



Minnesota Board of Water and Soil Resources.
Minutes.

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**BOARD OF WATER AND SOIL RESOURCES
PINE POINT ROOM at the "EVENTS CENTER"
SHOOTING STAR CASINO HOTEL
MAHNOMEN, MINNESOTA
THURSDAY, AUGUST 28, 2003**

AGENDA

9:00 a.m. Call Meeting to Order

Pledge of Allegiance

Adopt Agenda

Minutes of July 23, 2003

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

Reports

- Chair – Jerome Deal
- Executive Director – Ron Harnack
- Dispute Resolution Committee – Jerome Deal
- Wetlands Committee – Clair Nelson
- Cost-Share/Soil Conservation Committee – Dwain Otte
- Education and Public Relations Committee – Kay Cook
- Administrative Advisory Committee – Jerome Deal

Agency Reports

- Minnesota Department of Agriculture – Perry Aasness
- Minnesota Department of Health – Dan Wilson
- Minnesota Department of Natural Resources – Gene Merriam
- Minnesota Extension Service – Jim Anderson
- Minnesota Pollution Control Agency – Lisa Thorvig

New Business

1. Clay County Request for Comprehensive Local Water Plan Extension – Pete Waller – *DECISION ITEM*
2. Pine County Comprehensive Water Plan Update – Keith Grow – *DECISION ITEM*
3. Middle-Snake-Tamarac Rivers Watershed District and South Two Rivers Watershed District Boundary Change – Jim Haertel – *DECISION ITEM*

4. Funding Approval for Local Water Management Challenge Grant Projects – Wayne Zellmer and Bill Best – *DECISION ITEM*
5. FY 04 Non-Point Engineering Assistance Base Grants – Wayne Zellmer – *DECISION ITEM*
6. Northwest CREP Update and Red River Basin Commission Update – Kevin Scheidecker – *INFORMATION ITEM*
7. Clean Water Cabinet Update – Ron Harnack – *INFORMATION ITEM*
8. CREP Second Generation Update – Ron Harnack – *INFORMATION ITEM*

Advisory Comments

- Association of Minnesota Counties (AMC) – Dave Weirens
- Minnesota Association of Conservation District Employees (MACDE) – Rick Reimer
- Minnesota Association of Soil and Water Conservation Districts (MASWCD) – LeAnn Buck
- Minnesota Association of Townships (MAT) – Sandy Hooker
- Minnesota Association of Watershed Districts (MAWD) – Ray Bohn
- Natural Resources Conservation Service (NRCS) – Tim Koehler

Upcoming Meetings

- Next BWSR Meeting, September 24, 2003

Adjourn

DATE: August 18, 2003

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

FROM: Ronald D. Harnack, Executive Director

SUBJECT: August 27-28 BWSR Tour and Meeting

The Board of Water and Soil Resources (BWSR) will tour the Red River Basin (Polk, Norman, and Mahnommen Counties) on Wednesday, August 27, 2003. See the tour itinerary attached. Welcome and introductions will begin at 8:00 a.m. in the Pine Point Room of the "Events Center" at the Shooting Star Casino, in Mahnommen. The coach bus will promptly depart from the Events Center at 8:30 a.m. for a tour of the Red River Basin. An issues forum will be held after lunch at the VFW in Ada from 12:45 p.m. – 1:45 p.m. The coach bus will return to the Events Center at 5:00 p.m.

An informal social hour will be held at 5:30 p.m. in the "Corner King Room" (*Ron Harnack's room*) at the Stardust Suites Hotel (on Hwy. 59). Dinner reservations have been made for 7:00 p.m. at the "Reflections Grill" at the Shooting Star Casino Hotel & Events Center.

A block of sleeping rooms have been reserved for the nights of Tuesday, August 26 and Wednesday, August 27, at the Stardust Suites Hotel, check-in at the front entrance (*located at the south end of the Shooting Star Casino Hotel and Events Center*). Attached is the list of room reservations. The rooms have been direct billed (you do not pay for them), unless noted on the rooming list. If you do not need a room reservation, please contact Mary Jo Anderson (651-297-4290) immediately. Breakfast is on your own, there are two restaurants on the property.

The Board of Water and Soil Resources will meet on Thursday, August 28, at 9:00 a.m. in the Pine Point Room of the "Events Center" at the Shooting Star Casino.

The following information pertains to the agenda items:

New Business

1. Clay County Request for Comprehensive Local Water Plan Extension – See attached.
DECISION ITEM
2. Pine County Comprehensive Water Plan Update - Pine County has completed the update of their "second generation" Water Plan. On May 8, 2002, Richard Noyes, Pine County Water Planning Coordinator, and Robert Pigeon, Chair of the Local Water Plan Taskforce met with the BWSR Northern Region Water Planning Subcommittee to review the plan and provide a recommendation to the full Board. Attached is an Overview/Executive Summary addressing the 15-month delay, correspondence from

Ron Shelito, Northern Region Supervisor, and Keith Grow, Board Conservationist, and a copy of the Order. *DECISION ITEM*

3. Middle-Snake-Tamarac Rivers Watershed District and South Two Rivers Watershed District Boundary Change – The Boards of Managers of the Middle-Snake-Tamarac Rivers Watershed District and the South Two Rivers Watershed District filed a petition to change the common boundary of the two watershed districts. Each of the two watershed district boards of managers had adopted resolutions authorizing the boundary change prior to signing the petition. The petition for the boundary change was filed based on the hydrology of the petitioned area. The proposed boundary change affects 16.81 square miles of land in Marshall, Kittson and Roseau Counties. A legal notice of filing was published in four local newspapers and also mailed to affected counties, cities, and SWCD's. No requests for a public hearing were received and no comments were received within the specified time period in the legal notice. Approval of the boundary change would place each of the two boards of managers in charge of the waters that drain into their respective watershed districts. Staff recommend approval of the boundary change per the draft Order. See attached. *DECISION ITEM*
4. Funding Approval for Local Water Management Challenge Grant Projects – See attached. *DECISION ITEM*
5. FY 04 Non Point Engineering Assistance Base Grant - This is a noncompetitive annual grant allocated to the 11 SWCD Joint Powers Boards (JPBs). It is to be used by each JPB to provide engineering/technical services to help landowners to implement erosion control and water quality improvement practices. The Cost-Share Committee recommended this allocation procedure at their April 23 meeting. See attached. *DECISION ITEM*
6. Northwest CREP Update and Red River Basin Commission Update - *INFORMATION ITEM*
7. Clean Water Cabinet Update – See attached. *INFORMATION ITEM*
8. CREP Second Generation Update – *INFORMATION ITEM*

If you have any questions regarding the agenda, please feel free to give me a call. If you have any questions regarding accommodations for the Board tour and meeting, please contact Mary Jo Anderson at 651-297-4290. I look forward to seeing you in Mahnomen!

**BOARD OF WATER AND SOIL RESOURCES
PINE POINT ROOM at the "EVENTS CENTER"
SHOOTING STAR CASINO HOTEL
MAHNOMEN, MINNESOTA
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PRELIMINARY AGENDA

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

Reports

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Upcoming Meetings

- Next BWSR Meeting, September 24, 2003

Adjourn

Board of Water and Soil Resources Rooming List

Tuesday, August 26, 2003

1. Perry Aasness***
2. Kevin Anderson
3. Jim Anderson***
4. Mary Jo Anderson
5. Becky Balk***
6. Bill Best
7. Ray Bohn***
8. Kay Cook
9. Jerome Deal
10. Brian Dwight
11. Tom Ebnet***
12. Wayne Edgerton***
13. Bill Eisele
14. Quentin Fairbanks
15. Jack Frost
16. Keith Grow
17. Jim Haertel
18. Karen Harder
19. Ron Harnack – *Corner King Room*
20. John Jaschke
21. Char Kahler
22. Paul Krabbenhoft
23. Randy Kramer
24. Gene Merriam***
25. Clair Nelson
26. Victor Ormsby
27. Dwain Otte
28. Bruce Sandstrom
29. Ron Shelito
30. Doug Thomas
31. Lisa Thorvig***
32. Pete Waller
33. Dan Wilson***

Wednesday, August 27, 2003

1. Perry Aasness***
2. Kevin Anderson
3. Jim Anderson***
4. Mary Jo Anderson
5. Becky Balk***
6. Bill Best
7. Ray Bohn***
8. Kay Cook
9. Jerome Deal
10. Brian Dwight
11. Tom Ebnet***
12. Wayne Edgerton***
13. Bill Eisele
14. Quentin Fairbanks
15. Jack Frost
16. Keith Grow
17. Jim Haertel
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19. Ron Harnack – *Corner King Room*
20. John Jaschke
21. Char Kahler
22. Paul Krabbenhoft
23. Randy Kramer
24. Gene Merriam***
25. Clair Nelson
26. Victor Ormsby
27. Dwain Otte
28. Bruce Sandstrom
29. Ron Shelito
30. Doug Thomas
31. Lisa Thorvig***
32. Pete Waller
33. Dan Wilson***

*** will pay for room upon arrival

\$50 + 6.5% sales tax (\$3.25) = \$53.25/room

BWSR Tour

Wednesday, August 27, 2003

Pine Point Room, Shooting Star Casino Hotel & Events Center
Mahnomen, Minnesota

Tentative Itinerary

- 8:00 a.m. Welcome and General Overview of Tour
(Ron Shelito, Bill Best, BWSR; Pete Revier, Mahnomen SWCD)
- 8:30 a.m. Depart Shooting Star Casino Hotel & Events Center
- 8:50 a.m. Vesledahl Wetland Banking Site 1, Polk County - *Get off bus*
(Bill Best, Bruce Sandstrom, BWSR)
- 9:30 a.m. Depart Vesledahl Site 1
- 9:35 a.m. Vesledahl Wetland Banking Site 2, Polk County - *Get off bus (Refreshments)*
(Jon Hodgson, NCJPB Engineer; Tom Wenzel, BWSR; and Terry Wolfe, DNR/Wildlife)
- 10:20 a.m. Depart Vesledahl Site 2
- 10:25 a.m. Drive by culvert installed to alleviate flooding to township road
- 10:35 a.m. Union-Lake Sarah connection site, Polk County - *Stay on bus*
(Dan Wilkens, SHRWD)
- 10:45 a.m. Union Lake Pump Station Site, Polk County - *Get off bus*
(Dan Wilkens, SHRWD)
- 11:10 a.m. Depart Union Lake Pump Station Site. Drive by Lockhart pilot flood storage impoundment project, Norman County, en route to Ada
- 12:00 p.m. Arrive Ada, *lunch* at VFW
- 12:45 p.m. Issues Forum / Presentations at VFW
 - Flood Damage Inventory Project - Curt Borchert, Norman SWCD Manager
 - Use of "project teams" in watershed district planning - Jerry Bennett, Wild Rice Watershed District Administrator
- 1:45 p.m. Depart Ada for Dahlen Coulee
- 2:15 p.m. Arrive at Dahlen Coulee, Norman County - *Get off bus (Refreshments)*
(Jerry Bennett, Steve Dahlen, Curt Borchert, Kevin Kassenborg, Luther Aadland)
- 3:30 p.m. Depart Dahlen Coulee, Norman County
- 4:00 p.m. Arrive Heiberg Dam, Norman County - *Get off bus*
(Jerry Bennett, Curt Borchert, and Dave Friedel)
- 4:30 p.m. Depart Heiberg Dam, Norman County
- 5:00 p.m. Arrive Shooting Star Casino Hotel & Events Center

Dispute Resolution Report
August 14, 2003
by Jim Haertel

There are presently ten appeals pending. All of the appeals involve WCA. There are three new appeals since the last report of July 9.

There is an appeal of a wetland delineation in the City of Foley in Benton County. No decision has been made on acceptance of the appeal.

There is an appeal of a restoration order in St. Louis County. The appeal is in abeyance pending a decision by the LGU on a replacement plan application.

There is an appeal of a no-loss decision and two exemption decisions made by the Vadnais Lake Area Water Management Organization in Vadnais Heights, Ramsey County. The proposed project is for a residential development. The appeal is in abeyance since it was remanded to the WMO for an expanded TEP. Under remand the WMO made the same decision as before, and that decision has now been appealed. No decision has been made on acceptance of the new appeal.

There is an appeal of an exemption decision in the City of Independence in Hennepin County. The appeal has been accepted, a pre-hearing conference was held on July 29, a schedule for filing the written briefs has been established, and a hearing before the DRC has been set for September 24.

There is an appeal of a no-loss decision in Douglas County. An agreement was mediated to resolve the appeal this summer. The status of the resolution should be known soon.

There is an appeal of a restoration order in Douglas County. An agreement was mediated to resolve the appeal this summer. The status of the resolution should be known soon.

There is an appeal of a no-loss decision in Meeker County. At issue is the wetland delineation. The appeal is being held in abeyance pending further technical evaluation work, however, it appears a settlement agreement may be reached between the county attorney and the landowner.

Another appeal is of a replacement plan in the City of Albertville in Wright County. The appeal is in abeyance since it has been remanded to the city because a TEP was not held.

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, a pre-hearing was held and the appeal is in abeyance pending the results of a lawsuit between the landowner and the county.

413 West Stanton Avenue, Fergus Falls, Minnesota, 56537

DATE: August 6, 2003
TO: Marybeth Block, BWSR, St. Paul
FROM: Pete Waller, Board Conservationist
SUBJECT: Clay County Request for CLWP Extension

The Clay County has requested that their Comprehensive Local Water Plan (CLWP) be extended to December 31, 2005 (two calendar years).

To my knowledge, the certified county board resolution requesting a two-year extension of the existing Clay County CLWP contains the necessary and pertinent information. It also lists the various other planning efforts underway that the county is participating in, which supports the request.

I agree with the Clay County request and hereby approve a two-year extension. This sets the effective date (end date) for the Clay County CLWP to be December 31, 2005.

Attached you will find a brief paragraph of explanation for the board agenda packet, the Findings of Fact, and Conclusions and Order document. The certified county resolution will be mailed to you today.

I request that our BWSR board be presented this request at the August meeting.

Please feel free to call me if you have questions or concerns.

Attachments

CLAY COUNTY COMPREHENSIVE LOCAL WATER PLAN (FOR BOARD ACTION)

Clay County has a Comprehensive Local Water Plan (CLWP), approved by the Minnesota Board of Water and Soil Resources and locally adopted via county resolution on October 10, 1989. The second generation CLWP was approved by BWSR December 17, 1998 and locally adopted January 1999. The effective date (end date) of this CLWP is December 31, 2003.

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 adopted policies that defined the Board's expectations of water plan updates, and encouraged counties extend their current plan if they are involved in multi-planning strategies.

Clay County is an active player in the Buffalo-Red River Watershed District planning efforts currently underway, as well as the project teams of the Wild Rice and Buffalo-Red River Watershed Districts. These plans require the input of the water planner and associated technical advisors, and once completed, will benefit the CLWP process. Also, with nearly 90 percent of Clay County's land area in agricultural production, the Federal Farm bill, once finalized, will certainly influence agricultural land use and the water plan.

Board Conservationist Pete Waller recommends approval of Clay County's two-year extension request to December 31, 2005.

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

Whereas, Clay County has a state approved Comprehensive Local Water Plan that is effective until December 31, 2003 pursuant to Minnesota Statute 1990, Section 103B.301, and

Whereas, the Clay 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 Clay County 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 July 21, 2003, the Board of Water and Soil Resources received a resolution from Clay County requesting an extension of their Comprehensive Local Water Plan.
2. On August 6, 2003, the Board of Water and Soil Resources staff reviewed and recommended approval of the extension request by Clay 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 Clay 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 Clay County Comprehensive Local Water Plan until December 31, 2005. Dated at Mahnomon, Minnesota, this 28th day of August 2003.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Jerome Deal, Chair
August 28, 2003

Pine County Water Plan
OVERVIEW
Background

Pine County's first Comprehensive Local Water Plan, also referred to as its "first generation" water plan, was approved in December 1992. The BWSR Water Plan Review Committee met May 8, 2002 and reviewed the Pine County "Second Generation" Water Plan Update. The plan, although, well written, was found to be inconsistent with state law, 9300.0170, subp. 5. Specifically, Minnesota Rules Chapter 7080 for Individual Sewage Treatment Systems. (Enclosed is a letter dated April 25, 2002, from Keith Grow, Board Conservationist to the Review Committee regarding the 7080 Rule.) The Review Committee voted to recommend withholding final approval of Pine County's water plan update by the full board pending adoption of 7080 Rules by the county. Once adoption by Pine County is verified, BWSR would then move for final approval. (Enclosed is a letter from Ron Shelito, Northern Regional Supervisor dated May 8, 2002, to Bob Pigeon, Water Planning Taskforce Chair, regarding the review committee's decision).

On July 15, 2003 the Pine County Board of Commissioners adopted the 7080 Rules countywide.

Pine County is located 60 miles north of St. Paul and 40 miles south of Duluth in the extreme northeastern edge of central Minnesota. It is bounded on the east by the St. Croix River and the State of Wisconsin. The 918,112 acres in Pine County contain about 10,000 acres of surface water. 73 percent of the County is privately owned. Agriculture, **forestry**, and recreation account for a majority of revenues.

EXECUTIVE SUMMARY

The purpose of this summary is to give a background on what was included in the first Pine County Water Plan, its goals, objectives and major accomplishments. This summary will also lead 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. The 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 a county-wide feedlot inventory.

- An MPCA Lake Assessment Study (LAP) for Sturgeon Lake, Island Lake, and Big Pine Lake.
- Better coordination and working relationships between 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, 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 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 planning 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 soils information available to them. This **soils information has been digitized** and is available through their computer software programs. Accurate soils information is a powerful tool to assist them in making wise land use decisions, especially with all the development activity 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 in to 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.**

The "second generation" water plan lists 151 Actions supporting 29 Objectives that address four 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 powers board made up of Aitkin, Kanabec, Mille Lacs, 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 watershed. The Pokegama Lake Association has been a very active player in providing pull-tab revenues for projects plus it 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-watershed are ready for serious implementation activities with large amounts of funding already in place. **Objectives 26-29 and Action 135-151 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 number two 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. 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 number three, the Upper St. Croix Watershed would be number four and 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 theme conducted during the development of the “first generation” water plan. This theme continued to be echoed throughout the public meetings of the “second generation” water plan. **Wellhead protection plans and education efforts, as outlined in Objective 4, Action 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.**

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 nutrients 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. **Action 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 wetland of the Snake River and its tributaries.**

Individual Septic Treatment Systems (ISTS) 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 other Best Management Practices, can play an important role in water resource protection. **Actions 32, 69, and 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
- Hazardous waste sites
- Water conservation
- Feedlot

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 seven 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



217 South Seventh Street, Suite 202, Brainerd, Minnesota 56401

DATE: May 8, 2002

TO: Bob Pigeon, Pine County Water Planning Task Force Chair

FROM: Ron Shelito, BWSR North Region Supervisor

SUBJECT: Approval of Pine County Water Plan

The BWSR Water Plan Review Committee met May 8, 2002 and reviewed the Pine County Second Generation Water Plan update. On behalf of the review committee, I extend my congratulations to you for a job well done. The plan submitted for review is thorough and meets BWSR guidelines for plan revisions. It is clear that you put a lot of work into past water plan activities, as evidenced by your success with the Sinkhole Study Project, Pokegama Lake Cleanwater Partnership, activities in the Snake River Joint Powers Organization, the Pine County Waters newsletter, and many other water plan sponsored activities. Coordination between the SWCD and the county is excellent and your water planning task force is active. Your goals and objectives for future work also seem to be on target. You've done a good job on listing your objectives and how you plan to go about accomplishing them.

Based on the level of commitment and the thoroughness of the plan, the BWSR review committee is ready to recommend final approval of your plan to the full BWSR board. However, there is one glitch that prevents this from happening at this time. The MPCA review noted that Pine County has not adopted Minnesota Rules Chapter 7080 for Individual Sewage Treatment Systems and further noted that they could not recommend approval of the plan at this time. Water plan rules require that county water plans be consistent with state laws, 9300.0170, Subp. 5. While the water plan does list adoption of 7080 Rules as an objective, the review committee weighed MPCA's recommendation to not approve and the fact that the county has been out of compliance with 7080 Rules for some time. The BWSR Review Committee voted to withhold final approval of the water plan by the full BWSR Board pending adoption of the 7080 Rules by the county. Upon verification by the county that the 7080 Rules have been adopted by Pine County, BWSR will then move to make final approval of the Pine County Water Plan.

Please note that Natural Resources Block Grant or Challenge Grant funds cannot be released to any county without an approved water plan. The next round of grant applications is due January 15, 2003, with grant agreements being processed soon afterwards. The BWSR review committee understands that the county is currently taking steps to adopt 7080 Rules and encourages Pine County to adopt sooner rather than later.

The BWSR review committee again wishes to thank you, Dick Noyes, Norman Nelson, and Art Usher for attending the review meeting on May 8, 2002, in Brainerd. The work and leadership that they put into the Pine County water plan was evident during our review. Once the 7080 Rule issues are resolved, the BWSR will be happy to finalize approval of your water plan.

c: Dick Noyes, Water Plan Coordinator
Keith Grow, Board Conservationist
Ginny Imholte, Ad Hoc Committee Member

Lee Coe, Ad Hoc Committee Member
Darrell Bruggman, Ad Hoc Committee Member
MaryBeth Block, Water Plan Program Coordinator

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
3217 Bemidji Avenue N. Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	217 S. 7th Street Suite 202 Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 725-4752 fax (218) 723-4794	415 W. Stanton Avenue Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	40 16th Street S.E. Suite A Rochester, MN 55904 phone (507) 285-7458 fax (507) 280-2875	One West Water Street Suite 250 Saint Paul, MN 55107 phone (651) 282-9969 fax (651) 284-0000

217 South Seventh Street, Brainerd, Minnesota 56401

DATE: April 25, 2002
TO: BWSR Water Planning Ad Hoc Committee
FROM: Keith R. Grow, Board Conservationist, BWSR
SUBJECT: Special Concern: Non-Adoption of MN Rule Chapter 7080.

Pine County has done a good overall job updating their water plan. One issue of concern is that they have not adopted MN Rule Chapter 7080. Minnesota Statute 115.55, Subp. 2(a) states "All counties...must adopt ordinances that comply with individual sewage treatment system rules". During the preliminary review, Minnesota Pollution Control could not recommend approval of the water plan because the County is out of compliance with state law. Ken Levoir, MPCA, reviewed the water plan as the representative of his agency. He indicated MPCA has been working with the County for four to five years regarding the adoption of MN Rule Chapter 7080. By telephone on April 24, 2002, Ken indicated he continues to work with the county regarding 7080. He felt Pine County was very close to adopting, but he would appreciate anything the water planning process could do to assist him and Planning and Zoning in the efforts.

