



Minnesota Board of Water and Soil Resources.
Minutes.

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**BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55107
WEDNESDAY, DECEMBER 17, 2003**

AGENDA

9:00 a.m. CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPT AGENDA

MINUTES OF OCTOBER 22, 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 –
- Minnesota Department of Health – Dan Wilson
- Minnesota Department of Natural Resources – Gene Merriam
- Minnesota Extension Service – Jim Anderson
- Minnesota Pollution Control Agency – Lisa Thorvig

COMMITTEE RECOMMENDATIONS

Administrative Advisory Committee (AAC)

Legislative Initiatives for 2004:

1. Shoreland Protection Program (103F.225) – *DECISION ITEM*
2. Technical Amendments to the Wetland Conservation Act Rule – *DECISION ITEM*
3. Metro Surface Water Management Act – *DECISION ITEM*
4. Administrative Penalty Order (APO) Authority for the Wetland Conservation Act – *DECISION ITEM*

Other Items:

5. State Cost-Share Roll-Over Funds – *DECISION ITEM*
6. SWCD Farm Bill Assistance Grants – *DECISION ITEM*
7. Brown's Creek Protection Initiative – *DECISION ITEM*
8. Rules for Appeals of Watershed District Rules and Permit Decisions – Jim Haertel – *DECISION ITEM*
(see revised information in today's packet – blue sheets)

Wetland Committee

1. Sale of Wetland Banking Credits – *DECISION ITEM*
2. Wetland Banking Fees (M.S. 103G.2242, Subds. 14 –15) – *DECISION ITEM*
3. The Minnesota Routine Assessment Method (MnRAM) Ver. 3 – *DECISION ITEM*

NEW BUSINESS

1. New Budget Forecast – Ron Harnack – *INFORMATION ITEM*
2. Stormwater Program Design Update – John Jaschke and MPCA Staff Brian Livingston – *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

- 2004 Legislative Session Begins – February 2, 2004
- Board Meetings for 2004:
 - January 28
 - March 24
 - April 28
 - May 26
 - June 23
 - August 25
 - September 22
 - October 27
 - December 15

ADJOURN



DATE: December 5, 2003

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

FROM: Ronald D. Harnack, Executive Director

SUBJECT: December 17th Board Meeting

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, December 17, 2003, beginning at 9:00 a.m. The meeting will be held in the BWSR conference room, lower level, at One West Water Street, St. Paul. Parking is available across the street from the building. Please display the enclosed "temporary parking permit" on your vehicle's dashboard.

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Administrative Advisory Committee

Legislative Initiatives for 2004:

1. Shoreland Protection Program (103F.225) has a "sunset date" of June 30, 2004. The initiative would repeal the "sunset date" and leave the program authorization and program in place. If you want to access the legislation you can click on <http://www.revisor.leg.state.mn.us/forms/getstatute.shtml> and select the statute reference. Even without funding the program authority provides some good policy and guidance for local governments. Funding for the program is part of the bonding initiative being considered by the Governor.

AAC Recommendation: The AAC supports the legislative initiative to eliminate the sunset date. This program is referenced in the Clean Water Cabinet's pilot projects for the lakes region and is included in BWSR's bonding request. It also provides local governments with an additional lake management tool. **DECISION ITEM**

2. Technical Amendments to the Wetland Conservation Act Rule through the legislative process. Last years legislative changes to WCA would require BWSR to go through rule making process to amend the rules. It is more efficient to do the changes legislatively as a technical change than to go through the cumbersome rule making process.

Bemidji 17 Bemidji Avenue N. Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	Brainerd 217 S. 7th Street Suite 202 Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	Duluth 394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	Fergus Falls 413 W. Stanton Avenue Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	Marshall 1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	New Ulm 261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	Rochester 40 16th Street S.E. Suite A Rochester, MN 55904 phone (507) 285-7458 fax (507) 280-2875	Saint Paul One West Water Street Suite 250 Saint Paul, MN 55107 phone (651) 282-9969 fax (651) 284-0000
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AAC Recommendation: To hold off on this and work with the Revisor's Office. These may be technical changes that the Revisor's Office would move forward on without BWSR's separate initiative. *DECISION ITEM*

3. Metro Surface Water Management Act amendment to delete or amend MS103B.231 Subd 8. The agencies and WD's/WMO's have agreed that it is better for agencies to be proactive in the plan development process rather than waiting and reviewing after the plan is done. This amendment would still hold agencies accountable to the process while eliminating an unnecessary 60 review period.

AAC Recommendation: Not to move forward with this until next year and see where the metro rules end up during the rule making process. The idea of streamlining is good, however, the metro rules coalition is still in deliberations. There was also interest in seeing how MPCA's stormwater initiative would fit into this rule. *DECISION ITEM*

4. Administrative Penalty Order (APO) Authority for the Wetland Conservation Act. The general idea is to give local governments, BWSR and DNR, organizations involved in wetlands enforcement an additional tool to achieve compliance as an alternative to the criminal process. Other organizations (i.e. MDA, MDH, and MPCA) have used this authority strategically and it has aided in compliance. The AAC also felt that APO carries with it a need for specific guidance and utilization so as not to hinder appropriate administration and compliance with WCA. There is more assessment needed. The more discussion we have, the more concern there was. In addition, this authority would be an additional work obligation that would be difficult to achieve.

AAC Recommendation: Do not seek this authority for BWSR or LGU's. Since DNR is the primary enforcement mechanism, BWSR will continue to work with DNR as they review their interest in this authority for WCA as well as for other public waters and wetlands. *DECISION ITEM*

Other Items:

5. State Cost-Share Roll-Over Funds – At their November 24, 2003 meeting, the BWSR Administrative Advisory Committee examined the existing State Cost Share Roll-Over fund balance and considered allocation options for the available fund balance. See attached. *DECISION ITEM*
6. SWCD Farm Bill Assistance Grants – BWSR has partnered with SWCD's, Pheasants Forever (PF) and DNR on grants to SWCD's to accelerate implementation of farm bill programs. The success of this over the past year has been an additional 20,000 + acres of lands enrolled in the various farm programs. There is a strong desire on the part of the districts, PF, DNR and BWSR to continue this partnership for another year, at a cost of up to \$150,000. We would use funds received from USFWS reimbursements that is not obligated to any specific project. The attached file shows the progress of the current program and the counties participating. SWCD's make a 25% match to the grant.

AAC Recommendation: The AAC believes that this is a very worth while effort that keeps SWCD's in the forefront of the conservation efforts and continues to help build local capacity and commitment to outcomes in conservation. *DECISION ITEM*

7. Brown's Creek Protection Initiative – The City of Stillwater is proposing to construct a project that would treat, control, and divert storm runoff and sewage away from Brown's Creek. This project has a cost estimate of \$2.1 million. The 2003 legislature has appropriated \$1.3 million to BWSR for this project. See attached.

AAC Recommendation: Staff has reviewed the project and it certainly meets the expectations of the appropriation. Approval of the first installment of \$400,000 and recommend Board approval of the work plan/payment schedule for the entire project. *DECISION ITEM*

Wetland Committee

1. Sale of Wetland Banking Credits - Minnesota Statutes 103G.222, Subd. 1(k), as amended in 2003, provides for the sale of wetland credits to public transportation authorities. This action establishes the cost of establishing the credits, and accordingly, the sales price to be charged to public transportation agencies. These sale prices will be updated annually via Board Policy to reflect actual costs. See attached. *DECISION ITEM*
2. Wetland Banking Fees - Minnesota Statutes 103G.2242, Subds. 14 and 15 require the Board of Water and Soil Resources to collect fees for administering the state wetland banking program. This action adopts the fee structure and procedures that will be implemented beginning January 1, 2004 and are subject to annual evaluation and possible change. See attached. *DECISION ITEM*
3. The Minnesota Routine Assessment Method (MnRAM) Ver. 3 is a standard procedure for evaluating wetland functions and values. BWSR led an interagency group to develop a new version of this tool to help assess a wetland's contribution to the diversity and integrity of Minnesota's natural resources. It is available to local governments, consultants, and others with a role in implementing the Wetland Conservation Act and other wetland management programs. MN Rule 8420.0112 requires updates to items incorporated by reference to be approved by the Board. See attached. *DECISION ITEM*

NEW BUSINESS

1. Rules for Appeals of Watershed District Rules and Permit Decisions – see attached. *DECISION ITEM*
2. New Budget Forecast – The Department of Finance (DOF) released the new budget forecast on December 3rd - http://www.finance.state.mn.us/news/2003/031203_forecast.html It shows a small deficit of \$185 million for this biennium. The amount of \$185 million as compared to the total biennial budget of \$28.2 billion means less than a percent new shortage - 0.66% for the full FY04/05 period. *INFORMATION ITEM*

3. Stormwater Program Design Update – The MPCA has convened a stormwater design team, comprised of a wide range of stakeholders, to design a state effort to reduce or eliminate the adverse environmental effects of stormwater discharge to Minnesota's lakes, rivers, streams, wetlands, and groundwater. The purpose of the effort is to:
i.) design or redesign the major stormwater program elements (i.e., construction, MS4, industrial, partnership, education/outreach, and monitoring); ii) provide guidance for the stormwater rule development; iii.) address the interrelationship between stormwater and the Agency's impaired waters' efforts; iv.) be efficient by integrating stormwater management into the existing planning, regulatory and governance framework to the maximum extent possible; v.) evaluate proposals and provisions for funding; and vi.) assure the development of technical tools (guidance) and training for those responsible for stormwater management. *INFORMATION ITEM*

If you have any questions regarding the agenda, please feel free to give me a call at 651-296-0878. The meeting will adjourn about 1:30 p.m.; lunch will be provided. If bad weather conditions exist in your area and you are unable to attend the meeting due to travel restrictions, please notify the Board office by noon on Tuesday, if possible. I look forward to seeing you on December 17!

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

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ADJOURN

TEMPORARY PARKING PERMIT

**BOARD OF WATER AND SOIL RESOURCES
ONE WEST WATER STREET
Lower Level Conference Room**

DATE: Wednesday, December 17, 2003

QUESTIONS, PLEASE CALL 651-296-3767.

