganization that says "the state [should] provide greater support to local government units, including counties, for the implementation of comprehensive local water plans."

Result 1: Grants to Implement Local Water Mgt. Activities **Budget: $ 3,000,000**

Solicit applications from eligible local units of government (LGUs) via the state register, letters and the BWSR website. Invite the partner agencies and associations to review and rank applications received. Upon approval of a detailed workplan from successful applicants, a grant agreement will be mailed to the project manager and returned to BWSR within 30 days of receipt. Project managers must submit quarterly progress reports and a final report using the electronic reporting system. The required match, maximum grant amount per implementation category and an estimate of the percent of total projects funded within the category are:

- Land and Water Treatment requires a 50 percent local cash or land contribution match. Grant maximum $50,000/LGU or $150,000/project. Anticipate ≈ 33% of grants funded.

LCMR Proposal 2003

Title: Local Water Planning (LWP) Matching Challenge Grants

- Planning and Environmental Controls require at least 50 percent local cash or in-kind match. Grant maximum $45,000/LGU or $135,000/project. Special consideration will be given to projects that develop lake management plans or integrate water plans and comprehensive plans. Anticipate ≈ 30% of grants funded.

- Monitoring and Modeling require at least 50 percent cash match. Grant maximum $37,500/LGU or $75,000/project. Anticipate ≈ 17% of grants funded.

- Inventory and Mapping require at least 50 cash or in-kind match. Grant maximum $37,500/LGU or $75,000/project. Anticipate ≈ 17% of grants funded.

- Education and Information require a 50 percent cash match. Grants maximum $10,000. Anticipate ≈ 3% of grants funded.

Other *(Specify):* $3,000,000 grants to local governments

Result 2: Local Water Management Guidance **Budget: $ 261,550**

The devolution of many state water management efforts to local governments is a testament to the success of local water management plans. Much of that success can be attributed to the early investment in local water planning the LCMR made by appropriating $900,000 to help write the first plans. Counties are now embarking on their 3rd generation plans and the water management issues are more complex than ever: escalating development, especially in shorelands, the effects of public and private drainage systems, etc. Up-to-date local water management guidance is desperately needed, as it was last published in 1987. The ability to capitalize on past successes is also important. Local staff (especially recent hires), citizen taskforces and shoreland owners can all benefit from learning about water management approaches taken by other counties in the state. This project would result in web-based guidance for writing quality plans (including getting public input), sharing of successful and innovative approaches to carrying out the plans, and it would serve as a reference site for state and local water plans. A condensed hardcopy guidebook would also be developed.

Personnel : $242,550

Equipment : $10,000

Other: *(Specify)* $ 9,000 printing and distribution to LGUs.

Result 3: Regional Resource Assessments **Budget: $ 388,450**

The recent water program reorganization report stated, "In many instances, agency staff at the regional or state level are best equipped to assess resource conditions, rather than each local government on its own." Quality local water plans founded on scientific and comprehensive assessments of the resource conditions *result* in targeted activities that have meaningful results. Local staffs acknowledge that state agencies have expertise and objectivity to identify and assess the resource conditions and the associated management issues.

LCMR Proposal 2003

Title: Local Water Planning (LWP) Matching Challenge Grants

This result will involve the BWSR coordinating an effort to develop regional assessments that:

- cover 2-3 of Minnesota's sub watersheds and build upon Minnesota Watermarks;
- establish what state resource managers collectively feel are the most critical water resource management issues in a region;
- reflect expertise of the agencies represented on the Board: DNR, MPCA, MDA, MDH & MES; and
- communicate to LGUs updating their water plan the water management issues the state feels their local water management activities should be focused on.

Personnel: $ 388,450

III. TOTAL PROJECT REQUEST BUDGET

All Results: Personnel $631,000

Result 1: $0

Result 2: $242,550. Designer .5 FTE@$78,300; computer tech IFTE@$56,000; researcher I FTE @ $96,000; project oversight 0.15 FTE @12,250.

Result 3: $388,450. Project Design and Management I FTE @ $71,250; technical consultants (largely agency staff) 5 FTE $300,000.

All Results: Equipment: $10,000 for a computer server, security and software.

All Results: Development: $0

All Results: Acquisition: $0

All Results: Other: $3,009,000. Grants to LGUs: $3,000,000; $9,000 printing and distribution of guidance materials, including the regional assessments.

TOTAL BUDGET: $3,650,000

IV. PAST AND CONCURRENT SPENDING:

A. Past Spending (1991-2001): $10,674,264. BWSR $1,421,508 + LCMR $2,340,000 + LGUs $6,912,756 .

B. Concurrent Spending for the Project Period: The local government receiving the grant will match all dollars appropriated to local water planning challenge grants.

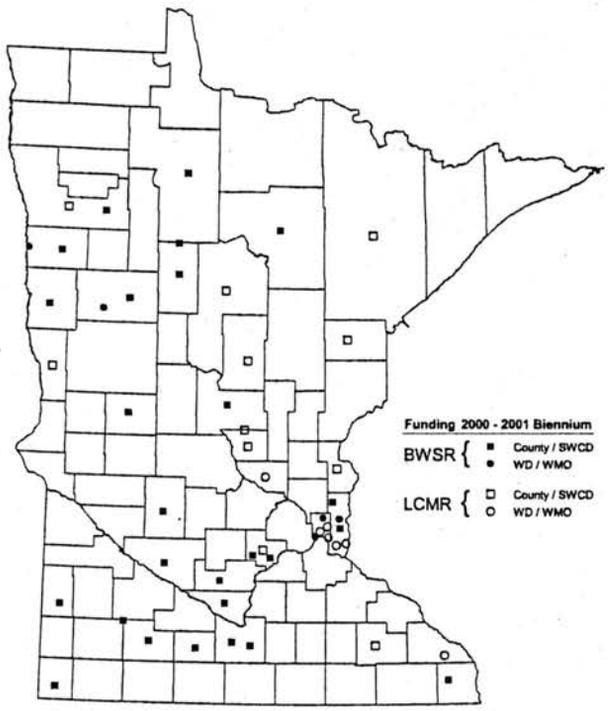
C. Project Partners: The recipients of the grants will work with a variety of partners including other local governments, municipalities, landowners, the DNR, PCA and MDH.

D. D. Time: Projects are scheduled to be completed by June 30, 2004. All of the project dollars will be spent by June 30, 2005.

LCMR Proposal 2003

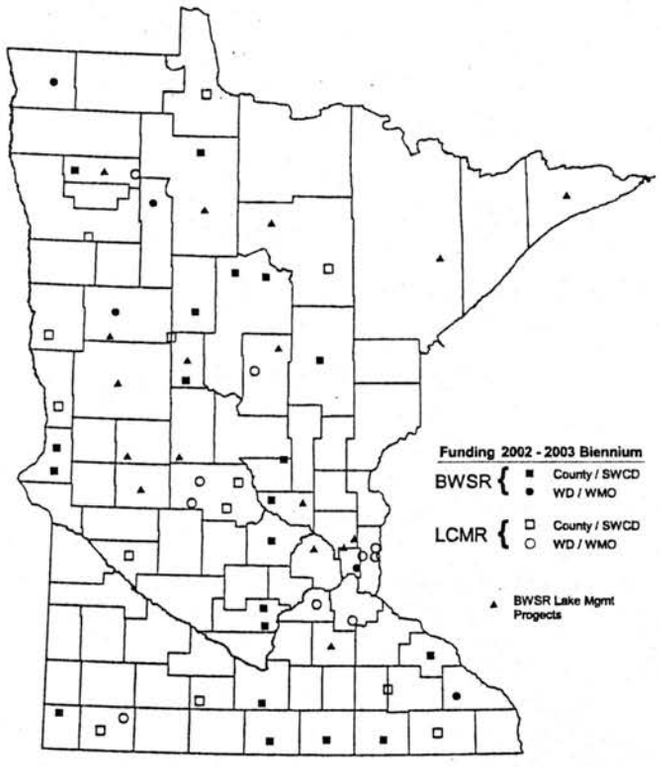
Title: Local Water Planning (LWP) Matching Challenge Grants

1999 LWP Challenge Grant Distribution



2001 LWP Challenge Grant Distribution

NOTE: Projects are in progress



LCMR Proposal 2003

Title: Local Water Planning (LWP) Matching Challenge Grants

Project Manager Qualifications

Ms. Block received an Associate Degree in Applied Science in 1981 from the University of Minnesota Technical College Waseca. She began here career as a soil conservationist with the Kandiyohi County Soil and Water Conservation District in 1981 where her primary responsibilities were working in the field with landowners to install practices to reduce soil erosion, protect water quality and improve wildlife habitat. In 1995 she assumed the position of District Manager. As water quality became more of a focus of her work she decided to return to college. She earned a Bachelor of Science Degree in Natural Resource Management and Environmental Studies from the University of Minnesota College of Agriculture in 1992.

Marybeth Block has been on staff with the Board of Water and Soil Resources since October of 1992 when she was hired as the Conservation Easement Coordinator. Ms. Block assumed the position of coordinating the Comprehensive Local Water Planning Program (M.S. 103B.301) in August of 2000. In this position she oversees the updating of county water plans and the selection of projects for LWP Challenge Grant funding.

Ms. Block grew up on a farm in Kandiyohi County and has a strong commitment to protecting natural resources and supporting sustainable agriculture.

Organization description

The Board of Water and Soil Resources (M.S. 103B.101) exists largely to:

1) coordinate the water and soil resource planning and management activities of local governments; and to

2) facilitate communication and coordination among state agencies and between state and local units of government to make the expertise and resources of the state agencies involved in water and soil resources management available to local units of government.

The Board of Water and Soil Resources has the following local water management programs under its authorities:

Comprehensive Local Water Planning (MS 103B.301): voluntary program to encourage non-metro counties to develop and implement water management plans that address surface water, groundwater and related resources.

Metropolitan Surface Water Management Planning (MS 103B.201): mandatory program enacted to protect *surface water* resources through the adoption and implementation of local water management plans based on watershed district and watershed management organization priorities.

Metropolitan Ground Water Planning (MS 103B.255): provides the authority for metropolitan counties to prepare and adopt groundwater plans to set priorities, address issues, and build local capacity for the protection and management of *groundwater*.

Local Water Resources Protection and Management Program (M.S.103B.3361 to 103B.3369): authorizes the board to make grants to counties for local government activities that protect or manage water and related land resources and to adopt rules.

LCMR Proposal 2003

Title: WATER MANAGEMENT TRAINING FOR LOCAL OFFICIALS & STAFF

Total Biennial Project Budget: $ 266,779

Funding Priority: C1

Project Manager: Doug Thomas

Affiliation: MN Board of Water and Soil Resources

Mailing Address: One West Water Street, St. Paul, MN 55107

Telephone Number: 651-297-5617

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Web Address: www.bwsr.state.mn.us

Location: Statewide

I. PROJECT SUMMARY AND RESULTS: Through development and implementation of specialized training programs, increase local government officials' expertise and knowledge of water resource management and provide accelerated staff training in design and implementation of BMPs

II. DESCRIPTION OF PROJECT RESULTS: The state has placed the responsibility to manage water and natural resources on local government officials. Although this function is critical to the quality of life enjoyed by Minnesota residents, there are no educational/training programs in place to ensure that policymakers are effective stewards and staff are technically skilled.

The project being proposed will have two tracks--technical training for staff and consultants and a core water resource management curriculum for elected and appointed board members. The first track addresses increased workload and need for skilled technical staff that will result from passage of the new federal farmbill coupled with the increased expectation on the part of the State of Minnesota to address polluting feedlots. This project is designed to ramp up and conduct intensive technical training sessions for local soil and water conservation district staff and consultants. The end result will be a workforce that is trained and equipped to meet farmer and rancher demand for technical assistance for activities such as feedlot pollution control systems, wetland restorations, shoreland protection measures, and other soil and water conservation best management practices.

The second track is designed to educate and train new and veteran local government officials by developing a comprehensive water management curriculum, presenting a pilot series of 7 workshops at a heavily subsidized

registration fee, evaluating, refining and finalizing the programs. These workshops will be offered yearly thereafter (in a self sustaining manner), enabling individuals to complete the curriculum over several years and addressing the needs created by high potential turnover on the boards of 70+ watershed districts and water management organizations as well as 87 counties.

Result 1 "Accelerated BMP Technical Training" **Budget:** $193,500

A training coordinator will be employed either directly by BWSR or through contracting to coordinate and conduct technical training sessions in partnership with the USDA Natural Resources Conservation Service for two years. We expect to be able to conduct approximately 27 workshops across the State. The development and production of training materials & and handbooks will also be an outcome of this effort. Training will be focused on but not limited to ag-waste management systems, shoreline protection, wetland restorations, and other erosion and sediment control practices such grassed waterways, terraces, diversion, and sediment basins.

Personnel: $ 150,000 1 FTE equivalent for 2 years

Equipment: $ 6,000 (two laptops & LCD projectors)

Development *:* $ 4,000 development & printing of course materials

Other *(Specify):* **$** 13,500 facility rental & associated costs for workshops
20,000 contract trainers

Result 2 "Comprehensive Water Resource Management Training for LGU Officials" **Budget:** $73,279

Using design teams of content experts with input and review by representatives of the target audiences, the following workshops will be developed by Government Training Service in Year 1:

- ✔ 3 core workshops designed to enhance understanding of water resource management mandates related to the Wetland Conservation Act, ISTS, Feedlot Regulations and Drainage Law, legal authorities, program responsibilities, the latest court challenges, best practices, current policy issues, and the role of board members. (The Local Official's Guide to Water Resource Management—Basics and Beyond The Basics; Watershed Planning Primer).
- ✔ 1 core Supervisory & Management Training workshop designed to help participants provide leadership to the organization in meeting its mission and goals while ensuring that operational functions (e.g., personnel, data practices, risk management) are implemented effectively and legally.
- ✔ 3 Special Focus Workshops to provide practical training on key leadership skills in the context of water resource management scenarios—working effectively with constituents, with other jurisdictions, and in staff teams.

In year 2, schedule facilities; create marketing materials; mail and email to target audiences; register participants for each program (maximum 30); produce

materials; develop evaluation process (immediate and one-month follow-up); conduct 7 workshops; compile and analyze evaluation materials, revise curricula

Personnel : $ 16,850 (contract to GTS for program management, marketing, registration, fiscal management, evaluation services, program revisions)

Equipment : $ 5,200 (1 laptop and 1 multi-media projector)

Development : $ 34,200 (curricula and handbooks for 7 training programs—includes contracts with GTS staff & content experts/trainers)

Other: *(Specify)* **$** 2,200 facility/AV rental costs, $2,929 brochure printing & postage, $2,100 handbooks, $9,800 contracted trainer fees/expenses, meals covered by registration fees

III. Total Project Request Budget $266,779

All Results: Personnel: $166,850

All Results: Equipment: $11,200

All Results: Development: $38,200

All Results: Acquisition: $0

All Results: Other: $50,529

TOTAL BUDGET: $266,779

IV. PAST AND CONCURRENT SPENDING :

A. **Past Spending:** Past spending for this type of technical & policymaker training has been sporadic.

B. **Concurrent Spending for the Project Period:** Local governments will have expenditures associated with the cost of staff time and board member per-diems and expenses associated with individuals attending training sessions. As a partner the USDA NRCS will be a contributor through its state and area technical staff, which will be part of the training teams.

C. **Project Partners:** Principal Partner: Government Training Service, Minnesota Association of Watershed Districts, Minnesota Association of Soil and Water Conservation Districts, Association of Minnesota Counties, and the USDA Natural Resources Conservation Service.

D. Time: The project will be completed by June 30, 2005

Title: Updating Outmoded Soil Surveys; Improving Existing Soils Data

Total Biennial Project Budget:	$650,000
Funding Priority:	Water (C-1)
Project Manager:	Greg Larson
Affiliation:	Board of Water and Soil Resources
Mailing Address:	1 West Water Street, #200 St. Paul, MN 55107
Telephone Number:	(612) 624-3427
E-mail:	greg.larson@bwsr.state.mn.us
FAX:	(612) 625-1244
Web Address:	www.bswr.state.mn.us

Location: Statewide. Currently updating Dodge, Fillmore, Goodhue and Wabasha counties in SE Minnesota. Builds on the soils component of the statewide "Tools in Training" LCMR-funded project.

I. PROJECT SUMMARY AND RESULTS:

Complete four soil surveys and develop innovative soil survey applications and data interpretation techniques with statewide benefit. Test new techniques in several counties. Counties will provide a cost-share.

II. DESCRIPTION OF PROJECT RESULTS:

Result 1: "Complete the update of and digitize soil surveys in Dodge, Fillmore, Goodhue and Wabasha counties" **Budget: $** 240,000 personnel

- The LCMR-funded multi-county update of outmoded soil surveys began in these counties on July 1, 1999. (An LCMR-funded update of Fillmore County began in 1995 and is incorporated in the current multi-county effort.)
- The update and digitization of these counties--1,653,000 acres-- is scheduled for completion by June 30, 2005. Deliverables include updated and digital soil maps and a revised interpretive database.
- The USDA-Natural Resources Conservation Service provides technical oversight for this project. LCMR funding is currently being used- and will continue- to pay half of the salaries of three NRCS soil scientists.
- For 2001, the four counties will contribute $293,248 of local funds. These funds were used to hire private sector consultants to assist the NRCS with data collection.
- For 2003, counties will contribute $219,990 for hiring private sector consultants.

Result 2: " Develop and implement new techniques and products to deliver soil survey information" **Budget: $** 360,000 personnel

- Provide a simplified interpretation scheme for existing soils information and provide hands-on training to local and state officials using soils data, especially in the 28 counties with poor quality digital soils data (refer to the map). Reasons for the poor quality include incompatibility of the existing digital product with more modern technology or outdated soil data.
- Develop and test new techniques to inventory soils using knowledge-based and more cost-effective methods. This effort will focus on those areas of the state where soil data is lacking. This task is a critical step in getting the private sector to assume a bigger role in the collection and delivery of soils data. Their interest to this time has been limited by

their unwillingness or inability to bear the significant cost associated with research and development of new techniques.

- Develop methods to make soils data available (and interactive) through a WEB-based application. To this end, these efforts will be coordinated with the program at the Department of Natural Resources "Data Deli".
- Support Result 1 by refining techniques to update soil maps.
- Local government is expected to contribute $50,000 cost-share.

Result 3: "Financial support to local government" **Budget:** $50,000 grants

- Provide cost-share support for local government to take advantage of federal funding for update mapping and digitizing.
- Complements Results 1 and 2 by accelerating federal efforts, which are ongoing.
- Promotes the transition from labor-intensive methods of collecting soils data to digital and technology-based techniques.
- Priority will be given to: (a) projects that will be completed within two years and (b) projects that were not funded through the BWSR Local Water Planning Challenge Grant Program.
- Deliverables will include a soil map and digital data for a geographic area of a size depending on the extent of local funding.
- Local government is expected to contribute $50,000 cost-share.

III. TOTAL PROJECT REQUEST BUDGET:

All Results: Personnel: $600,000
All Results: Equipment: $0
All Results: Development: $0
All Results: Acquisition: $0
All Results: Other: Grants to local government $50,000
TOTAL BUDGET: $650,000

IV. PAST AND CONCURRENT SPENDING:

A. Past Spending:

The LCMR provided $65,000 to Fillmore County in 1995 and $65,000 in 1997 for beginning the update of the Fillmore County Soil Survey. The county provided matching funds. In 1999, the LCMR provided $500,000 for a multi-county (Fillmore, Goodhue, Dodge and Wabasha) update in SE Minnesota. (The results from the 1995 and 1997 funding were incorporated into this project.) Counties provided $196,799 of local funding in 1999. In 2001, the LCMR again provided $500,000 for continuing the project. Counties will provide $293,248 of local funds. Since 1995, an estimated $500,000 of contributions of in-kind technical and administrative support have been provided by the USDA Natural Resources Conservation Service, University of Minnesota Department of Soil, Water and Climate and the Board of Water and Soil Resources. In addition, the "Tools and Training" LCMR Project (ML 1999, Ch.231, Sec.16, Subd. 8(b)) is related to Result 2 and will provide background information essential to focus the project to critical data needs.

Title: Updating Outmoded Soil Surveys; Improving Existing Soils Data

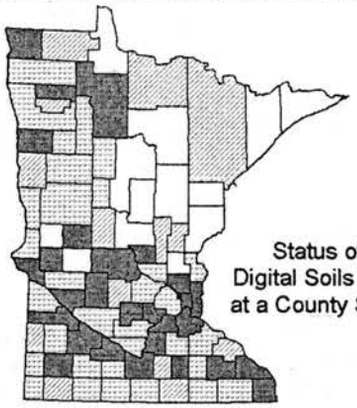
B. Concurrent Spending for the Project Period:
Counties in the SE project area will contribute $219,990 of local funding for Result 1. Local governments elsewhere in the state are expected to provide $100,000 of funding support for Results 2 and 3. The NRCS, University of Minnesota Department of Soil, Water and Climate, BWSR and the Minnesota Office of Strategic and Long-Range Planning will provide in-kind contributions of technical and administrative support. In addition, the NRCS is expected (contingent on budget and agency priorities) to continue their financial support of soil mapping and digitizing activities throughout the state.

C. Project Partners:
The project team is: Greg Larson, Project Manager; Professor Jay Bell, U.M. Department of Soil, Water, and Climate; Joe McCloskey, State Soil Scientist, Natural Resources Conservation Service and Deborah Pile, the Minnesota Office of Strategic and Long-Range Planning.

- The BWSR (Greg Larson) will contribute 50 percent time ($100,000 in-kind); the UM (Jay Bell) will contribute 15 percent time ($35,000 in-kind) plus $50,000 in-kind from support staff; the NRCS (Joe McCloskey) will contribute 10 percent time ($20,000 in-kind) plus $70,000 in-kind from support staff; and the Minnesota Office of Strategic and Long-Range Planning (Deborah Pile) will contribute 20 percent time ($40,000 in-kind) and $35,000 in-kind from LMIC staff.
- After the end of the project, the NRCS, BWSR and University of Minnesota will continue to provide technical support to users of soil data as has been their custom.

D. Time:
The project will be completed by June 30, 2005.

Updating Outmoded Soil Surveys; Improving Existing Soils Data



Status of Digital Soils Data at a County Scale

Digital Soils Data Availability

Status of Digital Soils Data at a County Scale

Source:
Land Management Information Center
USDA - NRCS

LCMR Proposal 2003

Title: USDA aerial photo preservation and digital cataloging

Total Biennial Project Budget: $855,800

Funding Priority: C-1, C-2

Project Manager: John Jaschke

Affiliation: Board of Water and Soil Resources

Mailing Address: One West Water Street, Suite 200, St. Paul, MN 55107

Telephone Number: (651) 297-3432

E-Mail: *john.jaschke@bwsr.state.mn.us*

Fax: (651) 297-5615

Web Address: *www.bwsr.state.mn.us*

Location: statewide

I. PROJECT SUMMARY AND RESULTS: Convert 22 years of annual USDA 35mm aerial photography to digital files and catalog them on a web site for public use.

II. DESCRIPTION OF PROJECT RESULTS:

The United States Department of Agriculture's (USDA) Farm Services Agency (FSA) has been acquiring low-level (1 square mile) aerial photography (35 mm slides) on an annual basis since 1976 in areas of Minnesota with some amount of agricultural production. Since the late 1970's FSA has spent an average of $100,000.00 per year on this effort. The slides have been recognized as an important resource by many landowners, agencies, conservation and natural resource groups, and researchers. The FSA began collecting aerial photography in digital format in 2001 and has begun the process of disposing the old 35mm pre-2001photography.

FSA representatives, in consultation with State agency staff, decided the pre-digital photographs have practical and historical statewide value, and must be protected and made available as a public resource. The decision was made to eventually locate all the slides at the University of Minnesota's Borchert Map Library with the goal that funding could be secured to make the slides available in digital form to the public thus also preserving a historical resource. To assure preservation and usefulness, funding to collect, scan and organize the slides, along with posting the digital imagery to a website where they would be available to anyone at anytime, is needed. The investment in this project will preserve and make accessible data that otherwise would be inaccessible or even lost and minimize costs to re-collect similar data in the future.