Pine County's action item (48), Countywide Implementation of MN 7080 standard states "Assure that by June 1, 2002, a permitting program be implemented to regulate the uniform application of Minnesota 7080 standards by Pine County". Implementation of this action item would put Pine County in compliance.

I discussed this item with Pine County at their last water planning taskforce meeting and again at the SWCD board meeting on April 23, 2002. They are optimistic that they will be in compliance by June 1, 2002.

In summary, the County is out of compliance. The water plan addresses adoption of MN Rule Chapter 7080 as written. I have discussed this issue with Ron Shelito and Doug Thomas. We recommend the ad hoc committee approve the plan at the May 8, 2002 meeting but not bring it before the full Board until BWSR receives notification that Pine County has adopted 7080. If the County does not adopt 7080 by February 1, 2003, the BWSR may consider withholding their 2003 Natural Resources Block Grant.

If you wish to meet with me prior to the meeting on May 8, or have any questions, please call me at 218-828-6035.

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

In the Matter of Reviewing the Comprehensive Water Plan Update
for Pine County (Minnesota Statutes 1990, Section 103B.311,
Subdivision 4 and Section 103B.315, Subdivision 5 and Minnesota
Rules 9300.0170).

**ORDER APPROVING
COMPREHENSIVE
WATER PLAN**

Whereas, the Pine County Board of Commissioners adopted its first generation Comprehensive Water Plan (Plan) on May 15, 1990, under authority of M.S. 1990, Section 103B.301, which was approved by the Minnesota Board of Water and Soil Resources (Board), December 16, 1992, respectively pursuant to M.S. 1990, Section 103B.315, Subd. 5, and

Whereas, the Plan provided for updating in 2000 pursuant to M.S. 1990, Section 103B.311, Subd. 4, and

Whereas, the Pine County Board of Commissioners submitted a Comprehensive Water Plan Update (Plan Update) to the Board on March 21, 2002, pursuant to M.S. 1990, Section 103B.315, Subd. 5, and

Whereas, the Board has completed its review of the Plan Update:

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

FINDINGS OF FACT

1. M.S. 1990, Section 103B.311, Subd. 4, requires adopted Comprehensive Water Plans to be updated on a recurring basis.
2. On September 14, 1999, Pine County passed a resolution to develop a Comprehensive Water Plan Update to meet the Plan update requirements.
3. On October 17, 2000, the Board of Water and Soil Resources received a resolution from Pine County requesting an extension of their Comprehensive Local Water Plan.
4. On December 13, 2000, the Board of Water and Soil Resources approved the extension of the Pine County's Comprehensive Water Plan until June 30, 2002.
5. Pine County completed a preliminary draft Plan Update on December 20, 2001, and submitted it to affected local units of government for review and comment pursuant to Section 103B.315, Subd. 1.
6. On December 20, 2001, Pine County submitted a draft Plan Update to the Departments of Agriculture, Health, and Natural Resources, the Pollution Control Agency, Minnesota Planning Environmental Quality Board and the Minnesota Geological Survey for preliminary review and comment.

7. On February 21, 2002, Pine County held a public hearing on the Plan Update, pursuant to Section 103B.315, Subd. 4, for the purpose of obtaining public input into the Plan Update.
8. On March 21, 2002, Pine County submitted its Final Plan Update along with all written comments received on the Plan Update, and a record of the public hearing to the Board for final State review pursuant to Section 103B.315, Subd. 5.
9. On May 1, 2002, an executive summary, Board Conservationist findings, and goals and objectives of the Pine County Plan Update were sent to the Board Ad Hoc committee for their information and review.
10. Minnesota Department of Agriculture (MDA) Review: In the preliminary review, MDA provided no comments. On April 29, 2002, MDA commended Pine County on the development of an outstanding plan and on progress made in implementation of the previous plans. We noted several areas within the plan where MDA may be able to coordinate with efforts identified including drainage issues, pollution prevention, and lawn care management.
11. Minnesota Department of Health (MDH) Review: On February 28, 2002, in the preliminary review, MDH encouraged Pine County to consider setting up a small well-sealing cost-share program. Approximately 18 wells could be sealed for \$3000 to \$4000 at a 50% cost-share rate. MDH also updated the Source Water Protection status as of March 2002.
12. On May 3, 2002, in the final comment period, MDH indicated Pine County has done an excellent job of incorporating source water/wellhead protection issues into the plan. In my view they should be commended. Overall, I think it is a very good plan.
13. Minnesota Department of Natural Resources (DNR) Review: In the preliminary review DNR provided no comments.
14. In the final comment period the Minnesota Department of Natural Resources (DNR), stated: Overall, it is a pretty good broad based plan. It appears to deal with most land use issues that occur in Pine County. Unfortunately, it appears to lack a clear long-range strategic plan to deal with future issues that may occur within Pine County. The plan states, "Existing wetland regulations are believed to be doing a good job of limiting wetland losses in Pine County." DNR response, "Are they really? What about cumulative impacts? Most environmental organizations feel that existing wetland regulations are inadequate or not effectively enforced. How much wetland has been lost in Pine County in the last ten years? The plan is acceptable even though it is not progressive.
15. Minnesota Pollution Control Agency (MPCA) Review: In its preliminary review MPCA indicated it is unable to recommend approval of the plan since a countywide septic system ordinance is not in effect. Minnesota Stat. 115.55, Subp. 2(a) says "All counties.... Must adopt ordinances that comply with individual sewage treatment system rules (Minn. R. ch. 7080)... unless all towns and cities in the county have adopted such ordinances." This statute has been in effect for several years. Also, MPCA recommended the county pursue delegation of the feedlot program. As evidenced in other delegated counties, administration of the feedlot program is much more efficient and effective when performed at the local county level. Counties have substantially more knowledge and sensitivity to local practices and understanding of local conditions. Local staff has the advantage of being part of a network of local agencies in which financial and technical assistance can be coordinated to support the needs of the feedlot owners. For this reason, producers generally favor county

administration of the feedlot program over that done by the State. The financial benefits to the county include receiving a Natural Resource Block Grant to run the program. Stormwater was also discussed. NPDES currently at five acres of disturbed land for development will be reduced to one acre. MPCA encourages the county through an action item to make sure the builder has the required NPDES construction storm water permit in possession prior to issuing the local building permit.

16. MPCA offered no final written comments. Verbally, they indicated they will continue to work with the county regarding adoption of 7080.

17. Minnesota State Planning Agency/Environmental Quality Board (EQB) Review: On January 22, 2002, EQB, in its preliminary comments stated that they would be interested in learning more about the County's ideas for changes in state programs. Also, your mention of the projected housing needs in certain areas and the water-related challenges associated with growth shows the importance of the relationship the Comprehensive Local Water Plan has with other county planning work. We feel that working towards connections between these plans strengthens both planning efforts and will only add to the success of location water planning in the future.

EQB enclosed a list of contacts and services available through the Land Management Information Center, Minnesota State Planning's Local Planning Assistance team, and the Minnesota State Demographic Center. EQB recommended approval.

18. Minnesota State Planning Agency/Environmental Quality Board provided no final comments.

19. Minnesota Geological Survey (MGS) Preliminary Review: MGS provided no preliminary comments. On May 5, 2002 in the final comment period MGS approved the Pine County Water Plan. They also stated, "The authors of the update were kind enough to mention completion of the Atlas Part A as a major accomplishment of the past update period. They included a detailed summary of geology of Pine County in the resources inventory and proposed several actions based on information collected and mapped for the Atlas. I was most interested in the uses for the Atlas results identified in the update. First, they include controls on development were proposed for areas of surficial and shallow gravel, mapped as potential aggregate resources on the mineral endowment plate. Second, improvement of the Askov wastewater treatment system was proposed as it relates to the sinkhole distribution. Third, educational and informational activities to alert the public to potential drinking-water quality problems were proposed, based on high boron concentrations reported in ground-water samples collected for the Atlas part B hydrogeologic investigation.

20. Minnesota Board of Water and Soil Resources: On January, 3, 2002, the Board provided preliminary written comments on the Plan Update. BWSR stated that Forestry has been assessed as an important industry in Pine County (\$2,848,056) in stumpage revenue.. The plan also indicates that private forestland is under utilized and poorly managed. The County or SWCD should consider an action item establishing a "forester" position to assist the DNR and private consultants. Also, one of BWSR's expectations, circulated in December of 1999, discussed framing the plan in a watershed context. This will provide a coordinated effort between land use activities, planning, and jurisdictions at all levels. The plan does a good job of providing goals, objectives, and action items to address the identified concerns and trends. As part of the assessment and or executive summary the plan should consider prioritizing the major watersheds from highest to lowest, based on assessments. This would give an area of focus and identify where to start implementation on a priority bases. Also, Pine County will need to identify its high priority wetland areas as require.

21. On April 12, 2002, BWSR final comments stated that the plan is very well written. Pine County has done an excellent job in providing a future direction regarding protection and enhancement of its natural resources. The 90-day review has included all BWSR preliminary comments, which included designation of high priority wetland areas, forestry, watershed prioritization, an abandoned well sealing program, and more accurate measure of action item costs.

On March 4, 2002 at a water planning taskforce meeting, concerns were discussed regarding the fact that Pine County has not adopted 7080. Adoption of Minnesota Statutes 155.55, Subp. 2(a), states "All counties... must adopt ordinances that comply with individual sewage treatment systems(Minnesota R. ch.7080). During the preliminary review Minnesota Pollution Control could not recommend approval of the water plan due to the fact that the county is currently out of compliance with state law. Action item 48, Countywide Implementation of Mn.7080 standard states, "Assure that by June 1, 2002, a permitting program be implemented to regulate the uniform application of Minnesota 7080 standards by Pine County". Board Conservationist recommendation is approval contingent on action item 48 being completed.

22. On December 31, 2001, United States Fish & Wildlife Service (USFWS), USFWS easements should not be under easements--this program is under USFWS Partners Program and offers free wetland restoration of small ditched or tiled wetlands (average one acre) to their former water level for wildlife an water quality benefits. There is no easement involved. Also, add Karner blue butterfly, and peregrine falcon to your endangered species list.

23. On February 18, 2002, Leland Magnuson, a private citizen stated, "Require erosion control plans for major grading and filling activities in shoreland areas." Amend the Pine County shoreland management ordinance to require erosion control plan for major grading and filling activities taking place within the shoreland management area, not in just the shore impact zoning. Also, amend the Pine County shoreland management ordinance to reference townships where standards have been adopted.

22. On March 13, 2002, Pine County responded to all preliminary comments. Final responses were made May 7, 2002.

23. The Board Water Plan Review Committee met on May 8, 2002, in Brainerd with Board staff and representatives from Pine County to review and discuss the Plan Update. Those in attendance were Ad Hoc Committee Chair Ginny Imholte, Lee Coe, and Darrell Bruggman, of the Board; Ron Shelito and Keith Grow of the BWSR Brainerd regional office, Pine County Water Planner Richard Noyes, plan review committee met to determine whether all relevant law and rule requirements had been met and to hear comments from the county on the planning process. At the conclusion of the meeting the BWSR water plan review committee voted to withhold final approval of the water plan by the full BWSR Board until adoption of the 7080 Rules. Upon verification that the 7080 Rules had been adopted by Pine County, BWSR will then move to make final approval to the Pine County Water Plan.

24. On July 15, 2003, the Pine County Board of commissioners adopted Minnesota Rules Chapter 7080 for Individual Sewage Treatment Systems, countywide.

CONCLUSIONS

1. All relevant requirements of law and rule have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Water Plan Update of Pine County pursuant to Minnesota Statutes 1990, 103B.311, Subd. 4, and Minnesota Rules, 9300.0170, Subp. 4.
2. The Pine County Plan Update attached to this Order states water and water-related problems within the county, possible solutions, general goals, objectives and actions of the county, and an implementation program. The attached Plan Update is in conformance with the requirements of Minnesota Statutes 1990, 103B.301 and Minnesota Rules Chapter 9300.

ORDER

The Board hereby approves the attached Plan as the Comprehensive Water Plan Update of Pine County, dated at Mahnomen, Minnesota, this Twenty-Eighth day of August 2003, effective until August 28, 2010.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Jerome Deal, Chair

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

In the Matter of the Boundary Change for the
Middle-Snake-Tamarac Rivers Watershed
District and the Two Rivers Watershed District
pursuant to Minn. Stat. § 103D.251.

**ORDER BOUNDARY CHANGE FOR
MIDDLE-SNAKE-TAMARAC RIVERS
WATERSHED DISTRICT AND TWO
RIVERS WATERSHED DISTRICT**

Whereas, the Board of Managers of the Middle-Snake-Tamarac Rivers Watershed District and the Two Rivers Watershed District filed a Petition with the Board of Water and Soil Resources (Board) dated June 16, 2003, to change the common boundary of the two watershed districts pursuant to Minn. Stat. § 103D.251, and;

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

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

FINDINGS OF FACT

1. **Boundary Change Petition.** The Petition to change the boundary of the Middle-Snake-Tamarac Rivers Watershed District and the Two Rivers Watershed District dated June 16, 2003, was filed by the two watershed districts with the Board on June 23, 2003.
2. **Property Description.** The territory to be included in the Middle-Snake-Tamarac Rivers Watershed District and the Two Rivers Watershed District, the Petitioned Area, is contiguous to each of the two watershed districts, and is fully described in a table attached to the Petition as Exhibit A and further depicted on three maps attached to the Petition as Exhibit B which are attached hereto and fully incorporated herein. The Petitioned Area includes lands that are in the Counties of Marshall, Kittson, and Roseau and consists of a total of approximately 16.81 square miles. Approximately 2.05 square miles of the Petitioned Area would be added to the Middle-Snake-Tamarac Rivers Watershed District in the Township of Eagle Point in Marshall County and the Township of Arveson in Kittson

County. Approximately 14.76 square miles of the Petitioned Area would be added to the Two Rivers Watershed District in the Townships of Augsburg, East Park, Huntly, Nelson Park, and Sinnott in Marshall County, the Townships of Arveson and Deerwood in Kittson County, and the Townships of Deer, Huss, and Lind in Roseau County.

3. **Reasons for Change.** The Petition lists the following:
 - A. The Board of Managers should be in charge of the waters that drain into their respective watershed districts and the proposed boundary change would accomplish that purpose.
 - B. The boundary change would benefit the affected watershed districts because the lands to be added to said districts can be more feasibly administered by the managers of those respective watershed districts.
4. **Board of Managers Resolution.** Resolutions authorizing the boundary change and the managers to sign the Petition were adopted by the Board of Managers of the Middle-Snake-Tamarac Rivers Watershed District on May 19, 2003, and the Board of Managers of the Two Rivers Watershed District on May 6, 2003.
5. **Notice of Filing.** Legal Notice of Filing was published in the Kittson County Enterprise on July 9, 2003, the Stephen Messenger on July 10, 2003, the Greenbush Tribune on July 9, 2003, and the North Star News on July 10, 2003. The Legal Notice of Filing was also mailed on July 11, 2003 to several addressees including the affected county boards of commissioners, county auditors, cities, and Soil and Water Conservation Districts.
6. **Public Hearing.** The legal notice was published pursuant to Minn. Stat. §§ 103D.105, Subd. 2 and 103D.251, Subd. 6, which require within 30 days of the last date of publication of the notice of filing of the Petition that at least one request for hearing be received by the Board before a hearing will be held. No requests for hearing were received during the specified period of time and no hearing was held.

7. **Comments Received.** No comments were received within 35 days of the last publication date of the legal notice of filing.
8. **Board Staff Report.** Board staff recommend the boundary change be approved since the proposed boundary more accurately reflects the hydrologic boundaries of the two watershed districts.

CONCLUSIONS

1. The Petition for boundary change of the Middle-Snake-Tamarac Rivers Watershed District and the Two Rivers Watershed District is valid in accordance with Minn. Stat. § 103D.251.
2. Proper notice of filing was given and a public hearing was not held in accordance with applicable laws.
3. All relevant substantive and procedural requirements of law and rule have been fulfilled.
4. The Board has proper jurisdiction in the matter of ordering a watershed district boundary change.
5. The boundary change of the Middle-Snake-Tamarac Rivers Watershed District and the Two Rivers Watershed District as proposed in the Petition would be for the public welfare and public interest and would advance the purpose of Minnesota Statutes Chapter 103D.
6. The boundaries of the Middle-Snake-Tamarac Rivers Watershed District and the Two Rivers Watershed District as proposed in the Petition define contiguous areas for each of the two watershed districts.
7. The boundaries of the Middle-Snake-Tamarac Rivers Watershed District and the Two Rivers Watershed District as proposed in the Petition are more accurately based on the hydrology of the subject area than the present boundaries.

ORDER

The Board hereby orders that the boundaries of the Middle-Snake-Tamarac Rivers Watershed District and the Two Rivers Watershed District are changed to transfer the area described in the Petition, which is fully described in a table attached to the Petition as Exhibit A and further depicted on three maps attached to the Petition as Exhibit B, all attached hereto and fully incorporated herein.

Dated at Mahanomen, Minnesota this 28th day of August, 2003.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Jerome Deal, Chair

Proposed Boundary Change									
Middle-Snake-Tamarac Rivers Watershed District/Two Rivers Watershed District									
Lands To Be Added To Two Rivers WD					Lands Added To MST Rivers WD				
County	Township	Twp	Rge	Acres	County	Township	Twp	Rge	Acres
					Marshall	Eagle Point	158N	50W	
						S2 Sec 4			320
						N2 SW4 Sec 3			80
						SW4 SW4 Sec 3			40
Marshall	Sinnott	158N	48W						
	N2 NE4 Sec 2			80					
	N2 NW4 Sec 1			80					
Marshall	Augsburg	158N	47W						
	S2 SE4 Sec 2			80					
	S2 S2 Sec 1			160					
	N2 NW4 Sec 12			80					
Marshall	Nelson Park	158N	46W						
	S2 SW4 Sec 3			80					
	S2 S2 Sec 4			160					
	S2 S2 Sec 5			160					
	S2 S2 Sec 6			160					
Kittson	Deerwood	159N	46W						
	NE4 Sec 23			160					
	N2 Sec 24			320					
	SE4 Sec 24			160					
Kittson	Arveson	159N	45W		Kittson	Arveson	159N	45W	
	NW4 Sec 19 No of Minn								
	Hwy #11 and West of								
	Harding St			102		S2 SW4 Sec 17			80
	SW4 West of Harding								
	Street Sec 19			64		S2 SE4 Sec 17			80
	SW4 NW4 Sec 21			40		NE4 Sec 19 So of Minn			150
	N2 SE4 Sec 21			80		Hwy #11			320
	SE4 SE4 Sec 21			40		N2 Sec 20			40
	NE4 NE4 Sec 35			40		SW4 NW4 Sec 21			80
	SE4 Sec 36			160		S2 SW4 Sec 26			80
						S2 NW4 Sec 27			80
						NW4 NW4 Sec 27			40
Roseau	Lind	159N	44W						
	S2 Sec 31			320					
	S2 Sec 32			320					
Marshall	East Park	158N	44W						
	All Sec 1			640					
	All Sec 2			640					
	All Sec 3			640					
	N2 Sec 12			320					
Marshall	Huntly	158N	43W						
	N2 NE4 Sec 3			80					
	NW4 Sec 3			160					
	W2 SW4 Sec 3			80					
	N2 Sec 4			320					
	N2 SW4 Sec 4			80					
	SE4 SW4 Sec 4			40					
	SE4 Sec 4			160					
	N2 Sec 5			320					
	SW4 Sec 5			160					
	N2 SE4 Sec 5			80					
	All Sec 6			640					
	N2 NE4 Sec 7			80					
	SW4 NE4 Sec 7			40					
	NW4 Sec 7			160					
	N2 NE4 Sec 9			80					
	NE4 NW4 Sec 9			40					
Roseau	Deer	159N	43W						
	E2 Sec 34			320					
	N2 Sec 35			320					
	SW4 Sec 35			160					
	N2 SE4 Sec 35			80					
	SW4 SE4 Sec 35			40					
	N2 Sec 36			320					
	N2 SW4 Sec 36			80					
	SE4 SW4 Sec 36			40					
	SE4 Sec 36			160					
Roseau	Huss	159N	41W						
	S2 Sec 33			320					
	Total (Acres)			9,446					1,310
	Total (sq mi)			14.76					2.05

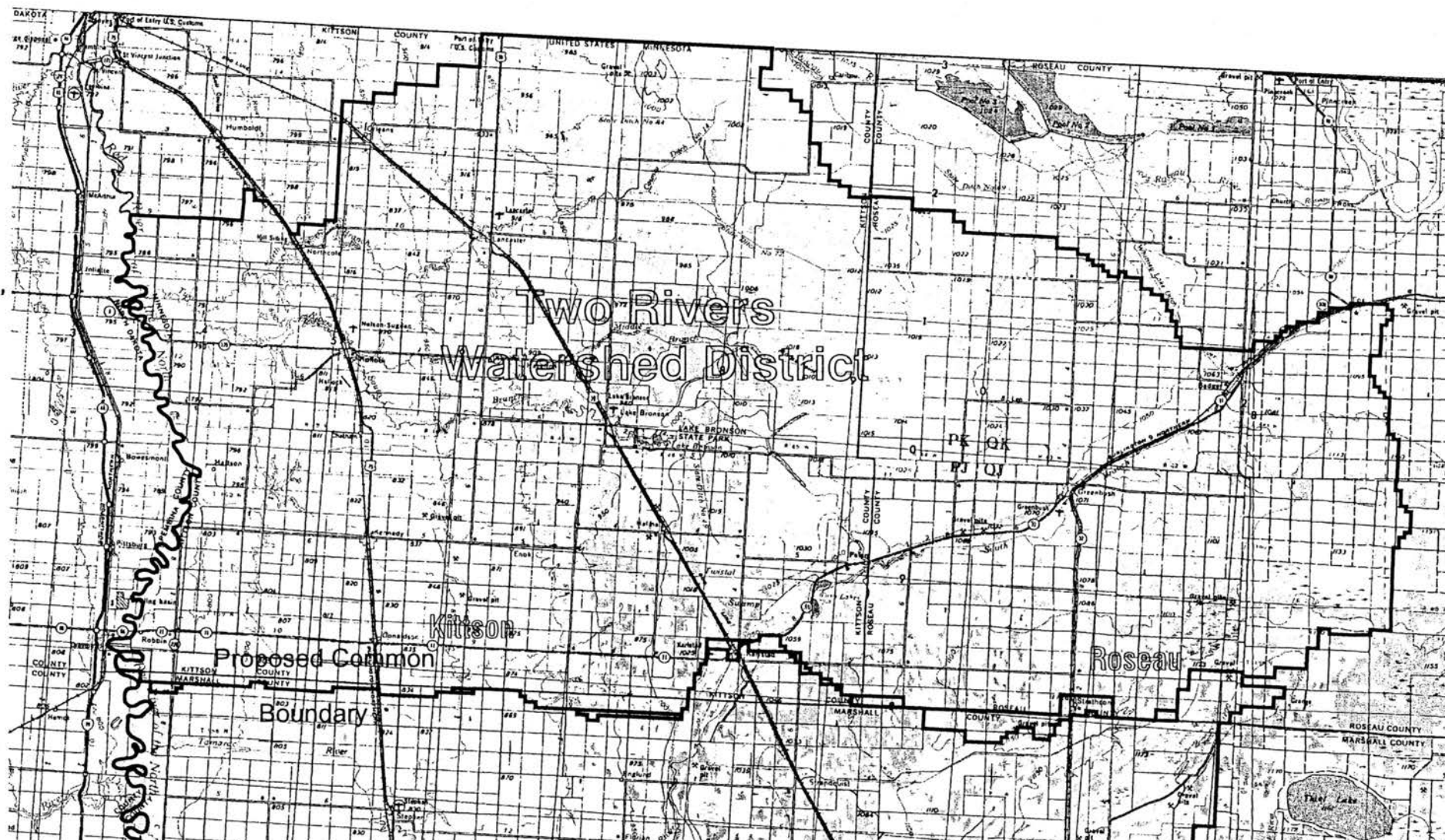


Figure 1
Proposed Boundary Change
Middle-Snake Tamarac Rivers Watershed District
and the
Two Rivers Watershed District