Parking is available across the street from the building in the first two rows of the northwest corner of the Wabasha Deli parking lot. Display this "temporary parking permit" on your vehicle's dashboard. Thank you.

Dispute Resolution Report
December 3, 2003
by Jim Haertel

There are presently nine appeals pending. All of the appeals involve WCA. Three new appeals have been filed since the last report of October 9.

There is an appeal of a restoration order in Carlton County. The violation involves the excavation of a ditch in wetland. The appeal is pending.

There is an appeal of a restoration order in Otter Tail County. The violation involves the placement of fill in wetlands to provide paths to deer stands. The appeal is pending.

There is an appeal of a replacement plan decision in the City of Savage in Scott County. The replacement plan approval is for a commercial development. The appeal has been withdrawn.

There is an appeal of an exemption decision in Morrison County. The appeal regards a road that was upgraded and the denial of a forestry exemption. A cease and desist order and a restoration order have been issued. The appeal has been remanded for a hearing.

There is an appeal of a no-loss decision in the City of Hermantown near Duluth in St. Louis County. The site is an old refinery where Superfund cleanup has been done and is continuing. There are questions about the extent of wetlands on the property and whether a consent decree applied to the whole site. A meeting was held with representatives of the agencies that entered into the consent decree. The results of the meeting were conveyed to the landowner. The appeal has been accepted but it is unknown if the appeal will be heard depending on the outcome of a meeting with the city, the landowner and the TEP.

There is an appeal of a restoration order in St. Louis County. The proposed project involves an access road and a shooting range. 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. The present appeal was remanded again for further technical work. It appears the LGU and the applicant have come to agreement and the appeal will likely be withdrawn.

There is an appeal of a no-loss decision in Meeker County. At issue is the wetland delineation. The project involves wetland fill for a garage. 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 project involves filling a wetland for landscaping purposes. 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.

Appeals Filed in 2003 (All WCA)

File No.	LGU Action	County (City)	LGU	Status
03-				
1	Replacement Plan	Hennepin (Brooklyn Center)	Shingle Creek WMO	LGU decision affirmed
2	Replacement Plan	Hennepin (Brooklyn Center)	Shingle Creek WMO	LGU decision affirmed
3	Replacement Plan	Stearns (St. Joseph)	County Board	Denied as meritless
4	Replacement Plan	Lake of the Woods	County Board	Denied as meritless
5	Restoration Order	Douglas (Alexandria)	SWCD	Closed, appeal resolved
6	Exemption/NoLoss	Douglas (Alexandria)	SWCD	Closed, appeal resolved
7	Exemption/NoLoss	Ramsey (Vadnais Heights)	Vadnais Lake Area WMO	Remanded
8	Exemption/NoLoss	Wright	Middleville Township	Remanded
9	Replacement Plan	Washington	Forest Lake	Denied as meritless
10	Exemption/NoLoss	Hennepin	Pioneer-Sarah Creek WMO	LGU Decision affirmed
11	Restoration Order	St. Louis	County Board	Pending
12	Exemption/NoLoss	Ramsey (Vadnais Heights)	Vadnais Lake Area WMO	Remanded
13	Wetland Delineation	Benton (Foley)	Benton County	Denied as meritless
14	Restoration Order	Clearwater (Shevlin)	County	Closed, appeal resolved
15	Restoration Order	Mahnomen	SWCD	Closed, new order issued
16	Exemption/NoLoss	St. Louis (Hermantown)	City	Pending
17	Restoration Order	Goodhue	SWCD	Closed, appeal resolved
18	Exemption/NoLoss	Morrison	SWCD	Remanded
19	Replacement Plan	Scott (Savage)	City	Withdrawn
20	Restoration Order	Otter Tail	County	Pending

12/3/03

STATE COST SHARE ROLL-OVER FUNDS

BACKGROUND

Current Board policy requires that any State Cost Share allocation funds that are not encumbered, or that become unencumbered after the end of the grant agreement period, be returned to the Board within 30 days after the end of the grant agreement period.

ISSUE

At their November 24, 2003 Meeting, the BWSR Administrative Advisory Committee examined the existing State Cost Share Roll-Over fund balance and considered allocation options for the available fund balance:

Balance on November 6, 2003 -	\$248,000
Estimated Amount of this Needed for FY 05 State Cost Share Base Grant Allocations -	\$123,000
Roll-Over Balance -	\$125,000

Alternative Allocation Options for Roll-Over Balance

- 1) Select one or two projects from each region for funding.
- 2) Reserve balance for future Special Projects Program.
- 3) Reserve balance for future disaster relief.
- 4) Divide equally (\$1,374 per SWCD) and allocate with FY 05 Base Grant.
- 5) Fund the next eligible implementation projects from FY 04 LWM Challenge Grant Program.
- 6) Provide for needed eLINK enhancements.
- 7) Fund SWCD financial/accounting assistance.
- 8) Use for costs associated with NPEA JPB transition from eleven > seven.
- 9) Divide equally between the seven field staff areas (\$17,857 each) and allocate for high priority practices.

RECOMMENDATION

The Administrative Advisory Committee recommends the State Cost Share Roll-Over fund balance, in excess of \$123,000, be divided equally between the seven field staff areas and allocated for area high priority practices (Alternative #9). Practices will be selected by Regional Supervisors and Board Conservationists in consultation with SWCDs.

2003 MN Farmbill Initiative

Statewide Summary

COUNTY/MONTH	Hours	# Farmer Contacts	Total Enrolled #Contracts / #Acres	Filterstrips #Contracts / #Acres	Riparian Buffers #Contracts / #Acres	Field Borders & Contour Buffer #Contracts / #Acres	Field Wind Breaks #Contracts / #Acres	Shelterbelts #Contracts / #Acres	General CRP #Contracts / #Acres	Other-Wetlands, living snow fence #Contracts / #Acres	CCRP Farmed Wetland Pilot #Contracts / #Acres
STATEWIDE											
January	1105	446	64 373.9	21 150.5	15 69.4	6 29	5 21.4	10 42.6		4 38.6	3 22.4
February	1362	805	73 683.6	31 286.6	9 74.2	3 22.8	6 19.6	13 35.6		5 118.5	6 126.3
March	1840	897	102 1061.9	33 284.7	20 201.2	3 8.4	18 68.4	8 16.8		15 225	16 257.4
April	1796	875	59 551.9	17 177.5	11 86.5	4 12.1	8 40.6	7 11.4		6 95	6 128.8
May	1516	2257	98 1323.4	29 234.9	13 127.3	13 29.9	10 19.6	6 14.1		20 751.9	11 145.7
June	1666	2675	132 1546.6	48 426.1	9 78	0 0	7 36	10 27.2		16 166.8	42 812.5
July	1919	2564	52 432	25 166.3	3 72	0 0	3 9	3 4.4		12 108.8	6 71.5
August	1544	1012	213 5753.36	21 324.4	5 100.6	0 0	5 30.1	2 8.06	166 4070.2	11 1136.4	9 83.6
September	1887	1695	354 7423.24	89 883.82	50 740	0 0	14 148.6	14 63.4	83 1814.9	88 3098.32	32 674.2
October	1162	668	106 901.02	48 401.02	6 33.5	0 0	7 20.1	16 33.1		22 277.9	10 135.4
November	0	0	0 0	0 0	0 0	0 0	0 0	0 0		0 0	0 0
December	0	0	0 0	0 0	0 0	0 0	0 0	0 0		0 0	0 0
TOTAL	15796	13894	1253 20050.92	362 3335.8	141 1582.7	29 102.2	83 413.4	89 256.66	249 5885.1	199 6017.22	141 2457.8

BLUE EARTH

January																			
February																			
March																			
April																			
May																			
June		6	2 2.8			1 0.8										1 2			
July																			
August																			
September		6	26 349											26 349					
October																			
November																			
December																			
TOTAL	0	12	28 351.8	0 0	1 0.8	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	26 349	1 2	0 0	0 0	0 0	0 0

CHIPPEWA

January	Vacant																		
February	Vacant																		
March	Vacant																		
April																			
May																			
June																			
July																			
August																			
September																			
October																			
November																			
December																			
TOTAL	0	0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0

COUNTY/MONTH	Hours	# Farmer Contacts	Total Enrolled #Contracts / #Acres		Filterstrips #Contracts / #Acres		Riparian Buffers #Contracts / #Acres		Field Borders & Contour Buffer #Contracts / #Acres		Field Wind Breaks #Contracts / #Acres		Shelterbelts #Contracts / #Acres		General CRP #Contracts / #Acres		Other-Wetlands, living snow fence #Contracts / #Acres		CCRP Farmed Pilot	Wetland #Contracts / #Acres
CHISAGO																				
January																				
February	104	55	3	3.4							2	2.9	1	0.5						
March	112	46	16	44.7							8	30.1	2	1.9			4	4.7	2	8
April	96	15	4	15.4							2	7.3	1	0.5					1	7.6
May	88	14	2	7.9							2	7.9								
June	80	34	0	0																
July	92	25	0	0																
August	80	19	0	0																
September	88	11	0	0																
October	92	13	0	0																
November																				
December																				
TOTAL	832	232	25	71.4	0	0	0	0	0	0	14	48.2	4	2.9	0	0	4	4.7	3	15.6

COTTONWOOD																				
January	30	20																		
February																				
March	115.8	148	16	215.4	7	37.6	7	52.3			4	12.2	2	4.4			1	1.4	5	107.5
April	148	195	0	0																
May	85	105	6	19.5							4	5.1	1	3.5					2	10.9
June	60	1850	0	0																
July	59	124	3	8.8							2	8	1	0.8						
August	55	75	21	640.2											21	640.2				
September	100.8	58	0	0																
October	89	135	9	71.6	4	44.2	4	26.3			1	1.1								
November																				
December																				
TOTAL	742.5	2710	55	955.5	11	81.8	11	78.6	0	0	11	26.4	4	8.7	21	640.2	1	1.4	7	118.4