Result 1: Collect and digitize slides from local offices **Budget: $ 765,300**

A few soil and water conservation districts (SWCDs) have already scanned some of the slides for their own use and FSA County Offices have the authority to delay submission to the library provide an opportunity for more SWCD's to scan or otherwise duplicate the slides.

Others are already stored at the Library and others still may yet be in county FSA offices. The first step is to collect all existing slides and digitize them in a standard format.

Personnel: $87,500 ($43,750 per year for 2 years, including 25% indirect cost rate for personnel only). Supervision to be provided by existing staff. 0.5 FTE GIS or natural resources professional to establish data collection protocols and guidelines, review and evaluate contract proposals, oversee contracts, coordinate web database development.

Equipment: $9,000 slide scanner, Arcview software, computer server, sever software

Development : $0

Acquisition : $0

Other *(Specify)*: **$668,800** Contracts with SWCDs, USDA, Universities or private sector to accomplish collection and digitization. The state has about 54 million acres which is 84,375 sq miles. FSA flies about ¾ of the state each year which is about 63,280 sq miles. Estimated cost is $0.60/sq. mile slide. Thus the total estimated cost is $38,000 to do the entire state for each year. 22 years of slides would thus cost about $836,000. Since a small percentage of the slides are 2 sections per slide and since a limited number have already been digitized (although the quality is unknown) an estimate of 80% of the total is yet needed = $668,800.

Result 2: Catalog digitized slides and post on web site for public use Budget: $90,500
Cataloging the digitized slides on a web site is the best option for preserving these slides and make them readily available to many potential users and assure that this resource which was acquired with public funds remain a public resource with even greater accessibility.

Personnel : $87,500 ($43,750 per year for 2 years, including 25% indirect cost rate for personnel only). Supervision to be provided by existing staff. 0.5 FTE GIS professional to catalog slides and build web database.

Equipment : $0

Development : $0

Acquisition : $0

Other *(Specify):* **$3000** communications, travel

III. TOTAL PROJECT REQUEST BUDGET

All Results: Personnel $175,000 1 FTE for 2 years

All Results: Equipment: $9,000

All Results: Development: $0

All Results: Acquisition: $0

All Results: Other: $671,800.

TOTAL BUDGET: $ 855,800

IV. PAST AND CONCURRENT SPENDING :

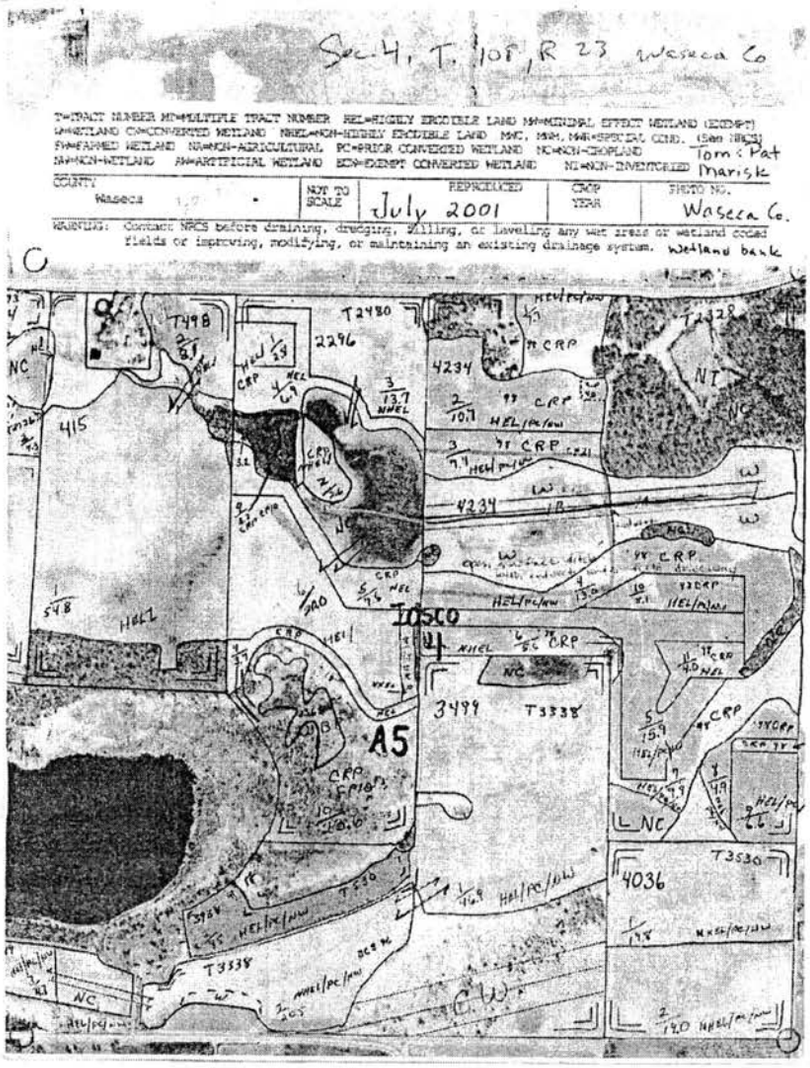
A. Past Spending: None, but some SWCDs have begun digitizing slides for their own use.

B. Concurrent Spending for the Project Period: all dollars will be matched by the local governments contributing slides and digital files.

C. Project Partners: BWSR will work with a variety of partners including the Borchert Library, SWCDs, USDA, DNR, and LMIC.

D. Time: Most of the project will be completed by June 30, 2004. However, because the voluntary transfer of the slides to the Borchert Library will vary by county, a one-year extension may be needed to complete the project.

example photo:



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LCMR Proposal 2003

Project Title: USDA aerial photo preservation and digital cataloging

Organization Description

The Board of Water and Soil Resources (BWSR) (see M.S. 103B.101) exists largely to:

1) coordinate the water and soil resource planning and management activities of local governments; and to

2) facilitate communication and coordination among state agencies and between state and local units of government to make the expertise and resources of the state agencies involved in water and soil resources management available to local units of government.

BWSR's mission is to partner with Minnesota's local governments manage and conserve our irreplaceable water and soil resources.

Project Manager Qualifications

John Jaschke is the Land and Water Section Administrator with the MN Board of Water and Soil Resources (BWSR) and oversees the Wetland Conservation Act, Wetland Banking, Water Planning, Grants, and Administrative Appeals programs and is responsible for seeing them successfully implemented through local government units. Prior to his current position he was the Wetland Conservation Act Program Manager with BWSR and an Area Hydrologist with the MN Department of Natural Resources in New Ulm and in Duluth. He has Bachelor of Science degrees in Geology and Geophysics from the University of Minnesota, and a Masters degree in Public Administration from Minnesota State University - Mankato.

LCMR Proposal 2003

Project Title: **Inventory and Records Modernization of Public Drainage Systems**

Total Biennial Budget:	**$1,388,875**
Funding Priority:	**C-1, C-2**
Project Manager:	**John Jaschke**
Affiliation:	**MN Board of Water and Soil Resources**
Mailing Address:	**1 West Water Street, Suite 200, St. Paul, MN 55107**
Telephone:	**(651)297-3432**
E-Mail:	**john.jaschke@bwsr.state.mn.us**
Fax:	**(651)297-5615**
Web Site:	**www.bwsr.state.mn.us**
Location:	**statewide**

I. Project Summary and Results

Conduct a digitized inventory of public drainage system infrastructure and records in select regions of the state including the historical, hydrological, legal and financial information and make it accessible and useful to drainage authorities, landowners and policymakers.

II. DESCRIPTION OF PROJECT RESULTS:

Controversy over the fiscal management, maintenance, improvement and establishment of public drainage systems in Minnesota abounds. Very little has been done to alleviate the morass of decaying, incomplete, inaccurate and sometimes nonexistent records associated with existing public drainage systems. This comprehensive inventory of public drainage systems would go a long way toward eliminating the controversy by:

A. improving the general administration of local drainage authority duties by electronically cataloging information on individual drainage systems minimize potential conflicts by documenting the factual location, specifications, construction and maintenance history for all existing public drainage systems in specific regions of the state;
B. assisting local, state and federal agencies in evaluating the feasibility, need and environmental impact of proposals for work on public drainage projects. Inventory data would present a historical record against which future projects could be judged; and
C. providing legislators with specific historical data to evaluate proposed legislation relating to public drainage systems.

Result 1: Identify public drainage systems and collect relevant information.
Budget: $ 1,165,125

A. Identify all existing public drainage systems in a region of the state (including open ditch and subsurface drain tile).
B. Develop a model for a potential future statewide inventory.
C. Collect and consolidate all information (records, plans, specifications, benefited parcels, drainage area, maintenance and improvement work) and documents relating to existing public drainage systems for public drainage authorities within in a region of Minnesota.

D. Document and evaluate the presence of landscape features (e.g., woodlots, building sites, wetlands, roads) within public drainage systems.
E. Document the connections of public drainage systems to private drainage systems and to natural watercourses.

Personnel: $265,125 ($87,500 per year for 3 years, including 25% indirect cost rate for personnel only). Supervision to be provided by existing staff. One FTE GIS or natural resources professional to establish data collection protocols and guidelines, review and evaluate proposals, oversee grants to counties and watershed districts, oversee database.

Equipment: $25,000 large format scanner, Arcview software, digitizing table, computer, plotter

Development : $0

Acquisition : $0

Other *(Specify):* **$875,000** Grants to Counties and Watershed Districts

Result 2: Develop GIS Database and conservation practice assessment tool
Budget: $223,750

a. Create and maintain a uniform GIS database, including accurate mapping of all existing public drainage systems in a region of Minnesota.

b. Develop assessment and monitoring techniques for conservation measures established within public drainage systems, including the use of available aerial photography and satellite imagery.

Personnel: $213,750 One FTE data management specialist to collect and organize local data, develop model, quality control base maps, and review field level processes to incorporate data, images and historical documents of public drainage systems ($71,250 per year for 3 years).

Equipment: $4000 computer, Arcview software

Development : $0

Acquisition : $0

Other *(Specify):* **$6000** communications, and training sessions for local governments

III. Total Project Request Budget

All Results: Personnel: $478,875 2 FTE for three years

All Results: Equipment: $29,000

All Results: Development: $0

All Results: Acquisition: $0

All Results: Other: $881,000

TOTAL BUDGET: $1,388,875

IV. PAST AND CONCURRENT SPENDING :

A. Past Spending:

The 1996 legislature appropriated $100,000 to BWSR for grants to local government units to develop public ditch inventories, including maps and histories of public ditch systems. {See Laws 1996, Chap. 462, Sec. 42(c) and fig.1.}

B. Concurrent Spending for the Project Period: Grants to local governments would require an equal match contribution.

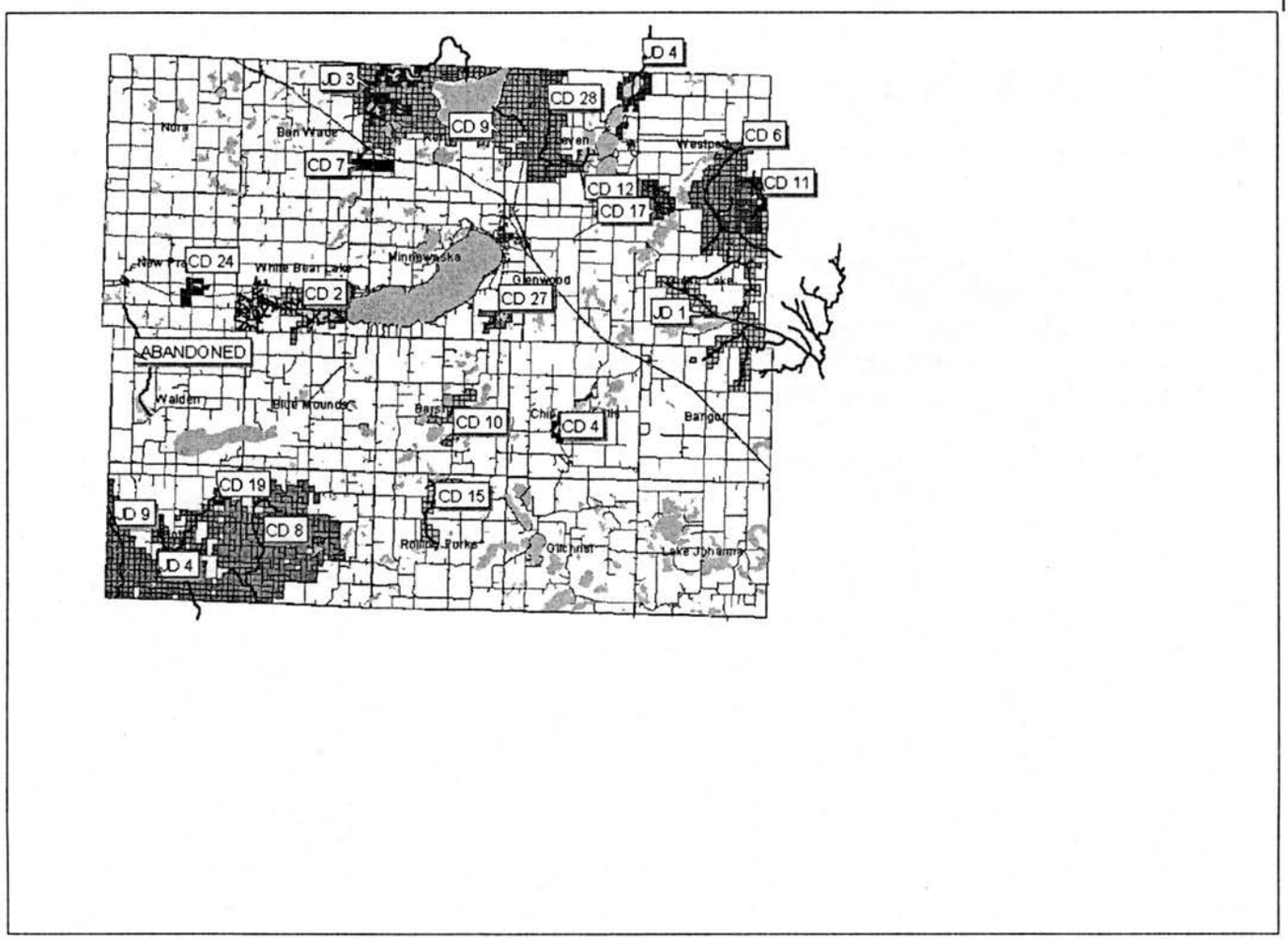
C. Project Partners/Cooperators:

Association of Minnesota Counties

Minnesota Association of Watershed Districts

D. Time: The project will take 3 years to complete, approximately 1 year to develop the data management system and 2 years to enter and verify data. This project represents an estimated 35 to 40 percent of the total amount needed to complete a statewide inventory.

Figure1. Pope County map prototype



F:\LanWData\LCMR\LCMR Public Drainage Inventory.doc

LCMR Proposal 2003

Project Title: **Inventory and Records Modernization of Public Drainage Systems**

Organization Description

The Board of Water and Soil Resources (BWSR) (see M.S. 103B.101) exists largely to:

1) coordinate the water and soil resource planning and management activities of local governments; and to

2) facilitate communication and coordination among state agencies and between state and local units of government to make the expertise and resources of the state agencies involved in water and soil resources management available to local units of government.

BWSR's mission is to partner with Minnesota's local governments manage and conserve our irreplaceable water and soil resources.

Project Manager Qualifications

John Jaschke is the Land and Water Section Administrator with the MN Board of Water and Soil Resources (BWSR) and oversees the Wetland Conservation Act, Wetland Banking, Water Planning, Grants, and Administrative Appeals programs and is responsible for seeing them successfully implemented through local government units. Prior to his current position he was the Wetland Conservation Act Program Manager with BWSR and an Area Hydrologist with the MN Department of Natural Resources in New Ulm and in Duluth. He has Bachelor of Science degrees in Geology and Geophysics from the University of Minnesota, and a Masters degree in Public Administration from Minnesota State University - Mankato.

LCMR Proposal 2003
Title: Lakeshore Easement Program
Total Biennial Budget: $5,000,000
Funding Priority: Water, (C-3), Encouraging control of erosion and reduction of pollutants on riparian areas and bluff lands.
Project Manager: Ron Shelito
Affiliation: North Region Supervisor, Board of Water and Soil Resources.
Mailing Address: 217 South Seventh Street, Brainerd, MN 56401
Telephone Number: 218-828-2604
E-Mail: ron.shelito@bwsr.state.mn.us
Fax: 218-828-6036
Web: www.bwsr.state.mn.us
Location: Projects will be implemented in several counties on a number of selected lakes. Preliminary interest has been received from landowners on the following lakes (and others):

Traverse Lake	Traverse County
Big Sandy lake	Aitkin County
Lake Superior	St Louis, Lake & Cook Counties
Sand Lake	Itasca County
Leech Lake	Cass County
Boy Lake	Cass County
Birch Lake	Cass County
Ten Mile Lake	Cass County

I. Project Summary and Results: Program funds will be used to acquire permanent conservation easements on areas of undeveloped or partially developed shoreline and to reestablish or enhance native vegetation on prioritized lakes.

II. Description of Project Results: Minnesota's lakeshore lands are under increasing development pressure resulting in diminished near-shore fish and wildlife habitat, water quality degradation, and the loss of the quality outdoor experience most residents and visitors expect. Minnesota census data shows that in the last two decades, population has increased 20 to 25 percent per decade in the lake districts of the state. Lake shore lands that were once asked to accommodate small numbers of tourists seasonally are now becoming home to greater number of people, with larger facilities, on a year round basis. Open spaces with permanent vegetative cover can protect water quality, improve wildlife habitat, protect and improve biodiversity, provide scenic vistas, and have an overall positive impact on the lake. The selective use of permanent conservation easements can preserve or reestablish open green space on Minnesota shore lands.

Lakes that experience heavy development of their shoreline tend to face water quality degradation. Water quality models show that when land use changes from forested or wetlands to a more intensively developed land use, phosphorous discharges increases. Much of this is due to the increase of impervious surfaces like roads, roofs, parking areas, etc. Environmental Protection Agency data indicates that total phosphorous exports on land classified as lakeshore residential can be 8.5 times as high as woodlands.

This proposal builds on a successful Lakeshore Easement Pilot program that was funded by the 1998 legislature. That pilot program demonstrated that local governments could acquire permanent conservation easements on lakeshore at a fraction of the parcel's assessed value. One easement was acquired at 47% of its assessed valued another at 23%.

Result 1: Acquisition of conservation easements. **Budget:** $4,430,000

Permanent conservation easements will be acquired and held by soil and water conservation districts. Results will vary depending on actual acquisition costs based on easement size and location. We expect to acquire approximately 20 easements in several counties statewide.

Easements submitted for funding under this program must meet the following conditions:
1. Alteration of the site for any purpose must receive prior approval from the state and the local government unit (easement holder).
2. Livestock shall not be grazed on the easement area.
3. The easement holder shall be responsible for weed control by complying with noxious weed control laws and emergency control of pests necessary to protect the public health.
4. Shall not place any materials, substances or objects, nor erect or construct any type of structure, permanent or temporary, on the easement area or connected to the easement area extending into the lake, without prior approval of the state.
5. The entire shoreline portion of a lot considered for easement must be included in the easement and must be located on a lake. For the purposes of this program, a lake is any water body identified as a basin in the DNR Protected Waters Inventory. This program is not intended to take easements on rivers or wetlands. At least 60% of the easement area is within the 1,000-foot shoreland boundary.
6. A commitment by the County Attorney to sign-off on the final easement documents.
7. Vegetative cover based on the SWCD approval plan, must be maintained the life of the easement

All applications will be evaluated and scored by an interagency evaluation team (DNR, MPCA, and BWSR) Applications must meet the above listed criteria. In addition, approved easement applications will be prioritized based on the following attributes:
1. Demonstrated water quality benefits to the lake.
2. The degree to which the site contains a predominance of native vegetation at the time of easement approval.
3. Maximize the amount of shoreland acquired under the easement.
4. Ability to leverage additional funding sources to acquire additional land under the easement.
5. An entity willing to acquire fee title and restrict all use.
6. Additional local restrictions governing the use of the lakeshore beyond the easement boundary.
7. Protect unique, rare, or endangered habitats.
8. Public access is available on the lake or the lake chain.

Easement acquisition rates will not exceed 90% of the assessed value of the land, based on the most recent assessors statement.

Personnel: $500,000 for state and local administrative and technical support to implement the Lakeshore Easement Program. Tasks include: coordination of input from other environmental agencies and special interest groups, coordinating conservation values assessments at each site to document existing conditions and benefits to the state, processing grants to the local governments for easement acquisition, participation in local selection committees, and providing general ongoing oversight to ensure that eligibility criteria are followed.

In addition, soil and water conservation district staff will contact landowners to confirm their participation and answer questions. Local staff will prepare easement documents, surveys, and maps for each parcel; participate in developing a conservation values assessment for each parcel;

and work with local agency staff and conservation groups to apply the eligibility criteria to each parcel and prioritize each site for funding. Where needed, local staff will develop vegetation establishment plans for the site and monitor the establishment.

Equipment: $0
Development: $0
Acquisition: $4,430,000 for actual payments to landowners for conservation easements.
Other: $30,000 for title opinion (estimate).
$20,000 miscellaneous publicity, including signs at each site.

Result 2: As determined by the local SWCD, if the site does not contain a preponderance of native vegetation within 300 feet of the shoreline for the length of the easement, vegetation will be reestablished or enhanced based on a plan prepared by the SWCD. The plan will be designed to maximize the buffering ability of the site.

Personnel: Costs for personnel are included as technical and administrative funds listed above in the easement acquisition section.
Equipment: $0
Development: $0
Acquisition: $0
Other: $20,000 (estimate) for grass seed, tree seedlings, shrub plantings, equipment rental to establish or enhance the vegetation on the easement sites.

III. Total Project Request Budget

All Results: Personnel, $500,000 technical and administrative services to implement the Lakeshore Easement Program.
All Results: Equipment, $0
All Results: Development, $0
All Results Acquisition: $4, 4300,000 for the acquisition of permanent conservation easements on lakes in several counties.
All Results: Other, $30,000 for title opinions (estimate).
$20,000 for publicity including boundary signs for each parcel.
$20,000 for vegetation reestablishment or enhancement

IV. Past and Current Spending:

A. **Past Spending:** The 1998 legislature allocated $250,000 to the BWSR for acquisition of conservation easements on sensitive shore land and riparian areas on lakes. The BWSR allocated the entire amount to Cass SWCD. The Cass SWCD acquired two conservation easements; $235,000 was used to acquire a 195-acre easement on Little Boy Lake, and $11,000 to acquire a 24.4-acre easement on Cooper Lake, for a total of 8,160 feet of shoreline. $4,000 was used for title opinions, professional services, and publicity.

B. **Concurrent Spending for Project Period:** The project has the potential to leverage significant private funds in the acquisition of permanent easements. This money could be actual cash put up by local organizations or landowners, or in-kind reflected by lost revenue from taking the easement a reduced price compared to selling the property out-right or developing it for sale.

C. **Project Partners:** Potential partners include: Soil and Water Conservation Districts
Tri-County Leech Lake Association
Minnesota Lakes Association
Friends of the Mississippi

March 22, 2002

LCMR Proposal: Lakeshore Easement Program

Project Manager Qualifications: Ron Shelito is the North Region Supervisor for the Minnesota Board of Water and Soil Resources (BWSR) . The mission of BWSR is to assist local governments to manage and conserve their irreplaceable water and soil resources. The BWSR is governed by a 17-member board made up of representatives from soil and water conservation districts, watershed districts, counties, citizens, and state agencies.

Ron Shelito has managed to completion a previous Lakeshore Easement Project funded by the 1998 legislature and approved through the LCMR work planning process. Ron Shelito oversees BWSR programs and staff in a 40 county area of northern Minnesota.

Information and Discussion

3. WCA Rule Hearing Update

Minnesota Board of Water & Soil Resources

Central Office: One West Water Street ▪ Suite 200 ▪ Saint Paul, MN 55107 ▪ Phone: (651) 296-3767 ▪ Fax: (651) 297-5615

April 9, 2002

Honorable Steven Mihalchick
Administrative Law Judge
Office of Administrative Hearings
100 Washington Square, Suite 1700
Minneapolis, MN 55401-2138
FAX: 612-349-2665

Dear Judge Mihalchick:

RE: In the Matter of Proposed Permanent Rules and Amendments to the Existing Rules of the Board of Water and Soil Resources Governing Wetland Conservation Act: Chapter 8420.