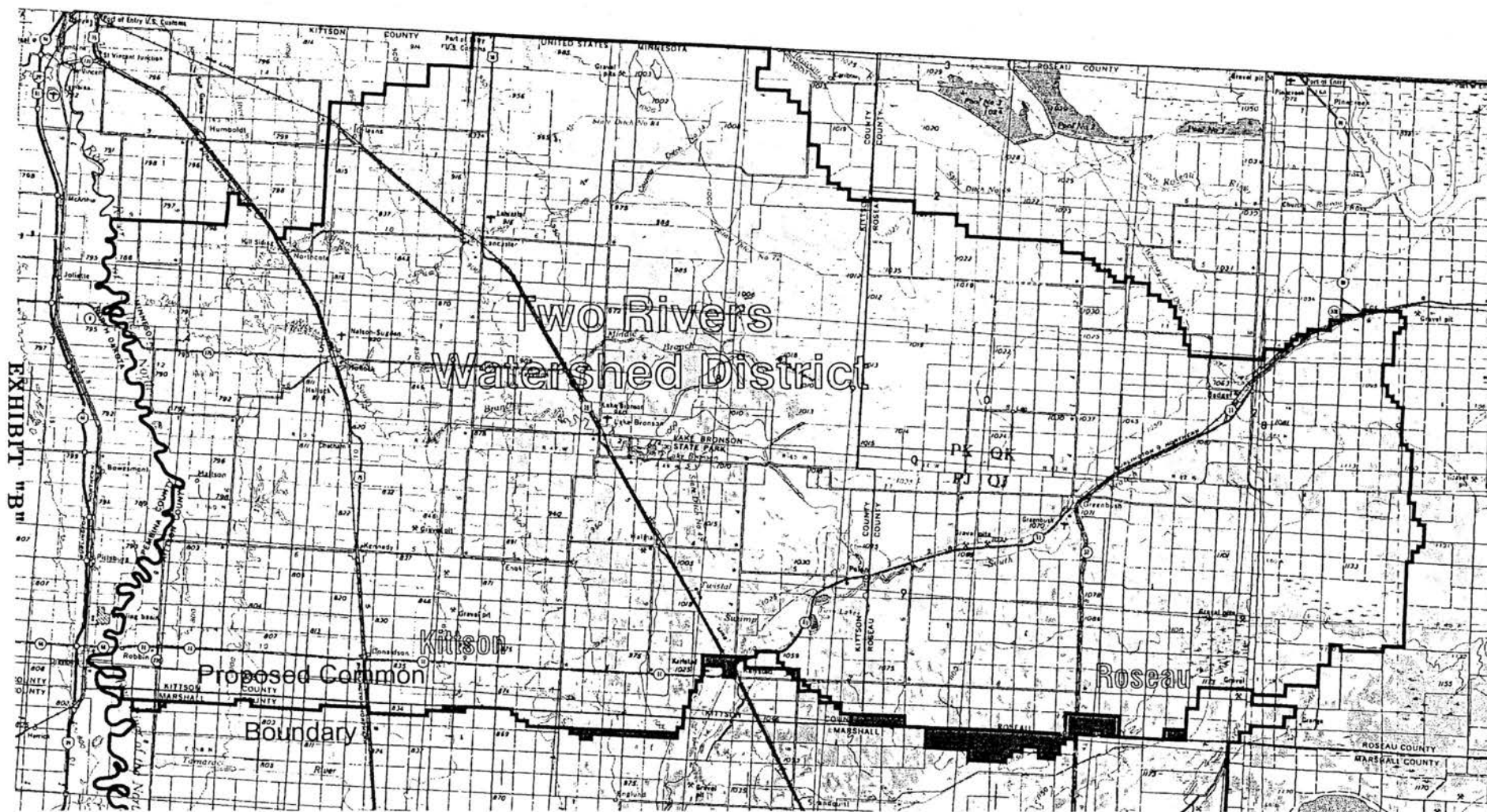


Figure 2
Properties To Be Included in the Two Rivers Watershed District
Proposed Boundary Change
Middle-Snake-Tamarac Rivers Watershed District
and the
Two Rivers Watershed District

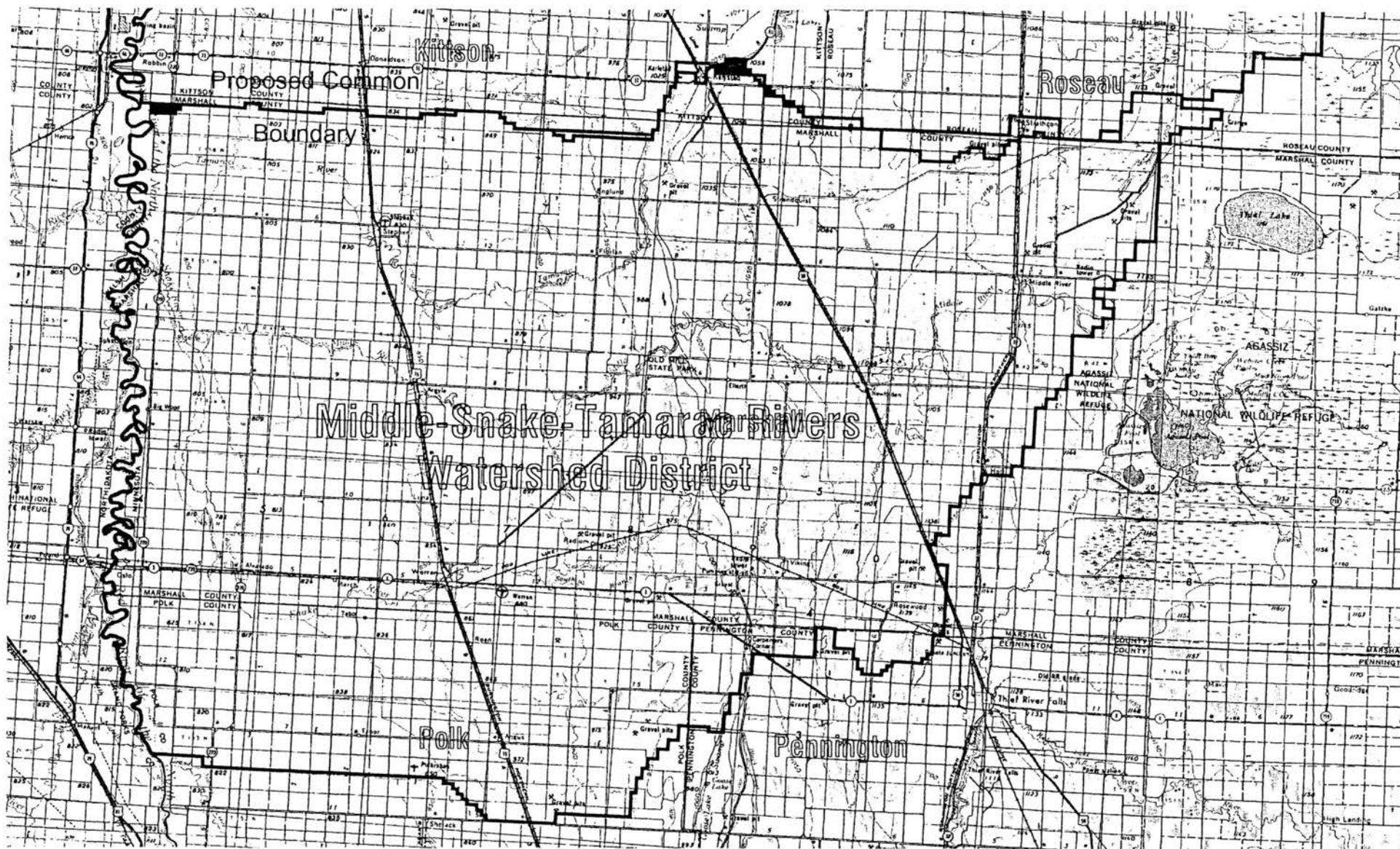


Figure 3
 Proposed Areas To Be Included in the Middle Snake Tamarac Rivers Watershed District
 Proposed Boundary Change
 Middle-Snake-Tamarac Rivers Watershed District
 and the
 Two Rivers Watershed District

August 15, 2003

To: board members

From: Marybeth Block, Water Mgt. Specialist

DECISION REQUESTED:

Approve funding for Local Water Mgt. Challenge Grant Projects

At the Board's June 25, 2003 meeting a resolution was passed to solicit requests for proposals for projects to accelerate implementation of local water management plans.

The following materials are included with the board packet pertaining to awarding funds to projects:

1. RFP Summary & Ranking

- RFP statistics
- Project ranking
- Summary of the review and scoring process
- Charts showing the geographic distribution of projects proposed for funding
- Chart showing the distribution of funds by category for projects proposed for funding
- The guidelines for submitting a RFP

2. Resolution to Approve Projects for FY 2004/05 Local Water Mgt. Planning Grants

Wayne Zellmer and Bill Best will be presenting this material at the August 27, 2003 Board meeting.

Upon board approval project managers will be notified of their funding status. Projects selected for funding will be required to update the project's eLINK information to provide a detailed account of the actions that will be taken and the funds required for each action. Upon BC approval of the workplan a grant agreement will be executed. Three progress reports will be required during the two-year grant period.

Board Resolution # _____

Approve funding for FY 2004/05 Local Water Mgt. Planning Challenge Grants

WHEREAS the Board of Water and Soil Resources submitted a Request for a Proposal to the Legislative Commission on Minnesota Resources for funds to eligible local units of government to implement high priority actions identified in current, state-approved local water management plans through competitive grants known as Local Water Mgt. Planning Challenge Grants; and

WHEREAS the Legislature appropriated the following funds for this project as per ML 2003, Chapter 128, article 1, Section 9, subd. 7a:

\$222,000 from the Environmental Trust Fund for Local Water Mgt. Planning Challenge Grants statewide in FY 2004;

\$56,000 from the Great Lakes Protection Funds for Local Water Mgt. Challenge Grants in the Lake Superior Basin in FY 2004; and

\$222,000 for Local Water Mgt. Planning Challenge Grants statewide in FY 2005;

NOW, THEREFORE BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources approves projects 1 – 19 on the attached list be funded from the Environmental Trust Fund. These projects will receive half of project dollars requested immediately upon BWSR approval of a project workplan, and the remaining project dollars after the Legislative Commission on Minnesota Resources appropriates the Fiscal Year 2005 funds to the BWSR (anticipated to be early July 2005). Any approved project not submitting a project workplan by November 1, 2003 may have their funding revoked and the next highest-ranking project will be offered the available funds. Funding of projects 4 (Washington SWCD) and 9 (Stearns SWCD) will be contingent upon a resolution by the county or watershed district with jurisdiction in the SWCD's area granting them authority to receive and administer the funds for the project.

Be it further resolved that the Board approves projects 20 and 21 on the attached list to be funded from the Great Lakes Protection Fund. These projects will receive the entire project amount upon BWSR approval of the project workplan.

Jerome Deal
Chair, Minnesota Board of Water and Soil Resources

Date

Revised 8/19/03

Projects recommended to receive 2004/05 Local Water Management Challenge Grant funds

#	Project Name	Local Unit of Govt	requested amount \$	awarded amount \$	running total (\$500,000 available)
1	Cass County Land and Water Protection Initiative	Cass SWCD	\$23,800.00	\$23,800.00	
2	Connecting Water Quality Data With Land Use mgt	Itasca SWCD	\$47,375.00	\$28,425.00	\$52,225.00
3	Develop a Natural Resources Corridor Mgt Plan	Blue Earth COUNTY	\$20,000.00	\$20,000.00	\$72,225.00
4	Integrating Groundwater and Surface Water Mgt	Washington SWCD	\$75,000.00	\$60,450.00	\$132,675.00
5	Winona County Planning Department	Winona COUNTY	\$15,000.00	\$15,000.00	\$147,675.00
6	Silver Creek Corridor Implementation Plan	Carnelian Marine WD WSHED	\$25,000.00	\$25,000.00	\$172,675.00
7	Drainage System Inventory and Management Plan	Le Sueur COUNTY	\$25,000.00	\$25,000.00	\$197,675.00
8	Stearns County COLA, Assessments and Mgt Plans	Stearns COUNTY	\$25,000.00	\$25,000.00	\$222,675.00
9	Sauk River Chain of Lakes Lakeshed Mgt Plan and Imple	Stearns SWCD	\$23,000.00	\$23,000.00	\$245,675.00
10	Develop four lake management plans and begin implementation	Todd SWCD	\$25,000.00	\$25,000.00	\$270,675.00
11	Fish Lake Project	Jackson COUNTY	\$10,000.00	\$10,000.00	\$280,675.00
12	Compe Drainage System Management Planning Model	Faribault SWCD	\$25,000.00	\$25,000.00	\$305,675.00
13	Drainage System Inventory	Swift COUNTY	\$18,975.00	\$18,975.00	\$324,650.00
14	Wadena/Hubbard Healthy Lakes and Rivers Program	Wadena SWCD	\$20,000.00	\$20,000.00	\$344,650.00
15	Fish Lake Management Planning	Prior Lk- Spring Lake WSHED	\$8,350.00	\$8,350.00	\$353,000.00
16	History of Drainage Systems and Alternative Intake Demo	Chippewa COUNTY	\$25,000.00	\$25,000.00	\$378,000.00
17	Yellow Medicine Drainage Ditch Inventory and Mapping	Yellow Medicine COUNTY	\$16,000.00	\$16,000.00	\$394,000.00
18	Meeker public drainage ditch systems inventory	Meeker COUNTY	\$25,000.00	\$25,000.00	\$419,000.00
19	Kandiyohi public drainage ditch systems inventory	Kandiyohi COUNTY	\$25,000.00	\$25,000.00	\$444,000.00
20	Wetland Education: Arrowhead Water Quality Team	Carellton County	\$37,000.00	\$37,000.00	\$481,000.00
21	Connecting Water Quality Data With Land Use mgt in the Lake Superior Basin	Itasca SWCD		\$19,000.00	\$500,000.00

2004/05 Local Water Management Challenge Grant RFP Summary & Ranking

Application Summary:

All applications were submitted using BWSR's eLINK program. This was the first official business task conducted via the software program.

Requests for proposals (RFPs) received: 66

(swcds 26; counties 22; and watershed districts/wmos 18)

Total funds requested:

\$1,504,028.00

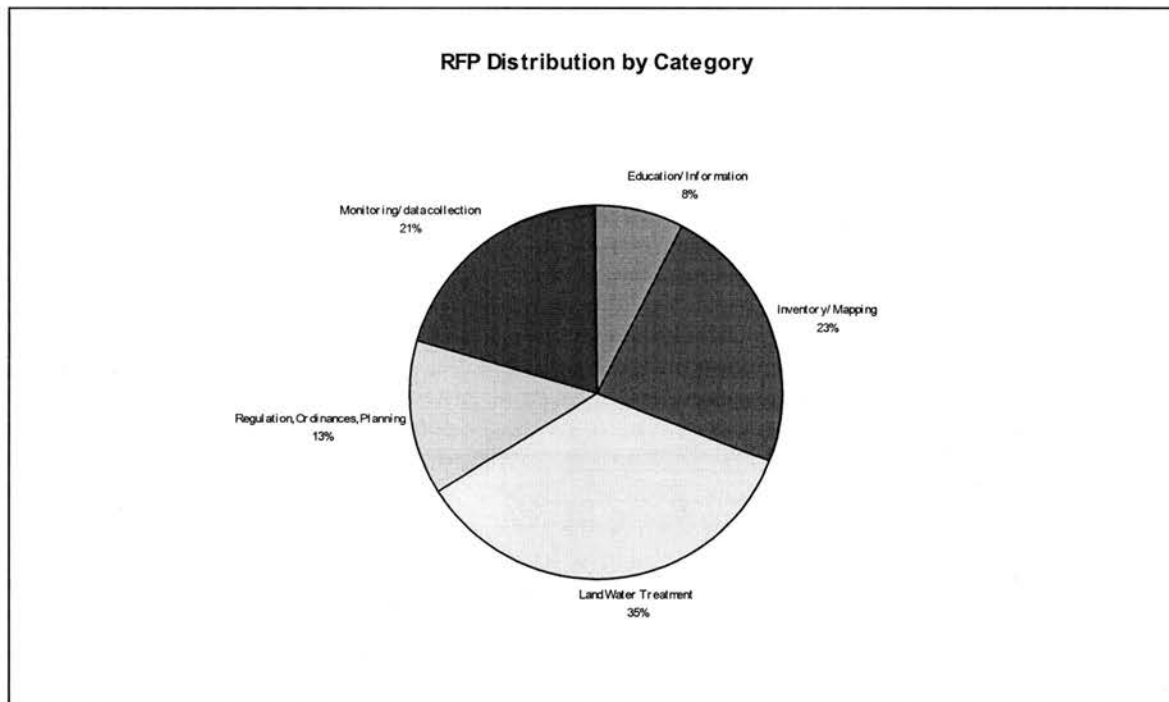
Total match offered:

\$2,157,675

Ranked Projects: Below is a list of the projects submitted for funding, ranked from the highest to the lowest score.

	Project Name	Local Unit of Govt	requested amount \$
1	Cass County Land and Water Protection Initiative	Cass SWCD	\$23,800.00
2	Connecting Water Quality Data With Land Use mgt	Itasca SWCD	\$47,375.00
3	Develop a Natural Resources Corridor Mgt Plan	Blue Earth COUNTY	\$20,000.00
4	Integrating Groundwater and Surface Water Mgt	Washington SWCD	\$75,000.00
5	Winona County Planning Department	Winona COUNTY	\$15,000.00
6	Silver Creek Corridor Implementation Plan	Carnelian Marine WD WSHED	\$25,000.00
7	Drainage System Inventory and Management Plan	Le Sueur COUNTY	\$25,000.00
8	Stearns County COLA, Assessments and Mgt Plans	Stearns COUNTY	\$25,000.00
9	Sauk River Chain of Lakes Lakeshed Mgt Plan and Imple	Stearns SWCD	\$23,000.00
10	Develop four lake mgt plans and begin implementation	Todd SWCD	\$25,000.00
11	Fish Lake Project	Jackson COUNTY	\$10,000.00
12	Compe Drainage System Management Planning Model	Faribault SWCD	\$25,000.00
13	Drainage System Inventory	Swift COUNTY	\$18,975.00
14	Wadena/Hubbard Healthy Lakes and Rivers Program	Wadena SWCD	\$20,000.00
15	Fish Lake Management Planning	Prior Lk- Spring Lake WSHED	\$8,350.00
16	History of Drainage Systems and Alternative Intake Demo	Chippewa COUNTY	\$25,000.00
17	Yellow Medicine Drainage Ditch Inventory and Mapping	Yellow Medicine COUNTY	\$16,000.00
18	Meeker public drainage ditch systems inventory	Meeker COUNTY	\$25,000.00
19	Kandiyohi public drainage ditch systems inventory	Kandiyohi COUNTY	\$25,000.00
20	Wetland Education: Arrowhead Water Quality Team	Carelon County	\$37,000.00
21	Lincoln Co. Public Drainage Systems Inventory	Lincoln COUNTY	\$25,000.00
22	Natural Features Mapping and Model Adaption Project	Douglas COUNTY	\$25,000.00
23	Public and private ditch inventory	Wadena SWCD	\$5,000.00
24	Management Plan for High Priority Wetlands	West Mississippi WMO WMO	\$15,000.00
25	Renville Comp Drainage Ditch Inventory and Mgt	Renville SWCD	\$25,000.00
26	Powers Pond Park Pervious Pavement Parking Pad	South Wash WD	\$25,000.00
27	Enhance Sauk Lake Management Plan	Sauk River WD WSHED	\$4,600.00
28	Turtle River Watershed Assoc.Lake Mgt Plan Imple.	Beltrami SWCD	\$19,020.00
29	Beltrami County Lakes and Rivers Association	Beltrami SWCD	\$24,400.00
30	Martin and Typo Lakes Shoreline Restoration	Anoka SWCD	\$7,850.00
31	Drainage Inventory	Carver COUNTY	\$7,000.00
32	Spirit Lake Storm Water Retention Pond	Wadena SWCD	\$8,650.00
33	Wilkin County Non-Sewered Community Planning	Wilkin COUNTY	\$16,850.00
34	Stormwater Retention Strategy for the City of Clearbrook	Red Lake SWCD	\$18,500.00
35	Storm Water Management and Education Project	Douglas COUNTY	\$19,400.00
36	Arcola Creek Stormwater Mgt and Implementation Plan!	Marine on St. Croix WMO WMO	\$25,000.00
37	North Fork Crow River Watershed District	North Fork Crow River WSHED	\$25,000.00
38	Powers Pond Park Pervious Pavement Parking Pad	South Washington Watershed District WSHED	\$25,000.00
39	Nutrient Mgt Planning in the South Fork of the Root River	Fillmore SWCD	\$25,000.00
40	Carlton County Land Use Resource Guide	Carlton COUNTY	\$6,475.00