FARIBAULT																				
January																				
February																				
March	2	1	0	0																
April	23	16	0	0																
May	60.5	16	7	8.5					7	8.5										
June	68	29	1	4.5			1	4.5												
July	61	11	4	4.7	4	4.7														
August	45	12	4	73.2	3	7.1									1	66.1				
September																				
October	49	9	5	19	4	15.5							1	3.5						
November																				
December																				
TOTAL	308.5	94	21	109.9	11	27.3	1	4.5	7	8.5	0	0	1	3.5	1	66.1	0	0	0	0

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GRANT																				
January	168	17	13	64.5			2	9.8	4	15.1			7	39.6						
February	160	153	9	86.7			1	10					6	27.8			2	48.9		
March	140	46	1	7			1	7												
April	90	49	5	90.3	1	22.5					1	19.7	2	5.2			1	42.9		
May	96	20	4	43.9	2	28.1													2	15.8
June	100	25	5	142	2	22.9											2	79.6	1	39.5
July	58	20	1	8.3															1	8.3
August	120	59	28	539.2	2	29.5	1	9					1	2.1	21	469.7			3	28.9
September	178	63	26	417.3	11	113.9	6	136.3			3	34.1	2	5.4			1	49.8	3	77.8
October																				
November																				
December																				
TOTAL	1110	452	92	1399.2	18	216.9	11	172.1	4	15.1	4	53.8	18	80.1	21	469.7	6	221.2	10	170.3
JACKSON																				
January	180	35	6	38.2	1	9.4					4	20							1	8.8
February	48	17	4	35	2	15					1	6.3							1	13.7
March	54	26	3	26.7	1	3.7					1	12.9							1	10.1
April	17	4	2	2.5							1	1					1	1.5		
May	52	1537	1	3.8									1	3.8						
June	52	35	0	0																
July	138.5	1560	2	2.5							1	1					1	1.5		
August	103	43	24	507											24	507				
September	96	34	3	8.2	3	8.2														
October	13	5	4	15.4	3	14.1					1	1.3								
November																				
December																				
TOTAL	753.5	3296	49	639.3	10	50.4	0	0	0	0	9	42.5	1	3.8	24	507	2	3	3	32.6
LAC QUI PARLE																				
January																				
February																				
March																				
April																				
May	35.5	17	0	0																
June	33	17	1	1.3	1	1.3														
July	44	9	0	0																
August	42	29	0	0																
September	72	21	33	621.9	10	129.5							4	11.4	13	388.9	3	43.6	3	48.5
October	66.5	15	10	220.3	3	11.4											5	157	2	51.9
November																				
December																				
TOTAL	293	108	44	843.5	14	142.2	0	0	0	0	0	0	4	11.4	13	388.9	8	200.6	5	100.4

COUNTY/MONTH	Hours	# Farmer Contacts	Total Enrolled #Contracts / #Acres	Filterstrips #Contracts / #Acres	Riparian Buffers #Contracts / #Acres	Field Borders & Contour Buffer #Contracts / #Acres	Field Wind Breaks #Contracts / #Acres	Shelterbelts #Contracts / #Acres	General CRP #Contracts / #Acres	Other-Wetlands, living snow fence #Contracts / #Acres	CCRP Farmed Wetland Pilot #Contracts / #Acres
LE SUEUR											
January											
February											
March	80	61	6 32.3	4 26			1 2.6				1 3.7
April											
May											
June		8	3 25.1	1 21.7			1 3			1 0.4	
July											
August											
September			4 176.8						4 176.8		
October											
November											
December											
TOTAL	80	69	13 234.2	5 47.7	0 0	0 0	2 5.6	0 0	4 176.8	1 0.4	1 3.7

LINCOLN																				
January	NA																			
February	NA																			
March	NA																			
April	49	20	6	74.5	1	3.6	4	42.3										1	28.6	
May	66	95	4	76.5	1	4.6	2	62.7										1	9.2	
June	69	19	1	2.8									1	2.8						
July	5	8	1	4.6	1	4.6														
August	26	16	7	47.8	1	3.8	1	12							5	32				
September	114	35	34	409.2	1	2.9	32	404.9			1	1.4								
October	92	17	2	8.3			1	5.5										1	2.8	
November																				
December																				
TOTAL	421	210	55	623.7	5	19.5	40	527.4	0	0	1	1.4	1	2.8	5	32	0	0	3	40.6

LYON																				
January																				
February	100	35	3	6	1	2					1	3	1	1						
March	100	16	11	23	1	1.7					1	2	2	5.3			7	14		
April	100	61	3	7.2	2	7.2	1	?												
May	100	86	2	15.6	1	12.8											1	2.8		
June	97	137	2	10															2	10
July	130.5	279	8	37	5	27.4							1	2					2	7.6
August	143	331	21	460.5											21	460.5				
September	50.75	547	3	26.5	2	1.9	1	24.6												
October																				
November																				
December																				
TOTAL	821.3	1492	53	585.8	12	53	2	24.6	0	0	2	5	4	8.3	21	460.5	8	16.8	4	17.6

COUNTY/MONTH	Hours	# Farmer Contacts	Total Enrolled #Contracts / #Acres		Filterstrips #Contracts / #Acres		Riparian Buffers #Contracts / #Acres		Field Borders & Contour Buffer #Contracts / #Acres		Field Wind Breaks #Contracts / #Acres		Shelterbelts #Contracts / #Acres		General CRP #Contracts / #Acres		Other-Wetlands, living snow fence #Contracts / #Acres		CCRP Farmed Wetland Pilot #Contracts / #Acres	
MARTIN																				
January	8	5	1	1.6			1	1.6												
February	22	10	4	14.3	4	14.3														
March	76	22	2	4.2	1	2							1	2.2						
April	18	32	0	0																
May	20.5	29	1	3.3															1	3.3
June	19	17	3	11.5	1	0.5													2	11
July	40.5	0	2	6.2	2	6.2														
August	40	10	4	312.8	4	167.5									145.3					
September	47	495	2	8	1	4													1	4
October	19	10	2	19.4	2	19.4														
November																				
December																				
TOTAL	310	630	21	381.3	15	213.9	1	1.6	0	0	0	0	1	2.2	0	145.3	0	0	4	18.3

MOWER																				
January																				
February	39	4	4	49.5							1	1.3	1	0.8			2	47.4		
March	146.5	167	0	0																
April	136	64	0	0																
May	129	28	13	135.4	5	57.6	4	4.9	0	0	2	1.8	2	2.7			1	0.5	2	67.9
June	142	13	26	257.4	11	124.9	1	4.9			2	3.5	5	8			3	4.2	4	111.9
July	142	14	8	85.5	3	37.7											4	7.8	1	40
August	30	5	4	13.9			1	10.7									3	3.2		
September	36	2	4	10.2	3	5.6							1	1.8			2	2.8		
October																				
November																				
December																				
TOTAL	800.5	297	59	551.9	22	225.8	6	20.5	0	0	5	6.6	9	13.3	0	0	15	65.9	7	219.8

PIPESTONE																				
January																				
February																				
March																				
April																				
May	64	3	0	0																
June	160	81	0	0																
July	160	85	0	0																
August	160	90	5	22.96	2	14					1	1	1	5.96					1	2
September	160	52	5	19.02	4	17.02							1	2						
October	150	70	33	206.12	16	147.22					1	1.2	12	26.2			5	14	1	17.5
November																				
December																				
TOTAL	854	381	43	248.1	22	178.24	0	0	0	0	2	2.2	14	34.16	0	0	5	14	2	19.5

COUNTY/MONTH	Hours	# Farmer Contacts	Total Enrolled #Contracts / #Acres		Filterstrips #Contracts / #Acres		Riparian Buffers #Contracts / #Acres		Field Borders & Contour Buffer #Contracts / #Acres		Field Wind Breaks #Contracts / #Acres		Shelterbelts #Contracts / #Acres		General CRP #Contracts / #Acres		Other-Wetlands, living snow fence #Contracts / #Acres		CCRP Farmed Wetland Pilot #Contracts / #Acres	
POPE																				
January	113.5	23	11	67.9	3	17.7	5	33	2	13.9							1	3.3		
February	148.3	97	17	285.8	5	138.5	5	36.4	3	22.8			1	1			1	22.2	2	64.9
March	180	69	20	164.1	5	30.1	10	121.4	3	8.4									2	4.2
April	140	41	11	96.1	2	11.4	4	29.9	3	10.9							1	4.9	1	39
May	184.5	78	22	185.9	5	65.2	7	59.7	6	21.4			1	1					3	38.6
June	171.5	120	11	150	3	58.8	5	64.3			2	25.9	1	1						
July																				
August	128	58	7	124	1	9.4	2	68.9			3	24.1			2	11.5			1	10.1
September	168	52	100	2717.42	11	215.8	11	174.2			7	100.6					62	2106.52	7	120.3
October	120	82	8	57.5	3	29.4	1	1.7			1	12.8	1	0.4			1	4	1	9.2
November																				
December																				
TOTAL	1354	620	207	3848.72	38	576.3	50	589.5	17	77.4	13	163.4	4	3.4	2	11.5	66	2140.92	17	286.3

REDWOOD																				
January																				
February																				
March																				
April																				
May	60	25	25	715.2	12	55.2											13	660		
June	60	45	6	16.8	4	14.4					1	1	1	1.4						
July	34	36	0	0																
August	2	0	8	105											8	105				
September	2	4	13	184.9	2	8.9											11	176		
October																				
November																				
December																				
TOTAL	158	110	52	1021.9	18	78.5	0	0	0	0	1	1	1	1.4	8	105	24	836	0	0

RENNVILLE																				
January	176	93	12	59.5	12	59.5														
February	140	62	8	56.5	8	56.5														
March	200	89	9	185.4	6	77.8							1	3					3	104.6
April	179	114	1	0.4							1	0.4								
May	167	119	0	0																
June	147	94	2	65													1	32.2	1	32.8
July	184	121	7	48.5	3	22.3							1	1.6			1	9	2	15.6
August	92	73	5	45.9	1	3.3													4	42.6
September	70	63	4	347.1	1	5.2									18	302.8	1	4.1	2	35
October	68	114	7	88.1	2	14.9					1	0.7					1	26.5	3	46
November																				
December																				
TOTAL	1423	942	55	896.4	33	239.5	0	0	0	0	2	1.1	2	4.6	18	302.8	4	71.8	15	276.6