The Board of Water and Soil Resources (BWSR) submits the following as its preliminary response to comments received during the March 26, 2002 rulemaking hearing. These comments are prepared based on notes taken by staff during the hearing and the hearing transcript. This letter is being submitted during the comment period, and we request that they be made part of the hearing record.

Issue Responses:

1) ***The proposed definition in 8420.0110 Subpart 34a is the same as that found in Minnesota Statute 103G.005 Subpart 14 describing the Ordinary High Water Mark (OHW) and will cause confusion and inconsistency in application of the rules.***

Agency Response: As we indicated during the hearing, the intent of this definition is to provide consistent regulation of types 3, 4 and 5 wetland types between the Department of Natural Resources (DNR) under Minnesota Rule 6115 and Local

Governments Units (LGU) under Minnesota Rule 8420 (Exhibit 17). Clearly, the Minnesota Legislature intended for such when it debated and adopted language in Minnesota Laws 2000, Chapter 382 (Exhibit 16A) concerning regulation of the permanently and semi-permanently portions of these wetlands by Local Governments Units (LGU). Although we agree that other wetland classification systems exist that describe these areas, the intent of the proposed definition is to define it commonly for the two state regulatory programs. Because the DNR already uses a definition established in Minnesota Statutes 103G.005 (14) to regulate types 3,4 and 5 wetlands, creating a new and different definition for the Wetland Conservation Act (WCA) would only exacerbate the confusion between state wetland regulatory programs that Chapter 382, MN Laws 2000, was intended to diminish.

Additionally, concerns raised about the need for instituting the use of the DNR Ordinary High Water Level (OHWL) method at the local level to determine the area in question are unfounded. The OHWL method is used to establish the maximum extent of the DNR regulatory jurisdiction even though additional wetland areas almost always continues beyond that point landward. The Wetland Conservation Act jurisdiction already extends and regulates activities beyond this area because the method used to establish the boundary of the wetland is more extensive that the OHWL method of DNR. During the past 2 years of applying the exempt rule on the ground, we have not observed the anticipated confusion by LGU's as portrayed by the commentator. Therefore, we believe our proposed definition is reasonable and necessary and within the scope of the matter announced in the dual notice.

2) ***The proposed approach to typing wetlands in subpart 8420.0122 Subpart 9 for applying the de minimis exemption is problematic and scientifically questionable.***

Agency Response: Several wetland typing systems exist today to classify wetlands. Hearing exhibits 20 and 21 provide distinctly different examples of this. Unfortunately, none of these were created for the purpose of implementing wetland protection regulations; rather they were developed to serve as an inventory protocol to gauge wetland habitats for wildlife and fisheries across the United States. Because of this, regulatory programs such as WCA are forced to adapt these systems as best they can to address regulatory needs. The Legislature in Minnesota Statute 103G.005 (17b) set forth the definition of wetland types using the Circular 39 (Exhibit 20) approach for state regulatory programs. We acknowledge that our proposed typing method adaptation in this subpart is a modification of the Circular 39 (exhibit 20) classification system. However, applying the de minimis exemption amounts described in this subpart are dependant on typing the wetland and applying a prescribed amount. Because Circular 39 requires a classification of the wetland type by the predominance of the hydrology of the wetland, using it literally would require a hydrologic review of the entire basin. For wetlands less than 40 acres in size, this is reasonable and practical to accomplish on site by regulators, consultants, and applicants and we propose to maintain the non-adaptive approach. However, in northern Minnesota as exemplified by exhibit 22, many wetland basins are large

enough that it becomes impractical to apply the Circular 39 typing method as written in the field because of the time and logistics required to traverse the entire wetland basin to apply circular 39. Instead, we believe it is reasonable and necessary to adapt this system to allow local governments to type the wetland in a more practical manner for application of the exemption because these impacts are small and localized enough that expending additional efforts to conduct a larger typing exercise isn't justified.

3) 8420.0200- LGU and SWCD fees for technical and administrative services.

Agency Response: This issue was addressed in the Minnesota Legislature under Minnesota Statute 103G.2242 (5) and again in Minnesota Law 2000, Chapter 382. In each of these places the Legislature provided for charging of fees to cover costs from implementing rules and providing assistance to landowners. Further, regarding conflicts of interest, we have provided guidance to LGU's about avoiding scenario's that would create a conflict of interest (see exhibit 23). Finally, in many places of out-state Minnesota, there are no consulting services available to the public, and local government may be relied upon to provide a basic level of technical and administrative services. Therefore, we propose no changes to this part.

4) 8420.0240 Technical Evaluation Participation by applicants or their agents should be automatically provided for in the rule.

Agency Response: Several commentators advocate for making technical evaluation panel (TEP) meetings comply with the "open Meeting Law" to prevent harm to their clients. We believe that such should be left to the discretion of the LGU rather than as a mandatory requirement in rule.

The TEP process consists of preliminary technical review and is not a formal hearing where the final decision about a project is made (Exhibit 19). Rather, the TEP provides technical assistance and recommendations to the LGU on technical issues or data supplied by an applicant. The LGU provides the forum for an applicant or their agent to come and advocate for approval of their application. If an applicant provides the necessary information to review the technical aspects of an application, there is little likelihood that the TEP needs additional discussion with the applicant or their agent. However, in the unlikely event that such is necessary, the TEP can and does ask the agent/applicant for clarification of application materials so it may better review and make recommendations. Requiring TEP meetings be open in all cases to applicants/agents will have the effect of converting this technical review process into a project advocacy meeting.

Additionally, BWSR has already addressed this issue when we provided guidance to LGU's concerning the TEP and the Open Meeting Law (Exhibit 24). This was intended to ensure that the relationships between the TEP process and the Open

Meeting Law is understood. We believe that this issue is well understood by LGU's and that the Open Meeting Law is being complied with when necessary. However, we will continue to review this with our Attorney General and issue additional guidance if necessary to ensure continued understanding of this matter. However, we do not support making all TEP work subject to open meetings by this rule.

5) Technical Evaluation Panels are unqualified to review work.

Agency Response: Several commentators raised concerns regarding the TEP not being qualified to review the work of other professionals. At least one commentator raised concerns that non-engineer professionals on the TEP were reviewing work of Professional Engineers and the appropriateness of such.

Nothing in Minnesota Statute 103G.2242 (2) or Minnesota Laws 2000, Chapter 382 regarding membership of the TEP requires an engineering professional be placed on the TEP in order for the them to review projects with engineering aspects. In fact, Minnesota Statute 103G.222 (1) items j and m directly place the TEP in a role of reviewing projects that generally have engineering aspects to them (i.e. wetland restoration and public transportation projects) contrary to the commentator's point. It is important to remember that the TEP is not reviewing the engineering design for consistency with engineering standards but rather they are reviewing the proposed project for compliance with Minnesota Rules 8420 regulating activities in wetlands. Further, nothing in statute or rule prohibits the TEP from seeking the advice of other technical professionals on matters if they believe its necessary to do so. Many TEPs will as a matter of practice invite persons with additional technical expertise to gatherings on such technical matters to ensure they properly consider the technical issues. Therefore, we believe the comments received about this matter do not merit any changes.

6) One commentator believes the definition in 8420.0110 (4) is discriminatory to non-agricultural interests.

Agency Response: The agricultural definition is provided for in Minnesota Statutes 103G.005(2a) as it pertains to waters of the State including wetlands as stated in our hearing testimony. We only propose to clarify the legislative intent of Minnesota Statute 103G.222 (1) concerning application of the agricultural exemption to agricultural activities solely. This change does not make the rule substantially different and is within the scope of the matter announced in the dual notice.

7) One commentator raised concerns about requiring access to private property for projects that are exempt or no loss.

Agency Response: A project is exempt if it meets the conditions as found in part 8420.0115-0210 whether or not the LGU has made an official decision. However, this is not automatically the case for no-loss determinations found in Minnesota Rules

Part 8420.0220. Regardless of whether a project is automatically exempt, no-loss or not, if a landowner is unsure about the application of an exemption or no-loss and asks the LGU for a determination or decision, the LGU should be allowed to examine the site before making a decision for the landowner. If the landowner wishes not to provide such access, they may claim the exemption, but they must also be prepared to show that their project meets the qualifications when asked by an LGU or Enforcement Authority. Additionally, our proposed language is also intended to ensure that projects do not become approved by default because the applicant asked for a formal decision of the LGU but will not provide the LGU with sufficient access in a timely enough manner to make the review and decision in accordance with Minnesota Statute 15.99. Several attempts have been made to gain a default approval of a replacement plan by refusing access to the LGU to verify on-ground conditions. We believe the proposed language is reasonable and necessary without additional changes.

8) One commentator-raised concern surrounding changes proposed to the replacement for public transportation projects found in Part 8420.0544.

Agency Response: Our language does not substantially change the rule but is meant to clarify the legislative intent regarding which transportation projects are eligible to receive BWSR created replacement and which could use the other transportation related facets of the rule. As demonstrated in Minnesota Statute 2000, Chapter 492, Section 9 (Exhibit 25), the intent of the state (BWSR) generated replacement was to apply directly to local road projects that have impacts from repairs, rehabilitation, reconstruction or replacement not construction and maintenance of airport runways, state snowmobile trails, boat ramps, etc. While these are public transportation projects, the intent was not to extend state (BWSR) replacement to them. However, these types of project are granted some additional flexibility in other portions of this Part. The proposed rule changes found in this rule Part are within the scope of the matter announced in the dual notice.

9) Extensive comments were received concerning 8420.0541 (3)(A), (6) and (10)(B) (3) pertaining to size requirements of buffers and the amount of credit given for such.

Agency Response: As we noted in our opening remarks during the hearing, there is no debate that wetland functions and values are enhanced and protected by inclusion of an upland buffer around the wetland. These buffers provide sediment filtration, critical habitat for wetland wildlife, nutrient reductions from run-off (exhibit 26 with attachments). To that end, providing buffers is consistent with Part 8420.0100(B) which strives increase the quality, quantity, and biological diversity of the state's wetlands by restoring or enhancing diminished or drained wetlands. However, like many of the comments received at the hearing, we agree there is a point at which the scientific benefit becomes impractical enough that it is not likely to achieve the desired outcome of voluntary inclusion of upland buffers adjacent to replacement wetlands. Therefore, we again reviewed the comments from the hearing and based on

them, we would propose the following changes to address concerns of the hearing commentators while protecting and enhancing wetlands:

- In 8420.0541 Subpart 3 (A)- remove all language on the fourth line after the reference to **"subpart 6."** This would defer buffer crediting in this part to Subpart 6 where a 25 foot average buffer is necessary in a municipal area and 50 foot average width buffer in a non-municipal area may receive 100 percent public value credit for the size of the replacement wetland it adjoins.

- In 8420.0544 Subpart B (3) - Insert language that states that buffers installed adjacent to two-celled systems that are consistent with Subitem (2) may be allowed for credits ***as found 8420.0541 (6).*** We would strike the remainder of this subpart.

- A definition of "municipal" is needed and we are looking forward to suggestions for that but if none are offered propose using a definition such as "areas located within an incorporated city having the authority prescribed in M.S. 471".

These changes would make for a consistent (simpler) application of upland buffer credit throughout the rules as requested by the commentators. Additionally, increasing the amount of public value credits that can be obtained by buffers creates additional incentive to applicants to implement such. Finally, the changes retain a larger average buffer size threshold than currently required that would better protect replacement wetlands, which is a primary the goal of this rule. While we recognize our exhibits supports larger average buffers than the 25 feet and 50 feet thresholds proposed, if we cannot get applicants to voluntarily provide the upland buffers, then nothing is gained by the rule change. These proposed changes would not make the rule substantially different and are within the scope of the matter announced in the dual notice.

10) Comments concerning the proposed application of Minnesota Statute 15.99 concerning decisions of Local Government Units during periods of climatic restrictions is to broad.

Agency Response: As we noted in our hearing statement, the references pertaining to staying applications due to inclement field conditions will be removed. Although we believed our proposal was a benefit to the regulated public, we acknowledge that chance for abuse existed. Additionally, we recognize the issue regarding LGU noticing decisions within the limits of 15.99. Although, current practice amongst LGU's is to make notice to the applicant on the day of the decision, we understand that the ten day issue may create potential conflicts with Minnesota Statute 15.99. As noted in our hearing testimony, this is an issue we will address through guidance and encourage LGU's and their attorneys to also address this issue with local policy.

11) Multiple comments about control of non-native invasive as described in 8420.0550 is unreasonable were received.

Agency Comments: As stated in 8420.0100 of this Rule, one of the main principles of this rule is to maintain and improve wetlands of the state. Because invasive exotics are one of the main threats to the state's wetland resources, we believe it is reasonable to create rule language within the Wetland Conservation Act that helps protect wetlands by:

- Prohibiting the planting of such species; and
- Requiring control of them where they exist on replacement or bank sites.

We realize that some of these species are extremely difficult and costly to work with. Their management should be a consideration of the applicant before proposing such site to the LGU as a replacement of a proposed impact. However, our proposed language does not request nor require eradication of such species. Rather, we believe it is reasonable and necessary for applicants to provide for control of these by managing existing populations in a reasonable manner during the monitoring period of the site, which may last 5 years. Doing so will provide planted and existing native non-invasive wetland species with the best opportunity to establish and become dominant or co-dominants before monitoring and management of the wetland ceases.

We do not believe the term "control" suggests the need for eradication of non-native invasive species. Eradication of certain species found on a wetland restoration/bank site may fall under the requirement of state noxious weed and pest laws administered by the Minnesota Department of Agriculture. We believe it is up to the applicant to ensure that they comply with all weed and pest control laws whether for a wetland replacement site or any other site. However, we feel it is correct to ensure that our requirement does not conflict and maintains the spirit of other laws concerning control of various plants.

This concludes our preliminary responses to the comments received during the public hearing. We believe our proposed rule changes are not substantially different and are within the scope of the dual notice. Further, we believe that our proposed changes are reasonable and necessary. We look forward to providing additional comments during the upcoming comment review period.

Sincerely,

John Jaschke, Land and Water Section Administrator

C: Ron Harnack
Doug Thomas
Regional Supervisors
Wetland Staff

TIMELINE FOR ADOPTION OF AMENDMENTS TO WCA RULES (Ch 8420)

Updated by: John Jaschke on 4-15-02

Informal Stage - with DNR Public Waters Rules (Ch 6115) ***(partial listing)***
May 1, 2001: Internal DNR Statewide Interdisciplinary Review Service (SIRS) begins

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

June 21, 2001: BWSR Board Wetland Committee meeting to establish proposed rulemaking process and schedule

July 3, 2001: Third DNR Statewide Interdisciplinary Review Service (SIRS) meeting

July 16, 2001: LGU staff meeting to provide input/ideas, Waite Park

July 25, 2001: BWSR Board meeting to discuss rulemaking goals & principles

August 10, 2001: 2nd LGU staff meeting to provide input/ideas, Waite Park

August 22, 2001: Initial Stakeholders Meeting, MNDOT Arden Hills

October 10, 2001: Second Stakeholders meeting to review draft proposed rule and explain formal rulemaking processes.

October 12, 2001: BWSR Wetland Committee meeting to review draft proposed rule and SONAR for WCA.

mid-October to mid-December: various meetings and communications with interested and affected parties toward achieving consensus on major aspects of the two rules.

January 4, 2002: Third/Final Stakeholders meeting to review final draft proposed rule and pursue consensus on major points prior to formal rulemaking processes.

Formal "Dual Notice" Rulemaking Process – WCA only
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, June 25, 2001 – Request for Comments published in State Register (at least 60 days prior to Dual Notice per Minn Stat 14.101)

Thursday, October 25, 2001 – draft WCA Proposed Rules approved by Board with further review and modifications by Administrative Subcommittee authorized.

Wednesday, December 19, 2001 – BWSR Board Approval of Administrative Committee Recommendation to authorizing Executive Director to give Dual Notice.

December, 2001 - PW Proposed Rules approved by DNR Commissioner. Copies of proposed rules to Commissioner of Agriculture (at least 30 days prior to Dual Notice per Minn Stat 14.111).

Monday, December 31, 2001 – Revisor's certificate approving rules for publication.

Thursday, January 3, 2002 – Meet with Governor's Office to review proposed rules.

Thursday, January 17, 2002 –Governor's Office approval received

By Wednesday, January 23, 2002 – 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).

Monday, January 28, 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 29, 2002 – publication order to State Register (by Wednesday noon a week and a half before publication date)

Monday, February 11, 2002 – Dual Notice published in State Register

mid-February: Hold approximately six regional public information meetings on proposed rules.

Wednesday, March 13, 2002 – End of comment period (30 days after Dual Notice published)

Hearing Requested (more than 25 requests): ALJ Steven Mihalchick

Tuesday, March 26, 2002 – Hearings (afternoon and evening) in St. Cloud (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)

Tuesday, April 9, 2002 – Agency's and public's comments to the hearing record submitted. Comment period lasts at least five working days, was extended to 14 calendar days as ordered by ALJ Mihalchik. (Minn.Stat.14.15, subd.1: Minn.R.1400,.2300,2530,.2540)

Tuesday, April 16, 2002 – Agency response to comments and information submitted during comment period (five working days)

By Monday, May 27, 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).

By Friday, June 21, 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 to Governor and ALJ which have 30 days to respond.

Wednesday, June 26, 2002 – BWSR Board passes resolution to authorize Executive Director to sign 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

By Tuesday, July 2, 2002 – Revisor sends BWSR Notice of Adoption and BWSR sends Notice of Adoption to 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)

C:\My Documents\WCA rules schedule 2001- 2002.doc

FOR YOUR INFORMATION

April 24, 2002

- BWSR "Update"
- Updated BWSR Member Roster (correct fax number for Karen Harder)
- Updated Staff Roster
- DNR LCMR Proposals Submitted
- Voter Attitudes on Flooding and Open Space: Support for Land Management

Minnesota Board of Water & Soil Resources

Board of Water and Soil Resources UPDATE

A publication of the Minnesota Board of Water and Soil Resources April 2002

SOUTH

The southwestern Minnesota water plan coordinators reached a milestone March 27 by hosting their 10th Annual Spring Conference at the Mediterranean Club in Tracy. Opening remarks from Yellow Medicine Watershed District Manager Terry Renken summarized a culmination of 10-years worth of water planning presentations regarding progressive resource management issues, academic research, and of course local projects.

Jump-starting the conference with an overview of the surficial and bedrock geology of the area was geologist Carrie Patterson with the Minnesota Geological Survey. Most notable was her discussion of the Pleistocene glacial deposits that govern surficial drainage patterns and agricultural practices in the area.

A local technician with the Heron Lake Watershed District followed with a presentation on alternative drain-tile intakes. Brent Pavelko discussed some of the water quality research and information that motivated the watershed district and Jackson SWCD to cost-share on the replacement of open drain-tile intakes with "French Drains" or rock intakes. District, county, and state funding sources were tapped to implement the successful replacement program. A conference participant from Pipestone County commented that he had installed several of the alternative intakes a couple years ago and was extremely pleased with the superior drainage they provided while also improving water quality.

After lunch, Tracy Piepenburg introduced everyone to several of his Lac Qui Parle Valley High School students. Over the course of several years at numerous sites around Lac Qui Parle County, these students in 9th-12th grades have been collecting water samples, analyzing data, and maintaining a web site and newsletter on water quality and biologic data. Local, private, and state funding sources were utilized for purchasing sample analysis equipment, paying mileage for sample collection, and purchasing software and hardware for printing the newsletter and updating the web site. These students clearly displayed themselves to be leaders in maintaining a water quality and biologic database that rivals state and federal endeavors!

Dr. Steven Taff, an economist at the University of Minnesota, brought the conference full-circle through a presentation that encompassed diverse water planning issues. He led a motivational discussion that touched on topics such as ditch law, BMP incentives, land stewardship, and, of course, economics. His presentation ended by simply noting that there is a cost to somebody, somewhere for each ton of soil that enters our waterways. More than 75 conference attendees left educated, entertained, and perhaps even motivated by the presenters at the conference.

-Submitted by Tom Kresko

The city of Winona is completing a project that includes the dredging of Lake Winona and the filling of 96 acres of wetland to develop Riverbend Industrial Park. The Army Corps of Engineers, the Department of Natural Resources, and the Minnesota Pollution Control Agency have been involved in the review of the project and have issued permits to proceed with the project. The city of Winona is the LGU, but failed to issue an exemption or no-loss determination or an approval of a wetland replacement plan in accordance with the Wetland Conservation Act.

The legality of the wetland fill occurring on the Riverbend site came into question when the containment area for the dredged material failed and filled an adjacent wetland. A Cease and Desist Order was issued to the city of Winona on Nov. 16, 2001, for filling a wetland without meeting the requirements of WCA. Since that time, BWSR staff has been working with the city and other agencies to formulate a restoration plan for the

impacted wetland and to determine whether the wetland filling activities at the Riverbend site were truly exempt from the WCA requirements. After many meetings and correspondence between the involved parties, BWSR staff determined that the filling of 96 acres of wetlands at the Riverbend Industrial site met the WCA exemption criteria for prior approved development. BWSR notified the city of the exemption determination and the city officially issued an exemption determination shortly thereafter. The city of Winona is also on track to restore the wetland filled by the failure of the containment dike. The wetland restoration should be completed this year.
-Submitted by Lenore Marken

L & WS

Last July, BWSR formed a committee to examine the NRBG program. The committee members are: John Jaschke, Sara Johnson, Mary Kells, Michelle Lewis, Doug Snyder, Pete Waller, and Wayne Zellmer. The committee's first goal was to revamp the grant application form and the application process. A partnership was formed with DNR and MPCA to begin the redesign of the application. With the help of Don Hauge and Mark Wespetal, from MPCA, and Russ Schultz, from DNR, the 2002-2003 NRBG application reforms were successful.

The committee and its partners worked to simplify the application and reporting. Our goals were to make the process less labor intensive and more accomplishment oriented, increase response time, and disburse funds as quickly as possible. The new application consisted of a one-page work plan and a one-page budget worksheet. Applying for this grant has never been easier. Reporting will be easier also; the work plan and budget will be used to report accomplishments and expenditures and dovetail with the e-LINK electronic commerce initiative to be launched in January.

To communicate expectations, an approval and processing schedule was developed to spell out the LGUs and the grant partners' responsibilities and roles in the process. The expectations were met by all.

Good work to all who participated!
-Submitted by Michelle Lewis

I was hired as an intern for the Land and Water Section in September with a specific project to coordinate: evaluate the Special Projects Grant Program (within Cost-Share) and generate recommendations to the BWSR Cost-Share Committee. I started my internship a month after I received a Bachelor of Science degree in geology from the University of Minnesota.

I am evaluating Special Projects that were funded from fiscal year 1997 through 2002, which means about 138 projects in all. Projects are divided into nine types: river riprap; lake riprap; agricultural; flood control; ditch stabilization; sediment ponds; biological engineering; innovative; and gully stabilization. I have visited more than 75 percent of the projects and am in the process of visiting the remaining sites.

My evaluation process begins as I visit the site. Some of the issues I examine include:

- Is the project properly maintained?
- Was the project completed to the specifications detailed in the application?
- Is the project doing what it was designed to do?

I visit the site with SWCD representatives and a board conservationist. I take digital photographs and record the global position. I discuss the project with the SWCD as well as future district funding needs and future project types. Back in St. Paul, I retrieve the LARS data on the project to determine pollution reduction benefits.

For the most part, projects are doing exactly what they were designed to do. On the other hand, maintenance seems to be an issue for about 50 projects. That comes up most commonly on projects that do not indicate a clear maintenance schedule and do not indicate maintenance jurisdiction in the application.

About a dozen projects have varied slightly from the original application. Educational materials were lacking at project sites, even though the application said it would.

What are some of my preliminary recommendations? One is to include a clear maintenance plan within the application. The plan should include who is responsible, what type of maintenance is needed, and how often it is to be completed. A public education tool should be used, especially if the project is within public view. Something as simple as a sign explaining a lake project placed along

a lakeside-walking trail would help raise public awareness of statewide projects. The sign should include that the project was state funded with money appropriated to the Minnesota Board of Water and Soil Resources.
-Submitted by Michele DiGirolamo

✦

BWSR recently issued a policy statement to SWCDs and LGUs that prohibits the planting of non-native and invasive species on RIM easement and WCA wetland replacement sites. This has been the unwritten policy of the BWSR for some time but it was necessary to issue the policy clarification.