	Project Name	Local Unit of Govt	requested amount \$
41	Small City Stormwater Education	Sauk River WD WSHED	\$4,200.00
42	Natural REsource Inventories Citizen Education	Carver COUNTY	\$3,000.00
43	BMP Cost-Share for Nobles County and s WD'd	Nobles SWCD	\$75,000.00
44	Elk River Wellhead Prot. Area Contaminant Elimination	Sherburne SWCD	\$11,000.00
45	Sibley Arsenic Testing Program	Sibley SWCD	\$4,000.00
46	Public Ditch Benefits - Wild Rice Watershed District!	Mahnomen SWCD	\$22,500.00
47	Nicols Meadow Groundwater and Precip Monitoring Study	Gun Club Lake WMO WMO	\$17,500.00
48	JD #10 Grade Stabilization	Two Rivers WD WSHED	\$22,500.00
49	West Buck Hill Park Stormwater BMP Treatment	Black Dog WMO WMO	\$25,000.00
50	Washington County Water Consortium	Washington COUNTY	\$75,000.00
51	Minnehaha Creek Stream Assessment	Minnehaha Creek WSHED	\$24,800.00
52	Root River Water Quality Improvement	Root River SWCD	\$75,000.00
53	Percy Blake Erosion Control Project	Kittson SWCD	\$14,148.00
54	Pipestone County Soil Survey Update	Pipestone SWCD	\$25,000.00
55	Determination of water level	Thirty Lakes WSHED	\$22,500.00
56	Streambank Protection with In Stream Habitat Enhance	Watsonwan COUNTY	\$25,000.00
57	Unused, abanonded well sealing program	Sibley SWCD	\$4,000.00
58	Push-up pond program	Root River SWCD	\$20,000.00
59	Wayne Stewart Erosion Control Project	Kittson SWCD	\$9,225.00
60	Pollution Contribution Model in the Sauk River Watershed	Sauk River WD WSHED	\$8,000.00
61	BMP Feasibility and Cost Assessment Study	Lower Mississippi - WMO WMO	\$22,000.00
62	District TMDL's	Thirty Lakes WSHED	\$24,000.00
63	New Grant Application - Wild Rice Watershed District	Wild Rice WD WSHED	\$24,960.00
64	Elm Creek Watershed Management Organization	Elm Creek WMO	\$50,000.00
65	Lakeshore Stewardship Project	Pope COUNTY	\$18,000.00
66	Enhance EQIP with additional cost share	Waseca COUNTY	\$25,000.00
			\$1,518,578.00



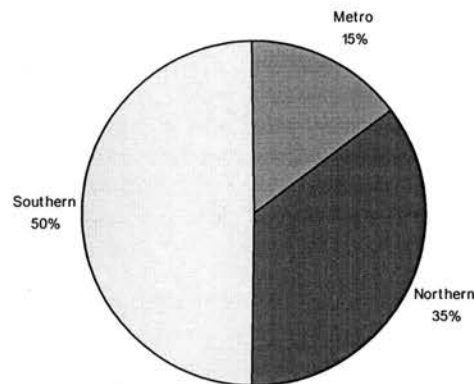
Application Review:

RFPs were reviewed and scored by four board conservationists and one water mgt specialist representing the metro region and central office. The DNR, PCA, MDH, MDA, MGS and MNPlanning/EQB were invited to score the applications; the PCA and MDH provided scores. There were some problems reviewing the applications in eLINK so they were posted to BWSR's website in .pdf files for the reviewers to use. It should be noted that DNR intended to review and score the applications but did not because of the problems with eLINK.

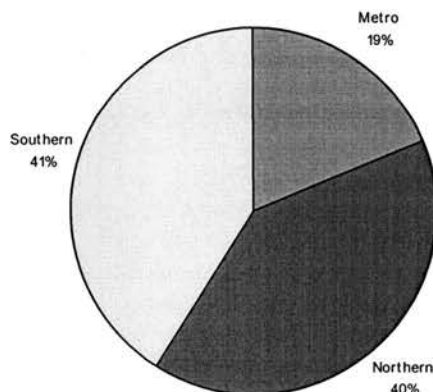
Additional points were added to each reviewer's score if the project met the special consideration criteria as listed in the guidance for the grant (see attachment A guidelines). All of the scores were then averaged and ranked to develop the funding recommendation .

Geographic distribution of projects recommended for funding:

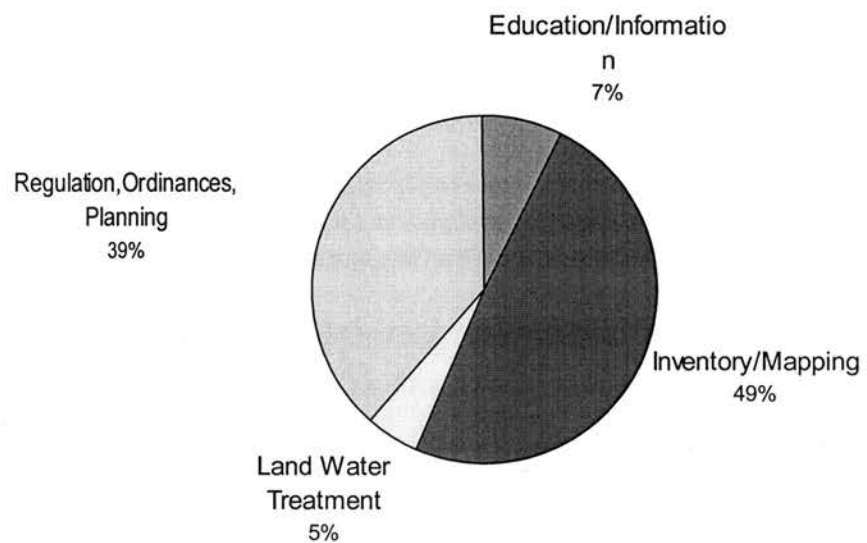
Distribution by Region (# Projects)



Distribution by Region (Funds)



Distribution by category of projects recommended for funding:



Attachment A: PROPOSED GUIDELINES FOR APPLICATIONS FOR FY 2004/05 LOCAL WATER MGT. PLANNING CHALLENGE GRANTS:

Eligible Local Units of Government includes counties, watershed districts and watershed management organizations. SWCDs may apply if the county has delegated the local water management planning responsibilities to them per 103B.311, subd. 2. All applicants must have an approved, current local water management plan.

Grant maximums: Grants will not exceed \$25,000 per LGU or \$75,000 per project where 3 or more LGUs are involved in implementing a project. Successful projects will receive half of the funds requested in FY 2004 and half in FY 05.

Required Match: All grants must be matched one-to-one with non-state cash or in kind contributions.

Eligible projects: Proposed projects must implement priority action items in an approved local water management plan. Eligible projects include:

1. land and water treatment (i.e., install erosion or water quality improvement practices);
2. inventories (e.g., inventory public and private drainage systems)
3. water quality monitoring; or
4. education activities.

Special consideration will be given to projects that:

1. develop, implement or complement plans for lakes, rivers or drainage management systems;
2. improve, develop, guide, or complement the development of environmental ordinances (e.g., develop comprehensive wetland protection standards, develop models or other tools to guide in drafting ordinances, etc.)

Ineligible projects include:

1. installation of ISTS's;
2. updating local water plans;
3. Clean Water Partnership Phase 1 diagnostic studies;
4. federal and state combined cost-share that exceeds 75% of the cost of the project;
5. additional state money for BWSR easement payments (RIM, CREP, WRP, road replacement) or admin/tech services associated with the easement acquisition; and
6. digitizing soil surveys not be done to USDA-NRCS standards.

Eligible/Ineligible costs can be found on pages 1 and 2 of LCMR's website:

LCMR PROJECT MANAGER INFORMATION- Legislative Commission on Minnesota Resources

Application period closes at 4:30 on Tuesday, July 1st, 2003.

All applications must be submitted using the BWSR eLINK program.

PROPOSED FY 04 NPEA BASE GRANTS

BACKGROUND

The Non Point Engineering Assistance (NPEA) Grants are allocated annually to the eleven NPEA Joint Powers Boards for the purpose of providing technical assistance to landowners to apply conservation practices. For FY 04, the legislature has appropriated \$1.064 M for this Program. This is a \$66,000 reduction from last year.

ISSUE

These base grants are proposed to be allocated according to policy recommended at the April 23, 2003 Cost share Committee meeting, as follows:

- A) The entire FY 04 legislative appropriation will be allocated equally, (currently \$96,727 per JPB) up to the total requested amount.
- B) JPBs will be responsible for their budget shortfalls.
- C) JPBs will be required, to submit a Board Conservationist approved budget and plan detailing how they will resolve their budget shortfalls, and provide adequate engineering assistance in their JPB area.

RECOMMENDATION

Staff recommends the approval of the FY 04 NPEA Base Grants as listed on the enclosed spreadsheet. All FY 04 JPB budgets, including "budget shortfall plans", have been approved by Board Conservationists.

NOTE: Other funding sources to balance JPB budgets include the following:

- Charging fees for services
- SWCD contributions
- Grants from other sources
- Spending down JPB fund balances

PROPOSED FY 04 NPEA BASE GRANTS

AMOUNT AVAILABLE - \$1,064,000

JPB	PROPOSED FY 04 BASE GRANT	FY 04 BUDGET	OTHER FUNDING SOURCES
1	\$96,727	\$128,500	\$31,773
2	\$96,727	\$150,414	\$53,687
3	\$96,727	\$130,076	\$33,349
4	\$96,727	\$134,761	\$38,034
5	\$96,727	\$154,525	\$57,798
6	\$96,727	\$127,581	\$30,854
7	\$96,727	\$142,500	\$45,773
8	\$96,727	\$96,727	\$0
9	\$96,727	\$151,347	\$54,620
10	\$96,727	\$134,922	\$38,195
11	\$96,727	\$175,885	\$79,158
TOTAL	\$1,063,997	\$1,527,238	\$463,241
AVE.	\$96,727	\$138,840	\$42,113

NOTE: "OTHER FUNDING SOURCES" TO BALANCE JPB BUDGETS INCLUDE THE FOLLOWING:
CHARGING FEES FOR SERVICES
SWCD CONTRIBUTIONS
GRANTS FROM OTHER SOURCES
SPENDING DOWN JPB FUND BALANCES

H:04NPEABG

Pawlenty Administration Principles¹

Commitment to mission ...

We will focus on what is important and do it well.

So, what's really important and what will it take to do it well?

Focus on customers ...

Our customers will be the center of every decision we make and every service we provide.

Who are our customers? Our customers are the water resource, Minnesotans today, and their children, tomorrow.

How can our decisions best serve these customers?

... by working with partners and being well-informed, timely, efficient, creative and responsive to priority needs.

Simplify government ...

Government will be reformed. Services will be improved. Government will become more accountable.

Include simplification steps, service improvements and accountability provisions in assessing needs.

Manage for results ...

Develop challenging indicators and benchmarks for all levels of government, measure results, and use outcomes to guide decisions and direct our work.

Build results management elements into needs assessments.

Improvement by innovation ...

We will encourage competition, collaboration, privatization, out-sourcing, and the increased use of technology and e-government services to improve the work we do.

Build expected reforms into needs assessments, to the extent feasible.

¹ Suggestions about what each general principle could mean for water are listed in italics.

Governor Pawlenty's Vision for Minnesota's Water Resources

Minnesota's waters – its scenic lakes and rivers, wildlife-rich wetlands and underground aquifers – are the state's most valuable natural resource. Water drives quality of life in Minnesota, provides habitat for fish and wildlife, and is the cornerstone of a \$10 billion a year tourism industry. Simply put, water quality and quantity are central to our success as a state. Despite their importance, many of our waters face increasing pressure from development, exotic species, intensifying demands for drinking water, and pollution. The Governor envisions a Minnesota that:

- Keeps its waters clean and highly valued, by guarding them from present and future threats.
- Monitors water bodies and watersheds to provide a clear and timely picture of the "state of our waters" so that citizens and leaders have the information they need to respond quickly and appropriately.
- Restores waters that are impaired by our society's practices.
- Ensures adequate supplies of clean water to sustain healthy communities and economies.

Governor Pawlenty's vision challenges Minnesotans to take greater responsibility to protect and restore our water resources.

Guiding principles

The Governor's vision and proposed actions are guided by the following principles:

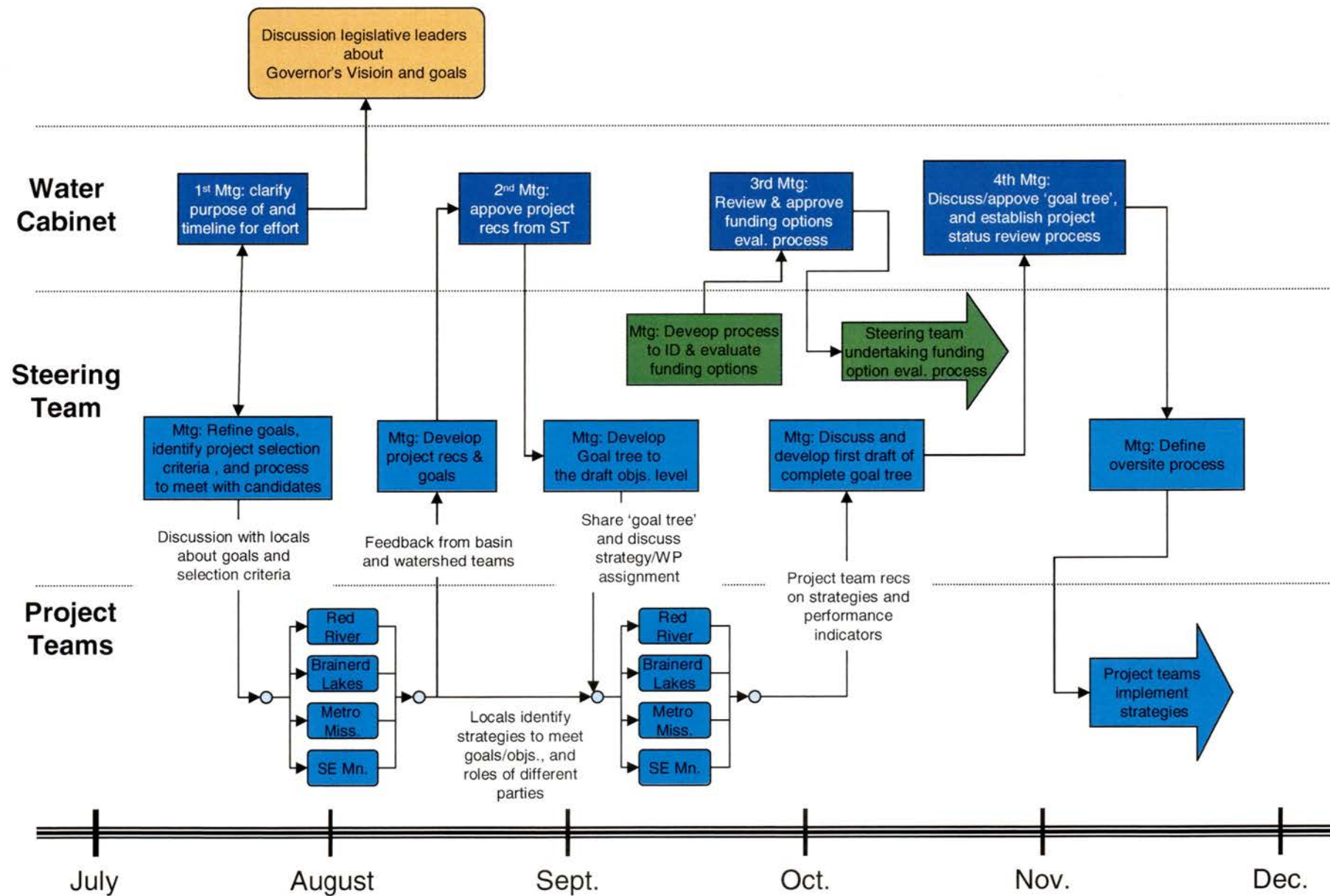
1. **Keep working lands working.** We will protect and restore water resources while preserving citizens' abilities to use and enjoy natural resources in a sustainable manner.
2. **Focus and alignment on priorities.** We will recognize that it's better to do a few things well rather than try to do everything, and that priorities are achieved when local, state and federal efforts are aligned.
3. **Use a watershed approach.** Because threats to water are widespread and diffuse, and are largely the product of societal and individual choices about land use, economic development, and recreation, our success will require solutions that involve a watershed approach.
4. **Build on what we already have.** We will not call for new unnecessary government mandates or new bureaucracy. State and local agencies and organizations will work more effectively together to improve service and manage for results.
5. **Public-private partnerships.** Creating a better Minnesota is the job of many, not one. Local governments, business and industry, agriculture, non-profits and citizens, are critical to the implementation and success of the Governor's vision. Working with our partners, we will jointly set priorities and efficiently deliver resources and services.

Other principles from *Minnesota Water Priorities 2003-2005*

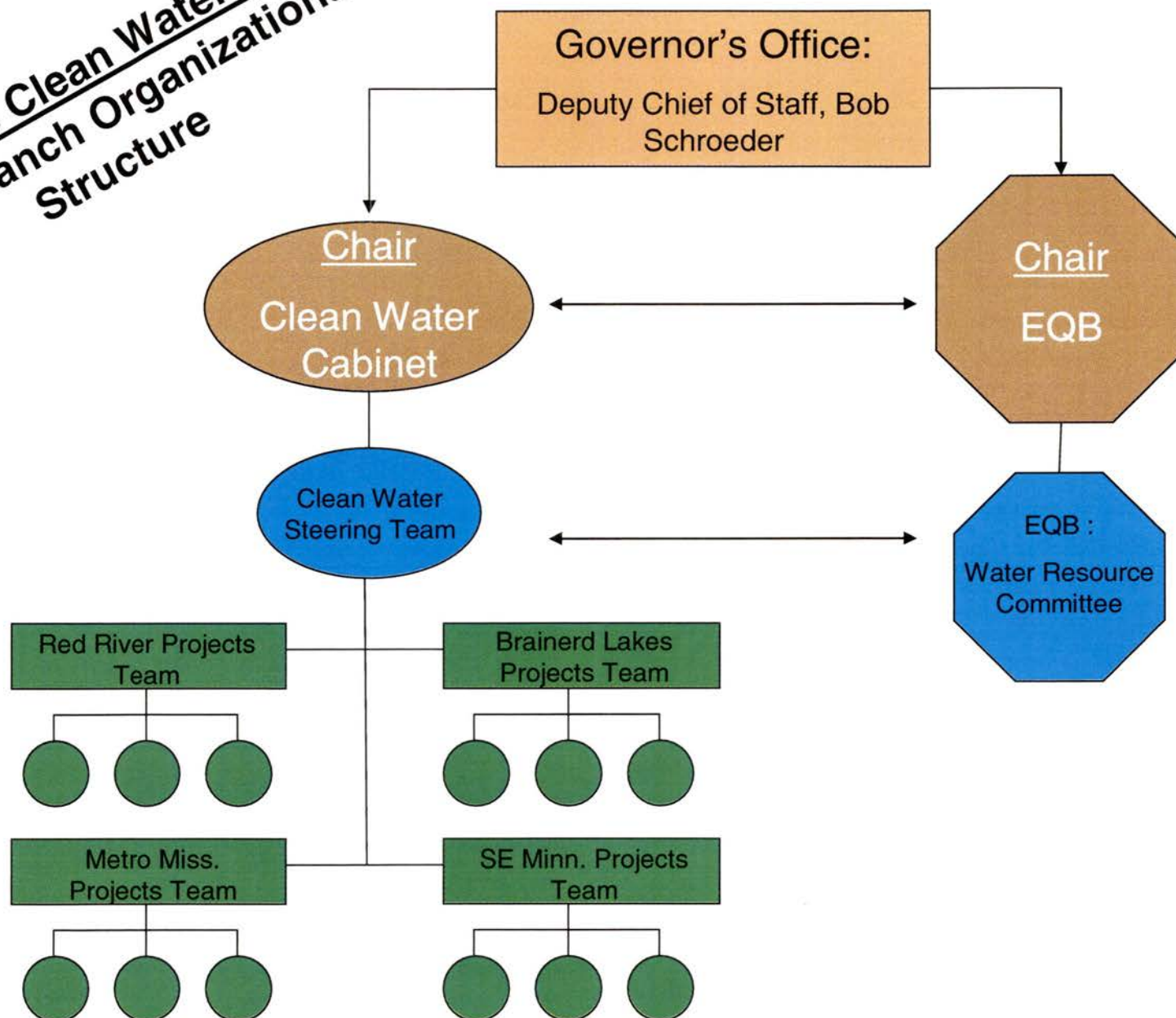
A sound water program:

- Is transparent & easily understood
- Integrates & coordinates
- Makes the link to land use
- Collects & interprets the data needed by decision-makers
- Involves local governments and citizens
- Addresses problems in a sustainable way and prevents new ones
- Acts in a unified, economical manner