COUNTY/MONTH	Hours	# Farmer Contacts	Total Enrolled #Contracts / #Acres		Filterstrips #Contracts / #Acres		Riparian Buffers #Contracts / #Acres		Field Borders & Contour Buffer #Contracts / #Acres		Field Wind Breaks #Contracts / #Acres		Shelterbelts #Contracts / #Acres		General CRP #Contracts / #Acres		Other-Wetlands, living snow fence #Contracts / #Acres		CCRP Farmed Pilot	Wetland #Contracts / #Acres
ROCK																				
January	126	113	5	40.2	2	31.8	1	4.8					1	0.4			1	3.2		
February	115	84	5	27.4	2	5.5	2	21.2					1	0.7						
March	119	52	1	23.2	1	23.2														
April	127.5	18	0	0																
May																				
June			12	63.1	3	22.6	1	3.5			1	2.6	1	1			6	33.4		
July	36		3	5.2	1	1.6											2	3.6		
August	79		3	32.3											3	32.3				
September	40		2	5.6	1	4.7							1	0.9						
October			15	130.3	3	50.9							2	3			10	76.4		
November																				
December																				
TOTAL	642.5	267	46	327.3	13	140.3	4	29.5	0	0	1	2.6	6	6	3	32.3	19	116.6	0	0

SIBLEY/MCLEOD

January		2	1	24.6													1	24.6	
February		0	0	0															
March		2	0	0															
April	61	18	0	0															
May																			
June	26	10	0	0															
July																			
August																			
September																			
October																			
November																			
December																			
TOTAL	87	32	1	24.6	0	0	0	0	0	0	0	0	0	0	0	0	1	24.6	0

STEARNS

January	169	88	11	71.5	2	31.4	5	17.6			1	1.4					1	7.5	2
February	152.5	128	6	35	3	18.4	1	6.6											13.6
March	125	34	4	32.4	1	8.4	1	9.3			1	0.7						2	10
April	150	61	14	131.7	6	59.7	2	14.3	1	1.2			2	2.9				1	14
May																		3	53.6
June	0	0	2	11.1	2	11.1													
July	93	0	3	44.3	1	15.6	2	28.7											
August																			
September																			
October																			
November																			
December																			
TOTAL	689.5	311	40	326	15	144.6	11	76.5	1	1.2	2	2.1	2	2.9	0	0	1	7.5	8

COUNTY/MONTH	Hours	# Farmer Contacts	Total Enrolled #Contracts / #Acres	Filterstrips #Contracts / #Acres	Riparian Buffers #Contracts / #Acres	Field Borders & Contour Buffer #Contracts / #Acres	Field Wind Breaks #Contracts / #Acres	Shelterbelts #Contracts / #Acres	General CRP #Contracts / #Acres	Other-Wetlands, living snow fence #Contracts / #Acres	CCRP Farmed Wetland Pilot #Contracts / #Acres								
STEELE/RICE																			
January																			
February																			
March	60.5	8	0	0															
April	88.5	60	0	0															
May	25	28	2	37.1						2	37.1								
June	0	0	37	627.9	5	20.6					32	607.3							
July	41.5	9	1	35.9						1	35.9								
August	38	15	4	75.6					4	75.6									
September	66.5	15	16	816.2	3	19.8				2	465.3	11	331.1						
October																			
November																			
December																			
TOTAL	320	135	60	1592.7	8	40.4	0	0	0	0	0	0	0	4	75.6	5	538.3	43	938.4

STEVENS																				
January																				
February																				
March																				
April																				
May																				
June	43	11	0	0																
July	78	51	1	2.4	1	2.4														
August	75	32	5	156.2						1	5						4	151.2		
September	86	35	19	400.9	8	111				2	10.5	4	37.7				4	219.3	1	22.4
October	77	48	7	31.9	5	28.9				2	3									
November																				
December																				
TOTAL	359	177	32	591.4	14	142.3	0	0	0	0	5	18.5	4	37.7	0	0	8	370.5	1	22.4

SWIFT																				
January																				
February																				
March																				
April																				
May																				
June	29	19	0	0																
July	103	53	0	0																
August	103	53	22	604.2											22	604.2				
September	53	33	16	167.6	11	128.4					1	2	1	4.2					3	33
October																				
November																				
December																				
TOTAL	288	158	38	771.8	11	128.4	0	0	0	0	1	2	1	4.2	22	604.2	0	0	3	33

COUNTY/MONTH	Hours	# Farmer Contacts	Total Enrolled #Contracts / #Acres	Filterstrips #Contracts / #Acres	Riparian Buffers #Contracts / #Acres	Field Borders & Contour Buffer #Contracts / #Acres	Field Wind Breaks #Contracts / #Acres	Shelterbelts #Contracts / #Acres	General CRP #Contracts / #Acres	Other-Wetlands, living snow fence #Contracts / #Acres	CCRP Farmed Wetland Pilot #Contracts / #Acres									
TRAVERSE																				
January	30	7	2	3.3	1	0.7	1	2.6												
February	35	11	8	77.8	5	31.9			1	6.1	1	2.1				1	37.7			
March	0	0	4	73	2	48.8										1	18.9	1	5.3	
April	12.5	21	0	0																
May	15.5	1	0	0																
June	62.5	21	1	21.1	1	21.1														
July	76.25	48	7	94.8	4	43.8										3	51			
August	55	23	4	43.1	4	43.1														
September	132	60	3	46	2	18.6										1	27.4			
October																				
November																				
December																				
TOTAL	418.8	192	29	359.1	19	208	1	2.6	0	0	1	6.1	1	2.1	0	0	5	97.3	2	43

WASECA																				
January																				
February																				
March	19.5	8	2	186													2	186		
April																				
May	1	2	0	0																
June	1	1	1	13									1	13						
July																				
August																				
September																				
October																				
November																				
December																				
TOTAL	21.5	11	3	199	0	0	0	0	0	0	0	0	1	13	0	0	2	186	0	0

WATTONWAN																				
January				0																
February				0																
March				0																
April				0																
May				0																
June				0																
July				0																
August				0																
September				0																
October				0																
November				0																
December				0																
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

COUNTY/MONTH	Hours	# Farmer Contacts	Total Enrolled #Contracts / #Acres	Filterstrips #Contracts / #Acres	Riparian Buffers #Contracts / #Acres	Field Borders & Contour Buffer #Contracts / #Acres	Field Wind Breaks #Contracts / #Acres	Shelterbelts #Contracts / #Acres	General CRP #Contracts / #Acres	Other-Wetlands, living snow fence #Contracts / #Acres	CCRP Farmed Pilot	Wetland #Contracts / #Acres								
WILKEN																				
January	99	38	2	2.6				2	2.6											
February	160	89	0	0																
March	160	62	5	42.1	2	23	1	11.2												
April	179.5	67	9	79.9	2	20.3		2	7.9											
May	100	41	5	58.9	1	4.4		2	4.8											
June	100	56	14	116	12	101				3	45.7									
July	168	101	0	0						2	49.7									
August	128	61	35	1912.7	1	9.9				2	15									
September	137	80	6	35.6	6	35.6			34	920.8	4	982								
October	163.5	101	1	10.3	1	10.3														
November																				
December																				
TOTAL	1395	696	77	2258.1	25	204.5	1	11.2	0	0	6	23.8	4	5.4	34	920.8	11	1092.4	0	0
YELLOW MEDICINE																				
January	5	5	0	0																
February	138.5	60	2	6.2	1	4.5			1	1.7										
March	150	40	2	2.4	2	2.4														
April	180.5	19	4	53.9	3	52.8		1	1.1											
May	166.3	13	4	11.9	2	7			1	3.1	1	1.8								
June	145.8	27	2	5.2	2	5.2														
July	174.5	10	1	43.3			1	43.3												
August	0	8	2	36.8	2	36.8														
September	190	29	35	655.8	9	52.8			22	597.4	1	3.5	1	2.1						
October	163	49	3	22.8	2	14.8					2	8								
November																				
December																				
TOTAL	1314	260	55	838.3	23	176.3	1	43.3	0	0	1	1.1	2	4.8	22	597.4	2	5.3	3	10.1

BROWN'S CREEK PROTECTION INITIATIVE

BACKGROUND

The Brown's Creek Protection Initiative is an environmental project within the City of Stillwater to preserve and protect Brown's Creek, one of the few remaining trout streams in the Twin Cities Metropolitan Area. Brown's Creek is located in the northern part of Stillwater in primarily a residential area. The neighborhood remains rural in character with no city services (sanitary sewer, watermain, storm sewer,). All existing homes have septic systems, and are served by wells for their water source. Storm water runoff and sewage from the septic systems flow into Brown's Creek posing environmental concerns to Brown's Creek.

ISSUE

The City is proposing to construct a project that would treat, control, and divert storm runoff and sewage away from Brown's Creek. This project has a cost estimate of \$2.1 million. The 2003 legislature has appropriated \$1.3 million to BWSR for this project. The City will provide the balance of project costs.

RECOMMENDATION

The City of Stillwater has submitted to BWSR a budget and workplan for this project, which has been approved by BWSR staff. The Administrative Advisory Committee recommends the approval of this allocation.



Phil
RECEIVED
SEP 08 2003
Bd. of Water & Soil Resources
St. Paul

September 2, 2003

Phil Beliori
Board of Water and Soil Resources
One West Water St, Ste 200
St. Paul, MN 55107

Subject: Stillwater Brown's Creek Protection Initiative - Request for Disbursement of Funds

Dear Phil:

As you are aware the State Legislature awarded a \$1.3 million grant to the City of Stillwater to complete the Brown's Creek Protection Initiative. The City of Stillwater is undertaking a project known as the North Hill Project that will incorporate various improvements that will directly and indirectly protect and enhance Brown's Creek. On August 5, 2003, the City of Stillwater held a public hearing on this project. After hearing testimony the City Council passed a resolution, Resolution No. 2003-17 Ordering Improvement and Preparation of Plans & Specifications for the North Hill Project (Project 2000-15). Based on this direction city staff has begun an ambitious program completing the plans and specifications with the intent of installing some of the improvements prior to the end of the year.