Transmitted with this policy statement was a document that recommended six different native seed mixes designed for specific site conditions. The seed mixes are essentially "pared down" MnDOT seed mixes developed with the assistance of MnDOT's Bob Jacobson. Bob has been instrumental in working with the native seed industry over the past 10 years in coordinating seed supply with revisions to MnDOT's seed mix specifications. The resulting BWSR recommended seed mixes are intended to:

- Provide sensible alternatives to adopting the "all native specie" policy;
- Be cost sensitive to RIM cost share limits;
- Promote mixes that are relatively diverse in numbers of species;
- Meet NRCS CP25 standards (a 15 specie mix);
- Promote some ramped up production of some wetland species that are in short supply;
- Provide some benchmarks for LGUs and TEPs to use to say what is adequate for meeting WCA wetland replacement standards.

This effort all started in 1999 when the Interagency Wetland Banking Committee visited a number of wetland bank sites and discovered that a number of sites had been planted to reed canary grass, a specie that has proven to aggressively out compete native wetland species and has limited habitat diversity. Upon closer examination of the issue, it was discovered that some stakeholders had been relying on dated seeding recommendations in some BWSR publications that hadn't been revised to be consistent with policy changes and advances in wetland restoration science. The resulting BWSR recommended seed mixes and non-native specie "hit-list"are now accessible on the BWSR web site (see http://www.bwsr.state.mn.us/wetlands/publications/nativeseedmixes.pdf).

Easement, engineering, and wetland staff members joined forces and worked on development of the new policy statement and recommended mixes. Because of programmatic issues and rule complexities, this policy statement went through several iterations. Since the concern that brought the non-native issue to the forefront was reed canary grass, the lead staff person assigned to the project, Bruce Sandstrom, gained a new nickname, "Reed."
-Submitted by Bruce Sandstrom

NORTH

WCA

Clearwater County hired a new staff person for WCA work and initiated a monthly TEP meeting for project review. The initial meeting served to identify projects that are unresolved due to staff transition.

Dan Eklund, John Overland, and Dan Steward have attended several meetings and written several comment letters regarding a highway frontage road project in the city of Baxter. This has been a time consuming project for the LGU and BWSR staff but is fairly typical of the kinds of situations that require BWSR assistance. A quick summary: The project was already started before the LGU was contacted regarding proper WCA approvals. The wetland is a DNR public water that the DNR waived to the LGU. The city's wetland consultant did a less than adequate job delineating the impacts. Mn/DOT is involved because the frontage road is adjacent to Hwy. 371. The Army Corps of Engineers said it would probably approve the project. The problem involved the issues of avoidance. The consultant's report and the city's replacement plan application did not show adequately that avoidance was not an option. They kept telling us it wasn't, but they did not provide adequate documenta-

Deadline for next edition: May 15

tion. The site is in a high visibility travel corridor and has a good chance of getting appealed if the avoidance issues are not handled. After several meetings and requests for information, the TEP reached a comfort level on the avoidance alternative. Through the good work of the BWSR wetland specialists, they seem to have brokered a compromise that meets the requirements of WCA, lets the city proceed with their project, and should keep the appeal dogs away.

Other

Lake of the Woods County has continued discussions about changing the working relationship between the county and the SWCD. Options range from doing nothing to embracing the Cass County model SWCD/ county interaction.

Hot Topics

Red River Valley CREP: At its December meeting, the Red River Basin Board (RRBB) voted to submit a CREP application for the U.S. portion of the Valley. Water quality improvement, increased wildlife habitat, and flood damage reduction are the goals identified in the application. BWSR staff (Tabor Hoek, Kevin Lines, Brian Dwight, and Pete Waller) assisted Chuck Fritz, R2B2 staff, in drafting the application.

In the last week of March, meetings were held in Breckenridge and Thief River Falls with 90 SWCD, NRCS, BWSR, watershed district, and FSA staff to present the application and receive feedback from local resource managers. The Red River CREP within Minnesota will combine RIM and CRP. The significant points received from those meetings follow.

- The three goals identified match local resource issues;
- There is local support and enthusiasm to add a CREP to the resource management toolbox with the Red River Valley;
- Consensus of attendees regarding easement duration was to provide us opinions, including perpetual and limited easements;
- Buffers and wetland restorations were the practices identified as priority practices; and,
- Local staff directed continued development of the application resulting in a change on the Red River watershed landscape.

ENGINEERING

During March and early April, Tom Wenzel completed a review of CREP wetland restoration projects to squeeze out practice implementation dollars that had been set up for wetland restoration, but may not be needed. The resulting six-figure chunk of CREP funding will be used to purchase additional CREP easements. This is part of the last-increment process to purchase as many easements on the pending list as possible. It was a tedious task that required much judgment about expected restoration costs, but will enable a substantial number of additional easements to be purchased.

As the wave of 2001 and 2002 CREP easements continues to move through the processing phase, the percentage of wetland restoration easements is growing. In the early stages of CREP, we had estimated that about 25 percent of the easements would be wetland restorations. Recently, the percentage of CREP wetland restoration easements was at about 35 percent. It appears that our estimate a few months ago of 1,000+ individual wetland basins is apt to be more than 1,200 basins. (The total number of wetland basins restored via RIM from 1986 – 1998 was 802.) There are still many wetland restoration easements to get logged into the databases. The fauna and fowl of the Minnesota River Basin will be getting lots more restored wetland habitat!

Because of state general fund budget reductions and the CREP wetland restoration workload, Gene Clark, lakeshore engineer, will have a substantial portion of his time refocused to CREP engineering, starting in the near future. Other factors in this decision include elimination of Special Projects Cost-Share due to the budget reductions and a lull in other sources of grant funding for shoreline stabilization. Gene will continue to be based in our Duluth office and provide limited lakeshore engineering assistance to Lake Superior SWCDs and other partners.

The USDA-NRCS held a public meeting on April 15 in St. Cloud about third-party vendors. The purpose was to seek input from producers, partners, and private vendors about how to best use third-party vendors to provide conservation technical assistance. The USDA authority to use third-party vendors was broadened by the 1996 Farm Bill and has been implemented to a limited extent in Minnesota for nutrient management technical

assistance. Third-party vendor system is an important element of the current Farm Bill before Congress. NRCS presented an overview of the components of conservation technical assistance and anticipated certification and agreement components of a third-party vendor system. Representatives of many organizations, agencies, and associations, and some producers, attended the public meeting. Staff representatives of several congressmen also attended. There was substantial interest expressed in working with the USDA to implement this initiative.

MPCA held a training session for County Feedlot Officers (CFOs) in late March that included a session on feedlot financial assistance. Al Kean presented an overview of the state Feedlot Water Quality Management Cost-Share program administered by BWSR. MDA and NRCS staff presented overviews of the Ag BMP and EQIP, respectively. Several SWCD employees serve as CFOs via county delegation of the MPCA delegated feedlot regulation program. Effective coordination between CFOs and SWCDs is key to efficient technical assistance and regulation.

Al is working with UMES, NRCS, and MPCA staff to initiate training through UMES for the Feedlot Evaluation Model (FLEVAL). When Justin Jeffery retired from a joint NRCS/BWSR position last summer we lost our FLEVAL expert. He will be hired by UMES to present the training. County feedlot officers are a target audience. There are also a number of SWCD and NRCS staff who indicated interest in FLEVAL training via the Partnership Training Needs Inventory last fall.
-Submitted by Al Kean

BRIEFS

Planning for the 2002 State Envirothon continues in full force. This year's event is Tuesday, May 21, at the YMCA Camp Miller in Sturgeon Lake.

This year's event received additional support from outside organizations. The U of M Regional Development Partnerships, Minnesota Power, and Canon U.S.A. are new to the donor team. They joined longtime supporters MPCA and the MASWCD Auxiliary.

Minnesota Power approached Pine SWCD after hearing about the program. The company agreed to pay for this year's lunches.

Kamal Alsharif should be credited with the $500 the State Envirothon received from Canon U.S.A. His proposal for a mini-grant through the National Envirothon was accepted. It will go toward T-shirt expenses.

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DNR LCMR Proposals Submitted

April 9, 2002

1. **Effectiveness of public waters work permits** **200**

   Summary: Develop a Public Waters Work Permit watershed sampling protocol, evaluate watershed permit compliance rates, and recommend a watershed-based monitoring, data collection and other program needs.

   Project Manager: John Linc Stine

2. **Filling gaps in stream flow and ground water monitoring network** (This has a $200K/yr tail.) **1,600**

   Summary: Water monitoring in unmonitored watersheds and surrounding growing metropolitan areas will be added and improved. Data will be available for use in determining water availability and sustainability.

   Project Manager: Laurel Reeves

3. **Expanded flood plain mapping for high risk communities** **650**

   Summary: Develop hydrologic and hydraulic data, and delineate Special Flood Hazard Areas in order to help floodplain communities minimize loss of life and property damage due to exposure to flood hazards.

   Project Manager: Ogbazghi Sium

4. **GW exploration and monitoring** **340**

   Acquire replacement seismograph - 90
   Murray County exploration – 250

   Summary: New maps of Murray County's extensive buried aquifers will be created with new and existing subsurface data, thereby, helping the region find ground water for economic growth.

   Project Manager: James Berg

5. **Mesabi Iron Range Hydrologic Data** **326**

   Summary: Develop a database with web page access of hydrogeologic data across the Mesabi Iron Range. The database will be used to direct water management planning and decision-making on the Range.

   Project Manager: John Adams

6. **From Great Lakes Protection Fund – (Administered by LCMR.)**

   - Great Lakes Diversion Issues – **50**

   (Funding to Council of GL Governors & staff to engage MN.)

   Summary: Interbasin diversions of water is a growing concern between the Great Lakes states. The Council of Great Lakes Governors has initiated a project to develop a binding agreement to address how diversion requests will be coordinated and evaluated.

   Project Manager: Kent Lokkesmoe

7. **Public/Private Partnership to Protect Lakes** **3 Mil**

   Summary: Initiate three focused efforts to strengthen public-private partnerships and to develop new tools that improve lake management, enhance protection and restoration of the shoreland zone, and improve delivery of information on lake resources.

   Project Manager: Dave Wright, Ecological Services, or
   John Linc Stine, Waters

VOTER ATTITUDES ON FLOODING AND OPEN SPACE: SUPPORT FOR LAND MANAGEMENT

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ABSTRACT

A combination of accelerated urban development and the fact that the 1990s has been the wettest decade for the area this century, have lead to higher water levels on Prior Lake and flooding in 1998 and 1999. This flooding in turn has lead to intense pressure by citizens and the local city to enlarge the outlet system on Prior Lake.

This paper presents how the Prior Lake-Spring Lake Watershed Districts' (PLSLWD) Board of Managers resisted the temptation to push the problem downstream with a larger outlet and have decided to manage the water "within the District." The resulting program called the Land Management Program represents the first attempt by a Minnesota based Watershed Organization to manage land rather than just regulate. A key element enabling this program and the main topic of the paper was a survey of Voter Attitudes On Flooding and Open Space. This survey was completed with assistance from the Trust for Public Land.

Results of the survey showed that once alternatives are explained, voters overwhelmingly support the Managers' decision to manage water within the District. This was largely due to recognition of the secondary benefits to water quality and open space preservation from this alternative. Furthermore, a majority of surveyed voters supported increasing their taxes an additional $15 per household per year to pay for this program.

KEYWORDS

Open space, flooding, voter attitudes

INTRODUCTION

The Prior Lake-Spring Lake Watershed District (PLSLWD) was established in 1970 in response to a petition filed by residents of the watershed. The primary motivation for the petition was for the development of an organization with the authority to minimize extreme lake level fluctuations that regularly occurred on Prior Lake. Fluctuations were extreme because the natural overflow elevation for the lake was about eight feet higher than the ordinary high water level.

The Watershed District covers approximately 42 square miles. Drainage flows from the southwest agricultural portions of the watershed north and east to Spring and Prior Lakes (Figure 1). Since formation, the District has instituted rules regulating water quality and peak runoff rates from new development, and has constructed a number of projects including an outlet system for controlling lake level fluctuations. The outlet system was completed in 1984. The outlet system is comprised of an outlet box structure on Lower Prior Lake, and a seven-mile long channel system that ultimately discharges to the Minnesota River.

Operation of the outlet system has generally decreased the extreme lake level fluctuations. However, the combination of accelerated urban development beginning in the mid-1990s and the fact that the 1990s have been the wettest decade for the area this century, have lead to higher lake levels and flooding in 1998 and 1999. The flooding in turn has lead to intense pressure by citizens and the local city to enlarge the outlet system.

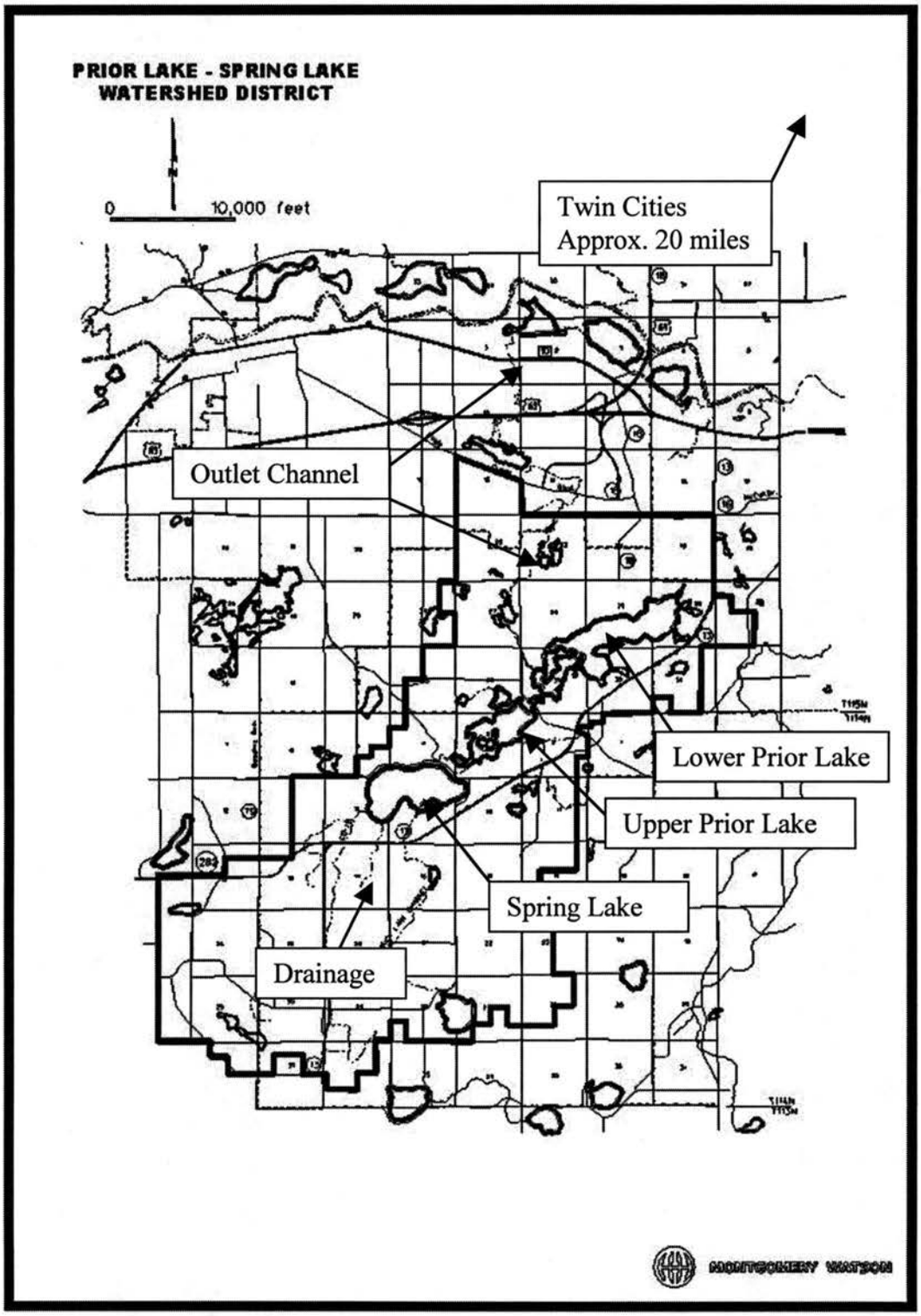
District Managers initially identified two alternatives for resolving the high lake levels. The first was to enlarge the outlet system, while the second makes improvements to the outlet system but also requires the dedication of buffers as conservation easements, offers incentives for perpetual conservation practices and 10-year filter strip agreements, and purchases easements on parcels key for future water management. Both alternatives would cost $2-$3 million. However, the Managers preferred the second alternative because they believe it also provides water quality and open space protection opportunities, and protects the existing surface water management infrastructure. To test this position, the District completed a Voter Attitude Survey with assistance from the Trust for Public Land. The purpose of this paper is to present: 1) the results of the survey, and 2) the framework for the resulting Land Management Program.

METHODS

The Voter Attitude Survey was compiled and completed with the assistance of a professional pollster. The Managers, the pollster and the Trust for Public Land jointly developed a set of questions. A list of voters was obtained from the County covering the watershed. The survey was designed to represent the entire watershed and not just lakeshore owners. The survey of 300 residents was completed by phone in October 1999.

Methods used for developing the Land Management Program largely consisted of workshops with a core group of land management professionals in the county, state agency personnel, District Managers and staff, and community leaders. Separate informal meetings and contacts with additional community leaders, and Township and County Managers were held to present and receive input.

Figure 1 – Prior Lake-Spring Lake Watershed District



RESULTS AND DISCUSSION

Results of the survey and development of the Land Management Program are presented separately below.

Voter Attitude Survey

The phone survey contacted 300 residents and had a margin of error of +/- 5.5%. The survey started with basic questions regarding how residents felt about their community. By a two to one margin, residents felt the community was headed in the right direction. Various governmental agencies, including the Watershed District, enjoy about two to one or better favorable ratings. Of the 79% who have heard of the District, 44% think the District is doing a satisfactory job and 24% believe the performance has been unsatisfactory.

Respondents were evenly divided when asked to choose between the two alternatives, identified by the District, for managing water resources in order to reduce flooding. Forty one percent (41%) selected option #1 to "improve and widen the existing outlet drainage channel which runs between Prior Lake and the Minnesota River", and 47 % selected option #2 to "improve, but not widen, the drainage channel and purchase conservation easements from upstream property owners", to allow the District to use these as temporary holding areas for flood waters (12% no opinion).

However, when told the Watershed District Managers preferred options #2 because it provided more long term benefits, minimized opposition, increased recreational potential and improved water quality, 69% strongly agreed (Figure 2). These results underscore the importance of getting information to residents about what the District Managers feel are appropriate steps to reduce flooding. Based on current knowledge of the matter, residents lean toward the Districts' choice. However, when they are told about the Districts' position and the reasons behind it, public opinion shifts dramatically in favor.

When asked their opinion of a third option to spend an additional one million dollars to buy several homes in highly flood prone areas to decrease flood damage, 25% supported and 65% opposed this proposed solution.

Residents were asked their opinion of 14 possible benefits of Option #2. The responses to each benefit were very favorable (Figure 3). It was surprising, however, that reducing shoreline erosion, enhancing boating use, and improved flood protection benefits were considered "Very Important" by a lower percentage of respondents than many of the other benefits. This was surprising because shoreline damage, restricted boating, and flooding are the most frequently cited complaints when water levels are high. Improved water quality, protecting the environment, and reducing algae blooms on the lakes received the highest percentage rating as "Very Important."

Figure 2 – Preferences for Water Management Options

Original Question: *The Watershed District Managers have identified two possible approaches to managing water resources in the District in order to reduce flooding during the wet months. Both approaches would cost about the same amount of money – approximately 2 to 3 million dollars.*

- *One option to manage water resources to reduce flooding would be to improve and widen the existing outlet drainage channel which runs between Prior Lake and the Minnesota River to allow for additional water flows during wet periods.*
- *The second option would include improving, but not widening, the drainage channel, and purchasing conservation easements from upstream property owners, to allow the water district to use these lands as temporary holding areas for flood waters during wet months.*

Which of these do you prefer: Option #1, Option #2, or No opinion?

Follow-up Question: *Next, I'll give you some additional information about the first two options.*

- *The Board of Managers of the Watershed District believes the preferred alternative should be Option #2, which would improve, but not widen the existing drainage channel, and purchase conservation easements from upstream property owners for holding areas for water.*
- *The Managers chose this options because (1) opposition to widening the channel has already been voiced by the Department of Natural Resources and downstream cities, and (2) the Managers believe this option provides more long-term benefits than widening the outlet drainage channel. Other benefits for this alternative include: increased recreation potential, recharged groundwater supplies, improved fish and wildlife habitat areas, preservation of open space lands, improved access for public trails, and improved water quality.*

Considering this information, which of the 2 options would you prefer: Option #1, Option #2, or No opinion?

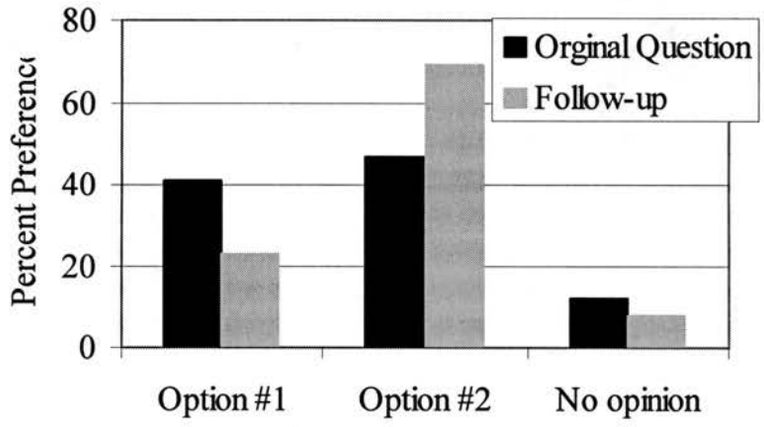
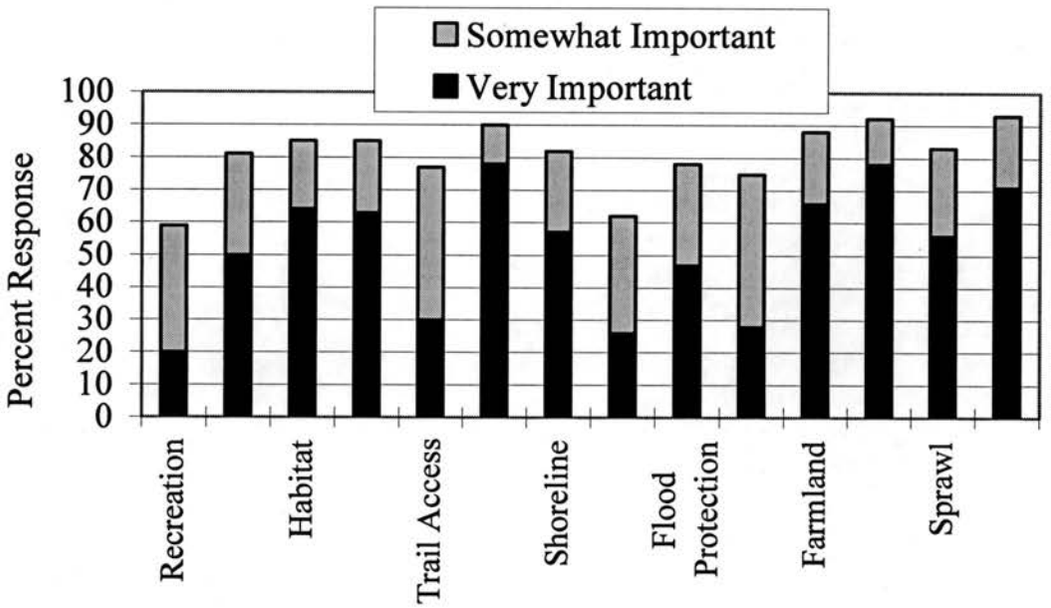


Figure 3 – Rating Environmental Benefits of Option #2.

The Question: *Next I'll ask your opinion of each of the benefits mentioned for Option #2, individually,*

Do you consider ___(a)___ to be very, somewhat or not too important benefit of the Option #2 plan?