Flowchart and Timeline for Governor's Clean Water Vision

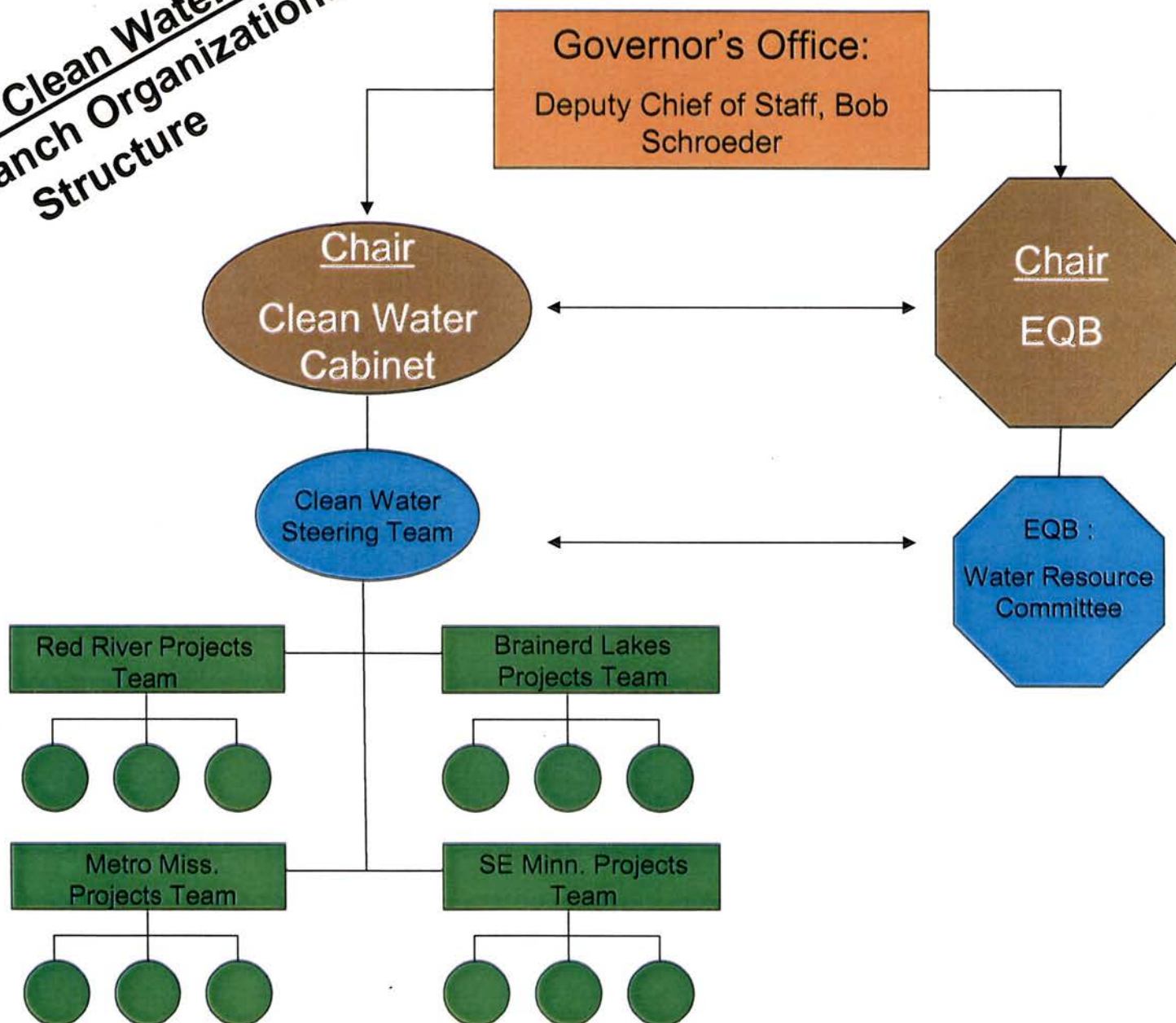


Governor's Clean Water Vision
Exec. Branch Organizational
Structure



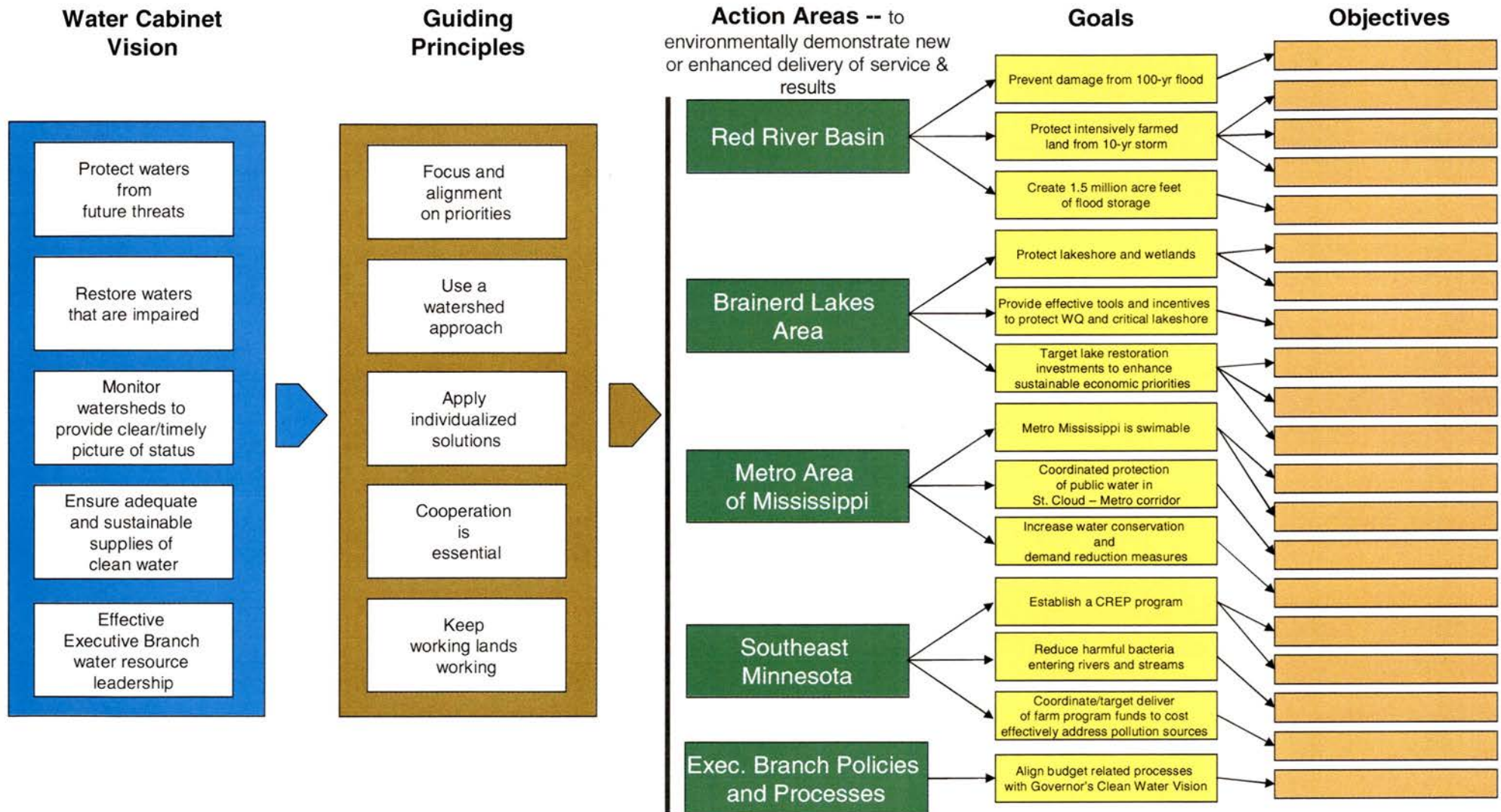
Governor's Clean Water Vision
Exec. Branch Organizational
Structure

Draft – 7/11/03



The Governor's "It all comes down to water!" -- Goal Tree

DRAFT – 7/11/03 [Detail in the goals area is only provided for purpose of examples]



MINNESOTA STATEWIDE CREP APPLICATION PROPOSAL 2003

Summary: Resolved & Unresolved Issues

	Area	Status		Comments
		Ready	Unresolved	
•Drafting of local CREP proposal	RRV SE SW	X X X		
•Readiness & motivation of local implementation team	RRV SE SW	X X X		
• Payment rates (See payment rate example for each watershed attached)	RRV SE SW	X X X		BWSR consulted with Steve Taff, Agricultural Economist with the University of Minnesota, and developed a statewide payment strategy for all counties in Minnesota.
• Watershed selections and acre allocations – targeting of acres in watershed proposals	RRV SE SW		X X X	225,730 acres requested by watershed proposals. States are limited to 100,000 acres per CREP application. Requires state to determine which watershed proposals to include in their application.
• Easement duration lengths • Acre caps	RRV SE SW	X	X X	FSA State Committee supports only 20 year, 30 year, and perpetual on wetland restoration with a 20% cap on wetland restoration acres, with the exception of SE CREP which was negotiated with State FSA and the BWSR Board 12/2002.

DECISION ITEMS

- Which watershed to include in CREP application?
Recommend all three watersheds be included in one state application.
- Target acres per watershed?
Recommend targeting: 42,500 acres RRV; 42,500 acres SE; 15,000 acres SW (With the ability to adjust acres depending on enrollment success in each watershed.)
- Adoption of statewide CREP payment schedule?
Recommend adopting CREP budget planner.
- Adoption of easement duration and wetland acreage cap option for statewide CREP implementation?
Recommend the administration use the four options to negotiate with state FSA in selecting a single option for implementation statewide.

MINNESOTA STATEWIDE CREP PROPOSAL 2003

RED RIVER BASIN **

<u>Easement</u> Location/Type	<u>CREP Red River</u> Recommendation	FSA State Committee Recommendations	BWSR Recommendation	Comments
Riparian Zones 60,000 Acres	Landowner Choice 20 yr., 35 yr., Perpetual	Limited Duration Only 20 yr., 30 yr		Resolution needed on duration
Wetland Restoration* 40,000 Acres	Perpetual Capped @ 40% Acres	Perpetual Capped @ 20% Acres		Resolution needed on duration

100,000 acres

SE MN CREP

<u>Easement</u> Location/Type	<u>CREP Red River</u> Recommendation	FSA State Committee Recommendations	BWSR Recommendation	Comments
Highly Erodible Land 40,230 Acres	Limited Duration Only 20 yr.	Limited Duration Only 20 yr.	Limited Duration Only 20 yr.	Resolved
Riparian Zones 25,000/Acres	Limited Duration Only 20 yr., 35 yr., 50 yr., 85 yr.	Limited Duration Only 20 yr., 35 yr., 50 yr., 85 yr.	Limited Duration Only 20 yr., 35 yr., 50 yr., 85 yr.	Resolved
Groundwater Protection 10,500 Acres	Limited Duration Only 20 yr., 35 yr., 50 yr., 85 yr.	Limited Duration Only 20 yr., 35 yr., 50 yr., 85 yr.	Limited Duration Only 20 yr., 35 yr., 50 yr., 85 yr.	Resolved
Wetland Restoration* 20,000 Acres	Perpetual Capped @ 20% Acres	Perpetual Capped @ 20% Acres	Perpetual Capped @ 20% Acres	Resolved

95,730 Acres

SOUTHWEST CREP

<u>Easement</u> Location/Type	<u>CREP Red River</u> Recommendation	FSA State Committee Recommendations	BWSR Recommendation	Comments
Riparian Zones 18,000 Acres	Limited Duration 20 yr., 35 yr., 85 yr.	Limited Duration Only 20 yr., 30 yr.		Resolution needed on duration
Wellhead/Groundwater Protection 3,000 Acres	Limited Duration 20 yr., 35 yr., 85 yr.	Limited Duration Only 20 yr., 30 yr.		Resolution needed on duration
Wetland Restoration * 9,000 Acres	Perpetual Capped @ 30%	Perpetual Capped @ 20%		Resolution needed on duration

30,000 Acres

Easement Duration commences at the expiration of the 15 year CRP contract.

* Requires perpetual easement by MN Statute 103F.515 Subd. 5 (3).

**Proposal will include request to extend existing high priority CRP contracts.

MINNESOTA CREP CONSERVATION EASEMENT DURATION AND ACRE CAPS OPTIONS 2003

Option A • Agree to: Use existing negotiated State FSA and BWSR Board approved SE CREP as statewide model:

- ◆ 20 year, 35 year, 50 year, 85 year easements
 - ◆ 20% cap on acres enrolled in wetland restoration (perpetual)
-

Option B • Agree to: FSA State Committee's Recommendation that was presented at the June 11th meeting hosted at BWSR:

- ◆ 20 year, 30 year easements
 - ◆ 20% cap on acres enrolled in wetland restoration (perpetual)
-

Option C • Agree to: Use a landowner choice model which includes limited duration easements of varying length and perpetual as an option:

- ◆ 20 year, 35 year, and perpetual
 - ◆ Uses locally developed cap on acres enrolled in wetland restoration (perpetual)
-

Option D • Agree to: Develop a new statewide option:

- ◆ 35 year easement
 - ◆ 30% cap statewide on acres enrolled in wetland restoration (perpetual)
-

* Easement Duration commences at the expiration of the 15 year CRP contract.

CREP PAYMENT RATE EXAMPLE

Red River Basin CREP

Polk County Estimated Market Value \$606.00/Acre

Federal CRP Soil Rental Rate \$51/acre x 1.50 = \$76.50/acre x 15 years = \$1,147.50 acre

State RIM Reserve/CREP Conservation Easement Payment:	20 year easement = \$105/acre
	35 year easement = \$125/acre
	50 year easement = \$131/acre
	85 year easement = \$134/acre
	Perpetual = \$134/acre

Southeast CREP

Mower County Estimated Market Value \$1,798/acre

Federal CREP Soil Rental Rate \$94/acre x 1.50 = \$135.00/acre x 15 years = \$2,025.00/acre

State RIM Reserve CREP Conservation Easement Payment	20 year easement = \$312/acre
	35 year easement = \$370/acre
	50 year easement = \$388/acre
	85 year easement = \$396/acre
	Perpetual = \$397/acre

Southwest CREP

Cottonwood County Estimated Market Value \$1,524/acre

Federal CRP Soil Rental Rate \$94/acre x 1.50 = \$141.00/acre x 15 years = \$2,115.00/acre

State RIM/RESERVE/CREP Conservation Easement Payment	20 year easement = \$264/acre
	35 year easement = \$314/acre
	50 year easement = \$329/acre
	85 year easement = \$336/acre
	Perpetual = \$336/acre

Water & Soil Resources Board

Project Funding Summary

(\$ in Thousands)

Project Title	Agency Priority	Agency Request				Governor's Recommendation 2004	Governor's Planning Estimates	
		Funding Source	2004	2006	2008		2006	2008
REINVEST IN MINNESOTA - RIM RESERVE PROGRAM	1	GO	\$20,000	\$20,000	\$10,000	\$0	\$0	\$0
		GF	3,200	3,200	1,700	0	0	0
LOCAL GOVT ROAD WETLAND REPLACEMENT	1	GO	4,362	4,362	4,362	0	0	0
STREAMBANK, LAKESHORE AND ROADSIDE EROSION CONTROL	2	GO	5,000	5,000	5,000	0	0	0
		OTH	260	260	260	0	0	0

Project Total	\$32,822	\$32,822	\$21,322	\$0	\$0	\$0
General Obligation Bonding (GO)	\$29,362	\$29,362	\$19,362	\$0	\$0	\$0
General (OTH)	\$260	\$260	\$260	\$0	\$0	\$0
General Fund Projects (GF)	\$3,200	\$3,200	\$1,700	\$0	\$0	\$0

Funding Sources:

GF = General Fund
GO = General Obligation Bonds

THF = Trunk Highway Fund
THB = Trunk Highway Fund Bonding

OTH = Other Funding Sources
UF = User Financed Bonding

Project Title	2004 Agency Priority Ranking	Agency Project Request for State Funds (by Session)				Governor's Recommendations 2004	Governor's Planning Estimates	
		2004	2006	2008	Total		2006	2008
REINVEST IN MINNESOTA - RIM RESERVE PROGRAM	1	\$23,200	\$23,200	\$11,700	\$58,100	\$0	\$0	\$0
LOCAL GOVT ROAD WETLAND REPLACEMENT	1	4,362	4,362	4,362	13,086	0	0	0
STREAMBANK, LAKESHORE AND ROADSIDE EROSION CONTROL	2	5,260	5,260	5,260	15,780	0	0	0
Total Project Requests		\$32,822	\$32,822	\$21,322	\$86,966	\$0	\$0	\$0

At A Glance: Agency Long-Range Strategic Goals

BWSR's Strategic Plan identifies voluntary resource management strategies and related goals. The resource management strategies specified are education, incentives, and regulation. The plan also identifies goals that focus on assisting local governments and landowners in preventing natural resource problems and mitigating existing problems.

Agency goals and objectives that are achieved through capital projects include:

- Protecting or retiring marginal agricultural and environmentally sensitive lands.
- Targeting limited resources to the highest priority marginal and sensitive lands.
- Permitting land managers to focus their stewardship efforts on more productive lands.
- Creating natural retention systems to improve surface water runoff and enhance groundwater recharge.
- Achieving the state's policy of no net loss of wetlands.
- Installing best management practices on Minnesota lands.

BWSR programs outlined in the capital budget request use incentives as tools local governments can use to enhance local conservation program delivery. Incentives provide opportunities to remove marginal ag-land and environmentally sensitive land from production, and provide solutions for extreme shoreland erosion and flood damages to land and wildlife habitat. They encompass both urban and rural values and promote both loan and grant programs.

Conservation Easement Programs: As part of the state's effort to protect marginal land and improve water quality, BWSR administers various conservation easement programs. These programs acquire or support the acquisition of easements to restore or protect critical lands.

The state established the Reinvest in Minnesota Reserve Program in 1986. Since 1986, the state funded easement programs have secured more than 121,000 environmentally sensitive acres throughout the state.

The previous three years' focus for acquiring easements has gone to the Minnesota River CREP to realize the 100,000-acre goal and related water quality and habitat benefits. While not ignoring the Minnesota River's on-going resource needs, RIM Reserve's priority will resume a statewide focus.

The conservation easement programs include:

RIM Reserve Match to the Minnesota River Basin Project under the Conservation Reserve Enhancement Program (CREP)

The purpose of this program is to retire marginal, flood-prone cropland along the Minnesota River and its tributaries and to reduce phosphorus and sediment pollution in the river.

RIM Reserve: Leverage Funding for Wetland Reserve Partnership (WRP)

This program restores previously drained wetlands and protects them from future drainage with a perpetual easement. The combination of a 30-year NRCS WRP easement and a RIM Reserve perpetual easement streamlines the easement process for both local units of government and landowners. The

requested funding provides the state match. The geographic focus of this program is the Prairie Pothole Region.

RIM Reserve and Permanent Wetland Preserves (PWP)

RIM Reserve takes marginal agricultural land out of crop production to protect soil and water quality and support fish and wildlife habitat. PWP protects existing, at-risk urban and rural wetlands from conversion to other uses by offering financial compensation to landowners in return for a perpetual easement. The geographic focus is statewide and the benefits are protection at a lower cost as compared to restoring drained or filled wetlands after the fact.

BWSR will continue to leverage federal funding through CRP, WRP, CREP, NAWCA, and other private conservation organizations to the maximum degree practical to realize program outcomes.

Public Transportation Wetland Replacement Program: The Minnesota Local Government Roads Wetland Replacement program is a **statutory obligation** the state has to replace wetlands lost to safety improvements to public transportation projects as required under M.S. 103G.222, Subd.1(1). This program supports the "no-net-loss" requirements of both state and federal regulations. It benefits a wide number of constituent groups: local road authorities by assigning responsibility for replacing the inevitable loss of wetlands to the state; environmental interests by establishing higher quality wetland replacement sites; state taxpayers by reducing the overall costs of constructing these replacement wetlands due to economies of scale; and citizens by avoiding delays in undertaking public safety enhancements to existing roads due to wetland mitigation costs.

Streambank, Lakeshore, and Roadside Erosion Control Program: This program will provide for the protection of water

quality, fish and wildlife habitat, public infrastructures, and public safety through:

- Protection and restoration of environmentally sensitive lake and river shoreland areas through the purchase of conservation easements, 103F.225 (Shoreland Protection Program);
- Correction of severely eroded lake and river stream banks through the installation of erosion control practices with cooperating public entities; and
- Reduction of flood damages through the installation of road retention projects.

Trends, Policies and Other Issues Affecting the Demand for Services, Facilities, or Capital Programs

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

- **Non-point source pollution strategy moves to implementation phase.** The strategy for non-point source pollution has moved to the implementation phase, which will necessitate the need to accelerate putting soil erosion and water quality practices on the land. BWSR's local government network provides the critical means of disseminating conservation and water quality financial and technical aid to private landowners throughout the state. BWSR has the structure and relationships needed, through its local water management programs, to identify, assess, prioritize, and implement programs and practices to address non-point concerns at the local level.
- **Federal action increases pressure.** Federal action by both the Environmental Protection Agency (EPA) and the United States Department of Agriculture over the past several years

has increased pressure on BWSR and local government to increase their efforts in land and water conservation. The federal government, through the Conservation Reserve Enhancement Program (CREP), has included authorization, in the current farm bill, for states to apply and have set-aside up to 100,000 acres of conservation easements. This program provides the potential for the state to leverage \$4 of federal funds for every \$1 of state match. On the other hand, decreased U.S. Department of Agriculture (USDA) staffing for the Natural Resource Conservation Service (NRCS) has elevated pressure on local and state governments to provide the technical assistance necessary to design and install conservation practices. Increased emphasis by EPA is also being placed on the state to address water quality impairments through the Total Maximum Daily Loads (TMDL) process, and on nutrient enrichment (hypoxia) in the Gulf of Mexico. Greater response and accountability by the state also affects service demands.

- **Increased acknowledgement of and reliance on the role and capabilities of local government.** Partnerships – particularly between state, local, and federal government – are an effective way to accomplish natural resource and environmental protection goals. Over the past several years, state government agencies have grown increasingly dependent on local government to carry out state initiatives. Cooperative resource management is an effective way to maintain or increase resources without increasing funding. State agencies acknowledge that local government officials and staff have advantages that the state does not – local governments have knowledge of local resources and attitudes, personal friendships, an awareness of local needs and priorities, and, probably the most important factor, the

land use authority. With these increased expectations and BWSR assistance, local government capabilities in resource management have grown significantly. Local governments are now at a point, however, where they need a wider variety of training and assistance, from the most basic level to advanced, in areas such as technical skills, leadership, and management.

- **Increased natural resource awareness and willingness to take action among the general public, including landowners, to ensure a future with high quality natural resources.** Minnesotans are aware of environmental concerns, particularly water quality. With approximately one-third of Minnesota adults either owning a cabin or recreational land, the state's citizens are more willing to make reasonable sacrifices to protect and improve water quality. Going to "the cabin" is part of the tradition for many families. It follows then that more people will notice if poor water conditions affect their favorite lake or fishing stream. In addition, residents are more aware of the need to protect marginal lands, especially those close to critical water resources. The agricultural community has accepted the need to remove marginal agricultural lands from production in order to improve overall production efficiency.

Provide a Self-Assessment of the Condition, Suitability, and Functionality of Present Facilities, Capital Projects, or Assets

The following information outlines the condition of Minnesota's 23 million acres of cropland and related conservation needs.

Total Minnesota Cropland: 23 Million Acres

Soil Conservation Needs:

10 Million Acres:

- Adequately protected from erosion.
- Annual erosion is less than the tolerable rate of soil loss.
- Need to maintain good management practices.

8 Million Acres:

- Eroding at one or two times the tolerable rate of soil loss.
- Technical assistance to landowners to implement sustainable management practices to protect soil is key.

2.5 Million Acres:

- Eroding at greater than twice the tolerable rate of soil loss.
- Productive land only if protected with conservation practices.
- Targeted cost-share programs for conservation practices is critical and technical assistance to landowners to implement.