The cost of this project has been estimated at \$6,400,000.00, as shown in the attached feasibility report and amended feasibility report. The following table describes portions of the project that will directly or indirectly protect and enhance Brown's Creek. The table also shows the estimated costs of the portion of the proposed improvements that will benefit Brown's Creek.

Portion of Improvement
Protecting Brown's Creek

Sanitary Sewer - The project will install sanitary sewer to 130 homes that currently have aged and failing septic systems. Some of these septic systems are suspected of leaching towards the creek.	\$400,000
Water Main - Water main will be installed thru the entire neighborhood eliminating the need for wells. It's suspected that wells along the bluff line are tapping into groundwater sources that supply the creek with cold spring water	\$400,000
Storm Sewer - The project involves a significant storm water system. A large portion of which will divert water away from Brown's Creek into ponding and detention systems that discharge to the river.	\$800,000

Grading Work and Street Improvements - This work will include repairing some of eroded bluff lines and installation of curb that will redirect water from the bluff line.	\$500,000
TOTAL:	\$2,100,000

As shown in this chart the North Hill will include construction that benefits the creek in excess of \$2,000,000. The state grant was an important component to get the project to proceed. The City of Stillwater intends to pursue the project aggressively. In order to do so we request that the State release funds according to the following schedule.

PROJECT SCHEDULE

Date	Description	Estimated Expense	Requested Grant Disbursement
Aug 03	City begins design of 1 st phase of the project	\$400,000	\$250,000
Dec 03	City awards 1 st phase of project	\$900,000	\$400,000
April 04	City completes design on phase 2 and Phase 3 of the project and awards contract	\$4,800,000	\$400,000
Nov 04	City substantially completes Phase 2 and Phase 3 improvements	\$300,000	\$250,000

Under this funding proposal the State will issue four disbursements throughout the course of the project. The initial disbursement would be made immediately to assist the City in completing the engineering and initial project planning process. The final disbursement would not be released until the project is substantially complete. Hopefully this memorandum along with the attachments will provide you with enough information to review and approve the proposed disbursement schedule. If you have any questions or wish to discuss this issue further please feel free to give me a call.

Sincerely,



Klayton Eckles, P.E.
Director of Public Works

Sale of Wetland Credits to Public Transportation Authorities

Minnesota Board of Water and Soil Resources

December 17, 2003 (Board Action 03-___)

I. Background

Minnesota Statutes 103G.222, Subd. 1(k), as amended in 2003, provides for the sale of wetland credits to public transportation authorities:

(k) For projects involving draining or filling of wetlands associated with a new public transportation project and for projects expanded solely for additional traffic capacity, public transportation authorities may purchase credits from the board at the cost to the board to establish credits.

This document establishes the cost of establishing the credits, and accordingly, the sales price to be charged to public transportation agencies. These sale prices will be updated annually by the Board to reflect actual costs.

II. Cost of Credits/Sales Price for CY 2004

The cost to establish wetland credits and thus the sale price for public transportation authorities that purchase the credits are as follows:

Location	Sales Price (BWSR's cost to establish)
7-County Metropolitan Area (Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington Counties)	\$8,992/acre
Outside of the 7-county metro area but within a major watershed that is wholly or partially in the Metro Area (see Figure 1.)	\$4,930/acre
Areas of the state other than those listed above	\$2,877/acre

The cost/sales figures above represent the average cost incurred by BWSR to establish or purchase credits at a number of wetland bank sites in each of the identified regions.

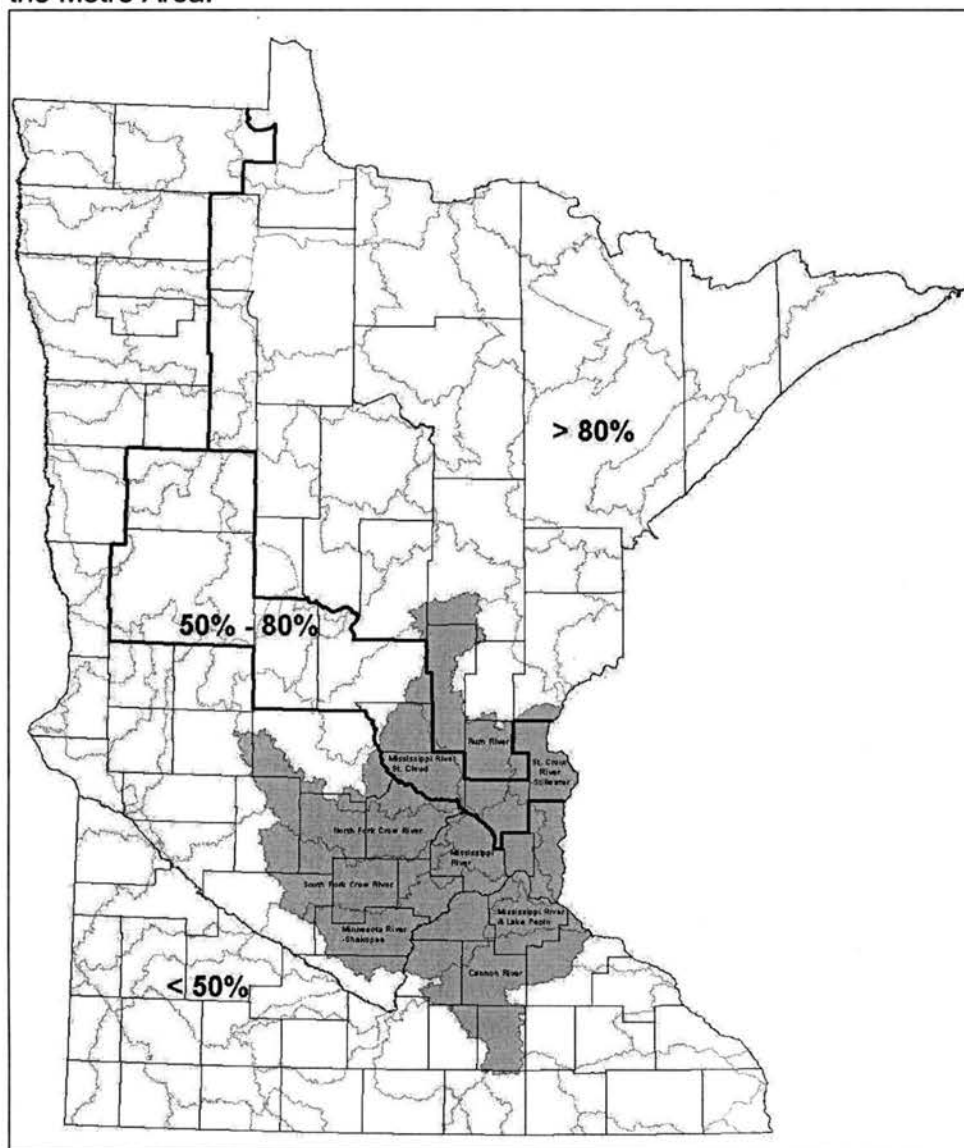
III. Purchasing Credits.

When purchasing credits for qualifying wetland impacts, the sales price charged to public transportation authorities will be based on the location of the wetland impact. For projects that have impacts in more than one of the three regions shown in Part II, the sales price will be based on the amount of wetland impact occurring in each region.

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To purchase credits, public transportation authorities should contact the BWSR Wetland Bank Administrator (651-297-4958) for information on available credits. The location and number of credits (acres or square feet) to be purchased must be identified on a "Minnesota Wetland Conservation Act Application for Withdrawal of Wetland Credits from the Minnesota Wetland Bank," (available at <http://www.bwsr.state.mn.us/wetlands/wcamanual/index.html>) which must be included with the wetland replacement plan application prepared by the public transportation authority. Once the "Application for Withdrawal of Credits" has been signed by the appropriate regulatory authorities (box 7), the form should be submitted by the public transportation authority to the BWSR Wetland Bank Administrator along with a check (payable to BWSR) for the amount due. BWSR will then deduct the appropriate credits from the bank and provide confirmation to the public transportation authority and the appropriate regulatory authorities.

Figure 1. Shaded areas are major watersheds wholly or partially in the Metro Area.



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Policy on Wetland Banking Fees

Minnesota Board of Water and Soil Resources

December 17, 2003

(Board Action 03-____)

I. Background

Minnesota Statutes 103G.2242, Subds. 14 and 15 require the Board of Water and Soil Resources to collect fees for administering the state wetland banking program:

*Subd. 14. **Fees Established.** Fees must be assessed for managing wetland bank accounts and transactions as follows:*

(1) account maintenance annual fee: one percent of the value of credits not to exceed \$500;

(2) account establishment, deposit, or transfer: 6.5 percent of the value of credits not to exceed \$1,000 per establishment, deposit, or transfer; and

(3) withdrawal fee: 6.5 percent of the value of credits withdrawn.

*Subd. 15. **Fees Paid To Board.** All fees established in subdivision 14 must be paid to the board of water and soil resources and credited to the general fund to be used for the purpose of administration of the wetland bank.*

The fee structure and procedures described in Part II will be implemented beginning January 1, 2004 and are subject to annual evaluation and possible change.

II. Definitions (from M.R. Chap. 8420.0110)

A. Account or wetland bank account. "Account" or "wetland bank account" means a record of wetland banking debits and credits established by an account holder within the state wetland banking system.

B. Account holder. "Account holder," in the state wetland banking system, is a person, corporation, government agency, or organization that is the owner of credits.

C. Wetland banking credits. "Wetland banking credits" means acres or parts of acres of restored or created wetland or adjacent upland buffer described by type and topographic setting, or areas as described in parts 8420.0540 and 8420.0541, that have been approved for deposit in the wetland bank.