- *a1. Increased recreation potential*
- *a2. Recharged groundwater supplies*
- *a3. Improved fish and wildlife habitat areas*
- *a4. Preservation of open space lands*
- *a5. Improved access for public trails*
- *a6. Improved water quality*
- *a7. Reducing shoreline erosion*
- *a8. Enhancing boating use of the lakes*
- *a9. Improved flood protection*
- *a10. Improved fishing opportunities*
- *a11. Preservation of farmlands*
- *a12. Protecting the environment*
- *a13. Managing development and preventing urban sprawl*
- *a14. Reducing algae blooms on the lakes*



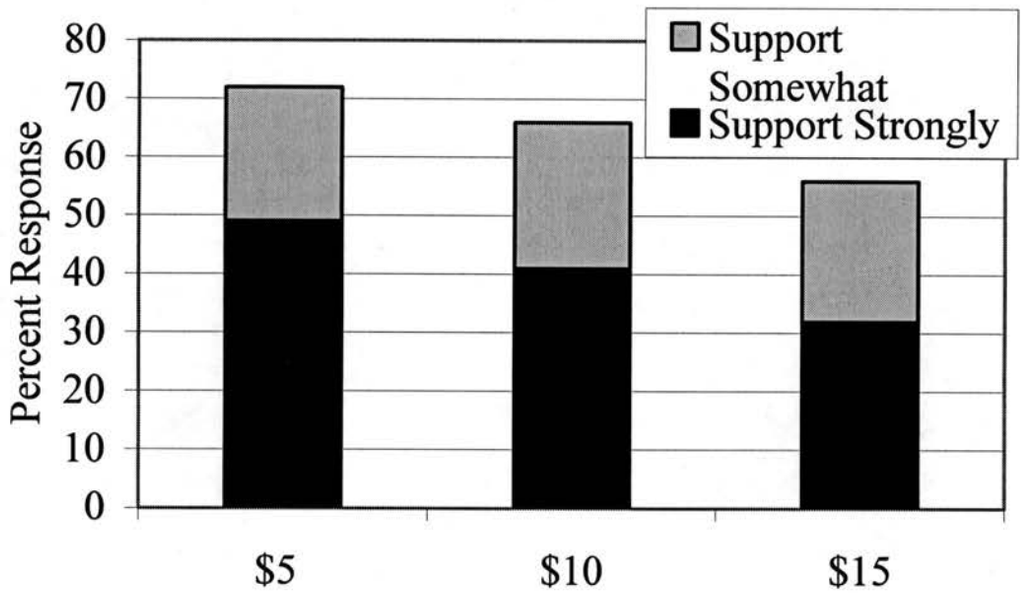
Finally residents were asked about their willingness to pay for the programs. Fifty-five percent (55%) of residents surveyed support a "reasonable increase" in taxes to help pay for the plan. When asked about specific tax increases, 56% supported a $15 a year increase, 66% supported a $10 boost, and 72% supported a $5 tax increase (Figure 4).

Figure 4 – Residents Support a Modest Tax Increase

***The Question**: At present, the yearly property tax assessment for the Prior Lake-Spring Lake Watershed District is $26 dollars a year for each $100,000 of assessed property value.*

If the Watershed District asked for a ___(a)___ property tax increase to help pay for this program, would you support or oppose it? Is that strongly or just somewhat?

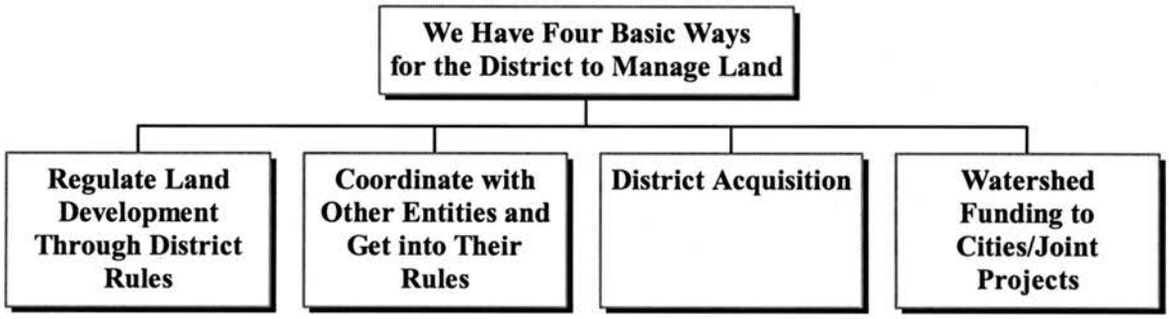
a1. $30 a year
a2. $25 a year
a3. $20 a year
a4. $15 a year
a5. $10 a year
a6. $5 a year



Land Management Program

The District has the legal authority for ordering a project and constructing and physical improvements to the outlet system that are part of the preferred alternative. However, the District does not have land use/zoning authority for setting aside open space and water storage areas. The District does have a number of powers per state statute. As shown in Figure 5 the District has for basic means of affecting land management. The Land Management Program attempts to take advantage of all four mechanisms.

Figure 5 – Watershed Authority Mechanisms for Land Management



District Rules. The District has rules regulating land disturbing and development activities. These rules have been in place for many years and require the development of both Stormwater Management and Erosion Control plans for new development. The Stormwater Management rule requires water quality Best Management Practices (BMPs) and that post-development peak runoff rates not exceed pre-development rates. However, the rule currently does not require runoff volumes controls. The Managers want to influence the amount of impervious area created with new development and thereby limit runoff volume increases. They are considering additions to the rule to require developers to demonstrate that they have explored alternatives for minimizing impervious areas, and for infiltrating a portion of the runoff that does occur. Infiltration of runoff from pervious surfaces will not be required as an incentive to maximize pervious areas.

The Managers are also considering adding a buffer strip requirement. This rule would require the dedication of a 30-foot buffer adjacent to watercourses and wetlands with tributary areas greater than 100 acres as a conservation easement. The hope is that over time a continuous conservation easement will be acquired over many of the watercourses in the District.

Others' Rules. Other entities within the District have land management and development rules, sometimes with broader authority than the District. To take advantage of other programs the District Managers are proactively engaging other entities. In particular the District has participated in the development of the county-wide water management plan, provided input on the County's Comprehensive Land Use Plan,

and engaged individual County Commissioners in the land management discussion. The District has also started to participate in the local subdivision review board for one of the local cities.

District Acquisition. The District completed a land inventory and identified a number of parcels that because of their landscape position as topographic lows, have valuable water management potential. A number of these have been targeted for voluntary acquisition. For the most part these parcels are located in the upstream, undeveloped southwest portion of the District and are targeted well in advance of development. From watching other watershed organizations fail at siting regional facilities we have learned that the key is early acquisition before areas are developed.

Joint Projects. Joint project efforts of the Land Management Program are the farthest along. Changes to District rules affects land as it develops, acquisition affects only key parcels, and thus a lot of land in the District is unaffected by these two efforts. The joint projects currently underway targets these other areas that will not be developed for many years, particularly cropland, for passive water management efforts. These efforts include co-sponsoring filter strips, and bonus payments for participants in the Conservation Reserve Enhancement Program (CREP).

The filter strip program is sponsored jointly with the Scott Soils and Water Conservation District. By pooling resources we are able to offer incentive payments for 10-year agreements on filter strips that are competitive with rental rates for cropland. Furthermore the 10-year agreement gives an option for landowners that are uncomfortable with perpetual agreements under the CREP program. The CREP program is very similar to CRP where cropland is placed into a conservation practice, except that most of the CREP agreements are perpetual. Essentially CREP is almost the same as having a perpetual conservation easement. Unfortunately, payments for CREP are based on state-wide soil rates and do not compete with economics of development in areas near the Twin Cities such as the District. Therefore, the District is considering a $2,500/acre bonus payment for cropland adjacent to waterbodies that is enrolled in a perpetual conservation practice. This benefits the District in several ways. First, conservation practices are installed and land is protected adjacent to waterways. Second, the protection is perpetual, and third, the District leverages local money with state and federal money already allocated for CREP. It is anticipated that these activities will create better buffering, filtering, water absorption, and protect areas adjacent to water ways and topographic lows from further alteration and development.

CONCLUSIONS

The Voter Attitude Survey provided the District with three very important pieces of information:

1. Residents strongly support the Districts' recommendation to improve but not widen the drainage channel and to purchase conservation easements.

2. Residents believe the open space and environmental preservation benefits of the preferred option are very important.
3. A majority of residents are willing to raise taxes up to $15 to pay for these improvements and benefits.

These findings were instrumental for demonstrating support of the Managers' decision, and for showing local government officials and County Commissioners that support even extended to raising money for the project. Residents' belief that open space and environmental preservation are very important also helped guide the development of the Land Management Program. Essentially the District is taking advantage of the local interest in open space and environmental preservation to also accomplish water quality and quantity management objectives.

The resulting Land Management Program is built around the various authorities given to Watershed Districts in Minnesota. The program includes efforts to preserve open space in and around topographic lows and waterways as a means of preserving the existing "green" drainage infrastructure and slowing down and filtering runoff. More active manage land efforts using long term landowner agreements or purchases with the construction of facilities are also included. Finally, the program includes efforts tailored to lands likely to be developed as well as efforts targeted specifically toward cropland.

ACKNOWLEDGEMENTS

The District would like to acknowledge the efforts of Glazer and Assoc. and J. Moore Methods for the Voter Survey. The District also thanks the Minnesota Board of Water and Soil Resources for grant/financial assistance for developing the Land Management Program, and the Minnesota Department of Natural Resources for grant/financial assistance for the Voter Survey and for land purchases.

May 2002

BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
WEDNESDAY, MAY 22, 2002

AGENDA

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

Pledge of Allegiance

Adopt Agenda

Minutes of April 24, 2002

Open Mike (10-minute agenda time, two-minute limit/person)

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
- Administrative Advisory Committee – Lee Coe

Agency Reports

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

New Business

1. Establish Date for Referendum on Petition for Discontinuance of the Hennepin Conservation District – Jim Haertel – DECISION

2. Hubbard SWCD Recommendation Report on M.S. 103C.601 Works of Improvement Project – Doug Thomas – DECISION

3. Middle River Snake River Watershed District Enlargement Petition – Doug Thomas – DECISION

4. FY 03 CREP Implementation Grants to Nonpoint Engineering Assistance Joint Powers Boards – Al Kean – DECISION

5. Local Water Management Integration – John Jaschke - DECISION

Information and Discussion

1. Review of Outcomes from the Education Committee's Workshop on Issues and Priorities for UM Extension's Natural Resources Programming – Paul Krabbenhoft and Ron Struss – DISCUSSION

2. Soil and Water Conservation Society (SWCD) Annual Conference in Minnesota July 2004 – Robin Martinek - INFORMATION

Advisory Comments

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

12:00 p.m. Adjourn for lunch break

12:30 – 3:00 p.m. Convene as a Committee of the Whole: Re-Crafting Soil and Water Conservation District Law for the New Century – Jim Birkholz – REVIEW AND DISCUSSION

Upcoming Meetings

- Next BWSR Meeting May 22, St. Paul
- CREP Celebration, June 25, Mankato
- BWSR Meeting June 26, Mankato
- MAWD Summer Tour, June 27-29, Washington County
- BWSR Tour and Meeting, July 24-25, Kandiyohi County
- BWSR Meeting, August 28, St. Paul
- BWSR Meeting, September 25, in conjunction with the Local Water Planners Conference, September 23-25, Hinckley

Minnesota Board of Water & Soil Resources

Central Office: One West Water Street ▪ Suite 200 ▪ Saint Paul, MN 55107 ▪ Phone: (651) 296-3767 ▪ Fax: (651) 297-5615

DATE: May 13, 2002

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

FROM: Ronald D. Harnack, Executive Director

SUBJECT: May 22nd BWSR Meeting

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, May 22, 2002, beginning at 9:00 a.m. The meeting will be held in the BWSR conference room, lower level, at One West Water Street, St. Paul. Parking is available across the street from the building. Please display the enclosed "temporary parking permit" on your vehicle's dashboard.

The following information pertains to agenda items:

New Business

1. Establish Date for Referendum on Petition for Discontinuance of the Hennepin Conservation District - A petition to discontinue the Hennepin Conservation District was filed with BWSR pursuant to Minn. Stat. § 103C.225. Over 25 occupiers of land in the District signed the petition. Minn. Stat. § 103C.225, Subd. 3 (a) requires BWSR to hold a referendum. Mr. Schunk, a petitioner, filed a Petition for Writ of Mandamus in District Court to compel BWSR to hold the referendum on election day, which is November 5, 2002. On March 27, 2002, the BWSR issued an order to conduct the referendum on or before November 5, 2002. Staff have consulted with the Secretary of State and the Hennepin County Elections Office to coordinate holding the referendum in conjunction with the Hennepin County General Election on November 5, 2002. Staff recommend the referendum be ordered per the attached draft Order. DECISION

2. Hubbard SWCD Recommendation Report on Minn. Stat. 103C.601 http://www.revisor.leg.state.mn.us/stats/103C/601.html Works of Improvement Project -- Hubbard Soil and Water Conservation District has submitted to BWSR for its review a recommendation report and preliminary general plan for Minn. Stat. 103C.601 Works of Improvement Project for Lake Belle Taine, located in Hubbard County. The proposed project would involve the construction of a pump and associated infiltration basins for the

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Saint Paul
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purpose of lowering flood water on the lake back to the established ordinary high water elevation as established by the DNR. This project has evolved over the last four years and has included many groups including the US Corps of Engineers, BWSR, and the DNR. BWSR is responsible for reviewing the recommendation report and making a determination if the plan is inconsistent with state water law and policy. Staff has reviewed the plans and is recommending the Board make a positive determination that the plan is not inconsistent with state water and policy. This agenda item anticipates final action by the SWCD on May 14th. DECISION

3. Middle River Snake River Watershed District Enlargement Petition – On Monday May 13, 2002 BWSR received a petition from Kittson and Marshall Counties to enlarge the territory of the Middle River Snake River Watershed District. The territory proposed to be added is a watershed area known as the Tamarack River, which adjoins the northern border of the Middle River Snake River Watershed District. The Tamarack River is one of the few remaining areas in the Red River Valley, which is not part of an organized watershed district. Staff has determined that a valid petition exists and is requesting the Board to order and conduct a hearing in the matter of enlarging the Middle River Snake River Watershed District. DECISION

4. FY03 CREP Implementation Grants to Nonpoint Engineering Assistance (NPEA) Joint Powers Boards (JPBs) - These grants will fund a portion of the time of the NPEA engineers and technicians employed by JPBs 5, 7, 9 and 10 (located in St. Cloud, Montevideo, Slayton and Mankato) to provide surveying, design and construction inspection assistance for CREP wetland restorations. The proposed CREP implementation funding will commit staff time in these four JPBs to accelerate CREP wetland restoration implementation in FY 03. DECISION

5. Local Water Management Integration – See attached – DECISION

Information and Discussion

1. Review of Outcomes from the Education Committee's Workshop on Issues and Priorities for UM Extension's Natural Resources Programming - UM Extension Service is restructuring in order to provide the greatest benefit to the state with the resources it has available. Programs are organized around "Capacity Areas"; those areas where UM Extension has the staff, expertise, and research to have an impact. The "Natural Resources and Environment" Capacity Area came to BWSR seeking input into their developing program. The BWSR Education Committee carried out a series of information gathering activities and will review these outcomes with the full Board before forwarding on to UM Extension.

2. Soil and Water Conservation Society (SWCS). The Minnesota chapter of SWCS is hosting the national SWCS conference in July of 2004. Robin Martinek, NRCS State Agronomist, and chair of local arrangements for this conference, will present information on what the Society stands for, request support of the conservation partnership in Minnesota, and ask for support for this meeting, such as use of equipment, help with publicity, getting the information out to districts, people who may want to volunteer to help with conservation tours, hospitality, registration, etc.

Convene as Committee of the Whole: Re-Crafting Soil and Water Conservation District Law for the New Century. Jim Birkholz has been working with the Minnesota Association of Soil and Water Conservation Districts to undertake a modernization of the SWCD statute. This is part of a broader "SWCD Capacity Initiative" that was presented at the December board meeting. At the May 22 meeting we will be reviewing and discussing the proposed changes to SWCD statute that have been prepared to date. This discussion is the early part of a broader communication effort to engage key partners of SWCDs in the statute changes. The goal of this project is to pass legislation during the 2003 legislative session to incorporate the agreed to changes into law. Enclosed for your review you will find a table summarizing the top ranked proposed changes and a list of other changes being considered. Also enclosed is a spreadsheet summarizing the results of two workshops conducted with SWCD supervisors and staff regarding statute changes. Additional information will be provided at the meeting. Participants in the discussion will include Scott Hoese and Jim Main (if schedule allows) for the SWCD Capacity Committee; LeAnn Buck, MASWCD; and Jim Birkholz. Key policy issues for the Boards discussion are: adequacy of the state's soil conservation policy; SWCD purpose statement; SWCD authorities and powers; levy and other financial capacity and authority; SWCD establishment, dissolution and modification; election of supervisors options; and state's obligation to SWCD funding. This is the beginning of the policy discussions that will lead to the Board's and Association's mutual endorsement of policy legislation for next year. Members can anticipate a couple more discussion sessions over the course of the summer and fall. DISCUSSION.

If you have any questions regarding the agenda, please feel free to give me a call at 651-296-0878. I look forward to seeing you on May 22nd!

RDH:mja

Enclosures

BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
WEDNESDAY, MAY 22, 2002

PRELIMINARY AGENDA

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Adopt Agenda

Minutes of April 24, 2002

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- BWSR Meeting, September 25, in conjunction with the Local Water Planners Conference, September 23-25, Hinckley

TEMPORARY PARKING PERMIT

BWSR Meeting
One West Water Street
Lower Level Conference Room
MAY 22, 2002

Dispute Resolution Report
May 7, 2002

There is one completely new item for the DRC that involves BWSR making WCA decisions. When an LGU receives a cease and desist order, BWSR makes the decision on no-loss and exemption applications concerning the project. Coon Creek Watershed District received a cease and desist order regarding the removal of a weir in County Ditch 58 in Anoka County. The watershed district has applied for a no-loss determination. In cases like this, the administrative process BWSR follows is for the DRC to hear the matter and bring a recommendation to the full board for a decision. A DRC hearing was scheduled to follow the Board meeting on May 22, but now has been postponed.

There are presently seven appeals pending. All of the appeals involve WCA.

The most recent appeals are of a replacement plan approval in Brooklyn Center for a highway project. The Shingle Creek WMO made the WCA decision. Two appeals have been filed on the project. Both appeals have been accepted and a pre-hearing is scheduled for May 28.

There is an appeal of the Board's remand to Mower County regarding a landfill site. Under remand, the county denied an application for no-loss. The appeal has been accepted and a pre-hearing was held on April 11. The appeal is in abeyance since the appellants have filed a new WCA application and are waiting for a decision on the new application before proceeding with the appeal.

Another appeal is of an exemption determination in Hennepin County. The appeal involves a horse barn that is already built. The appeal has been accepted and a hearing was scheduled, but the briefing schedule is now on hold since a replacement plan application has been approved.

Another appeal involves the Board's remand to McLeod County. Under remand, the county approved an agricultural exemption. The appeal has been accepted but a pre-hearing has not been scheduled.

Another appeal is of a replacement plan denial in Stearn's County. The appeal involves a single family dwelling site near the Mississippi River. The appeal has been accepted and is being held in abeyance since the landowner is exploring his options with the county.

Another appeal involves a wetland banking site in Chisago County. The appeal has been accepted and is being held in abeyance to see how the site looks this spring.

NEW BUSINESS

1. Establish Date for Referendum on Petition for Discontinuance of the Hennepin Conservation District DECISION

DRAFT

DRAFT

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

In the Matter of the Petition for Discontinuance of the Hennepin Conservation District and Conducting a Referendum pursuant to Minnesota Statutes Section 103C.225

ORDER TO CONDUCT REFERENDUM

Whereas, a Petition to discontinue the Hennepin Conservation District was received on August 24, 2001, pursuant to Minn. Stat. § 103C.225, Subd. 1, and;

Whereas, on March 27, 2002, the Board of Water and Soil Resources issued an order to conduct a referendum on the discontinuance of the Hennepin Conservation District on or before November 5, 2002, pursuant to Minn. Stat. § 103C.225, Subd. 3, and;

Whereas, there are tremendous administrative and economic efficiencies and perfections to conducting the referendum in conjunction with the county general election on November 5, 2002, and;

Whereas, the petitioners desire the referendum to be held in conjunction with the county general election, which will be conducted next on November 5, 2002, and;

Whereas, conducting the referendum in conjunction with the county general election on November 5, 2002 will be more representative of the citizens of Hennepin County and more fair than conducting a unique referendum, and;

Whereas, conducting the referendum in conjunction with the county general election on November 5, 2002 will meet the full intent of Minn. Stat. § 103C.225, Subd. 3, and;

Whereas, notice of the referendum and publication of the results of the referendum pursuant to Minn. Stat. § 103C.225, Subd. 3 can be fully accomplished by publication in the same manner that Hennepin County publishes the sample ballot and the results of the general election.

Now Therefore, the Board hereby makes the following Order.

ORDER

The Board hereby orders that a referendum on the discontinuance of the Hennepin Conservation District be conducted on November 5, 2002, by placing the question for discontinuance on the ballot for the Hennepin County general election, and noticing the referendum and publishing the result of the referendum in the same manner as Hennepin County.

Dated at Saint Paul, Minnesota this _____nd day of May, 2002.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Leland G. Coe, Chair

NEW BUSINESS

2. Hubbard SWCD Recommendation Report on a 103C.601 Works of Improvement Project
   DECISION

Lake Belle Taine, Hubbard County – Works of Improvement

Approximately four years ago a group of concerned citizens approached the Hubbard County Board of Commissioners requesting assistance to help them deal with rising water levels on Lake Belle Taine. Lake Belle Taine is located at the bottom end of the Mantrap chain of lakes with an outlet that is significantly above the DNR established Ordinary High Water elevation. The rising water levels in the lake are a result of the regional groundwater system, which has been increasing over the last ten years due to the wet weather cycle that has occurred in that region of the State. Many properties around the lake are being affected by the high water with inundation of septic systems, erosion of shoreline, and flooding of structures.

Shortly afterwards Hubbard County initiated a meeting of the local units of governments, including the Hubbard County Soil and Water Conservation District (SWCD), the Lake Belle Taine Association (Association) and state and federal agencies to begin exploring what could be done to help. In the end the County decided to initiate a 103C Works of Improvement Project (WIP) in cooperation with the SWCD. One of the primary reasons for choosing a WIP was that the problem area existed entirely within Hubbard County and the desire to use existing authorities rather than create something new.

The WIP authority exists in Minnesota Statutes 103C. 601. The statute allows SWCD's to receive requests from landowners and initiate studies to determine the feasibility of whether a proposed project would be of public utility and benefit. If the SWCD determines that a project is necessary and feasible then it enters into a more formal arrangement with the county to continue to develop and initiate a project.

In the case of Lake Belle Taine a request was made by the Association to the SWCD with the concurrence of the County. One of the first steps that were taken was to contract with the US Corps of Engineers to do a preliminary feasibility study. That study concluded that a water level control project was feasible and had a positive cost benefit ratio, and would likely not result in any significant downstream impact. After the COE study was completed the County instructed the SWCD to continue to pursue the development of a recommendation report. The SWCD contracted with Woodsith, Smith and Nolting, Inc. to conduct a preliminary engineering report and to recommend feasible options for control of the lake level. The report concluded that three options existed, including gravity pipe with direct discharge to the Crow Wing River, pumping, and pumping with infiltration. The report also concluded that any of the project alternatives would not result in any significant downstream impact.

Once the preliminary engineers report was completed the SWCD assigned a technical committee, which included representatives from BWSR and DNR, to make a recommendation to the SWCD on the preferred alternative and the method by which the project would be paid for. The technical committee recommended the pumping option with land infiltration as the preferred alternative and that special assessments minus and grant funding as the local method of financing the project.

On May 14, 2002 the SWCD will be voted on the recommendation report. They have forwarded that report to BWSR to review the recommendation report and preliminary general plan and make a determination if the plan is inconsistent with systematic administration of state water law policy. BWSR staff is recommending that the Board make a positive determination the proposed recommendation report and preliminary general plan are not inconsistent with State water law and policy.