2.5 Million Acres*:

- Marginal cropland.
- Highly erodible and floodplains.
- Should not be farmed.
- Target with land retirement programs.
- Drained wetlands.

*Funding for BWSR conservation easement programs will be used on portions of these lands.

Other Resource Protection Needs:

- 1600 miles of eroding streambanks and lakeshore.
- 4300 cubic yards of soil are lost per year from roadside erosion.

Agency Process Used to Arrive at These Capital Requests

In determining the amount of this request, acreage and application estimates were compiled based on historical program demands. All estimates considered the amount of eligible land for the program and estimated landowner interest based on past history.

Internal agency estimates were used to arrive at the amount requested for PWP program. All requests are reflection of demands for service or assistance of local government and citizens.

Major Capital Projects Authorized in 2002 and 2003

Local Government Roads Wetland Banking Appropriations

2002	\$2.7 million (vetoed)
2003	\$2.7 million

Conservation Easement Program Appropriations

2002	\$2.0 million (vetoed)
2003	\$1.0 million

Shoreland Easements

2002	\$750,000 (vetoed)
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REINVEST IN MINNESOTA - RIM RESERVE PROGRAM

2004 STATE APPROPRIATION REQUEST: \$23,200

AGENCY PROJECT PRIORITY: 1 of 3

PROJECT LOCATION: Statewide (if a CREP application is approved, priority will be NW, SW, SE MN)

Project At A Glance

The Reinvest in Minnesota (RIM) Reserve and the Permanent Wetlands Preserve (PWP) programs compensate landowners for granting conservation easements to:

- Protect or retire marginal and environmentally sensitive agricultural lands
- Protect and enhance water quality of rivers, streams and lakes
- Creation of fish and wildlife habitat
- Contributes toward a net gain of wetland resources
- Reducing flood damages through the creation of natural water retention systems

Project Description

Degrading water quality and diminished habitats can be found throughout Minnesota. Approximately 2.5 million of the state's 23 million acres of cropland have been targeted as having more benefit to the state as retired cropland. The Reinvest in Minnesota (RIM) Reserve and the Permanent Wetlands Preserve (PWP) programs compensate landowners for granting conservation easements and establishing native vegetation habitat on these economically marginal, flood-prone, or highly erodible lands.

The Board of Water and Soil Resources (BWSR) is requesting \$23.2 million to purchase conservation easements on private land. Of the total amount, \$20.0 million is for easements and \$3.2 million is for implementation. BWSR's RIM Reserve

program is an important component of the state's efforts to improve water quality by reducing soil erosion and improving wildlife habitat on private lands. RIM Reserve is implemented in cooperation with local Soil and Water Conservation Districts (SWCDs).

Damage to Minnesota resources occurs in the form of soil erosion, sedimentation of eroded soil, and phosphorus. Soil erosion reduces farm productivity, increases the costs of farming, and creates sediment for downstream communities to address. Sedimentation fills rivers and lakes, destroys habitat, carries pollutants, increases flood severities, and reduces recreational values. Phosphorus makes water unsuitable for fish or human activities, promotes excess aquatic plant growth, and promotes eutrophication of water resources.

Both the RIM Reserve and PWP programs meet the goals and objectives of BWSR's strategic plan. They protect the state's water and soil resources by retiring existing marginal agricultural lands, by restoring drained wetlands, and by protecting existing wetlands that are highly susceptible to alteration. Agency goals that are achieved through capital projects include:

- Protecting or retiring marginal and highly sensitive agricultural lands;
- Targeting limited fiscal resources to highest priority natural resources;
- Allowing land managers to focus stewardship efforts on more productive and profitable lands;
- Creating natural retention systems to improve surface water quality and enhance groundwater recharge;
- Working toward a net gain of wetland resources; and
- Installing best management practices on Minnesota lands.

REINVEST IN MINNESOTA - RIM RESERVE PROGRAM

Data from the 991 easements obtained in the 1998-99 biennium indicate that 395 tons/year/easement of soil did not erode due to the presence of these easements. Approximately 137 tons/year/easement of sediment was kept out of our waterways. Total phosphorous reductions of 173 lbs./year/easement were realized.

Conservation Easement Partnerships/Funding Initiatives

BWSR is completing two agreements that have been secured with the United States Department of Agriculture (USDA) that effectively partners the RIM Reserve program with two popular federal land retirement programs. These partnerships enable BWSR to leverage significant federal funds towards the goal of protecting our vital natural resources. The two partnerships are outlined below:

RIM Reserve / USDA Wetland Reserve Program Partnership

BWSR signed an agreement with the USDA Natural Resources Conservation Service (NRCS) to jointly fund wetland restoration easements statewide via the RIM Reserve and NRCS Wetland Reserve Program (WRP). This agreement expires on Dec. 31, 2003. Landowners who apply and are accepted enter into a 30-year WRP easement and a perpetual RIM Reserve easement on the same parcel of land. To date, BWSR was approximately 8,500 acres enrolled under this program. This partnership also reduces the state's easement payments to landowners by 50 percent, and effectively leverages 2 federal dollars for each state dollar. Funding for this program is dependent on federal appropriations. State funds will come from those appropriated for RIM/PWP.

Conservation Reserve Enhancement Program (CREP)

BWSR entered into an agreement with the USDA Farm Services Agency (FSA) to do a CREP in the Minnesota River watershed. This state/federal partnership combines the existing USDA Conservation Reserve Program (CRP) with the RIM Reserve program to retire up to 100,000 acres of environmentally sensitive land in the Minnesota River watershed. BWSR met its 100,000-acre goal in that CREP. The state of Minnesota provided \$81.4 million for the entire effort, which leveraged \$163 million in federal CRP dollars. This CREP leveraged about \$2.30 for each state dollar spent. Under CREP, landowners voluntarily enrolled eligible land in a 15-year CRP contract followed by a RIM Reserve easement.

BWSR is presently developing a statewide CREP application with the State FSA office for a new 100,000-acre CREP in Minnesota. If the Governor and 2004 legislature support this application, it will target enrollment of conservation easements in the following watershed locations: Lower Mississippi, Red River Basin, and Des Moines & Missouri. It has been estimated that the total cost of this project would be \$200 million, which the state of Minnesota would contribute approximately \$40 million. (20%), and the rest provided by the federal government (80%), or a 4:1 leverage opportunity. The state contribution can also include in-kind contributions as well as funds. A statewide CREP will allow the Minnesota to begin working simultaneously in three watersheds toward our state cap of 100,000 acres.

Other Conservation Initiatives

BWSR has solicited and received matching funds from the federal North American Wetland Conservation Council (NAWCC) for RIM wetland restoration easements. To date, BWSR has received a total of approximately \$2.8 million for

REINVEST IN MINNESOTA - RIM RESERVE PROGRAM

projects throughout the state. These habitat restoration projects include the Minnesota River watershed, the Heron Lake restoration (in Jackson, Nobles, Cottonwood, and Murray counties), Grass Lake restoration (in Kandiyohi County, near Willmar), Northern Tallgrass Prairie restoration project (covering 18 counties in Northwestern Minnesota), and the Prairie Heritage restoration project (covering 38 counties in Southern Minnesota). These projects include numerous partners and have been initiated at the local level. BWSR continues to seek grants from NAWCC to fund conservation easements associated with special projects like those listed above or within priority watersheds. This matching program requires a 1.5:1 match to be competitive nationally.

It is anticipated that conservation groups, such as Pheasants Forever, Ducks Unlimited, Isaac Walton League, Minnesota Waterfowl Association, The Nature Conservancy, Trout Unlimited, and the U.S. Fish and Wildlife Service will continue to leverage dollars towards the establishment of conservation practices on RIM Reserve easements. From 1992 to present, these organizations directly contributed approximately \$800,000 to the program, with additional donations in the form of grass seed and in-kind services.

Anticipated Outcomes

Target enrollment for the CREP/RIM Reserve and PWP programs is approximately 50,000 acres for the 2004-05 biennium. Acreage enrollment goals and funds required are shown below:

Acreage Enrollment Goals

<u>RIM/CREP</u>	<u>RIM/PWP</u>	<u>Total</u>
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Year to Date	100,000	79,880	179,880
04-05	50,000		50,000
06-07	<u>50,000</u>		<u>50,000</u>
	200,000	79,880	279,880

State Funds Required to Enroll Goal Acreage:

	<u>RIM/PWP/CREP</u>	<u>Implementation</u>
<u>Total</u>	<u>Easement</u>	
To Date	138.123	M
	138,123 M	
04-05	20.0 M	3.2 M
06-07	<u>20.0 M</u>	<u>3.2 M</u>
	\$178.123 M	6.4 M
		\$184.523 M

Funding levels requested in this budget proposal reflect additional demand that we anticipate being placed on our conservation easement programs as a result of BWSR's highly successful CREP initiative in the Minnesota River watershed. The success of this initiative has put the spotlight on the numerous benefits to the state, landowners, and the public of conservation easements obtained through BWSR's RIM Reserve program.

Since funding for RIM Reserve outside the Minnesota River watershed has been limited in recent years, BWSR anticipates high demand for easements outside of this project area, particularly in the northwestern and southeastern regions of

REINVEST IN MINNESOTA - RIM RESERVE PROGRAM

Minnesota. Conservation easements promote community sustainability by providing landowners with an alternative to try to earn a profit on flood-prone and marginal croplands. Greenways established by those easements will connect rural areas across the Minnesota landscape. The state achieves quantifiable water quality benefits by removing these marginal croplands from production. Through this agency's Local Government Annual Reporting System (LARS), with data reported by SWCDs, BWSR has calculated the benefits of 9.6 tons/acre/year soil loss reduction, 4.7 tons/acre/year sediment reduction, and 5.8 lbs/acre/year reduction of phosphorus from each acre enrolled in a conservation easement per year.

Impact on Agency Operating Budgets (Facilities Notes)

A direct operating budget appropriation of \$3.2 million is required to implement this program. This amount is required to support the necessary realty, engineering, and administrative functions associated with 425 easement acquisition and establishment of conservation practices on those easement lands. SWCDs will receive approximately 50 percent of this total as a RIM Services Grant to offset their cost to secure easement, develop conservation plans, and monitor easement compliance.

Previous Appropriations for this Project

- 1996 \$11.5 million
- 1998 \$15 million
- 2000 \$21 million
- 2001 \$51.4 million
- 2003 \$1 million

Other Considerations

In April of 1998, a citizen's advisory committee issued a report "The Continuing Journey to Preserve Minnesota's Outdoor Heritage." This report sums up the state of wildlife-based recreation in Minnesota. This committee was established by the 1997 Legislature to review the original Reinvest in Minnesota (RIM) program to see if it had succeeded as it was established in 1986. This report found that RIM has been successful, but it has been under funded. As a result, Minnesota's fish, wildlife, and native habitats continue to lose ground due to urban sprawl, agricultural practices, and other development. The report concluded that Minnesota must increase investment into programs that protect and restore fish, wildlife, and native plant habitats. The report called for expansion of the RIM Reserve, PWP, and CREP easement programs so that the state can protect more habitat, and recommended a funding level of \$20.0 million a year to accomplish it.

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Governor's Recommendations (To be completed by the Department of Finance at a later date)

Water & Soil Resources Board

Project Cost

REINVEST IN MINNESOTA - RIM RESERVE PROGRAM

(\$ in Thousands)

TOTAL PROJECT COSTS All Years and All Funding Sources	Project Costs All Prior Years	Project Costs FY 2004-05	Project Costs FY 2006-07	Project Costs FY 2008-09	Project Costs All Years	Project Start (Month/Year)	Project Finish (Month/Year)
1. Property Acquisition						05/2004	05/2008
Land, Land Easements, Options	\$73,500	\$20,000	\$20,000	\$10,000	\$123,500		
Land and Buildings	0	0	0	0	0		
2. Predesign Fees	0	0	0	0	0		
3. Design Fees							
Schematic	0	0	0	0	0		
Design Development	0	0	0	0	0		
Contract Documents	0	0	0	0	0		
Construction Administration	0	0	0	0	0		
4. Project Management						05/2004	05/2008
State Staff Project Management	9,889	3,200	3,200	1,700	17,989		
Non-State Project Management	0	0	0	0	0		
Commissioning	0	0	0	0	0		
Other Costs	0	0	0	0	0		
5. Construction Costs							
Site & Building Preparation	0	0	0	0	0		
Demolition/Decommissioning	0	0	0	0	0		
Construction	0	0	0	0	0		
Infrastructure/Roads/Utilities	0	0	0	0	0		
Hazardous Material Abatement	0	0	0	0	0		
Construction Contingency	0	0	0	0	0		
Other Costs	0	0	0	0	0		
6. One Percent for Art	0	0	0	0	0		
7. Relocation Expenses	0	0	0	0	0		
8. Occupancy							
Furniture, Fixtures and Equipment	0	0	0	0	0		
Telecommunications (voice & data)	0	0	0	0	0		
Security Equipment	0	0	0	0	0		
Other Costs	0	0	0	0	0		
SUBTOTAL:	83,389	23,200	23,200	11,700	141,489		
9. Inflation							
Midpoint of Construction							
Inflation Multiplier		0.00%	0.00%	0.00%			
Inflation Cost		0	0	0	0		
GRAND TOTAL	\$83,389	\$23,200	\$23,200	\$11,700	\$141,489		

Water & Soil Resources Board

REINVEST IN MINNESOTA - RIM RESERVE PROGRAM

Project Detail

(\$ in Thousands)

TOTAL PROJECT COSTS All Years and Funding Sources	Prior Years	FY 2004-05	FY 2006-07	FY 2008-09	TOTAL
1. Property Acquisition	73,500	20,000	20,000	10,000	123,500
2. Predesign Fees	0	0	0	0	0
3. Design Fees	0	0	0	0	0
4. Project Management	9,889	3,200	3,200	1,700	17,989
5. Construction Costs	0	0	0	0	0
6. One Percent for Art	0	0	0	0	0
7. Relocation Expenses	0	0	0	0	0
8. Occupancy	0	0	0	0	0
9. Inflation	0	0	0	0	0
TOTAL	83,389	23,200	23,200	11,700	141,489

CAPITAL FUNDING SOURCES	Prior Years	FY 2004-05	FY 2006-07	FY 2008-09	TOTAL
State Funds :					
General Fund Projects	16,150	3,200	3,200	1,700	24,250
State Funds Subtotal	83,389	23,200	23,200	11,700	141,489
Agency Operating Budget Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Local Government Funds	0	0	0	0	0
Private Funds	0	0	0	0	0
Other	0	0	0	0	0
TOTAL	83,389	23,200	23,200	11,700	141,489

CHANGES IN STATE OPERATING COSTS	Changes in State Operating Costs (Without Inflation)			
	FY 2004-05	FY 2006-07	FY 2008-09	TOTAL
Compensation -- Program and Building Operation	1,696	1,696	901	4,293
Other Program Related Expenses	1,504	1,504	731	3,739
Building Operating Expenses	0	0	0	0
Building Repair and Replacement Expenses	0	0	0	0
State-Owned Lease Expenses	0	0	0	0
Nonstate-Owned Lease Expenses	0	0	0	0
Expenditure Subtotal	3,200	3,200	1,632	8,032
Revenue Offsets	0	0	0	0
TOTAL	3,200	3,200	1,632	8,032
Change in F.T.E. Personnel	0.0	0.0	0.0	0.0

SOURCE OF FUNDS FOR DEBT SERVICE PAYMENTS (for bond-financed projects)	Amount	Percent of Total
General Fund	20,000	100.0%
User Financing	0	0.0%

STATUTORY AND OTHER REQUIREMENTS	
Project applicants should be aware that the following requirements will apply to their projects after adoption of the bonding bill.	
No	MS 16B.335 (1a): Construction/Major Remodeling Review (by Legislature)
Yes	MS 16B.335 (1b): Project Exempt From This Review (by Legislature)
No	MS 16B.335 (2): Other Projects (require legislative notification)
No	MS 16B.335 (3): Predesign Review Required (by Administration Dept)
No	MS 16B.335 (4): Energy Conservation Requirements
No	MS 16B.335 (5): Information Technology Review (by Office of Technology)
Yes	MS 16A.695: Public Ownership Required (as per Finance Dept.)
No	MS 16A.695: Use Agreement Required (as per Finance Dept)
No	MS 16A.695: Program Funding Review Required (by granting agency)
No	Matching Funds Required (as per agency request)
Yes	Project Cancellation in 2007 (as per Finance Dept)

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

LOCAL GOVT ROAD WETLAND REPLACEMENT

2004 STATE APPROPRIATION REQUEST: \$4,362

AGENCY PROJECT PRIORITY: 1 of 3

PROJECT LOCATION: Statewide

Project At A Glance

The Minnesota Local Government Roads Wetland Replacement program is a **statutory obligation** the state has to replace wetlands lost to safety improvements to public transportation projects as required under M.S. 103G.222, Subd.1(l).

Project Description

The Minnesota Local Government Roads Wetland Replacement program is a **statutory obligation** the state has to replace wetlands lost to safety improvements to public transportation projects as required under M.S. 103G.222, Subd.1(l). This program supports the "no-net-loss" requirements of both state and federal regulations. It benefits a wide number of constituent groups: local road authorities by assigning responsibility for replacing the inevitable loss of wetlands to the state; environmental interests by establishing higher quality wetland replacement sites; state taxpayers by reducing the overall costs of constructing these replacement wetlands due to economies of scale; and citizens by avoiding delays in undertaking public safety enhancements to existing roads due to wetland mitigation costs.

The 1996 and 2000 Legislatures amended the Wetland Conservation Act (WCA) after several years of controversy and regulatory inconsistency among local governments, business

interests, environmental groups, and others. The local government roads wetland replacement program was a key outcome of these amendments as it transferred responsibility for replacing wetlands lost due to local government road construction from the local road authority to BWSR. This eliminates the need for local government transportation officials to undertake and finance environmental reclamation projects, and consolidates the necessary technical, financial, and other implementation work. That results is higher quality, more cost-effective wetland replacement.

The Local Government Roads Wetland Replacement program provides the following benefits:

- Regulatory simplification and efficient and improved wetland mitigation are achieved by eliminating the need for each local road authority to maintain its own staff expertise and budget to mitigate impacts to wetlands from road projects.
- Fragmented impacts from road projects are consolidated in targeted areas to provide habitat, water quality, and other wetland functions away from traffic and highway runoff areas at a lower public cost.
- Water management goals such as improving water quality, flood control, greenway preservation, and wildlife corridor enhancement can be better addressed collectively.
- Site selection, ranking of project proposals, and setting program strategies consistent with overall state and federal wetland goals are achieved through an interagency process.

Local governments (counties, cities, and townships) believe strongly this state mandate should be a base element in BWSR's budget. The Legislature also recognized the ongoing state obligation this program fulfills and thus included the requirement for an assessment and recommendations report for the 2001 session. There is stakeholder consensus on the

LOCAL GOVT ROAD WETLAND REPLACEMENT

benefits of the program and the need to permanently fund this state obligation. Without a continued state commitment to this funding, local governments face paying for this work locally. That would result in a number of negative consequences, such as:

- Reduce or delay completion of local government road projects;
- Increase local property tax levies (levy limits restrict increases);
- Require a reversal of recent statute changes and undo a fragile stakeholder consensus that resulted in recent wetland regulatory reforms (*ML 1996, Chap. 462 and ML 2000, Chap. 382*); and
- Negate an agreement with the U.S. Army Corps of Engineers (COE) that allows this program to meet federal regulatory requirements, which means local road authorities would again have to seek individual federal permits and be responsible for wetland replacement.

Impact on Agency Operating Budgets (Facilities Notes)

Past experience shows that an average of 193 acres of wetlands need replacement each year, at a total annual cost of \$1.6 million. This amount has increased to 225 acres in each of the past two reporting years corresponding to an annual cost of \$1.9 million. The number of acres impacted depends most directly on the money available to local governments for road construction. The cost of establishing the wetlands varies widely, from a low of \$3 thousand an acre in rural Minnesota, to more than \$20 thousand an acre for some projects in the metro area. In order to meet its minimum statutory obligations to conduct wetland replacement *BWSR projects that it will need \$4.362 million for 2 years (July 2004 through July 2006)*

however, the total dollars needed may increase due to increased road construction projects. Of the \$4.326 million, \$3.2 million is for projects and \$562,000 is for implementation.

Previous Appropriations for this Project

- 1996 \$3 million
- 1998 \$2.75 million
- 2000 \$2.75 million
- 2001 \$2 million
- 2003 \$2.7 million

Other Considerations

The state has not determined whether this program should be funded from transportation sources, environmental sources, or some combination of the two and so it has always been funded via the capital budget. The program was funded for one year from the capital (bonding) budget by the 2000 Legislature via a \$2.3 million capital appropriation with a \$400 thousand supplement for annual implementation costs and covered state obligations through June 2000. In 2001, the Legislature appropriated \$2.0 million for the program and in 2003 appropriated \$2.7 million to cover past and current needs through June 2004.

To fully fulfill the regulatory requirements which are to establish the replacement wetlands *before* the losses occur (which is not being done now due to the fact that funding lags the wetland impacts), BWSR projects that it would need \$7.2 million in 2004 as it takes an average of 2.5 years from the date the funds are available to establish wetland banking credits (two years to find sites, acquire land and then do the construction and seeding and another half-year for the credits to be certified and

LOCAL GOVT ROAD WETLAND REPLACEMENT

deposited in the wetland bank). This means that in order to comply with state and federal regulations that require the banking projects to be done *prior to or concurrent* with the wetland losses, 2.5 years worth of credits -- a positive balance of at least 563 acres -- should be established and maintained.