III. Fee Structure and Procedures

A. Account Establishment and Deposit Fees. Account establishment and deposit fees will be assessed at 6.5% of the value of the credits

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deposited, not to exceed \$1,000. The value of the credits will be determined according to Part III.E.1. The account establishment fee will be collected at the time of initial deposit of wetland credits into the bank for the subject account¹. The establishment and deposit fees are limited to \$1,000 for each account, i.e., credits deposited into an account after the initial establishment (for instance, if the Technical Evaluation Panel did not certify all of the credits at one time) will be assessed a 6.5% deposit fee until the \$1,000 limit is reached. Subsequent deposits into the same account will not be assessed deposit fees unless the restrictive easement for the bank site has to be revised to reflect the additional credits. In that case, deposit fees will be assessed at 6.5% of the value of the credits deposited, not to exceed \$1,000. (To avoid these additional fees, banking applicants are encouraged to draft the original restrictive easement to cover all anticipated deposits.)

When the "Application to Deposit Wetland Bank Credits" form has been approved by the appropriate Local Government Unit (LGU), the applicant should submit the form, along with a check (payable to BWSR) for the amount due to the BWSR Wetland Bank Administrator. Applicants may contact the BWSR Wetland Bank Administrator to verify the amount due. Wetland credits deposited into a wetland bank account cannot be used for replacement purposes until the establishment/deposit fees have been paid.

Accounts for which the Wetland Banking Plan Application has received approval by the Local Government Unit after August 1, 2000 and prior to January 1, 2004 are exempt from account establishment fees. However, subsequent deposits after January 1, 2004 will be assessed deposit fees as described above.

- B. Account Maintenance Fee.** Account maintenance fees will be assessed annually at 1% of the value of the credits in each account, not to exceed \$500. The value of the credits will be determined according to Part III.E.1. Account maintenance fees will be assessed at the time of the first transaction (withdrawal, transfer or deposit) of each year and will be based on the credits in the account at that time. If there are no transactions in an account for the year, then no maintenance fees will be assessed for that year. No transactions will be processed until the current year's maintenance fees have been paid.
- C. Account Transfer Fee.** Account transfer fees will be assessed at 6.5% of the value of the credits transferred, not to exceed \$1,000. The value

¹ The exception to this is if the credits are deposited in a new account by transfer from an existing account. In that case, account transfer fees (see Part III.C) will be assessed.

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of the credits will be determined according to Part III.E.1 or Part III.E.2. Transfer fees are assessed when credits are transferred by any means (e.g., sale, gift, donation, exchange) from one account holder to a new owner, but not used for replacement purposes². To transfer credits, an "Application to Transfer" form, along with a check (payable to BWSR) for the applicable transfer fee should be submitted to the BWSR Wetland Bank Administrator. The Wetland Bank Administrator may be contacted to verify the amount of the transfer fee. BWSR will not transfer the credits until the fee is paid.

- D. Withdrawal Fee.** Withdrawal fees are incurred when credits are withdrawn for the purposes of wetland replacement and will be assessed at 6.5% of the value of the credits withdrawn. The value of the credits will be determined according to Part III.E.1 or Part III.E.2. The applicable withdrawal fee should be submitted to the BWSR Wetland Bank Administrator along with the "Application for Withdrawal of Wetland Credits" form that has been approved by the appropriate regulatory authority(ies). Withdrawal fees will not be charged in cases where the "Application for Withdrawal of Wetland Credits" is received after January 1, 2004 and for which a purchase agreement was signed during calendar year 2003. Credits will not be withdrawn from the bank until the applicable withdrawal fees have been paid. After receiving payment, BWSR will deduct the appropriate credits from the subject account and notify the account holder, the user of the credits and the approving regulatory authority(ies).
- E. Value of Credits.** The value of wetland credits for the purpose of assessing fees will be determined as follows:

² In cases of account transfers, the new account holder will not be charged account establishment or deposit fees.

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1. Credit Value (\$/acre) = Avg. agricultural land value (\$/acre) in the county where the bank is located (from Dept. Revenue – see Table 1 for 2003 values) x Wetland Credit Value Coefficient (currently 7.0).

The Wetland Credit Value Coefficient reflects the value added to the land by the wetland credits. It is determined by BWSR based on the average ratio of credit sale price to county land value for credits that BWSR has purchased from existing bank accounts statewide. The current coefficient of 7.0 is based on 32 separate credit sales from 1999 – 2000. This coefficient will be updated annually by BWSR Board Policy to reflect recent wetland credit market values. For the purposes of the formula above, the most recent agricultural land values available from the Minnesota Department of Revenue will be used.

2. For determining withdrawal or transfer fees, account holders may present other evidence to BWSR demonstrating the value of credits, such as actual sales values. When using actual sales data to determine credit values, account holders will be required to submit to BWSR actual bills of sale as documentation.

Table 1. Average agricultural land values for Minnesota counties for 2003 (from Minn. Dept. Revenue)

COUNTY	AVG \$/ACRE TILLABLE
AITKIN	\$542.53
ANOKA	\$2,917.14
BECKER	\$694.61
BELTRAMI	\$342.03
BENTON	\$1,449.43
BIG STONE	\$904.39
BLUE EARTH	\$2,248.75
BROWN	\$2,062.30
CARLTON	\$553.98
CARVER	\$2,272.57
CASS	\$762.94
CHIPPEWA	\$1,421.41
CHISAGO	\$1,586.46
CLAY	\$853.20
CLEARWATER	\$403.02
COOK	\$1,154.67

COTTONWOOD	\$1,672.88
CROW WING	\$1,052.26
DAKOTA	\$2,070.77
DODGE	\$2,059.35
DOUGLAS	\$1,016.84
FARIBAULT	\$1,952.24
FILLMORE	\$1,659.84
FREEBORN	\$1,835.25
GOODHUE	\$1,983.58
GRANT	\$1,033.89
HENNEPIN	\$4,002.21
HOUSTON	\$1,484.00
HUBBARD	\$1,027.51
ISANTI	\$1,319.30
ITASCA	\$366.12
JACKSON	\$1,806.27
KANABEC	\$957.55
KANDIYOHI	\$1,422.36
KITSON	\$446.82
KOOCHICHING	\$475.86
LAC QUI PARLE	\$1,057.49
LAKE	\$735.06
LAKE/WOODS	\$260.54
LE SUEUR	\$2,292.13

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LINCOLN	\$893.34	RENVILLE	\$1,828.18
LYON	\$1,453.95	RICE	\$2,601.63
McLEOD	\$1,860.42	ROCK	\$1,876.42
MAHNOMEN	\$528.47	ROSEAU	\$294.40
MARSHALL	\$450.60	ST. LOUIS	\$390.50
MARTIN	\$2,175.25	SCOTT	\$3,566.71
MEEKER	\$1,437.35	SHERBURNE	\$1,185.11
MILLE LACS	\$952.87	SIBLEY	\$1,977.26
MORRISON	\$1,078.12	STEARNS	\$1,257.80
MOWER	\$1,995.15	STEELE	\$1,992.70
MURRAY	\$1,512.93	STEVENS	\$1,117.95
NICOLLET	\$2,510.33	SWIFT	\$1,158.76
NOBLES	\$1,728.17	TODD	\$735.14
NORMAN	\$663.40	TRAVERSE	\$1,151.25
OLMSTED	\$1,821.06	WABASHA	\$1,639.46
OTTER TAIL	\$745.86	WADENA	\$701.55
PENNINGTON	\$306.64	WASECA	\$2,202.83
PINE	\$1,075.50	WASHINGTON	\$4,002.21
PIPESTONE	\$1,395.05	WATONWAN	\$1,797.90
POLK	\$697.20	WILKIN	\$1,036.09
POPE	\$986.24	WINONA	\$1,751.68
RAMSEY	\$4,002.21	WRIGHT	\$1,768.53
RED LAKE	\$345.25	YELLOW MEDICINE	\$1,276.79
REDWOOD	\$1,718.60		

MnRAM ver. 3 - Summary

December 17, 2003 (Board Action 03-___)

BWSR led an interagency group to develop a new version of a tool to help assess a wetland's contribution to the diversity and integrity of Minnesota's natural resources. It is available to local governments, consultants, and others with a role in implementing the Wetland Conservation Act and other wetland management programs.

The Minnesota Routine Assessment Method (MnRAM) is a standard procedure for evaluating wetland functions and values. MnRAM is considered a common lens through which the functions and inherent values of wetlands (and potential wetlands established via restoration or creation) can be accurately and fairly judged.

The upgraded version of MnRAM includes a series of questions programmed into a database for a quick picture of overall wetland ecologic health, vulnerability, and social value. The database format allows each local authority to sort wetlands based on the functions deemed most desirable for a given project. By popular demand, it is also being made available as an Excel worksheet. Once a wetland inventory has been completed, reference standards can be identified and individual wetlands ranked based on a local scale for land use planning.

Changes from Version 2.0 include scientifically referenced parameters, numeric ranking, clear direction on office-versus-field questions, less reliance on personal judgment and reference-based subjectivity, integrated GIS capability, comprehensive data management, added amphibian function evaluation, improved landscape-level evaluation (including buffer, upland soils, and upland land use), and less emphasis on groundwater assessment. Every question was re-evaluated in light of recent scientific knowledge as well as practicality for regulatory or planning purposes.

A series of sessions this past summer trained over 150 people across the state on use of the new method (many people had to be turned away because the sessions filled over capacity, thus additional sessions will be held in 2004). MnRAM has also been well-received in presentations at both local and national conferences. The workgroup has made modifications based on suggestions from participants at these events and we expect that the method will evolve over the years to incorporate future scientific and technical advances.

A policy-implementation procedure ("management classification") is intended as a companion document to be used in conjunction with MnRAM. This will help local planners interpret and use the MnRAM rating information, making adjustments for local goals. This will be more fully developed in the coming year (2004). Together with the potential to collect data statewide, these tools make the evaluation work done today valuable for evaluating landscape and water quality relationships now and into the future.

All available material relating to MnRAM is posted on the BWSR website at:
<http://www.bwsr.state.mn.us/wetlands/mnram/index.html>

The Workgroup suggests that the BWSR Board consider approving "use of the current version of MnRAM," so that future minor upgrades (to version 3.1, etc.) will not need to be approved separately.