Minnesota Statutes 2001, Table of Chapters

Table of contents for Chapter 103C

103C.601 Works of improvement.

Subdivision 1. **Authority.** (a) The district board may, if directed by resolution of the boards of commissioners from the counties where the district is located undertake, construct, install, maintain, and operate works of improvement for a district purpose. The district board may:

(1) use the proceeds of tax levies, assessments, and other available funds for the works of improvement;

(2) acquire necessary real or personal property by purchase or gift for the works of improvement;

(3) contract, survey, plan, construct, install, maintain, and operate the works of improvement; and

(4) exercise other authorized powers.

(b) Two or more district boards may jointly exercise the powers granted by this section.

Subd. 2. **Request for project.** A program for works of improvement in any area within one or more districts may be initiated upon written request for a project submitted to the district board by one or more of the owners of land in the affected area. The request must include:

(1) a general description of the area proposed for inclusion in an improvement work unit, with a proposed name or number for the project;

(2) a description of the affected land owned by the signers; and

(3) a statement of the objectives of the proposed works in furtherance of the authorized purposes, the grounds upon which the project will be of public benefit and utility and promote the public health, safety, and welfare, and special benefits to property that will result from the project.

Subd. 3. **Determination by district board.** As soon as practicable after receipt of the request the district board shall have necessary preliminary surveys and studies conducted.

Subd. 4. **Resolution of establishment.** (a) The district board may, by resolution, recommend the establishment of an improvement work unit and a program for works of improvement in the work unit to the boards of county commissioners of the counties where the affected land is located if the district board determines the proposed works of improvement:

(1) are feasible;

(2) will be of public utility and ben efit;

(3) will promote the public health, s afety, and welfare; and

(4) will further the authorized purpo ses and best interests of the district.

(b) The district board shall by resol ution give the improvement work unit an appropriate nam e or number, which may be different from the one proposed in th e initial project request.

(c) The resolution shall recommend de finite boundaries for the improvement work unit, which may be those proposed in the request or modified as the district boar d deems advisable.

(d) In the resolution the district bo ard may also enlarge, reduce, or otherwise modify the proposed objectives of the program, but not make a substantial chan ge in its main purposes as stated in the initial project request unless consented to in writing by the signers of the request.

(e) At any time before further action is taken on the project as provided in section 103C.605 the district board may amend the resolution, subject to the for egoing limitations.

Subd. 5. **Preliminary general plan.** (a) After adoption of the resolution recommending the improvement work unit and program under subdivision 4, th e district board after being directed by resolution of the affe cted boards of county commissioners may have further surveys a nd studies made as necessary.

(b) The district board may then have a preliminary general plan with cost estimates made to impleme nt the program for the improvement work unit or part of the wor k unit.

Subd. 6. **Financial aid.** (a) The district board, at the direction of the affected county boa rds, may apply for federal aid, state aid, or aid available from other sources for the works of improvement in the program or part of the works of improvement under federal or state law.

(b) The district board may take the s teps necessary to determine whether aid will be available and the amount of the aid. The district board may consider ho w the cost of the works not expected to be paid by federal or ot her aid may be met from funds of the district or from the procee ds of assessments on benefited property or otherwise, and the district board may make estimates of the amounts and sources.

Subd. 7. **Necessary cooperation or joint action.** If the cooperation or joint action of an ad jacent district or other public agency is desirable for the progr am, the district board, at the direction of the affected county boards, may negotiate with the authorities concerned for coope ration or joint action.

Subd. 8. **Recommendation report.** (a) After completion

of the requirements in subdivisions 1 to 7, the district board may make and file a recommendation report, summarizing findings and recommendations for further action on all or part of the program and containing substantially the engineering information required by section 103D.711, subdivisions 1 to 3.

(b) The district board shall make the recommendation report and the preliminary general plan for the improvement work unit available to the affected county boards and to all other public agencies and concerned persons, and may provide other publicity that it deems advisable. The district board shall transmit a copy of the recommendation report and preliminary general plan to regional development agencies where the project is located. If the preliminary general plan involves a project for which a water use permit or public waters works permit is required from the commissioner of natural resources under chapter 103G, or for which proceedings will be instituted under chapter 103E, the district board shall transmit the recommendation report and plan to the commissioner of natural resources and to the state board.

Subd. 9. **State board review.** (a) The state board shall review the recommendation report and preliminary general plan and, if the state board concludes that the plan is inconsistent with systematic administration of state water policy, the state board shall report the conclusion to the district board and the commissioner of natural resources within 60 days after receiving the recommendation report and preliminary general plan.

(b) The district board may modify and retransmit the recommendation report and preliminary general plan to the state board, or request a hearing on the recommendation report and preliminary general plan. The state board shall hear the matter in the manner and following the procedures provided in sections 103A.321 to 103A.341, for the hearing of cases when the state board consents to intervention proceedings.

(c) Unless the state board concludes that the report and plan are inconsistent with state water policy, the district board, with the approval of the county boards, may adopt and sponsor the improvement work unit and a program of work for the unit.

HIST: 1990 c 391 art 3 s 24

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NEW BUSINESS

4. FY03 CREP Implementation Grants to Nonpoint Engineering Assistance Joint Powers Boards
   DECISION

FY 03 CREP Implementation Grants to NPEA Joint Powers Boards

As the CREP 100,000 acre goal is being achieved in the application phase, increasing focus is being directed to implementation of conservation practices on CREP lands. This involves many wetland restorations, which have sold even better than expected.

Implementation assistance for wetland restorations involves surveying, design, construction staking and construction inspection. Coordination with adjacent landowners, road authorities and drainage authorities is often required, as well. Many CREP partners are involved with these implementation tasks. These partners include the Nonpoint Engineering Assistance program joint powers board engineers and technicians located in Mankato (10), Slayton (9), Montevideo (7) and St. Cloud (5). Most of these engineers and technicians have substantial experience with many of the tasks involved in providing engineering assistance for wetland restorations.

Because the NPEA base grant funding will not cover all of the costs of the NPEA staff in FY 03, these JPBs are marketing a portion of their staff time to other programs and LGUs for conservation engineering assistance. The table below indicates the minimum number of NPEA staff hours that host SWCD managers and staff have agreed to commit to CREP wetland restoration engineering for FY 03 and an associated grant amount. The grant amounts are based on a prorata portion of the projected FY 03 JPB budgets for the number of hours committed, not to exceed the shortfall of NPEA base funding.

The number, size and complexity of CREP wetland restorations are high in the southeastern portion of the MN River basin. Workload analyses indicate that another engineer or experienced technician is needed to assist with these wetland restorations. The office location, available equipment and existing staff, make JPB 10 a good location for additional staff to serve this need. It is proposed that the FY 03 grant to JPB 10 include funding for this position, as indicated below.

JPB No. and Location	FY 03 Grant Amount	Min. Staff Hours Committed
5 (St. Cloud)	$14,000	400
7 (Montevideo)	$16,000	550
9 (Slayton)	$45,000	1250
10 (Mankato)	$89,000	1 FTE + 650

These grants will accelerate NPEA engineering assistance for CREP wetland restorations in cooperation with BWSR, SWCDs and other partners. Grant agreements will include project assignment, coordination and reporting requirements, as well as productivity expectations and measures.

NEW BUSINESS

5. Local Water Management Integration
   DECISION

Local Water Management Integration

The Board of Water and Soil Resources has began reviewing the local water management programs under its authorities. These include:

Comprehensive Local Water Planning (MS 103B.301)
Metropolitan Surface Water Management Planning (MS 103B.201)
Watershed District Planning (MS 103D)
Metropolitan Ground Water Planning (MS 103B.255)

This evaluation includes identifying commonalities and differences of the above programs. It also involves exploring pressing water quality/quantity issues along with opportunities to align local programs with existing state agency policies and programs.

BWSR staff, working with an ad-hoc sub-Committee of the Board (Harder, Imholte, Kahler, and State Agency Representatives), local government representatives and state agency staff, have initiated the process to establish a local water management integration framework that has the potential to be the primary means to improve and protect Minnesota's valuable water and land resources. The Guiding Principles to attain that goal have been developed by the subcommittee and are presented for full Board review.

Local Water Management Integration Phases

Phase I – Enact Change

Step 1 - Gather preliminary stakeholder input

Step 2 – Establish subcommittee and develop principles, framework, and concepts for change

Step 3 – Develop specific proposals for changes

Step 4 – Gather stakeholder input on proposed changes

Step 5 – Bring final changes forward via: i.) legislation, ii) rules, iii) policy, and iv.) guidance

Phase II – Carry out Change

Vision: Establish a unified water management-planning framework that is the primary means to improve and protect Minnesota's valuable water and land resources.

Guiding Principles to attain that vision: ***guiding principles convey fundamental philosophies and values to attain a vision.***

Principles guiding efforts to make local water management plans the primary means to achieve sound water and land management in Minnesota.

Local water management plans:

1. are developed with up-front citizen and agency involvement.

2. are part of, or strongly linked to, local comprehensive (land use) plans, and other local and state plans and programs.

3. focus on tangible results that come from thorough data-based assessments, goals and actions.

4. set local priorities, goals and actions that are acknowledged by state and regional resource entities and vise versa (local goals acknowledge state and regional priorities).

Principles guiding an effort to integrate BWSR water management and planning programs.

Integrated local water management programs:

1. provide options regarding a *local* planning framework to accommodate different local governance structures and resource issues.

2. retain unique aspects but have common elements to assure coordinated planning and implementation.

3. acknowledge the fundamental importance of watersheds, while accommodating differences in regional landscapes, resource issues (e.g., groundwater, habitat) and political jurisdictions.

4. result in more effective and efficient use of state and local staff resources by defining their roles in the planning and implementation.

5. identify and remove barriers to maximize options for sharing fiscal and personnel resources among units of government, and for coordinating resource assessments, goals and actions.

CONVENE AS A COMMITTEE OF THE WHOLE:

1. Re-Crafting Soil and Water Conservation District Law for the New Century
   REVIEW AND DISCUSSION

Proposed SWCD Statute Changes
SWCD Capacity Committee
Top Four Priorities
(And the rest)

Proposed Statute Change	Existing Law	Comments
1.Levy authority for SWCDs under certain conditions:	SWCDs may receive county grants, state grants and charge for services provided	
►Optional ►Link to county authority ►To match state funds ►Incentive for outstanding performance ►Consider administrative funding and project funding separately ►Other	SWCD funding (statewide average) is: County grants 40% State grants 32% Self-generated 28% Total Revenues/Expenditures between $25-30 million/yr	Since the early 1980's collective budgets have increased by a factor of 10. There is a growing reliance of the state and federal govts on SWCDs to implement programs. A lot of expectations are dependent on potentially unstable funding sources.
2.Modernize archaic election language		
►Change references from "land occupiers" to "registered voters"		
►Rewrite "discontinuance of SWCDs" section	25 signatures can result in referendum	Consistent with BWSR policy
►Update removal of supervisors from office section	To make consistent with other county wide elected offices	Consistent with BWSR policy
►Keep elected status of supervisors	Four year terms	
►Explore options for highly populated districts		Can candidates reach the voters?
3.Land-use regulatory authority—obtain or better connect with those who have it		
►Increase authorities to accept delegations of authority from other LGUs and agencies	Can only do under a joint powers agreement	Taking care of funding needs would be essential part of this
►Better define SWCD role in developing lands	General authority exists	Many states have done this—population growth in MN suggests it is time
►Strengthen role of SWCD as a		

source of technical assistance to LGUs (@ district and multi-district level)		Many rapidly developing LGUs cannot staff needed expertise themselves—SWCDs could be a source of shared expertise
4.Expand Authorities and Policy statement beyond soil and water to broader natural resources ►Cooperative ventures with state agencies ►Coordinate with other LGUs ►Don't change major focus of SWCDs, simply validate broader environmental protection role and responsibilities	Many interpret statute narrowly	Local government roles in natural resource implementation are increasing for many good reasons. All levels of government should coordinate their roles.

The "Maybe" List. The following statute changes are in the midst of consideration and further analysis. They received considerable support from SWCD membership. Input is welcome.

1. Provide incentives that encourage SWCDs to establish closer working partnerships with other LGUs—both formal and informal.
2. Create new powers for SWCDs to initiate consolidations with other districts and political subdivisions.
3. True block grants (from the state).
4. Increase authority and streamline the process to accept delegations of authority from other LGUs.
5. Create dedicated funds.
6. Enhance funding opportunities available through cooperative ventures with other local governments.
7. Remove administrative details from statute (like reporting deadlines, etc....)

The "No, not now" List. As things stand, there is not much support from SWCDs for these changes.

1. Require a local-state-federal funding strategy—include grants and pass-through funds.
2. Authorize fees on property taxes to fund SWCDs—like solid waste.
3. State match local funds.
4. Target grants to under funded SWCDs.
5. Create a new local governance option.
6. Several "other" categories.

Re-Crafting SWCD Law for the 21st Century
Workshop Voting Results

Potential Statute Change	North Session-Bemidji			South Session-Mankato			Totals--Statewide			Statewide Weighted Total
	High	Low-OK	No	High	Low(OK)	No	High	Low(OK)	No	High=2;Low=1;No=-2
Governance										
Create new powers for SWCDs to initiate consolidations with other districts and political subdivisions	3	2	0	14	8	0	17	10	0	44
Modernize archaic election language	13	3	0	13	9	1	26	12	1	63
Remove administrative details from statute	0	3	1	8	4	0	8	7	1	22
Provide incentives that encourage SWCDs to establish closer working partnerships with other LGUs--both formal and informal	8	8	0	6	12	2	14	20	2	46
Create a new local governance option	0	1	17	3	2	7	3	3	24	-15
Authorities										
Expand authorities and policy statement beyond soil and water to broader natural resources	4	7	0	17	5	0	21	12	0	54
Land use regulatory authority--obtain or better connect what SWCDs do with those who have it	12	6	0	10	8	1	22	14	1	57
Increase authority and streamline the process to accept delegations of authority from other LGUs	4	18	0	1	4	0	5	22	0	32
Other				1	7	0	1	7	0	9
Financing										
Levy authority for SWCDs under certain conditions such as county approval, referendum, etc.	16	10	3	19	6	2	35	16	5	81
Require a local-state-federal funding strategy--include grants and pass-through funds	1	0	1	7	2	1	8	2	2	16
Authorize fees on property taxes to fund SWCDs--like solid waste	6	1	8	4	5	3	10	6	11	15
True block grants	7	10	0	2	16	0	9	26	0	44
State match local funding	0	0	2	3	3	0	3	3	2	7
Create dedicated funds	9	5	2	5	8	13	14	13	15	26
Enhance funding opportunities available through cooperative ventures with other local governments	6	7	0	1	4	1	7	11	1	24
Other				7	7	8	7	7	8	13
Targeting grants to under-funded SWCDs	0	0	4				0	0	4	-4
Fee sharing opportunities	6	4	0				6	4	0	16

Re-Crafting SWCD Law for the 21st Century

Workshop Voting Results

Potential Statute Change	North Session-Bemidji			South Session-Mankato			Totals--Statewide			Statewide Weighted Total
	High	Low-OK	No	High	Low(OK)	No	High	Low(OK)	No	High=2;Low=1;No=-2
Governance										
Create new powers for SWCDs to initiate consolidations with other districts and political subdivisions	3	2	0	14	8	0	17	10	0	44
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Other				1	7	0	1	7	0	9
Financing										
Levy authority for SWCDs under certain conditions such as county approval, referendum, etc.	16	10	3	19	6	2	35	16	5	81
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Enhance funding opportunities available through cooperative ventures with other local governments	6	7	0	1	4	1	7	11	1	24
Other				7	7	8	7	7	8	13
Targeting grants to under-funded SWCDs	0	0	4				0	0	4	-4
Fee sharing opportunities	6	4	0				6	4	0	16

FOR YOUR INFORMATION

May 22, 2002

- "BWSR Update"
- Board Member Listing (new phone number for Jim Anderson)
- Carlton County Comprehensive Local Water Plan Update
- Pine County Comprehensive Local Water Plan Update
- Farm Bill Conference Summary
- Letter to Chair Coe dated April 25, 2002, from Gary Ewert, Presiden, Heron Lake Watershed District, regarding phosphorus discharge limits
- Letter to Chair Coe dated April 29, 2002, from Jack Rajala, Chair, Minnesota Forest Resource Partnership, regarding Wetland Conservation Act proposed rule changes
- Memo to agencies regarding Aitkin County Comprehensive Local Water Management Plan 90-day Review
- MAWD Summer Tour Registration
- "Minnesota Grown" Directory 2002

Minnesota Board of Water & Soil Resources

Board of Water and Soil Resources UPDATE

A publication of the Minnesota Board of Water and Soil Resources May 2002

NORTH

WCA

On April 1, Dan Eklund, John Overland, and Dan Steward met with Don Adams and Jack Wimmer (Stearns County) to discuss the results of the recent WCA spot check. Constructive changes have already been put in place and things are moving in the right direction. They agreed to sit down again in the fall to discuss the 2002 field season and general program status.

On April 4, Dale Krystosek, Ron Shelito, and Dan Steward met with the Itasca SWCD Board to deliver the results of the WCA audit recently completed for Itasca SWCD. Staff adjustments have improved program performance in the county, and we are optimistic about the coming field season. We agreed with the SWCD that the recent problems are in the past and can't be undone, so we will all focus on the future.

Keith Grow reports that Lawrence Kreger spent a weekend in jail in April for WCA and DNR Protected Waters violations in Mille Lacs County. This is the second time. He's currently under court order to meet the conditions of the restoration order by June 15, 2002. After a meeting with his legal counsel, we are confident that the June date will be met. His violations in Sherburne County have been restored.

Aitkin County is nearing completion of its wetland management plan. The banking component has received a lot of attention. Aitkin County feels a better job has to be done regarding the quality and quantity of bank allowed. Replacement siting also has to be stressed. Keith says that wetland specialists Dan Eklund and John Overland have been key in moving this process along.

Mark Nelson met with Ron Shelito and the wetland specialists regarding wetland impacts in the Duluth area. In northeastern Minnesota, every development project affects wetlands. This creates a huge workload for LGUs (in St. Louis County) to protect all types of wetlands.

Cost Share Program

Keith Grow is leading a staff effort to clean up the state cost-share program manual. This will include clarification of cost-share policies and language.

General LGU assistance

Mark Nelson attended the State of the Coast Conference April 22 in Duluth. Some interesting statistics quoted at the conference follow.

- Non-residents paid 32 percent more for land than residents.
- From 1980-2000, 76 percent of the homes built on the North Shore were seasonal.
- At Superior Shores, 85 percent of the visitors are from the Twin Cities.
- Lodging tax at Lutsen has jumped from $6.7 million to $15 million, a 200 percent increase!

Other

On April 15, Dan Steward traveled to Pine River to meet with the Pine River Watershed folks to discuss administrative options for watershed management. Brian Dwight, BWSR watershed specialist, also attended the meeting. They had a good discussion of the options, but at this time are not ripe for establishment of a watershed district. But, when you look at the rapidly urbanizing nature of the watershed, the storm water utility capability that a watershed district would bring may be what it takes to deal with the situation in the long run. The group is moving forward to use the special taxing district language present in water planning law and is making plans to establish a joint powers board between Cass and Crow Wing counties to implement it.

-Submitted by Ron Shelito

ENGINEERING

During the early 1990s, Tom Wenzel, senior wetland restoration engineer, assisted in the development of NRCS practice standard 587, Structure for Water Control, as a key design standard for wetland restorations (along with practice standard 378, Pond). This was done in conjunction with development of the *BWSR Wetland Restoration Guide*. Recently, the NRCS assigned Sonia Jacobsen to work with Tom and others to develop an updated design standard 657, Wetland Restoration, that is more comprehensive and reflects experience during the past 10 years or so. Being pragmatic engineers with more than enough to do, we're starting from a standard developed in Iowa and are fast-tracking development to the extent possible. This will be another enhancement to more effectively involve many partners in wetland restoration implementation for state and federal wetland restoration programs and partnerships in Minnesota.

BWSR wetland restoration engineering and other field staff are conducting a round of coordination meetings with individual SWCDs and NRCS staff to update the current status and priorities for CREP wetland restoration projects. This includes coordination with FSA regarding CRP practice implementation time constraints. As the focus of CREP transitions from marketing and sign-ups to practice implementation, we're working with SWCDs and other front-line partners to clarify work plans for wetland restoration implementation. Although the workload is great, the economies of scale and broad partnering are playing out as well. BWSR engineering's short-term goal is to assist with completion of construction plans, specifications and bid schedules for all 2000 and prior (complicated straggler) sign-ups, as well as for many 2001 sign-ups, by mid summer, and to promote construction of as many of these as possible during the 2002 construction season. The wetland restoration construction season typically peaks in the fall after crops are off and when water levels tend to be lower than during the spring and summer.

Last year, BWSR engineering staff led the development of 10 standard drawings for simpler wetland restoration projects. These drawings can be used with computer-aided-design (CAD), or by hand, enabling more people to get involved in wetland restoration design. Based on experience and comments on these drawings, updated versions (and a couple more) are being developed and put on the NRCS web site for easy electronic access. This is another effort to gain the economies of scale and multiple partners.

In the lakeshore engineering arena, Gene Clark has been working to complete a number of lakeshore engineering assistance tasks before we transition a large part of his time and focus to CREP wetland restoration engineering. This includes:

- Conducting a number of site investigations along the North Shore, as well as on Mille Lacs Lake, to assist SWCDs and a Nonpoint Engineering Assistance office;
- Helping complete a Great Lakes Commission (GLC) grant to stabilize the upper portions of a tall clay bluff in Sucker Bay along the North Shore;
- Giving a presentation at the State of the Coast 2002 Conference in Two Harbors about the shoreline damage in Duluth resulting from a "northeaster" late last fall;
- Working with Community GIS, Inc. in Duluth to integrate over 2000 oblique aerial photos of the North Shore, funded via a Minnesota Coastal Program grant, into the North Shore GIS database previously developed via GLC and EPA 319 grants.

BWSR staff involved with Lake Superior recently met with SWCD supervisors Joe Newberg, Merril Loy, and Ted Lovdahl, as well as DNR and PCA representatives, to brainstorm ideas for a potential grant proposal for an upcoming EPA watershed program. This is part of the ongoing collaboration in the Lake Superior watershed to take advantage of federal and state grant opportunities.

In the feedlot arena, many federal, state and local government, U of M, and producer group folks involved with feedlots and manure management recently met to coordinate information/education efforts and to brainstorm current needs now that the revised Feedlot Rule has been in place for a while and the Animal Ag GEIS is nearly complete. The discussion indicated that most state agencies are limiting information/education efforts, due to budget reductions, and that most of us haven't studied the results of the Animal Ag GEIS and assessed the current state of affairs enough to conclusively determine current feedlot and manure management information and education priorities. The restructuring and downsizing of the University of Minnesota Extension Service has limited its ability to provide information/education assistance at the county level.

- Submitted by Al Kean

L & WS

Wetland delineator certification program on track for 2003 rollout

It has long been recognized that there would be great benefit to the wetland resource and the citizens of Minnesota if a wetland delineator certification program could be established in the state. In 2000, the passage of Senate File 83 required that BWSR and a group of cooperators submit a plan for professional delineator certification.

In 2001, BWSR prepared a report to the Legislature with a recommendation for a wetland delineator certification program. This report on the feasibility and form of certification was prepared in consultation with the organizations that were responsible for developing the consensus changes in legislation from 2000. Although BWSR's recommendation to establish a certification program was well received, the Legislature has been unable to provide any of the funding needed to start and run such a program. Lacking funding to implement the certification program, BWSR was unable to proceed beyond the initial concept development stage mandated by the Legislature.

Recently the University of Minnesota came to BWSR with a proposal to run the certification program and secure money for start-up funding. The initial loan for program start-up would actually be from the University, with loan repayment and future program costs paid by collection of training and certification fees. Additional funding from sources such as EPA, the Corps of Engineers, and LCMR will be pursued as opportunities arise. The University, BWSR, the Corps of Engineers, DNR, and the U.S. Department of Agriculture will provide training staff, while BWSR and the University will supply staff to administer the certification portion of the program. It is expected that the time BWSR staff devote to training and administration will be paid for by the program.