Project Contact Person

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**Governor's Recommendations (To be completed by the
Department of Finance at a later date)**

Water & Soil Resources Board

Project Cost

LOCAL GOVT ROAD WETLAND REPLACEMENT

(\$ in Thousands)

TOTAL PROJECT COSTS All Years and All Funding Sources	Project Costs All Prior Years	Project Costs FY 2004-05	Project Costs FY 2006-07	Project Costs FY 2008-09	Project Costs All Years	Project Start (Month/Year)	Project Finish (Month/Year)
1. Property Acquisition						05/2004	05/2008
Land, Land Easements, Options	\$12,352	\$3,800	\$3,800	\$3,800	\$23,752		
Land and Buildings	0	0	0	0	0		
2. Predesign Fees	0	0	0	0	0		
3. Design Fees							
Schematic	0	0	0	0	0		
Design Development	0	0	0	0	0		
Contract Documents	0	0	0	0	0		
Construction Administration	0	0	0	0	0		
4. Project Management						05/2004	05/2008
State Staff Project Management	798	562	562	562	2,484		
Non-State Project Management	0	0	0	0	0		
Commissioning	0	0	0	0	0		
Other Costs	0	0	0	0	0		
5. Construction Costs							
Site & Building Preparation	0	0	0	0	0		
Demolition/Decommissioning	0	0	0	0	0		
Construction	0	0	0	0	0		
Infrastructure/Roads/Utilities	0	0	0	0	0		
Hazardous Material Abatement	0	0	0	0	0		
Construction Contingency	0	0	0	0	0		
Other Costs	0	0	0	0	0		
6. One Percent for Art	0	0	0	0	0		
7. Relocation Expenses	0	0	0	0	0		
8. Occupancy							
Furniture, Fixtures and Equipment	0	0	0	0	0		
Telecommunications (voice & data)	0	0	0	0	0		
Security Equipment	0	0	0	0	0		
Other Costs	0	0	0	0	0		
SUBTOTAL:	13,150	4,362	4,362	4,362	26,236		
9. Inflation							
Midpoint of Construction							
Inflation Multiplier		0.00%	0.00%	0.00%			
Inflation Cost		0	0	0	0		
GRAND TOTAL	\$13,150	\$4,362	\$4,362	\$4,362	\$26,236		

Water & Soil Resources Board

LOCAL GOVT ROAD WETLAND REPLACEMENT

Project Detail

(\$ in Thousands)

TOTAL PROJECT COSTS All Years and Funding Sources	Prior Years	FY 2004-05	FY 2006-07	FY 2008-09	TOTAL
1. Property Acquisition	12,352	3,800	3,800	3,800	23,752
2. Predesign Fees	0	0	0	0	0
3. Design Fees	0	0	0	0	0
4. Project Management	798	562	562	562	2,484
5. Construction Costs	0	0	0	0	0
6. One Percent for Art	0	0	0	0	0
7. Relocation Expenses	0	0	0	0	0
8. Occupancy	0	0	0	0	0
9. Inflation	0	0	0	0	0
TOTAL	13,150	4,362	4,362	4,362	26,236

CAPITAL FUNDING SOURCES	Prior Years	FY 2004-05	FY 2006-07	FY 2008-09	TOTAL
State Funds :					
General	400	0	0	0	400
State Funds Subtotal	13,150	4,362	4,362	4,362	26,236
Agency Operating Budget Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Local Government Funds	0	0	0	0	0
Private Funds	0	0	0	0	0
Other	0	0	0	0	0
TOTAL	13,150	4,362	4,362	4,362	26,236
TOTAL					

CHANGES IN STATE OPERATING COSTS	Changes in State Operating Costs (Without Inflation)			
	FY 2004-05	FY 2006-07	FY 2008-09	TOTAL
Compensation -- Program and Building Operation	0	0	0	0
Other Program Related Expenses	0	0	0	0
Building Operating Expenses	0	0	0	0
Building Repair and Replacement Expenses	0	0	0	0
State-Owned Lease Expenses	0	0	0	0
Nonstate-Owned Lease Expenses	0	0	0	0
Expenditure Subtotal	0	0	0	0
Revenue Offsets	0	0	0	0
TOTAL	0	0	0	0
Change in F.T.E. Personnel	0.0	0.0	0.0	0.0

SOURCE OF FUNDS FOR DEBT SERVICE PAYMENTS (for bond-financed projects)	Amount	Percent of Total
General Fund	4,362	100.0%
User Financing	0	0.0%

STATUTORY AND OTHER REQUIREMENTS	
Project applicants should be aware that the following requirements will apply to their projects after adoption of the bonding bill.	
No	MS 16B.335 (1a): Construction/Major Remodeling Review (by Legislature)
Yes	MS 16B.335 (1b): Project Exempt From This Review (by Legislature)
No	MS 16B.335 (2): Other Projects (require legislative notification)
No	MS 16B.335 (3): Predesign Review Required (by Administration Dept)
No	MS 16B.335 (4): Energy Conservation Requirements
No	MS 16B.335 (5): Information Technology Review (by Office of Technology)
Yes	MS 16A.695: Public Ownership Required (as per Finance Dept.)
No	MS 16A.695: Use Agreement Required (as per Finance Dept)
No	MS 16A.695: Program Funding Review Required (by granting agency)
No	Matching Funds Required (as per agency request)
Yes	Project Cancellation in 2007 (as per Finance Dept)

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

STREAMBANK, LAKESHORE AND ROADSIDE EROSION CONTROL

2004 STATE APPROPRIATION REQUEST: \$5,260

AGENCY PROJECT PRIORITY: 2 of 3

PROJECT LOCATION: Statewide

Project At A Glance

This program will provide for the protection of water quality, fish and wildlife habitat, public infrastructures, and public safety through:

- Protection of environmentally sensitive lake and river shoreland areas through the purchase of conservation easements;
- Correction of severely eroded lake and river stream banks through the installation of permanent erosion control structures and practices; and
- Reduction of flood damages through the installation of road retention projects.

Project Description

The Streambank, Lakeshore and Roadside Erosion Control program will be implemented by BWSR in partnership with the state's 91 soil and water conservation districts, 43 watershed districts, and 87 counties. The project is comprised of three basic activities including: Streambank and lakeshore protection easements; restoration of degraded or highly eroded shoreland through construction of permanent conservation practices; and creation of temporary flood storage through the development of local floodwater road retention projects.

Conservation easements: Minnesota's lake and river shorelands are under greatly increasing development pressure as the population ages and internet access makes "cabin living" more attractive year-round. This puts urban-like pressures on those remaining undeveloped lake and river shoreland areas. Because the best shorelands have already been developed, what remains is often very steep or very wet. Along with being environmentally sensitive, these areas often include important fish and wildlife habitats such as fish spawning areas and loon nesting areas. A program designed after the RIM Reserve program was enacted in 2002 (103F.225 Shoreland protection program) in order to assist local governments to protect some of these sensitive shoreland areas in concert with their comprehensive local water management plans and land use plans.

As part of a recent BWSR shoreland protection pilot program, Cass County was able to use \$250,000 of state dollars to purchase development rights on land valued at

over \$1 million. In doing so, they were able to protect 8,160 feet of shoreline and 219 acres of land. The state's investment will allow for the environmental goals of clean water, fish and wildlife habitat, and open space to be produced from this land in perpetuity.

Erosion control structures and practices: The state's 91 soil and water conservation districts have identified more than 165 miles of severely eroded shoreline and 1,500 miles of eroded stream banks. Erosion of soil from these sites results in degraded water quality, destruction of near-shore fish and wildlife habitats, and impaired recreational use. Because the magnitude of the physical erosion is great, so will be the cost to control the problems.

For example: 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. Some of these shoreline areas have up to 70-foot-high clay banks. Wave action at the shoreline results in plumes of suspended red clay in the near-shore waters of Lake Superior. When wave action subsides, suspended clay settles to the bottom and blankets rock and sand substrate, which is critical for fish spawning and fish habitat. This area of fish habitat is critical in that it occurs only within the first few hundred yards from the shore. Surveys conducted by BWSR have identified approximately 35 miles of the North Shore's total length of 200 miles as high erosion areas.

Road retention projects: The severe flooding in 1993 and again in 1997 and 2002 has continued to highlight the need to reduce flood damage to roads, bridges, public and private structures, farm field, river banks, and urban centers within many rural parts of Minnesota. An interagency hazard mitigation team led by the Federal Emergency Management Agency (FEMA) prepared a report that identified floodwater retention at roads as an appropriate measure to reduce future flood damages. As part of this capital request, BWSR proposes to cost-share with local governments the cost of road retention projects. These projects will result in reduced flood damages to roads, bridges, structures, and fields, as well as reduced downstream sedimentation. The sediment and associated nutrient trapping efficiency of these projects is 50 to 90 percent, providing significant water quality benefits.

BWSR's strategic plan identifies the role of the state acting through BWSR to solve water quality and soil erosion problems voluntarily and collaboratively with local governments. Additionally, the state's soil and water conservation policy (103A.206) states that it is the policy of the state to encourage land occupiers (including local governments) to conserve soil and water resources through the implementation of practices to prevent erosion, reduce sedimentation of surface waters, control floods, prevent impairment of dams and reservoirs, and protect public lands.

STREAMBANK, LAKESHORE AND ROADSIDE EROSION CONTROL**Impact on Agency Operating Budgets (Facilities Notes)**

Project Costs 04-05

Property acquisition

Easements and engineering and construction of supporting practices
\$5 million

Project Management

State Staff and Project Administration \$260 thousand

**Governor's Recommendations (To be completed by the
Department of Finance at a later date)**

Previous Appropriations for this Project

2002 \$750,000 (vetoed)

Other Considerations

The State of Minnesota has a reputation for its quality of life. In 2001, Morgan Quitno Press, which annually ranks cities and states, named Minnesota the nation's "most livable state" – for the fifth year in a row. Minnesota is also known for its lakes, rivers, and outdoor recreation opportunities, from which the state sees a significant economic impact. According to the Department of Trade and Economic Development, domestic and international travel to Minnesota brings \$9.8 billion into the state's economy annually, supporting 135,400 tourism jobs and generating \$1.1 billion in tax receipts. This program provides additional assurance that the environmental goals of clean water, fish and wildlife, and scenic open spaces that the citizens of Minnesota expect and that people come from around the world to enjoy are preserved and protected.

Project Contact Person

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Water & Soil Resources Board

Project Cost

STREAMBANK, LAKESHORE AND ROADSIDE EROSION CONTROL

(\$ in Thousands)

TOTAL PROJECT COSTS All Years and All Funding Sources	Project Costs All Prior Years	Project Costs FY 2004-05	Project Costs FY 2006-07	Project Costs FY 2008-09	Project Costs All Years	Project Start (Month/Year)	Project Finish (Month/Year)
1. Property Acquisition						05/2004	05/2008
Land, Land Easements, Options	\$0	\$5,000	\$5,000	\$5,000	\$15,000		
Land and Buildings	0	0	0	0	0		
2. Predesign Fees	0	0	0	0	0		
3. Design Fees							
Schematic	0	0	0	0	0		
Design Development	0	0	0	0	0		
Contract Documents	0	0	0	0	0		
Construction Administration	0	0	0	0	0		
4. Project Management						05/2004	05/2008
State Staff Project Management	0	260	260	260	780		
Non-State Project Management	0	0	0	0	0		
Commissioning	0	0	0	0	0		
Other Costs	0	0	0	0	0		
5. Construction Costs							
Site & Building Preparation	0	0	0	0	0		
Demolition/Decommissioning	0	0	0	0	0		
Construction	0	0	0	0	0		
Infrastructure/Roads/Utilities	0	0	0	0	0		
Hazardous Material Abatement	0	0	0	0	0		
Construction Contingency	0	0	0	0	0		
Other Costs	0	0	0	0	0		
6. One Percent for Art	0	0	0	0	0		
7. Relocation Expenses	0	0	0	0	0		
8. Occupancy							
Furniture, Fixtures and Equipment	0	0	0	0	0		
Telecommunications (voice & data)	0	0	0	0	0		
Security Equipment	0	0	0	0	0		
Other Costs	0	0	0	0	0		
SUBTOTAL:	0	5,260	5,260	5,260	15,780		
9. Inflation							
Midpoint of Construction							
Inflation Multiplier		0.00%	0.00%	0.00%			
Inflation Cost		0	0	0	0		
GRAND TOTAL	\$0	\$5,260	\$5,260	\$5,260	\$15,780		

Water & Soil Resources Board

STREAMBANK, LAKESHORE AND ROADSIDE EROSION CONTROL

Project Detail

(\$ in Thousands)

TOTAL PROJECT COSTS All Years and Funding Sources	Prior Years	FY 2004-05	FY 2006-07	FY 2008-09	TOTAL
1. Property Acquisition	0	5,000	5,000	5,000	15,000
2. Predesign Fees	0	0	0	0	0
3. Design Fees	0	0	0	0	0
4. Project Management	0	260	260	260	780
5. Construction Costs	0	0	0	0	0
6. One Percent for Art	0	0	0	0	0
7. Relocation Expenses	0	0	0	0	0
8. Occupancy	0	0	0	0	0
9. Inflation	0	0	0	0	0
TOTAL	0	5,260	5,260	5,260	15,780

CAPITAL FUNDING SOURCES	Prior Years	FY 2004-05	FY 2006-07	FY 2008-09	TOTAL
State Funds :					
General	0	260	260	260	780
State Funds Subtotal	0	5,260	5,260	5,260	15,780
Agency Operating Budget Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Local Government Funds	0	0	0	0	0
Private Funds	0	0	0	0	0
Other	0	0	0	0	0
TOTAL	0	5,260	5,260	5,260	15,780

CHANGES IN STATE OPERATING COSTS	Changes in State Operating Costs (Without Inflation)			
	FY 2004-05	FY 2006-07	FY 2008-09	TOTAL
Compensation -- Program and Building Operation	0	0	0	0
Other Program Related Expenses	0	0	0	0
Building Operating Expenses	0	0	0	0
Building Repair and Replacement Expenses	0	0	0	0
State-Owned Lease Expenses	0	0	0	0
Nonstate-Owned Lease Expenses	0	0	0	0
Expenditure Subtotal	0	0	0	0
Revenue Offsets	0	0	0	0
TOTAL	0	0	0	0
Change in F.T.E. Personnel	0.0	0.0	0.0	0.0

SOURCE OF FUNDS FOR DEBT SERVICE PAYMENTS (for bond-financed projects)	Amount	Percent of Total
General Fund	5,000	100.0%
User Financing	0	0.0%

STATUTORY AND OTHER REQUIREMENTS	
Project applicants should be aware that the following requirements will apply to their projects after adoption of the bonding bill.	
No	MS 16B.335 (1a): Construction/Major Remodeling Review (by Legislature)
Yes	MS 16B.335 (1b): Project Exempt From This Review (by Legislature)
No	MS 16B.335 (2): Other Projects (require legislative notification)
No	MS 16B.335 (3): Predesign Review Required (by Administration Dept)
No	MS 16B.335 (4): Energy Conservation Requirements
No	MS 16B.335 (5): Information Technology Review (by Office of Technology)
Yes	MS 16A.695: Public Ownership Required (as per Finance Dept.)
No	MS 16A.695: Use Agreement Required (as per Finance Dept)
No	MS 16A.695: Program Funding Review Required (by granting agency)
No	Matching Funds Required (as per agency request)
Yes	Project Cancellation in 2007 (as per Finance Dept)

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

REINVEST IN MINNESOTA - RIM RESERVE PROGRAM

Approved Project Score has not been assigned.
Agency location amounts are incorrect (out of balance).

LOCAL GOVT ROAD WETLAND REPLACEMENT

Approved Project Score has not been assigned.
Agency location amounts are incorrect (out of balance).

STREAMBANK, LAKESHORE AND ROADSIDE EROSION CONTROL

Approved Project Score has not been assigned.
Agency location amounts are incorrect (out of balance).

FOR YOUR INFORMATION

August 28, 2003

- "BWSR Update"
- BWSR Updated Staff Listing
- BWSR Member Location Map
- Winona County Comprehensive Water Plan – Final Draft Executive Summary
- Letter to Governor Tim Pawlenty from Jack Shaffer, Tri-County Leech Lake Watershed Project (TCLLWP) and Pat Larson, Leech Lake Area Watershed Foundation (LLAWF)



Board of Water and Soil Resources

UPDATE

A publication of the Minnesota Board of Water and Soil Resources

August 2003

NORTH

WCA

Recently, Bill Best was asked to assist the Roseau WCA administrator with an applicant from Florida that purchased land near Warroad. After reviewing maps, photos, and visiting the site, it was determined to be nearly 100 percent wetland. The irony is that in this situation it was *the Floridian* that bought swamp land in Minnesota!

WCA workload continues to be busy in northeastern Minnesota. Mark Nelson reports nine Technical Evaluation Panels covered by BWSR staff in July.

Other

Mark Nelson, on behalf of Ron Harnack, attended a Sea Grant strategic planning meeting in May. Sea Grant, a million dollar program for Minnesota, is a partnership with the U of M, Ag Extension, and federal funding through the NOAA. Sea Grant will be undergoing a crucial review in September to assess the success of their program. Long-term funding will likely be affected by the outcome of the review.

Administrative Assistants Mary Jo Flemming (Duluth), Vicky Erbele (Brainerd), and Karen Johansson (Bemidji) attended a one-day Effective Event and Meeting Planning 101 seminar. The seminar, offered by the Office of Environmental Assistance, was held in Duluth. The seminar covered contracts and state requirements for meeting sites, budget guidelines, facility selection, food and beverage guidelines, registrations/reservations and housing, room setup guidelines, as well as "green" meetings (environment friendly). Frequently, BWSR staff members are responsible for planning events at various locations around the state for wetland training, interagency staff meetings, program training for local governments, tours, and so on. This was time well spent by our regional support staff.

Ron Shelito and Jim Lemmerman attended the NACD Forestry Committee meeting in Duluth, Aug. 3-5.

Minnesota hosted the event and soil and water supervisors and agency advisors from across the United States attended. The highlight of day one was the presentation by Beltrami SWCD on its forestry program. Many of the meeting attendees stayed around long after the meeting asking questions of Chris Parthun and Jerry Stensing from Beltrami SWCD. The committee toured forestry sites in the Arrowhead Region on day two.

ENGINEERING

NRCS and SWCD offices statewide are completing allocation of EQIP cost-share

funding at the local and area levels, as well as definition of technical assistance needs and sources, including TSP (Technical Service Providers). SWCDs will have the opportunity to serve as technical service providers via Contribution Agreements with the NRCS. SWCDs will receive 50 percent of the not-to-exceed rates for technical services provided for Farm Bill programs. The categories of technical assistance include conservation practice planning, design, installation, and check-out.

The current steps in the process include definition of technical assistance needs, how much assistance the NRCS will provide, how much will be directed to private TSPs, and how much assistance SWCDs can provide. The plan of action includes involving Nonpoint Engineering Assistance Program engineers and technicians in TSP through individual SWCDs. SWCDs will need to work with the NPEA host SWCD managers and staff to define and coordinate NPEA staff involvement.

The U of M and others are conducting a demonstration project of new technologies for milkhouse waste treatment. The state feedlot rules require that milkhouse waste be treated because it has a high biological oxygen demand (BOD) that can be very harmful to streams and lakes. This demonstration project is being funded by an EPA Section 319 grant, with additional support from

Board of Water and Soil Resources Update, Page 2

Carver and Wright counties, Carver SWCD, Crow River WMO, and Bongard's Creamery. A project status report and field tour for project partners and agencies was held on Aug. 13. Al Kean attended. Another tour for a broader audience is planned for early September. The types of technologies being investigated include irrigation (year-round), aerobic digestion in underground tanks, and aerobic treatment under a bed of wood chips. A number of design and operation challenges have been encountered during the installation and shake-down periods. The experience and data collected to date indicate a number of pros and cons, and some significant promise.

The Technical and Scientific Advisory Committee (TSAC) of the Red River Basin Flood Damage Reduction (FDR) Work Group will meet Aug. 25-27. The agenda includes completion and/or advancement of three technical papers the committee is currently working on, including Wetland Bounce Study, Basin FDR Strategy, and On-Channel Storage Assessment. Al Kean, chief engineer, and Charlie Anderson, JOR Engineering, Inc., primary authors of the Basin FDR Strategy, presented an overview of this technical paper to the FDR Work Group on Aug. 20 and had associated good discussion. The TSAC expects to have the final version of this technical paper to the Work Group in September.

Although the TSAC has had difficulty reaching consensus about research data interpretation and conclusions for the Wetland Bounce Study, the committee expects to complete the associated technical paper in September or October. The On-Channel Storage technical paper has substantial work yet to be done. However, the TSAC expects to complete this paper by October or November (2003). The TSAC brings together substantial expertise and commitment of technical advisors to help the stakeholders on the Work Group, and in the Red River Basin, better understand cause and effect and opportunities for new ways to develop flood damage reduction and natural resource enhancement projects.

-Submitted by Al Kean

BRIEFS

Bill Eisele, BWSR's new Administrative Services director, started on July 28. Bill comes to BWSR from the Minnesota Department of Employee Relations and the Department of Finance. Prior to moving to Minnesota, Bill held positions in

Missouri as the budget director for the Missouri DNR and as a bank officer in Alaska.

Katie Mitzuk (pronounced "mitzik") began as the new BWSR Land and Water/Metro Region office assistant on Aug. 18. She comes to BWSR most recently from the Pollution Control Agency, and prior to that she was at the University of Minnesota-Duluth.



Minnesota's Envirothon team: (front) Peter Bangasser, Joseph McShane, and Pehr Hovey; (back) Coach Patty Leiseth, Kaitlyn Rainbow, Kerry Lefebvre, and Coach Keith Leiseth.

Minnesota team places 18th at Canon Envirothon

How can a family farm be saved?

A total of 235 high school students from 41 states and six Canadian provinces tackled that tough question as part of the Canon Envirothon, held July 26-31, in Emmitsburg, Maryland. The annual competition tests students' knowledge of environmental issues and resource conservation.

Before they arrived at the Canon Envirothon, teams had already studied soils, forestry, wildlife, aquatics, and an environmental issue in their own state and won their state-level competition. Minnesota's team, from Benilde-St. Margaret's School (St. Louis Park), placed 18th overall at the Canon Envirothon.

Conducted over five days, the Canon Envirothon is

Board of Water and Soil Resources Update, Page 3

comprised of five training stations, five testing stations, and an oral presentation component. This year, student presentations centered around agricultural land conservation and preservation. In that phase of the competition, students took on the role of the Frederick (Maryland) County Agricultural Commission and had to develop a plan for the conservation and preservation of a nearby family farm, which was threatened because of a variety of pressures.

This was the first year that Benilde-St. Margaret's sent a team to the competition. The team made an impression on the event organizers. It received the Dale E. Watermeier Extra Mile Award, which is given to the two teams (one from Canada and one from the U.S.) that best exemplified spirit, cooperation, leadership, and friendship during the competition.

"The Canon Envirothon was a wonderful experience for our students," noted Patty and Keith Leiseth, Benilde-St. Margaret's Envirothon coaches. "It was well organized, and we were cordially welcomed and well cared for during the entire week."

Minnesota's Envirothon program is held at regional and state levels. The state's Soil and Water Conservation Districts coordinate regional competitions. The Board of Water and Soil Resources coordinates the state competition. The Minnesota Association of Soil and Water Conservation Districts is fiscal agent for the state competition.

Site and date are yet to be announced for the 2004 state competition.