NEW BUSINESS

Rules for Appeals of Watershed District Rules and Permit Decisions – DECISION, Jim Haertel

2003 legislation (attached) required the board to adopt rules governing appeals to BWSR of watershed district permit decisions and rules. The legislation required the board to adopt exempt rules by January 1, 2005 and permanent rules within two years thereafter. Minnesota Statutes Section 103D.537 was also amended to allow public transportation authorities the ability to appeal watershed district permit decisions to the board. Further revisions to section 103D.537 gave public transportation authorities the option to request an expedited appeal process in appeals to the board of watershed district permit decisions.

A stakeholder group consisting of representatives from AMC, MNDOT, the Minnesota County Engineers Association, MAWD, and some watershed districts convened two times to review and comment on the draft rules. The draft rules were also forwarded for comment to the Governor's Office and to the senate and house environment and natural resources and transportation policy committees. Consensus was achieved on all aspects of the draft rules except the very last item dealing with expedited appeals in Chapter 8415.0120, Subpart 4, item D. The stakeholders all agreed it was the intent of the legislation to require BWSR to both hold a hearing and make a decision within 30 days of the expedited appeal being filed. However, the legislation language only required the hearing for expedited appeals to be held within 30 days of filing. The BWSR Administrative Advisory Committee recommended the rules be drafted to hold a hearing on expedited appeals within 30 days of filing and then have the board make a decision within 30 days of the hearing. Of particular concern to the committee was the possible need for special board meetings and the possible hearing of appeals by the full board instead of the dispute resolution committee conducting the hearing and then bringing the appeal to the full board for a decision.

The Administrative Advisory Committee and staff recommend adoption of the attached exempt rules relating to watershed district appeals.

2003 Session Law Chapter 128

Sec. 110. Minnesota Statutes 2002, section 103D.537, is amended to read:

103D.537 [APPEALS OF RULES, PERMIT DECISIONS, AND ORDERS NOT INVOLVING PROJECTS.]

(a) Except as provided in section 103D.535, an interested party may appeal a permit decision or order made by the managers by a declaratory judgment action brought under chapter 555. An interested party may appeal a rule made by the managers by a declaratory judgment action brought under chapter 555 or by appeal to the board. The decision on appeal must be based on the record made in the proceeding before the managers. An appeal of a permit decision or order must be filed within 30 days of the managers' decision.

(b) In addition to the authorities identified in paragraph (a), a public transportation authority may appeal a watershed district permit decision to the board. The board shall, upon request of the public transportation authority, conduct an expedited appeal hearing within 30 days or less from the date of the appeal being accepted.

(c) By January 1, 1997 2005, the board shall adopt rules governing appeals to the board under paragraph paragraphs (a) and (b). A decision of the board on appeal is subject to judicial review under sections 14.63 to 14.69. The rules authorized in this paragraph are exempt from the rulemaking provisions of chapter 14 except that section 14.386 applies and the proposed rules must be submitted to the members of senate and house environment and natural resource and transportation policy committees at least 30 days prior to being published in the State Register. The amended rules are effective for two years from the date of publication of the rules in the State Register unless they are superseded by permanent rules.

1.1 Board of Water and Soil Resources
1.2 Adopted Exempt Rules Relating to Watershed District Appeals
1.3 8415.0100 PURPOSE.
1.4 The rules of procedure in parts 8415.0100 to 8415.0120
1.5 govern appeals to the board pursuant to Minnesota Statutes,
1.6 section 103D.537.
1.7 8415.0110 DEFINITIONS.
1.8 Subpart 1. Scope. The terms used in this chapter have the
1.9 meanings given them in this part.
1.10 Subp. 2. Board. "Board" means the Minnesota Board of
1.11 Water and Soil Resources.
1.12 Subp. 3. Day. "Day" means a calendar day unless specified
1.13 otherwise. The day of the event must not be used in counting
1.14 any time period.
1.15 Subp. 4. Dispute resolution committee. "Dispute
1.16 resolution committee" means the committee of the board
1.17 established pursuant to Minnesota Statutes, section 103B.101,
1.18 subdivision 10.
1.19 Subp. 5. Executive director. "Executive director" means
1.20 the executive director of the Minnesota Board of Water and Soil
1.21 Resources.
1.22 Subp. 6. Person. "Person" means an individual,
1.23 partnership, joint venture, private or public corporation,
1.24 association, firm, public service company, cooperative,
1.25 political subdivision, municipal corporation, government agency,
1.26 public utility district, or any other entity, public or private,
2.1 however organized.
2.2 Subp. 7. Public transportation authority. "Public
2.3 transportation authority" means a state, county, city, or
2.4 township road authority.
2.5 8415.0120 APPEALS.
2.6 Subpart 1. Appeal of rules.
2.7 A. An interested person may appeal a rule made by the
2.8 managers of a watershed district by filing a petition with the
2.9 board.
2.10 B. An appeal is effective upon submittal of the
2.11 petition to the executive director with evidence that a copy of
2.12 the petition has been served upon the watershed district.
2.13 C. An appeal filed under this subpart must follow the
2.14 procedures in subpart 3.
2.15 Subp. 2. Appeal of permit decisions.
2.16 A. A public transportation authority may appeal a
2.17 final permit decision of a watershed district issued to it by
2.18 filing a petition with the board. The appeal must be filed
2.19 within 30 days of the decision by the watershed district
2.20 managers pursuant to Minnesota Statutes, section 103D.537. The
2.21 watershed district must notify the public transportation
2.22 authority promptly of its permit decision.
2.23 B. An appeal is effective upon submittal of the
2.24 petition to the executive director with evidence that a copy of
2.25 the petition has been served upon the watershed district.
2.26 C. An appeal filed under this subpart must follow the
2.27 procedures in subpart 3 unless the public transportation
3.1 authority makes a request in the petition for an expedited
3.2 appeal hearing. The procedures in subpart 4 must be followed if
3.3 an expedited appeal hearing is requested in the petition.
3.4 Subp. 3. Board appeal procedures.
3.5 A. Within 30 days after receiving the petition with
3.6 evidence that the watershed district has been served with a copy
3.7 of the petition, the board or its dispute resolution committee
3.8 or executive director shall decide whether to grant the petition
3.9 and hear the appeal. The board or its executive director shall
3.10 grant the petition unless the appeal is deemed meritless,

3.11 trivial, untimely, or brought solely for the purposes of delay;
3.12 or that the petitioner has not exhausted all local
3.13 administrative remedies.

3.14 B. The board or its executive director may remand the
3.15 appealed decision back to the watershed district if the
3.16 petitioner has not exhausted all local administrative remedies
3.17 such as a public hearing or if the watershed district's record
3.18 is not adequate. If an appeal is remanded, the watershed
3.19 district must make a decision within 60 days unless the remand
3.20 order, or a subsequent order, specifies a longer period.

3.21 C. After granting the petition, the appeal must be
3.22 heard by the dispute resolution committee and decided by the
3.23 board within 60 days after the filing of the watershed
3.24 district's record, submittal of the written briefs for the
3.25 appeal, and the hearing by the dispute resolution committee.
3.26 Parties to the appeal are the appellant and the watershed
3.27 district. For appeals of rules, interveners are allowed. For
4.1 appeals of permit decisions, interveners are not allowed unless
4.2 they have been granted intervenor status by the watershed
4.3 district prior to the final permit decision.

4.4 D. Upon appeal, the watershed district shall forward
4.5 to the board the record on which it based its decision within 30
4.6 days of the granting of the petition. The board shall make its
4.7 decision on the appeal after hearing. Thirty days' notice of
4.8 the hearing must be given by the board to the parties. The
4.9 parties may present written and oral argument. When the
4.10 watershed district has made formal findings contemporaneously
4.11 with its decision or there is an accurate verbatim transcript of
4.12 the proceedings and the proceedings were fairly conducted, the
4.13 board shall base its review on the record. Otherwise it may
4.14 remand the matter.

4.15 E. In the case of appeals of watershed district rules
4.16 filed under subpart 1, the board shall affirm the watershed
4.17 district's decision to adopt the rule if there was a rational
4.18 basis to adopt the rule and if no procedural errors prejudicial
4.19 to a party were made.

4.20 F. In the case of appeals of watershed district
4.21 permit decisions filed under subpart 2, the board shall affirm
4.22 the watershed district's decision if the watershed district's
4.23 findings of fact are not clearly erroneous or if substantial
4.24 evidence supports the findings of fact, if the watershed
4.25 district correctly applied the law, watershed district rule and
4.26 the watershed district's board-approved watershed management
4.27 plan to the facts, and if the watershed district made no
5.1 procedural errors prejudicial to a party. Otherwise, the board
5.2 shall reverse the decision, amend it, or remand it with
5.3 instructions for further proceedings.

5.4 Subp. 4. Expedited board appeal procedures.

5.5 A. A public transportation authority that requests an
5.6 expedited appeal hearing via a petition filed with the executive
5.7 director must include a written brief with the petition setting
5.8 forth the items in dispute and the reasons for seeking expedited
5.9 review including the consequences of proceeding under subpart
5.10 3. A copy of the written brief must be provided to the
5.11 watershed district at the same time as the petition as specified
5.12 in subpart 2, item B.