What's next? The primary BWSR staff assigned to development and implementation of the certification program are Greg Larson and Tom Mings. Greg will be working with the University to iron out funding and budget details. A Memorandum of Agreement (MOA) will soon be developed with the various partner agencies agreeing to participate in this venture. Following development of the MOA, dialogue among the partner agencies on the details of the certification process will begin.

The process of implementing the program as a whole is envisioned as a multistep process, moving from voluntary certification in the first step, through mandatory certification with moderate training and testing requirements in the second step, to the final phase that would include more rigorous training and testing along with continuing education requirements. Details of the certification process have yet to be worked out, including grand-parenting, testing, training/education requirements, peer review, and enforcement. It is expected that this process will include input from the same group that developed the original report on certification to the legislature.

Where are we now? The goal is to have the first phase of the program in place by July 1, 2003. BWSR and the University have developed a preliminary budget for the program that will have been submitted for funding by the time this newsletter is published. Discussions will begin soon on the details of the certification process and establishing a pool of qualified trainers. For further information on the status of the wetland delineator certification program, contact Greg or Tom.
-Submitted by Tom Mings

New database now in use

For the past nine months, the Land and Water Section has been developing a tool to better inform staff on the status of grants. Land and Water staff worked with various BWSR staff to create a Microsoft Access Database that's accessible not only in St. Paul, but all of the BWSR offices. On April 25, the BWSR Grants Database was put into use.

The BWSR Grants Database holds comprehensive information on: BWSR-funded grant programs, applicants and allocation, grant progress reporting and grant status. Board conservationists now have a handy tool to check the status of a grant at any time.

With this database, each office can track the status of their grant agreements and view reports as it relates to

our grant programs. Board conservationists will be better informed when communicating to their districts information about their grants.

What will happen to the database after eLINK? It's our hope to incorporate the historical information from this database into the new eLINK system.

Thanks to all who had given their time and input. This project could not have been successful if not for the time and assistance other BWSR staff provided during development and testing. This is just one more example of how BWSR staff members come together to help move the agency forward.
-Submitted by Michelle Lewis

METRO

Future governance for Hennepin Conservation District

BWSR is actively communicating with Hennepin County and the Hennepin Conservation District (an SWCD) as they examine future governance options for the Hennepin Conservation District. Nine alternatives have been formed, ranging from shutting it down to leaving it as is. Much of the longer-term outcomes will be influenced by the November ballot referendum on whether the district should continue to exist or not.

Hardwood Creek Corridor – A vision for 2022

BWSR continues to assist Rice Creek Watershed District and the City of Hugo in developing a joint vision for how the Hardwood Creek Corridor will look 20 years from now. Steve Hobbs, Rice Creek Watershed District administrator, is helping elevate the discussion above the simplistic ditch vs. wetland debate that had characterized the legal wrangling of past years. The Metro DNR Waters and Wildlife have been actively engaged in searching for solutions in this area. Their participation has been wonderful for aiding the planning process.

Education and phase II stormwater applications

Cities with more than 10,000 population need to apply to MPCA for stormwater discharge permits by March 2003. In July and August, BWSR and UM Extension will offer joint workshop sessions to cities, counties, and watershed districts for developing the education components of these applications.

LGUs have until August to enact phosphorus fertilizer regulations

Recent state legislation that restricts the use of phosphorus lawn fertilizers allows local ordinances that regulate the sale (as opposed to use) of phosphorus fertilizer to stay in effect if enacted by Aug. 1, 2002. Ron Struss, Metro Region water resources educator, has been following the phosphorus lawn fertilizer issue and sees no pressing need for LGUs to enact such ordinances. They will be difficult to enforce and present businesses with another set of regulations to follow. Working with businesses to fully understand the phosphorus fertilizer issue would be a better option.

MAWD Summer Tour – June 27-29

South Washington Watershed District is hosting the MAWD Summer Tour. Straddling the urban fringe, the district will be sharing interesting examples of intercommunity stormwater flows and innovative low-impact approaches to urban development. South Washington Watershed District – where city and country meet.

Ron Struss, BWSR/UM Extension educator, promoted in rank

Effective July 1, Ron Struss will be promoted to the academic rank of assistant professor within the University of Minnesota Extension Service. Congratulations, Ron!
-Submitted by Ron Struss

Deadline for next edition: June 19

MINNESOTA BOARD OF WATER AND SOIL RESOURCES
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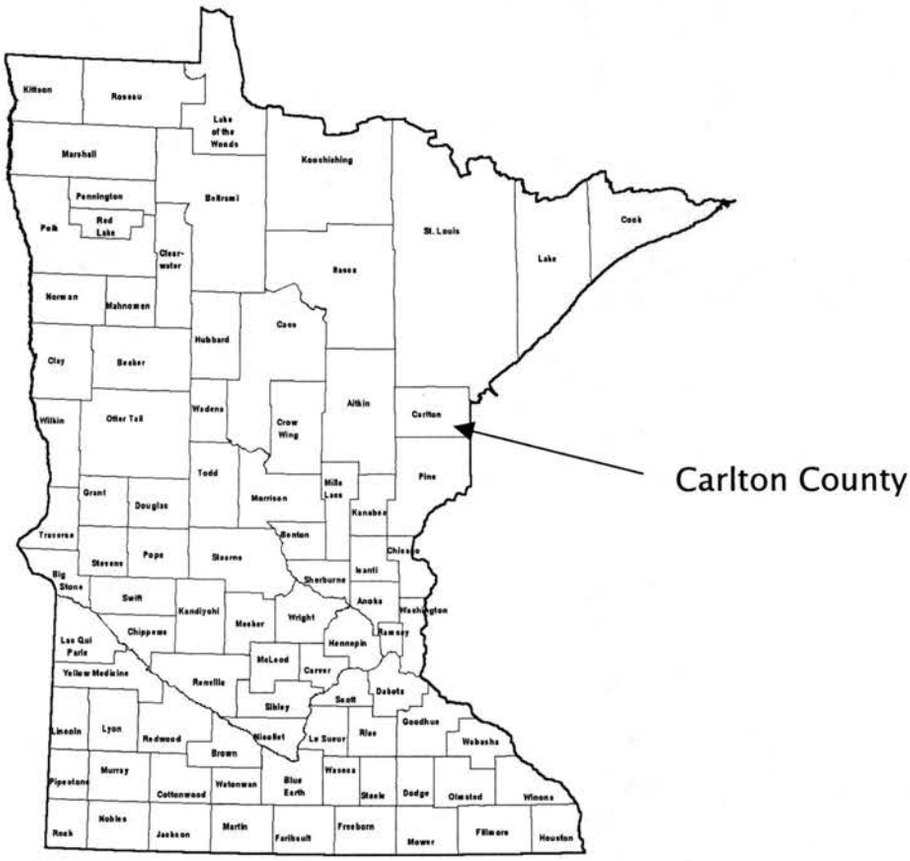
May 2002

To: **Board Members**

From: **Marybeth Block, BWSR Water Plan Coordinator**

Minnesota Board of Water & Soil Resources

FYI: Carlton County has completed updating their comprehensive local water plan. The final 90-day review period began on March 19, 2002, and the board can expect to be asked to approve the plan at the June or July meeting. The Plan's executive summary is attached.



Carlton County

Board Conservationist: Mark Nelson, Duluth

Duration of the proposed plan: Through 2009

Carlton County Water Plan
2002 Update

Final Review Draft



Photo courtesy of Joann Rosberg 2001

Prepared by:

Carlton County Water Plan Advisory Committee

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Executive Summary

A. Purpose of the Carlton County Water Planning Process

Why Plan?

Carlton County is truly a "headwater" county. Some of the water that is used by millions of people or eventually ends up in the Atlantic Ocean gets its start in Carlton County. And unlike most counties in the state, Carlton County is a headwaters area for three separate basins. Only five of the 87 counties in Minnesota have a similar hydrologic condition. A portion of our water flows to the Gulf of Mexico via the St. Croix or Mississippi River basins and the other portion flows through Lake Superior and the Great Lakes ultimately to the Atlantic Ocean on the continent's east coast.

What occurs in the watersheds of Carlton County not only affects the drinking water used by the 30,000 or so citizens of the County but hundreds of thousands of other Minnesotans living around Lake Superior and along the Mississippi River corridor. Water originating in Carlton County flows into the drinking water supplies for the residents' two major metropolitan areas, the Duluth Superior area and the Twin Cities, each of which uses these major surface water features for their drinking water supplies. Therefore, guiding the wise use and protection of our shared water resources is essential.

Scope of the Plan

As indicated above, concerns over the quality of the waters in Carlton County extend beyond the County's borders. There are numerous agencies and organizations that overlap roles and responsibilities in managing water resources in the County.

The purpose of the 2002 – 2009 Carlton County Water Plan is to provide the people of Carlton County with a strategic framework with which to better manage its water and land resources. This Plan is an essential management and communication tool that can help coordinate the efforts of the County and its citizens as well as the Fond du Lac Reservation, State and Federal agencies.

This Water Plan represents the third generation plan developed by Carlton County, and it has been developed to meet and exceed the requirements set by the Minnesota Board of Water and Soil Resources (BWSR).

Citizens Committee

A group of the County's citizens, known as the Water Plan Advisory Committee, has been authorized by the Carlton County Board of Commissioners to oversee the development and implementation of the 2002 – 2009 Carlton County Water Plan. The Committee served as a review body for the initial draft of all documents developed for

this plan. The Committee met over a twelve-month period to establish the issues, goals, objectives, action plans, and implementation strategies to be addressed in the update.

B. Accomplishments

Since the second Water Plan was adopted by the Board of Commissioners in 1996, there have been numerous accomplishments made by the County in collaboration with landowners, industry, local officials, agency representatives and many others.

1. Abandoned well sealing demonstration
2. 5th Grade Conservation Education Day
3. Carlton County fair exhibit
4. Nemadji River Watershed Ground Water Sensitivity pilot project
5. Waste pesticide collection
6. Well record index compiled
7. Wetland Conservation Act education program
8. Safe drinking water program with Arrowhead Water Quality Team
9. Recycled materials park at Bear Lake
10. Storm sewer stenciling
11. Nemadji River Basin Project newsletter
12. Nemadji River Basin projects; erosion data collection
13. Lake monitoring project with volunteers on four lakes
14. County well index computerized
15. Arc View training for County Departments
16. Best Management Practice's for forested wetlands (state wide committee)
17. Alternative septic system demonstration sites
18. Shoreland Best Management Practice's video with AWQT
19. Well testing in Twin Lakes Township
20. Feedlot inventory (level 1 & 2)
21. Three year baseline monitoring on 19 lakes
22. Shoreland BMP workshops
23. ISTS care and maintenance workshops
24. Established 4 shoreland revegetation demonstration sites
25. Assist with Big Sandy Area Lakes Watershed Clean Water Partnership Project
26. Developing GIS database for County – tax forfeit land, highway roads, bridges and culverts, Land –use. *
27. Digitization of soil survey, geocoding addresses, groundwater sensitivity, land use information *
28. Nemadji River Basin Project - Clean Water Partnership grant*
29. Developing Wellhead Protection Plans with five Local Government Units *
30. Well location verification project for MDH / MGS *
31. Conduct drinking water testing*

* denotes ongoing projects

C. What's Ahead: Summary of the Water Plan Recommendations

The Water Plan Advisory Committee felt strongly that …

- Carlton County should support an increase in the Natural Resources Block Grant. This position is supported and promoted by the Minnesota Association of Counties. AMC supports a 3% retroactive increase for every year since 1991 and future inflation increases for comprehensive local water planning.
- Water quality should be a priority as the County embarks upon local ordinance updates.

After ten years of educational efforts implemented through the first two County Water Plans, the Committee has recommended that high priority should be given to …

- Public education of the importance of groundwater and surface water protection.
- Groundwater protection especially as it is related to Individual Septic Treatment System design and maintenance.

Other high priority action items are listed in Section 3: The Implementation Program for the 2002 – 2009 Carlton County Water Plan.

D. Organization of the 2002 – 2009 Carlton County Water Plan

Strategic planning asks three fundamental questions: Where are we? Where do we want to go? And, how do we get there?

The 2002 – 2009 Carlton County Water Plan has been organized into a three-part format to compliment the strategic nature of the County 's water planning process. In addition, public input into the process and up-dated data and resource assessments has been organized into an appendix. The Plan includes:

- Section 1 – Plan Background
- Section 2 – Goals, Objectives and Action Items
- Section 3 – Implementation Program
- Appendices A-K – Public Input, Resource Data and Assessments

Section 1 provides the reader with a description of the County. It includes an overview of basins and watersheds in the County and an overview of the input received from citizens of the County.

Section 2 outlines the County's vision in a written framework. Section 2 provides a detailed framework of goals, objectives, and action items that define how the County will manage water and land resources in the next five to ten years. A grouping of these statements for groundwater, surface water, and land resources are included in this Section.

Section 3 of the plan establishes how the County will implement the strategic policy framework developed in Section 2. Specific recommendations for implementing the County's goals are listed in the Implementation Program found at the end of Section 3.

Appendices A-K provides in-depth information about Carlton County water resources including mapping. Details from the Public Input meetings and Committee prioritizations are also included.

E. How to Use this Plan

Understanding the organization of the plan and the terminology used in the water planning process are essential first steps in applying the concepts developed in this plan. Readers are encouraged to review the Table of Contents and the Executive Summary and to gain a sense of the overall scope that the County is proposing to take over the next five to ten years.

Each of the four sections has many uses and applications by the County Board, staff, state and federal agencies, and property owners. For example, the detailed data in Section 1, and the updated resource assessment found in the appendix can be useful in the preparation of grant applications. The goals and action items listed in Section 3 should be used by the County as a starting point in developing each year's budget and annual work program.

This plan update should be used in conjunction with the recently adopted Carlton County Community-Based Comprehensive Plan, which was developed prior to this Water Plan Update. The County's Comprehensive Plan established a number of general goals and strategies for land use, transportation, economic development and other related areas. The 2002 – 2009 Carlton County Water Plan should be viewed as a supporting document that can help supplement and refine some of the generalized directions established in the County's Comprehensive Plan.

F. Contacts

If you would like to get involved in one of the projects or have any questions about the Carlton County water planning process, please contact Joan Weyandt-Fulton, Water Plan Coordinator at (218) 384-9178 or 1-800-862-3760. Or contact one of your Water Plan Advisory Committee members listed below.

H. Merrill Loy, Chair, Carlton County Soil & Water Conservation District
Dick Brenner, County Commissioner
Al Behrens, District 1 Representative
Jim Mosack, District 2 Representative
Dennis Lampi, District 3 Representative
Sandy Wentkiewicz, District 4 Representative
Paul Davidson, District 5 Representative
Ron Venier, Lake Association Representative
Laurie Brown, Citizen-at-Large Representative

May 2002

To: Board Members

From: Marybeth Block, BWSR Water Plan Coordinator

Minnesota Board of Water & Soil Resources

FYI: Pine County has completed updating their comprehensive local water plan. The final 90-day review period began on March 21, 2002, and the board can expect to be asked to approve the plan at the June or July meeting. The Plan's executive summary is attached.



Board Conservationist: Keith Grow, Brainerd

Duration of the proposed plan: Through 2010

Pine County Water Plan 2002-2010

EXECUTIVE SUMMARY

Pine County's first Comprehensive Local Water Plan, also referred to as its "first generation" water plan, was approved in December 1992. Pine County's "second generation" water plan (the plan outlined in this document) will address the water resources of Pine County from 2002-2010. The purpose of this summary is to give you some background on what was included in the first Pine County Water Plan, its goals, objectives and major accomplishments. This summary will also lead you into the major issues addressed in this "second generation" water plan. Where the first water plan emphasized the need for data collection, this water plan will place more emphasis on implementation activities based on the knowledge gained from the successes of the first water plan.

The first water plan outlined 110 actions, supporting 45 objectives that addressed 8 overall water and related resource goals. Following is a listing of some of the major successes of the first Pine County Water Plan:

- A comprehensive scientific study of the Askov sinkhole phenomena by the University of Minnesota
- The making of a Pine County Geologic Atlas by the Minnesota Geological Survey and the DNR
- The completion of a Clean Water Partnership diagnostic study of Pokegama Lake and its contributing watershed.
- The completion of a Clean Water Partnership diagnostic study of Cross Lake and its contributing watershed.
- The semi-annual publication of the Pine County Waters with a circulation of 23,000 copies per issue.
- Geographic Information System (GIS) and Global Positioning System (GPS) capability in the Pine SWCD Office
- The completion of a Phase II county-wide feedlot inventory
- An MPCA Lake Assessment Study (LAP) for Sturgeon Lake, Island Lake and Big Pine Lake
- Better coordination and working relationships with the Pine County Board, other county departments, cities, state and federal agencies, the Snake River Watershed Management Board and the Pine SWCD
- The soils mapping of 29,400 acres in the cities of Sandstone, Pine City, Hinckley, the joint planning area of Barry Township and Hinckley Township and the sinkhole study area in Partridge Township.
- An onsite inspection of all ISTS systems in the shoreland district of Pine Lake Township.

As a result of these listed successes numerous water resource protection initiatives have been implemented and more are in the planning phase. In the Snake River Watershed, Pokegama Lake and Cross Lake are now served by central sewer systems. Also the City of Henriette is planned to have central sewer soon. Pokegama Lake and its contributing watershed is starting to implement the recommendations of its Clean Water Partnership

Diagnostic Study. The Pokegama Lake Watershed has been given Conservation Priority Status by NRCS and major watershed implementation activities are underway. Over $200,000 in cost-sharing for project implementation has already been allocated and numerous water resource protection projects have already been installed.

As a result of the soils mapping project, Hinckley, Pine City and Sandstone now have accurate soil information available to them. This soils information has been digitized and is readily available through their computer software programs. Having accurate soils information at their fingertips is a powerful tool now available to assist them in making wise land use decisions, especially with all the development activity taking place along the Interstate 35 corridor.

The City of Hinckley has updated their waste treatment system to eliminate their leaking storage ponds and reduce the pollutants discharged into the Grindstone River. This was a major concern in the first water plan. As a result of the Pine Lake Township ISTS inspection project, over 60 nonconforming and failing septic systems have been replaced to date.

This "second generation" water plan lists 151 Actions supporting 29 Objectives that address 4 major goals. Many of these actions build on the information learned from the above listed accomplishments. They include the following:

Snake River Watershed - From the standpoint of prioritization the Snake River Watershed and its sub-watersheds is ranked as Pine County's #1 priority watershed. This does not mean that its water quality problems are any more or less important than the other major watersheds. The ranking is simply a function of the "squeaky wheel phenomena" which led to the formation of the Snake River Watershed Management Board. The SRWMB is a joint power board made up of Aitkin, Kanabec, MilleLacs and Pine County. A Pine County Commissioner serves on this board. A supervisor on the Citizen Advisory Committee represents the Pine SWCD and SWCD staff serves as technical advisors to the SRWMB. Taxing authority is possible under the joint powers agreement (although not utilized to date), grants have been received for projects in the watershed, and the Pokegama Lake Association has been a very active player in providing pull tab revenues for projects plus is a strong advocate for watershed protection. The Snake River Watershed also contains two general development lakes in Pine County, which are heavily used recreational lakes. Clean Water Partnership Phase 1 studies have been completed on Cross and Pokegama Lake and these sub-watersheds are ready for serious implementation activities with large amounts of funding already in place. Objectives 26-29 and Actions 1351 through 151 are specific to implementing the management plan resulting from the Cross Lake Clean Water Partnership Study. Pokegama Lake and its watershed is the target of Objectives 20-25 including Actions 112-134.

Kettle River Watershed - The Kettle River Watershed would be considered the #2 priority watershed for implementation activities. The sinkhole phenomenon is the biggest issue in this watershed. Central sewer will soon serve banning State Park and the I-35

businesses at Banning Junction. The City of Rutledge is in the process of planning for central sewer. Sturgeon Lake and Island Lake are also pursuing the options of central sewer. Action 32 addresses these central sewer issues.

The Askov area sinkhole study is completed and Pine County is waiting for the final report from the University of Minnesota. Objective 3 and Actions 12-19 deal with this sinkhole study area.

All Watersheds in Pine County – In order of watershed priority the Lower St. Croix Watershed would be prioritized as #3, the Upper St. Croix Watershed would be #4 and the Nemadji Watershed would be prioritized as #5 for implementation purposes. New areas of concern alluded to in this "second generation" plan include **wellhead/source water protection**. The assurance of a potable drinking water supply for all Pine County residents, our visitors and our animals was an important theme emerging from the public meetings conducted during the development of the "first generation' water plan. This theme continued to be echoed throughout the public meetings of this 'second generation" water plan. Wellhead protection plans and education efforts as outlined in Objective 4, Actions 20-26, will support these concerns.

Stormwater management is another new area for this water plan. Although mentioned in the "first generation" water plan, greater emphasis is being placed on it in this plan. Objective 11, Actions 53-56 and Actions 68-75 deal with stormwater management concerns.

High priority wetland types and/or areas are another new area included in this water plan. Wetlands in Pine County do not take on the same degree of significance as other areas of the state. This is due to the fact that nearly one-third of Pine County is wetlands and also that over 90 percent of Pine county's pre-settlement wetlands are still on the landscape. Pine County has done an excellent job of preserving its wetlands in the past and the Wetland Conservation Act will provide adequate protection into the future. It is believed that wetlands, like lakes, have varying degrees of nutrient richness or trophic status. The highest priority wetlands in Pine County are the eutrophic wetlands such as the Type 2 and Type 3 that have been altered by drainage. They are believed to contribute significant phosphorous loading to our surface waters. Actions 38, 39, 40, 126,127, and 137 deal with these wetland issues. Other high priority wetlands in Pine County would be all wetlands within the shoreland management ordinance areas and the floodplain wetlands of the Snake River and its tributaries.

Individual Septic Treatment Systems (ISTS's) receive a lot of attention in this plan. Actions dealing with septic systems are included under the groundwater and surface water goals. Objective 5, Actions 27-33, and Objective 10, Actions 48-52 all deal with individual septic systems.

Although this plan does not include a specific education goal, **educational efforts** abound in this plan. The Pine County Waters has been a big success of the water planning efforts in Pine County. It will continue to be a cost-effective way to educate

and inform citizens of water and related resource information pertinent to Pine County. This newspaper published by the Pine SWCD goes to every household in Pine County and all non-resident property owners of Pine County. With a circulation of over 23,000 every taxpayer and citizen of Pine County has access to timely, cost-effective educational materials. Presently this newspaper is published in February and September. Expanding this paper to four publications each year should be considered.

Land use planning is an area of increasing public concern. Pine County presently does not have countywide zoning or land use planning. Some of the townships have adopted their own ordinances. Land use planning, like any other Best Management Practice, can play an important role in water resource protection. Actions 32, 69, 76-78 address land use planning and related issues.

Pine County still remains without a **countywide soil survey**. It was an Action item in the first water plan and remains in this plan as Action 20. The lack of accurate soils information is the missing link needed to make wise land use decision.

Other important areas addressed in this water plan include:

- County ditches
- Formation of a county GIS department
- Increased volunteer monitoring of lakes and streams
- Abandoned wells
- Hazardous waste sites
- Water conservation
- Feedlots.

Sustainable water resource protection requires a lifetime commitment to become educated and to educate others, to practice good stewardship as well as to promote good stewardship. It begs a willingness to become involved and help make a difference. This plan offers many opportunities during the next 8 years for all of Pine County's citizens to help make a difference. "Sustainable water resource protection is not an option, I consider it part of our birthright."

Richard W. Noyes
Pine County Water Planner

Farm Bill Conference Summary

April 30, 2002

Title I - Commodities

Loan rates, Direct Payments and Target Prices for Covered Commodities					
	Loan Rate		Direct Payment	Target Price	
	2002-2003	2004-2007	2002-2007	2002-2003	2004-2007
Corn (bu)	$1.98	$1.95	$0.28	$2.60	$2.63
Sorghum (bu)	$1.98	$1.95	$0.35	$2.54	$2.57
Barley (bu)	$1.88	$1.85	$0.24	$2.21	$2.24
Oats (bu)	$1.35	$1.33	$0.024	$1.40	$1.44
Wheat (bu)	$2.80	$2.75	$0.52	$3.86	$3.92
Soybeans (bu)	$5.00	$5.00	$0.44	$5.80	$5.80
Minor Oilseeds (lb)	$.0960	$.0930	$0.0080	$0.0980	$0.1010
Cotton (lb)	$.5200	$.5200	$0.0667	$0.7240	$0.7240
Rice (cwt)	$6.50	$6.50	$2.35	$10.50	$10.50

- **Base Acres:** Allows producers to retain their current AMTA base acres and add oilseed acres, or to update base acres using 1998-2001 acres planted and prevented planted to all covered commodities.