LAND & WATER

Rice Creek Watershed District CWMP in formal review phase

The need to better manage wetlands in southern Anoka County has sparked the Rice Creek Watershed District (RCWD) to develop a Comprehensive Wetland Management Plan (CWMP). The plan is in its formal review phase.

The county is home to Anoka County Ditch 53-62 (ACD 53-62) Drainage Area, which is a ditch system constructed in the early 1900s to provide drainage benefits to settlers farming the area. With conversion to urban uses, the ditch has become relied on more for storm

water conveyance. ACD 53-62 is located in the RCWD and entirely within the city of Blaine.

Cost Comparison Between CWMP and Repair Scenarios

CWMP	\$257,850
Probable cost to RCWD & locals	
Traditional repair to 891.46	\$3,099,925
Probable cost to RCWD & locals	

There has been concern on the part of landowners along the ditch that the ditch bottom has accumulated sediment over time and now requires maintenance. As a result of this concern the RCWD, the cities of Blaine and Circle Pines, various environmental non-profit organizations, and landowners agreed upon a profile elevation of 891.46 feet for the ditch in a 1997 agreement. This agreement requires exemption from regulations of some wetlands in the area (Types 1, 2, and 6), while 66 acres of deeper, long established wetlands (Type 3, 4, and 5 that have existed for more than 25 years) would require replacement upon commencement of ditch maintenance activity.

To allow for efficient implementation of the 1997 agreement, the RCWD began development of a CWMP in 2002 (under M.S. 103G.2243) that would provide:

- protection of all high quality wetland plant communities;
- creation of open-space corridors within the city of Blaine through restoration/enhancement of remaining wetlands and connections with undevelopable upland;
- enhancement of commercial and residential development along the corridors with 50-foot buffer separating the development areas from the open-space recreational corridors; and
- replacement of all non-exempt wetlands by the RCWD.

Proposed outcomes of the CWMP include the following:

- The ditch will be lowered.
- Property owner issues will be resolved.
- Wetlands will be filled in low value areas and in new road transportation corridors, while natural areas with greater quality will be preserved.
- All of the designated wetland areas will be incorporated into the City of Blaine's Open Space Plan and managed as a natural area.

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- The demands of Minnesota ditch laws and the Minnesota Wetland Conservation Act will be balanced.
- Permitting will be streamlined and individual sequencing eliminated.

The CWMP has had the involvement and support from the City of Blaine, RCWD, Anoka Conservation District, BWSR, DNR, U.S. Army Corps of Engineers, NRCS, property owners, and conservation groups.

-Submitted by Phil Belfiori

*Deadline for next edition:
September 17*

PHONE NUMBERS FOR BWSR STAFF **USE LAST FIVE DIGITS WHEN TRANSFERRING****Main Line: 651-296-3767 – FAX: 651-297-5615 - Updated 8/6/2003****Central Office**

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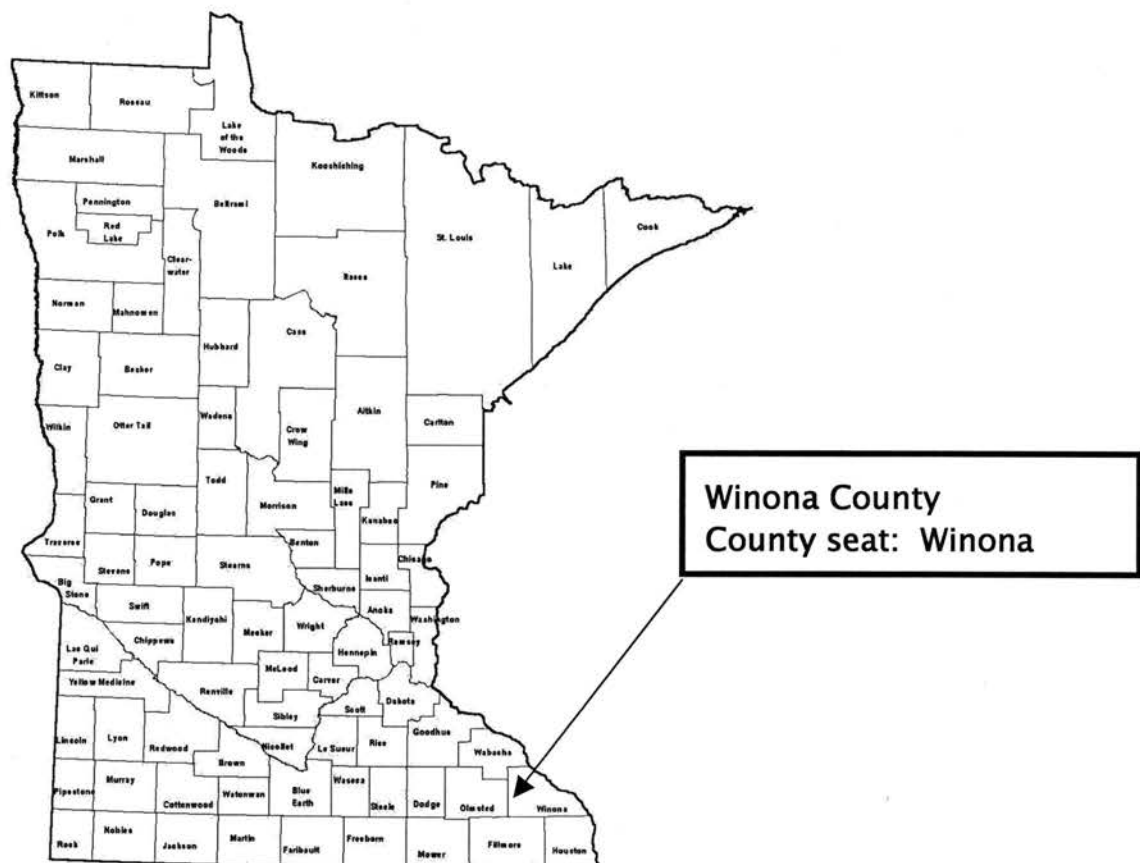
4-Aug-03

To: Board Members

From: Marybeth Block, BWSR Water Plan Coordinator



FYI: Winona County has completed updating their comprehensive local water plan. The final 90-day review period began on June 25, 2003, and the board can expect to be asked to approve the plan at the September Meeting. The plan's executive summary is attached.



Board Conservationist: Mary Kells, Rochester

Duration of the proposed plan: seven years (aligned with the county's comprehensive plan).

c: Mary Kells, file

Winona County Comprehensive Water Plan- Final Draft

EXECUTIVE SUMMARY

Purpose

The Winona County Comprehensive Water Plan was developed under the legislative authority and mandate of the Comprehensive Local Water Management Act (Minnesota Statutes, Chapter 110B) and implemented through MN Rules Chapter 9300.

The purpose of water planning as stated in MN Rules Chapter 9300 is to 1) identify existing and potential problems and opportunities for the protection, management, and development of water and related land resources and; 2) develop objectives and carry out a plan of action to promote sound hydrologic management of water and related land resources.

The first water plan in Winona County was written in 1990. This is the 2nd plan. This updated plan will be in effect from 2003 until 2010.

The first water plan and this updated version address many of the same problems. The karst geology and steep topography have remained a significant factor in protecting and restoring the water resource quality of Winona County. Concerns about storage and transport of polluting materials in karst settings also remain an issue. Nonpoint pollution from agricultural and urban areas is still of significant concern.

The differences between the first plan and this updated plan relate more to the techniques used for addressing problems rather than the problems themselves. Watershed management was not developed as a management concept in the early 1990s when the first water plan was being written. Addressing polluted stormwater runoff through low impact development was not a common technique used in 1990 nor was protecting public water supplies through wellhead protection pollution prevention efforts. Using the county's geographic information system to display a number of inventories of landscape features and pollutant sources is a new capability that has only come about in the last few years.

The first water plan organized goals, objectives, and action items under nine issue headings with a goal statement related to each. The updated plan states 13 broad resource goals. These goals were taken from existing water resource related laws and rules or previous planning activities. The implementation of the action items to meet the new plan's objectives will also bring the county forward in achieving a number of the resource-related goals. The objectives and actions are categorized into four strategy areas. These four categories are **1. Landscape/Watershed Management, 2. Specific Protection of Groundwater, 3. Pollution Prevention, and 4. Storage and Transport of Polluting Materials.**

Accomplishments

Over 100 action items were planned under the 1990 Winona County Water Management Plan. Staff and monetary activities were focused on a subset of these action items. These accomplishments include:

Well/Groundwater

- Updated and implemented the Winona County Water Quality Ordinance, including well code enforcement.
- 911 new wells have been constructed and inspected since the adoption of the ordinance.
- In the mid-nineties, two cost-share initiatives to seal abandoned wells were undertaken by the SWCD using State funds. Twenty-two wells were sealed under this program. In total, 329 wells have been sealed.
- Private well sampling primarily for nitrate and coliform has been conducted through Environmental Services with over 2,125 samples processed since 1990. Cost of analyses has been waived for low -income families.
- Six nitrate testing clinics have occurred in the County since 1995.
- Environmental Services has provided public education and information regarding well water quality and well code information at the Winona County Fair and Farm and Home Show.
- Brochures have been distributed to the hospital and local clinics regarding Blue Baby Syndrome and information regarding nitrate testing.
- Winona County Extension and SWCD worked with several rural residents to identify potential pollution using the Farm*A*Syst program.

Feedlots

- Winona County is a delegated county for the administration of the MPCA Feedlot Rules. Inspection, enforcement and assistance are provided to operators on a day to day basis.
- Hired a full time feedlot officer/educator in 1997 who educates and enforces the County Zoning Ordinance regarding feedlots.
- Established with Winona County Extension, a Feedlot Study Committee in 1997. This committee meets on a regular basis to discuss broad feedlot issues. The Committee also makes recommendations to the Planning Commission and County Board relating to policy, rule changes and program ideas.
- Developed a record keeping process to document and analyze manure land application plans through a BWSR challenge grant. This program utilizes the Geographic Information System (GIS).
- Participated in a multi-county 319 grant that has aimed at encouraging feedlot owners to sign the open lot agreement. This grant has been utilized for providing technical help for feedlot owners with runoff concerns and provides manure management planning assistance to feedlot owners.
- 160 sites have gone through the permitting process including the development of manure management plans.
- 85 eligible livestock owners have signed the open lot agreement.
- Cooperating in a University project on OFFSET (Odor from Feedlots-Setbacks Estimation Tool).
- Conducted with Winona County Extension, SWCD, MPCA and MDA, annual informational meetings on the feedlot rules and manure management planning.
- Through the Agricultural Best Management Program (AgBMP) Low-Interest Loan Program made possible by the State Revolving Loan Program (provided by the Minnesota Department of Agriculture) and other State cost share programs, the Winona County SWCD has provided funds and technical assistance in manure management systems. Since 1995, the AgBMP program has funded 19 waste management systems.

Onsite sewage

- Winona County has adopted a Zoning Ordinance that covers the design, construction and inspection of individual sewage treatment systems.
- The County has inspected approximately 2500 onsite septic systems.
- Winona County was a cosponsor for two workshops for septic system professionals held in 1996 and 1997.
- Through the AgBMP Low-Interest Loan Program, the SWCD has provided low interest loans to 32 homeowners to upgrade their systems.
- Worked with SEMWRB on an onsite septic system education program.
- Participated in the County Fair and Home and Garden and on the radio regarding the importance of properly treated wastewater.

Waste Recovery Programs

The Environmental Services Department of the County has developed and implements a number of waste recovery programs.

The comprehensive household hazardous waste collection program includes a permanent collection facility:

- 12,985 residents have participated and 392,042 pounds of household waste has been collected. Where possible, usable products have been exchanged since 1996. This element of the program has included 1,541 participants and 31,271 pounds of product.
- 39,457 gallons of oil have been recovered from 4,191 residents
- 59,958 fluorescent light bulbs collected
- 10,080 wasted appliances collected
- 58,735 waste tires

A "Clean Shop" Program was initiated for businesses that are considered very small quantity hazardous waste generators. Fifty-two very small quantity generators have disposed of 15,375 pounds of hazardous waste through the program.

Environmental Services administers the recycling programs and provides, at reduced cost, backyard compost bins for county residents.

Inventories, Mapping and Modeling

The hiring of a GIS specialist and the development of GIS capability has provided the County with the ability to map and track information on:

- soils and geologic features such as sinkholes,
- well locations,
- pollution source information including feedlots, Leaking Underground Storage Tanks (LUST) sites, and other MPCA investigation and cleanup sites,
- stream and wetland locations,
- floodplain and shoreland zones,
- biological features generated through the County Biological Survey and
- assisted the SEMWRB in inventorying Class V Shallow Disposal Systems.

Zoning

- Updated the comprehensive land use plan.
- GIS modeling provided an invaluable tool for updating the comprehensive land use plan.

- The County has delegated authority and implements the floodplain, shoreland and wetland rules.
- Winona County has historically participated in the Community Rating System of the National Flood Insurance Program.

Soil Erosion and Runoff

- The Winona County SWCD has provided cost share for numerous projects to control erosion including retention basins, tree plantings, conservation tillage and stream bank stabilization. Through the AgBMP Low-Interest Loan Program, seven conservation tillage and one structural erosion control project have been funded since 1995.
- SWCD has provided landowners with technical assistance on soil erosion and conservation projects, and manure storage and manure management planning.
- The Planning Department and the SWCD inspect and provide assistance in resolving soil erosion complaints and enforcing the erosion section of the zoning ordinance.

Pesticide and Fertilizer Education and Use

- Private Pesticide Applicator Training is provided annually by the Extension Service.
- Winona County assists with MDA Waste Pesticide Container Program that is held biannually in the County. 15,264 pounds of pesticide have been collected since 1990.
- Planning Department staff administers the weed inspection program and provides local units of government with up-to-date information through annual meetings.
- The Winona County Extension Office through weekly news column, radio shows and agricultural newsletters as well as field days has provided information on nutrient and pesticide management.

Winona County has succeeded in addressing many of the objectives that were outlined in the 1990 water plan. Several ordinances and related programs have been created or improved since 1990 including the Well Inspection Program, Feedlot Program, ISTS Program, and the Household Hazardous Waste Collection Program. Staff and resources have been focused programmatically. For this reason, the areas where the accomplishments have occurred are where there were funds available to hire staff to do the work.

Winona County also participates in the Agricultural Land Preservation Program. The goal of this program is to preserve farms for long-term agricultural use. To participate in this program, which gives a property tax credit, the farm owner must place a restrictive covenant limiting the use of the property to agricultural and forestry.

Plan organization

This plan is divided in three major chapters 1) Executive Summary, 2) Data and Assessments and 3) Implementation Plan 2003-2010. Maps, Graphs and Tables are located in Appendix 1 and are hyperlinked to where they are mentioned in the text. A summary of the citizen participation process and a copy of the water plan survey are located in Appendix 2. Appendix 3. contains the Implementation Matrix.

Data and Assessments

The Data and Assessment chapter is split into eight sections following the areas outlined in Minnesota Rules Chapter 9300. The eight sections are 1) Physical Environment, Land Use and Development, 2) Water Quantity, 3) Water Quality, 4) Eroding Lands, 5) Pollutant Sources, 6) Karst-Special Geologic Conditions, 7) Wetlands, Floodplains, and Shoreland, and 8) Biological Resources, Unique Features, and Recreation.

The resource base is described in the Physical Environment, Land Use and Development section of the water plan. The five watersheds in the county are the Root River, Whitewater River, Garvin Brook/ Rollingstone Creek, the tributary streams in the southeast corner of the county and the Metro Winona area. These five watersheds all have stream reaches that are designated coldwater trout streams. The bedrock geology is of the Paleozoic age and karst features characterize the carbonate rock formations of the Prairie Du Chien. The soils in the county are generally well drained and are highly erodible due to steep slopes. Land use is predominately agriculture with 44% of the county cultivated and 36% forested. Population in the county has steadily increased since 1970 at an average rate of 4% per decade. Of the 50,000 people that live in the county, about half live in the City of Winona. Infrastructure improvements in water systems and sewage treatment have occurred in most of the communities but there are still pockets of unsewered communities that need system upgrades. Stormwater management has only recently been addressed in a few communities. Agricultural changes have been described as a shift from small grains to more soybean and corn acres which has had an overall negative impact on the water resources.

Water supply has not been a problem in the county. The past decade, however, has generally been wet and southeast Minnesota has not experienced drought conditions. All water supplies are taken from groundwater. Base flow of water in county streams comes from groundwater seeps and springs. Widespread quality issues relate to nitrates, microbial contaminants, pesticides and sediment. Exceedances of the nitrate and coliform standards have occurred in private wells and a few public wells. Herbicides have been detected in wells, springs and surface water samples. Violations of surface water quality standards for the herbicide atrazine have occurred. Fecal coliform standard violations in reaches of Garvin Brook and the Whitewater River have resulted in those streams being considered impaired for swimming.

Erosion is a potential problem in much of the county. Turbidity and sedimentation have impacted habitat in several streams. Reaches of the Garvin Brook and the Whitewater are considered impaired due to turbidity. Karst features play significantly in making the groundwater in a large section of the county susceptible to contamination. Storage of polluting materials in these areas is of concern due to potential sinkhole collapses. The karst landscape also makes it difficult to characterize groundwater quality through monitoring.

Shoreland and floodplain sections of the zoning ordinance is strictly enforced in Winona County. The county has had problems with flooding in the last ten years on certain area streams as well as certain areas adjacent to the Mississippi River.

Cold-water trout streams and the Upper Mississippi River have had a tremendous positive impact on the growth, development and quality of life in Winona County. Water resources have a

significant positive impact on tourism and provide for numerous local recreational opportunities in the form of boating, hunting and fishing. The County has several areas that support native plant communities. Almost 10% of the county are in public lands, which includes the Whitewater Wildlife Management Area, sections of the Richard Dorer's State Forest, three state parks and a national wildlife refuge.

Implementation Plan 2003-2010

An implementation plan of action for the next seven years is described. The sixteen resource goals are stated with measurements for tracking progress toward the goals. There are seventeen measurable objectives with 79 related action items. Each action item indicates who will be involved in implementing the action, the projected cost, and the time frame when the action will be implemented. The objectives and actions are categorized into four strategy areas. These four categories are **1. Landscape/Watershed Management, 2. Specific Protection of Groundwater, 3. Pollution Prevention, and 4. Storage and Transport of Polluting Materials.**

Overall priority is given to those actions that will restore and protect sensitive groundwater aquifers that provide many Winona County residents with water. Because of the interrelated nature of land use and water resource quality, a watershed approach to resource management will be encouraged. Effort will be made to support community-based watershed management organizations and to educate the public regarding the importance of a watershed/landscape perspective. The plan promotes education and incentive programs to foster sustainable land use practices, conservation and the maintenance of natural wetlands, floodplains, and riparian buffers for watershed function. The plan indicates that the county will revise the zoning ordinance to improve controls over erosion and stormwater management, and to address development on steep slopes.

To insure that the public understands the pollution sensitivity of groundwater resources, actions are stated to further educate students and the public about karst geology and the need to protect source water areas of public water supplies. Through a cooperative effort with other southeast Minnesota counties, monitoring of groundwater resources will be undertaken. Efforts will be continued to educate individuals about private well protection and the importance of periodic well water testing.

Encouraging least toxic alternatives and wise management of fertilizer, pesticides, and manure is part of the nonpoint pollution prevention strategy. The need for proper onsite septic system maintenance and the sealing of abandoned wells will also be promoted through education, incentives and regulation enforcement. Activities will be undertaken to insure that those who store and transport polluting materials take safeguards to minimize the chance of release and to encourage the development of spill emergency plans.



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AUG 14 2003



August 11, 2003

Governor Tim Pawlenty
Office of the Governor
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Dear Governor Pawlenty:

Greetings from the land of "Sky Blue Waters" of the Leech Lake Watershed. We write to congratulate you on your "Clean Water Cabinet" initiative of June 24, 2003 charging state agency heads with improving water quality of lakes and rivers of Minnesota. Since 1992 we, the Tri-County Leech Lake Watershed Project (TCLLWP) and the Leech Lake Area Watershed Foundation (LLAWF) have been pro active protectors of water quality thru preventative actions lead by our 200 volunteer citizen organization. We believe that a \$1.00 of prevention / protection is worth \$10,000 of remedial action.

In 1992, some brave and innovative MN DNR leaders helped us create the concept of watershed management based on close alliance of our local citizen group with MN DNR, MN BWSR, MN PCA, City, Township and County Government, Forest Service, Army Corps of Engineers and the Leech Lake Indian Reservation.

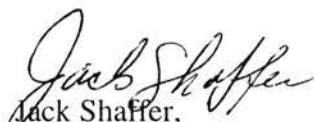
Our experience has proved the viability and high productivity of the concept. We have permanently protected over 11 miles of wild shoreline and 1,532 acres of sensitive and critical habitat valued at over \$10,000,000. Our experience compels us to ask that you channel some of your laudable initiative via the "Clean Water Cabinet" to:

- 1) Expand the concept of watershed unit (based) management pro actively protecting critical habitat To manage water quality requires close management of the land, i.e., critical habitats of wetlands riparian areas, etc.
- 2) Take more aggressive protection measures by revising the state shore land ordinance not revised or seriously reviewed since about 1970. Protective regulations cost nothing but saves much.
- 3) Make a complete review of the DNR water rules toward more protection of the irreplaceable resource especially relating to intra-lake classification.
- 4) Initiate state wide intra-lake reclassification to protect critical habitats in riparian areas.
- 5) Initiate a Conservation Resource Enhancement Program (CREP) of the North to protect our critical woods, wildlife and water resources which are the basis of the "North woods" economy.

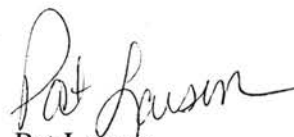
August 11, 2003

6) Designate TCLLWP and LLAWF as a pilot program to enhance, enlarge and energize the water quality conservation results sought by your "Clean Water Cabinet" initiative.

We stand ready as volunteers to help take your important program forward, as experienced "charge agents". Please have your deputy chief of staff Bob Schroeder contact us. Thank you.



Jack Shaffer,
TCLLWP Chair 218/363-3817



Pat Larson
LLAWF Chair 218/682-2383

Enclosures: 10th Annual TCLLWP & LLAWF Annual Report
Completed Conservation Projects 8/8/03

cc: Clean Water Cabinet (MNDNR, MNBWSR, MNPCA, MNDH, MNDA)
TCLLWP & LLAWF Board of Directors
Representative Larry Howes
Senator Carrie Ruud
Representative Doug Fuller