- **Payment Yields:** Allows producers who update base acreage to the average of 1998-2001 plantings to update yields for counter-cyclical payments. The update is the higher of 70% of the difference between current AMTA yields and a full yield update based on 1998-2001 yields on planted acreage **OR** 93.5% of 1998-2001 yields on planted acreage. Provides a "plug" of 75% of the county average yield for years in which the actual farm yield is less than the county average yield.

- **Timing of Payments:** A producer could elect to receive up to 50% of the **direct payment** beginning December 1 of the year prior to the year the crop is harvested, and the balance of the direct payment in October of the year the crop is harvested. For **counter-cyclical payments**, a producer can receive up to 35% of the projected payment in October of the year the crop is harvested; an additional 35% beginning in February of the following year; and the balance after the end of the 12-month marketing year for the specific crop.

- Includes authority for **LDPs on grazed wheat, oats, barley and triticale.** Provides for LDPs for the 2001 crop on non-AMTA farms, and waives beneficial interest requirements for the 2001 crop. Also implements a program of incentive payments to develop marketing opportunities for Hard White Wheat.

- Corrects USDA error to provide certain producers payments that were undelivered for crop years 1998, 1999, 2000, and 2001.

Dairy: Maintains a permanent $9.90 Milk Price Support Program and establishes a 3 1/2 year National Dairy Program to provide assistance to all U.S. producers. The program will provide a federal payment each month equal to 45 percent of the difference between $16.94 and the Boston Class I price. Payments are made on up to 2.4 million pounds of production for a producer annually.

Peanuts: Provides a quota buyout of 11 cents a pound per year over 5 years (55 cents total); provides a target price of $495/ton; and allows for the payment of storage costs for peanuts under loan. Provides $355/ton loan rate and $36/ton fixed payment rate.

Sugar: Eliminates the one-cent a pound loan forfeiture penalty and gives authority to the Secretary to establish quota allotments.

Wool and Mohair: Provides marketing loans or loan deficiency payments based on a loan rate of $1.00 per pound for graded wool, $.40 per pound for non-graded wool, $4.20 per pound for mohair and $.40 per pound for unshorn pelts.

Honey: Provides marketing loans or loan deficiency payments based on a loan rate of $.60 per pound.

Apples: Provides assistance for apple producers who have suffered low market prices.

Pulse Crops: Establishes marketing loans and loan deficiency payments for small chickpeas, lentils and dry peas at the following loan rates:

Small Chickpeas		Lentils		Dry Peas	
2002-2003 $/cwt	2004-2007 $/cwt	2002-2003 $/cwt	2004-2007 $/cwt	2002-2003 $/cwt	2004-2007 $/cwt
$7.56	$7.43	$11.94	$11.72	$6.33	$6.22

Specialty Crop Purchases: Increases carryover-spending authority for Section 32 commodity purchases. Directs additional commodity purchases by requiring not less than $200 million of Section 32 funds per year to be used to purchase fruits and vegetables and other specialty crops. At least $50 million of that amount is to be used for fresh fruits and vegetables for schools through the DoD Fresh Program.

Step 2 Adjustment: Suspends the 1.25 cent price differential threshold for Step 2 marketing payments through July 31, 2006.

Payment Limitations: Relative to the House-passed bill, the framework reduces the limit on direct payments from $50,000 to $40,000; Reduces the limit on counter-cyclical payments from $75,000 to $65,000; Reduces limit on LDPs and MLGs from $150,000 to $75,000; Contains a separate payment limitation for the peanut program; Retains current rules on spouses, 3-entities, and actively engaged requirement. Adopts a $2.5 million adjusted gross income cap on eligibility for participation in farm programs; Retains the use of generic certificates in the loan program. Total dollar limitation is reduced from $550,000 in the House bill to $360,000 in the conference framework.

- Creates a new commission to study and make recommendations regarding farm program payment Imitations and the impact of payment limit policy changes on farm income, land values and agribusiness infrastructure.

Title II– Conservation

Program	Notes	Cost
Conservation Reserve Program (CRP)	Increases acreage cap from 36.4 million to 39.2 million acres. Retains priority areas. Expands wetlands pilot to 1 million acres with all states eligible.	$1.517 billion
Wetlands Reserve Program (WRP)	Increases acreage cap to 2.275 million acres.	$1.5 billion
Grasslands Reserve Program (GRP)	A new program to enroll up to 2 million acres of virgin and improved pastureland. Program would be divided 40/60 between agreements of 10,15, or 20-years and agreements and easements for 30-years-and permanent easements.	$254 million
Farmland Protection Program (FPP)	Since 1996, the program has provided $53.4 million to protect 108,000 acres. The new funding is a nearly 20-fold increase over amount committed to this program since the last farm bill.	$ 985 million
Wildlife Habitat Incentives Program (WHIP)	Since 1996, approximately $62.5 million has been spent through this program to provide cost-share payments on 1.6 million acres. The new funding is greater than a 10-fold increase over amount committed to this program since the last farm bill.	$700 million
Environmental Quality Incentives Program (EQIP)	Phased up to achieve a $1.3 billion annual funding level. Priority areas are eliminated. Funds are split 60/40 between livestock and crop producers.	$9 billion
Water Conservation Program	Water Conservation Program provides cost-share incentives and assistance for efforts to conserve ground and surface water. $50 million is reserved specifically to assist producers in the Klamath Basin.	$600 million
Conservation Security Program (CSP)	A new national incentive payment program for maintaining and increasing farm and ranch stewardship practices.	$2 billion
Small Watershed Rehabilitation Program	Provides essential funding for the rehabilitation of aging small watershed impoundments that have been constructed over the past 50 years.	$275 million
Underserved States	Continues program begun in Agricultural Risk Protection Act of 2000.	$50 million
Desert Terminal Lakes	Provides funding to help conserve desert terminal lakes.	$200 million
Total		$17.1 billion

Title III - Trade

Program	Notes	Cost
Market Access Program (MAP)	**Increases program spending to $200 million annually by 2006.**	**$650 million**
Technical Assistance for Specialty Crops (TASC)	**Provides exporter assistance to address barriers that restrict U.S. specialty crop exports.**	**$19 million**
Foreign Market Development Cooperator Program (FMD)	**Increases program spending from $27.5 to $34.5 million per year, with a continued significant emphasis on the importance of the export of value added agricultural commodities into emerging markets.**	**$67 million**
Food for Progress	**Increases funding caps for transportation and administrative costs and sets a minimum level of commodities to be purchased for use in this food aid program.**	**$308 million**
Global Food for Education Initiative	**Continues Pilot Program for Fiscal Year 2003.**	**$100 million**
Total		**$1.144 billion**

Title IV - Nutrition

- Total Cost – $6.4 billion
- Reinstates benefits for legal immigrants who have lived in the United States for at least 5 years. Also restores benefits for legal immigrant children and disabled individuals without minimum residency requirements.
- Provides five months of transitional benefits for households leaving Temporary Assistance to Needy Families (TANF).
- Includes provisions to simplify and streamline the food stamp program so that it better aligns with other public assistance programs and helps both recipients and state administrators.
- Reforms and streamlines the food stamp program quality control system.
- Increases funding for The Emergency Food Assistance Program to $140 million per year. Provides commodities to food banks and soup kitchens and expands other commodity distribution programs.
- Provides an increase in funding for both the Senior and WIC Farmers' Market Nutrition Programs.
- Provides additional commodities for the school lunch program and includes a pilot through which fresh fruits and vegetables will be provided free in schools.

Title V—Credit

- Generally reauthorizes USDA farm lending programs and provides greater access to USDA farm credit programs for beginning farmers and ranchers. Increases the percentage that USDA may lend for down payment loans and extends the duration of these loans; and establishes a pilot program to encourage beginning farmers to be able to purchase farms on a land contract basis.

Title VI - Rural Development

Program	Notes	Cost
Rural Local Television Broadcast Signal Loan Guarantees	**Provides funds to allow rural residents in unserved or underserved areas to access their local television stations.**	**$80 million**
Broadband Service in Rural Areas	**Provides funds that allow rural consumers to receive high-speed, high-quality broadband service.**	**$100 million**
Value-Added Agricultural Market Development Grants	**Provides $40 million a year for grants to assist producer owned valued-added businesses.**	**$240 million**
Rural Strategic Investment Program	**Creates regional investment boards that may receive up to $3 million for economic development.**	**$100 million**
Rural Business Investment Program	**Provides $280 million in guarantees for rural business investment companies to provide equity investment for businesses.**	**$100 million**
Funding for Rural Development Backlogs Program	**Funds backlogged applications for water and wastewater programs.**	**$360 million**
Rural Firefighters and Emergency Personnel Grant Program	**Provides funding to train rural firefighters and emergency personnel.**	**$50 million**
Total		**$1.03 billion**

- **Community Water Assistance Grant Program:** Sets aside appropriated funds for communities facing emergency drinking water shortages.

Title VII - Research

Reauthorizes and establishes new agricultural research and extension programs. Increases funding for the Initiative for Future Agriculture and Food Systems and increases program level from $120 million a year to $200 million annually in FY2006.

- Cost -- $1.3 billion.

Title VIII - Forestry

New funding is committed for a new cost-share program to assist private non-industrial forest landowners in adopting sustainable forest management practices.

- Cost -- $100 million.

Title IX – Energy

Program	Notes	Cost
CCC Bioenergy Program	**Provides mandatory funding for the CCC Bioenergy Program, which will enable the Secretary to continue making payments to bioenergy producers who purchase agricultural commodities for the purpose of expanding production of biodiesel and fuel grade ethanol.**	**$204 million**
Biobased Product Purchasing Preference	**Establishes a new program for the purchase of biobased products by Federal agencies. Funding will be used to test biobased products.**	**$6 million**
Biodiesel Fuel Education	**Creates a grant program to educate government and private fuel consumers about the benefits of biodiesel fuel use.**	**$5 million**
Renewable Energy System & Energy Efficiency Improvements	**Establishes a loan, loan guarantee & grant program to assist farmers in purchasing renewable energy systems and making energy efficiency improvements.**	**$115 million**
Biomass Research and Development Act of 2000	**Reauthorizes and funds the Biomass Research and Development Act through FY 2007.**	**$75 million**
Total		**$405 million**

Title X - Miscellaneous

Country of Origin Labeling: For meat, fruits & vegetables, fish and peanuts. Requires the Secretary to provides guidelines for voluntary labeling by September 30, 2002. This program would become mandatory in two years. For a Commodity to be labeled USA product, it must be born, raised and processed in the United States. Commodities that are ingredients in processed products would not fall under the labeling requirement.

Family Farmer Bankruptcy Protection: Extends Chapter 12 Bankruptcy provisions to December 31, 2002.

Swine Production Contracts: Provides growers who have swine production contracts the same statutory protections as provided livestock sellers and poultry growers.

Disclosure: Clarifies that livestock and poultry producers can discuss contracts with state & federal agencies and other individuals having a fiduciary or familial relationship.

Other –

Name of Bill: The Farm Security and Rural Investment Act of 2002.

Length of Bill: 6 years

HLWD
Heron Lake Watershed District

P.O. Box 345 • Heron Lake, MN 56137
507-793-2462 • FAX 507-793-2253
e-mail:hlwd@frontiernet.net

April 25, 2002

Senator Jim Vickerman
226 Capitol
St. Paul, MN 55155

Dear Senator Vickerman:

The purpose of this letter is to explain the importance for phosphorus discharge limits not only within the Heron Lake Watershed District (HLWD), but also for the entire State of Minnesota.

As you are aware, the HLWD is administering a Clean Water Partnership Grant/Loan program for water quality improvement from nonpoint pollutant sources. Through this program, a major effort has been undertaken to reduce erosion and sedimentation through best management practice installation. Through the implementation of cost-share, incentive, and loan programs, this effort has been very successful.

However, these best management practices alone are not going to solve the problem. Phosphorus restrictions through National Pollutant Discharge Elimination System (NPDES) permits from the Minnesota Pollution Control Agency (MPCA) are also necessary. The 1mg/L phosphorus discharge limit that has been established for both the municipal and industrial wastewater treatment facilities for the City of Worthington by MPCA should prove to be very beneficial for water quality improvement in the Heron Lake system.

The Board of Managers of the HLWD strongly urges you to allow MPCA to keep the phosphorus limits established for the municipal and industrial wastewater treatment facilities for the City of Worthington in effect. The board also strongly encourages the political leadership to empower MPCA to apply a 1mg/L phosphorus discharge limit to all municipal and industrial wastewater treatment facilities throughout the State of Minnesota.

There are many water bodies within the state that cannot meet their designated uses because of pollution problems from both point and nonpoint sources. The need to clean up our rivers, lakes, and streams for public health, welfare, and recreation is imperative not only for our enjoyment, but also for future generations.

Thank you for your consideration of this important subject. Should you have any questions, please contact the HLWD at the above address or telephone.

Sincerely,

Gary Ewert
President

C: Karen Studders, Commissioner, MPCA
Allen Garber, Commissioner, DNR
Ron Harnack, Executive Director, BWSR
Dean Oleson, President, MAWD

RECEIVED

MAY 01 2002

Bd. of Water & Soil Resources
St. Paul

Minnesota Forest Resources Partnership

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MAY 01 2002
Bd. of Water & Soil Resources
St. Paul

April 29, 2002

Mr. Leland G. Coe, Chair
Minnesota Board of Water and Soil Resources
One W. Water St.
Suite 200
St. Paul, MN 55107

Aitkin County Land Dept.
Associated Contract Loggers
Becker County Land Dept.
Beltrami County Land Dept.
Boise Cascade Corp.
Carlton County Land Dept.
Cass County Land Dept.
Clearwater County Land Dept.
Cook County Land Dept.
Crow Wing County Land Dept.
DNR Division of Forestry
International Paper
Itasca County Land Dept.
Koochiching County Land Dept.
Lake County Land Dept.
Minnesota Forestry Assn.
MN Timber Producers Assn.
Pine County Land Dept.
Potlatch Corporation
Rajala Companies
Region I Woodland Council
Region II Woodland Council
Region III Woodland Council
St. Louis County Land Dept.
Superior National Forest
UPM Blandin Paper

Dear Mr. Leland:

The Minnesota Forest Resource Partnership is a partnership of forest landowners, forest managers and loggers dedicated to implementing policies, programs and practices that maintain the health of Minnesota's forests and their status as working forests.

Proposed rule changes to Subsection 7B of the Wetland Conservation Act have come to the Partnership's attention that may affect the exemption for roads constructed primarily to provide access for silvicultural activities. The proposed rule change the Partnership reviewed was as follows "This exemption is for roads constructed for the ~~primary~~ specific purpose of providing access for the conduct of silvicultural activities for producing forest products for commercial or industrial uses."

We understand that this language has since been retracted. Despite this fact, the Partnership wishes to relay to you our understanding that this language resulted from concern that some forest land may be converting to residential use following entry for silvicultural purposes. Please be aware, that members of the Partnership support long-term forest management through ongoing silvicultural activities.

The silvicultural exemption is important to maintain working and healthy forests. The previously proposed language unnecessarily narrowed the exemption and might have limited access for silvicultural activities that do not produce commercial forest products. If a road is used initially to provide access for silvicultural activities then later for subdivision of forest land parcels, the Partnership feels there are better avenues for addressing this issue on the county level if such a problem exists.

Sincerely,

Jack Rajala
Chair, Minnesota Forest Resource Partnership

Harnack

Minnesota Board of Water & Soil Resources

Central Office: One West Water Street ▪ Suite 200 ▪ Saint Paul, MN 55107 ▪ Phone: (651) 296-3767 ▪ Fax: (651) 297-5615

May 2, 2002

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: ***Aitkin County Comprehensive Local Water Management Plan***

On Thursday, May 02, 2002, the Minnesota Board of Water and Soil Resources (BWSR) will begin the official 90-day state review of the updated Aitkin 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 Aitkin 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, David L. Johnson
- EQB, Mike Tietz
- MGS, Barb Palen

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

cc: Agency 103B Technical Review Committee Members
BWSR Board Members
BWSR Executive Team
Keith Grow, BWSR Board Conservationist
Steve Hughes, Local Water Plan Coordinator

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

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

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

Fergus Falls
413 W. Stanton Avenue
Fergus Falls, MN 56537
phone (218) 736-5445
fax (218) 736-7215

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

New Ulm
261 Highway 15 S.
New Ulm, MN 56073
phone (507) 359-6074
fax (507) 359-6018

Rochester
40 16th Street S.E.
Suite A
Rochester, MN 55904
phone (507) 285-7458
fax (507) 280-2875

Saint Paul
One West Water Street
Suite 250
Saint Paul, MN 55107
phone (651) 282-9969
fax (651) 284-0000

2002 MAWD
Summer Tour Registration
June 27 - 29, 2002

(Please use one form per party: copy as needed. Names of all attendees must be submitted)

Name _____

Organization _____

Address _____

City/Zip _____

Phone (Day) _____

* Name of spouse/guest (no registration fee) _____

* Spouse/guest will join us on the Summer Tour bus _____ yes _____ no

* Spouse/guest will join spouses tour - please add $10 _____ yes _____ no $ _____

Registration (one party per form) @ $50 $ _____

Tour meal package

Fri. & Sat. breakfasts, Fri. lunch and banquet _____ # @ $52 = $ _____

Friday banquet only _____ # @ $20 = $ _____

NOTE!

Friday banquet choices - Chicken Marsala _____

Canadian Walleye _____

Please select one per banquet meal.
(no choice indicated will receive chicken)

TOTAL enclosed: $

Please make all checks payable to MAWD

Return with this completed form by June 19, 2002 to: MAWD Summer Tour
3848 Westbury Drive
St. Paul, MN 55123

If you have any questions please call MAWD at 651-452-8506 or e-mail at raybohnmga@aol.com.

MINNESOTA ASSOCIATION OF WATERSHED DISTRICTS, INC
Land and Water Shall be Preserved

Minnesota Association of Watershed Districts

3848 Westbury Drive
St. Paul, MN 55123-2080

Phone: 651-452-8506
Fax: 651-686-8679

www.mnwatershed.org
E-mail: raybohnmga@aol.com

April 19, 2002

Dear Friends:

The 2002 MAWD Summer Tour is scheduled for June 27-29, 2002 and is hosted by the South Washington Watershed District. Our headquarters hotel is the Holiday Inn East St. Paul located on I94 and McKnight Road.

The 2002 Summer Tour will highlight issues related to extreme growth in an urban area. The watershed district is located in Washington County and includes the cities of Oakdale, Lake Elmo, Afton, Woodbury and Cottage Grove.

The Tour will start on Thursday evening with a watershed district overview and *Welcome Reception* and conclude by 11:30 a.m. on Saturday morning. It will utilize both a tour and seminar presentation format with interesting and informative issues facing the South Washington Watershed District.

After reviewing the enclosed material I'm sure you will agree that we have an exciting agenda prepared for Tour attendees! I am delighted to extend this invitation to you for the 2002 MAWD Summer Tour!

Please make your reservations today for the 2002 MAWD Summer Tour.

Sincerely,

Dean Oleson
President

Minnesota Association of Watershed Districts

2002 Summer Tour

June 27-29, 2002

Hosted by South Washington Watershed District

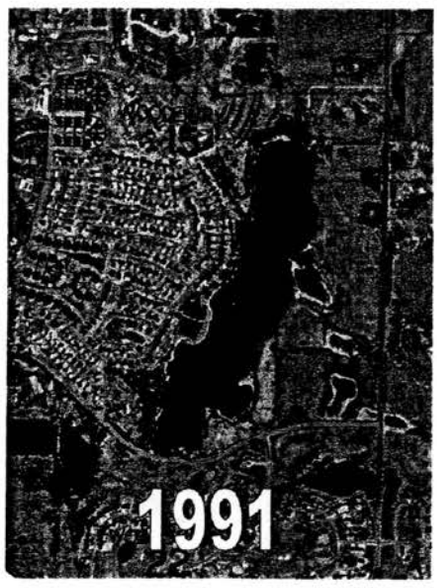
Capitalizing on our Natural Infrastructure

The South Washington Watershed District (SWWD) is faced with a changing landscape just like all other watershed districts in Minnesota. Through the 1990's the rate of growth in Washington County was 37.9% compared to 12% for the State of Minnesota and 15% for the Twin Cities Metropolitan Area. Within Washington County a large portion of the growth has been in the southern half of the county. Based on projections, the growth is anticipated to continue through the year 2020 on an average of 22% per decade.

The SWWD is comprised of areas in the City of Oakdale, Lake Elmo, Afton, Woodbury and Cottage Grove. The SWWD covers 54 square miles, 94.9% of this area is within the cities of Cottage Grove and Woodbury. From 1990 to 2000 each of these cities increased in population by 33% and 131% respectively. Oakdale, Lake Elmo and Afton all increase by 45%, 16% and 7% respectively. Not all the growth occurred in the SWWD, nonetheless it is evident that Southern Washington County is hopping.

With this amount of growth there are many issues to address, not just water resources. Growth brings transportation, housing, employment, infrastructure, as well as water management concerns. While watershed districts do not deal directly with these other areas, they are all intermingled to produce a growth pattern that provides the "Quality of Life" for its residents in years to come.





At the 2002 Minnesota Association of Watershed Districts Summer Tour, the SWWD, along with several of its neighboring watersheds, will demonstrate how we are dealing with this changing landscape.

We will explore impacts to wetland vegetation, land locked basins, floodplain management, flood control, storm water volume control, water quality impacts, groundwater and infiltration. These are all standard watershed activities, and besides the growth within the SWWD it's not much different than any other watershed.

Connecting water resource management with land use decisions is the key to successful watershed management. Without this link watersheds are faced with more and more remedial efforts.

Minnesota Association of Watershed Districts

2002 Summer Tour Information

June 27-29, 2002

Hosted by South Washington Watershed District

Registration:

Registration will begin at 6:00 p.m. on Thursday, June 27 at the Holiday Inn East (St. Paul)

Registration fee for participants is $50. There is no charge for spouses/guests.

Registration forms are due in the MAWD office no later than Wednesday, June 19.

(Late registration fee $75)

Spouses Activities:

(Tentative) Tour the historic homes of Stillwater. Bus leaves from main entrance at 9:30.

Meals:

The Summer Tour meal package includes Friday and Saturday breakfasts, Friday lunch and dinner (banquet). The cost is $52.

Additional dinner banquet tickets are available for $20.

Please note the meal choices, chicken and walleye, and mark your choice on the registration form.

Lodging:

A block of rooms has been reserved at:
Holiday Inn East
2201 Burns Ave.
St. Paul, MN 55119

I94 at McKnight Road in East St. Paul (see map)

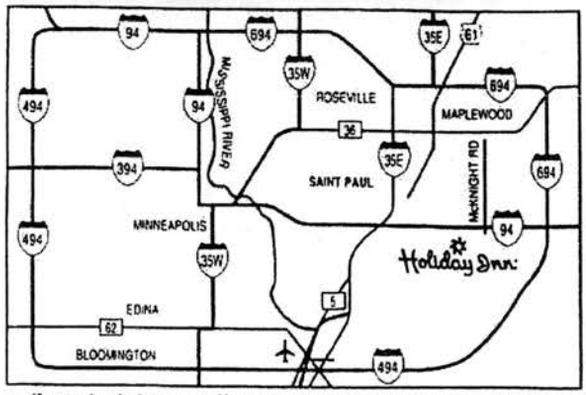
Participants are responsible for their own hotel arrangements.

Contact the Holiday Inn directly at 651-731-2220 for reservations by June 7, 2002. Please indicate that you are with the MAWD Summer Tour to be eligible for the special group rate of $83 per room.

Holiday Inn
St. Paul East

St. Paul





Conveniently Located off Interstate I-94 at McKnight Rd. (3M Area)

Hotel Features:

- Executive level rooms available with a complimentary executive lounge.
- Indoor pool, sauna, whirlpool, exercise area and game room.
- Jogging paths nearby.
- Free parking for buses, trailers, and cars.
- Michael's Restaurant and Lounge, featuring breakfast, lunch and dinner.