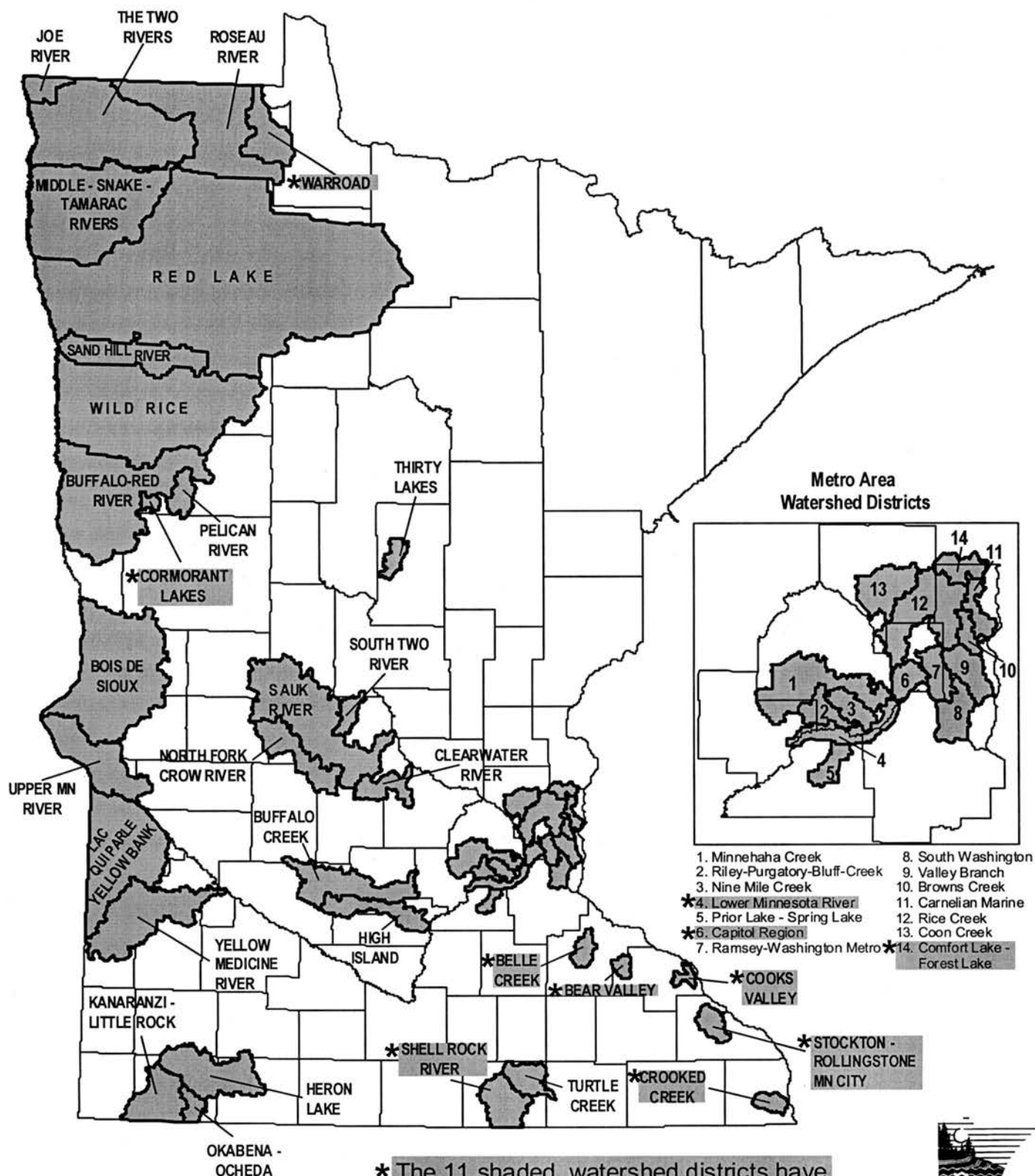
5.13 B. Intervenors are not allowed unless they have been
5.14 granted intervenor status by the watershed district prior to the
5.15 final permit decision.

5.16 C. The watershed district must submit a copy of the
5.17 record as soon as possible and in no case later than in
5.18 conjunction with a written brief to the executive director and
5.19 the public transportation authority at least ten days before the
5.20 hearing. No further written submittals by the parties are
5.21 allowed unless specifically authorized by the board.

- 5.22 D. The board or its dispute resolution committee
5.23 shall hold a hearing within 30 days of receiving the petition.
5.24 The board shall make a decision within 30 days of the hearing
5.25 and apply the standard of review in subpart 3, item F, unless it
5.26 decides there is not sufficient basis to grant the request to
5.27 expedite the appeal in which case subpart 3 would apply. If the
6.1 board must convene a special board meeting to decide the appeal,
6.2 it may assess the costs of the special board meeting to the
6.3 appellant.

Minnesota Association of Watershed Districts

MAWD



* The 11 shaded watershed districts have no rules available.



**State of Minnesota
Department of Finance**

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FOR IMMEDIATE RELEASE
Wednesday December 3, 2003

Contact: John Doan
(651) 297-8778

STATE BUDGET OUTLOOK WEAKENS SLIGHTLY

Saint Paul, MN - Minnesota's general fund budget is now forecast to show a deficit of \$185 million at the end of the 2004-05 biennium according to a report issued today by the state's Department of Finance. Projected biennial revenues have been lowered by \$407 million (1.4 percent), from end-of-session estimates. That reduction to the revenue forecast was partially offset by a decline of \$143 million in projected future expenditures and changes of \$79 million to carry forwards and reserves. Lower income and sales tax forecasts were the source of the decline in projected revenues.

"If this budget forecast were a traffic signal," said Finance Commissioner Dan McElroy, "it would be a flashing yellow light. There is no reason to slam on the brakes, but we do need to proceed with caution. With a biennial budget of over \$28 billion, a \$185 million variance is about half of one percent. That's the closest a November forecast has come to a February forecast in recent history."

The U.S. and Minnesota economies appear to be entering a period of robust growth, but strong economic growth was forecast last February. The November baseline forecast of Global Insight, Minnesota's national economic consultant, calls for real GDP growth of 4.1 and 4.0 percent for FY 2004 and 2005 respectively; growth rates that are nearly the same as those in their February baseline forecast. "Last February no one expected real GDP to grow by 8.2 percent during the third quarter," said state economist Tom Stinson. "That was a pleasant surprise. But more than a little of that activity was borrowed from the future, leaving the longer-term outlook largely unchanged." Stinson also noted that state revenues had yet to reflect the strong economic growth observed nationally during the third quarter.

On a positive note, the Department of Finance announces that the budget reserve will amass \$631 million by the end of the FY 2004-05 biennium. Under current law, any available balance at close of the FY 2002-03 biennium was assigned to the budget reserve.

Projected revenues and other resources for the 2006-07 biennium are \$914 million lower than end-of-session estimates, and expenditures increase by \$6 million. "That's a real concern," commented Commissioner McElroy, "but we still have a projected structural balance of \$46 million for fiscal 2007. We need to continue to be vigilant, plan accordingly and maintain our fiscal discipline."

The complete November Forecast can be found on the Department of Finance's website at www.finance.state.mn.us.

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State of Minnesota - Department of Finance

658 Cedar Street, Suite 400, Saint Paul, MN 55155

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Department of Finance [Contacts](#)

The Minnesota Relay service phone number is 1-800-627-3529.

Upon request, the information on this web site is available in an alternate format.

FOR YOUR INFORMATION

December 17, 2003

- BWSR "Update"
- Memo from Don Smith, Director, Statewide Payroll Services, regarding **IRS Mileage Rate Increase** from 36 cents per mile **to 37.5 cents per mile, effective January 1, 2004**
- Publication "Conservation practices and programs for your farm"
- Article "Randall's pointed words turn heads in agriculture"
- CREP Article by Ron Schara, star Tribune



Board of Water and Soil Resources

UPDATE

A publication of the Minnesota Board of Water and Soil Resources

December 2003

NORTH

Wetlands

Dale assisted the Two Rivers Watershed District in running Minnesota Routine Assessment Method (MnRAM 3.0) for the proposed Ross Impoundment Project in Roseau County. Dale also assisted Itasca SWCD staff in using MnRAM to assess the Enbridge Oil spill in Itasca County where 250,000 gallons of crude oil spilled, impacting 11.2 acres of type 6 and 7 wetlands. This work was in follow-up to completion of MnRAM 3.0 training in Brainerd, Bemidji, and Cloquet in August where wetland staff trained about 80 LGU and agency staff and consultants in use of the new computerized version of MnRAM for evaluating wetland functions and values.

Dale assisted Clearwater County in resolving the appeal of a restoration order by four landowners in Clearwater County. After a September meeting held with Ron Harnack and Jim Haertel, the landowners and LGU staff worked with the technical evaluation panel and the North Central Joint Powers Board Engineer Jon Hodgson to develop an alternative restoration plan. The modified plan was acceptable to the landowners, the technical evaluation panel, and the Corps of Engineers and was effective in restoring the impacted wetlands.

Dale initiated a WCA audit of Lake of the Woods County where concerns have been raised regarding several major wetland violations in the county. Traci Hanson, wetland enforcement officer, assisted Dale in conducting the audit in August and September. Dale completed the draft audit report letter, and with Ron Shelito, presented the report to the Lake of the Woods County Board in late November. The county board agreed to work with BWSR staff to remedy the concerns listed in the audit report.

Jim Lemmerman helped plan, coordinate, and attended four interagency wetland staff meetings around the state. The purpose of the meetings was to understand key elements and relationships of each agency's water/

wetland regulation programs (CWA, PW, WCA). Nearly 160 agency personnel attended these four sessions.

Forestry

Jim Lemmerman lead the effort to define the standards for approved plan preparers for the Minnesota Forest Stewardship Program. SWCDs use the stewardship program to assist forestland owners to develop management plans and in implementing the plans.

Jim taught a one-day class at Vermilion Community College in Ely. Jim covered the best management practices for sustaining Minnesota forest resources and the mission of BWSR and SWCDs. Jim also gave a primer on the Wetland Conservation Act.

-Submitted by Ron Shelito

ENGINEERING

In case readers haven't heard - Joe Beck, a good friend and coworker in the Engineering

Section - passed away over the Thanksgiving holiday of a heart attack at age 48. He was alone with his dog at his deer-hunting shack at the time. Joe was a DNR engineering technician on mobility assignment at BWSR since February 2003 to work on CREP wetland restorations. A few BWSR staff had worked with him periodically for a number of years. Although a quiet person, Joe was very capable, genuine, and appreciated. He is survived by his wife Nancy and four children. Please hold them up in your thoughts and prayers.

When a cold snap with snow occurred in early November, it appeared that the construction season for wetland restorations might be at an end. However, the ground wasn't very frozen beneath the snow and the pendulum swung back to warmer weather. A number of contractors used cold weather construction techniques that enabled them to keep working until recently, while still meeting construction specifications. BWSR and SWCD staff are now catching up on preparing as-built drawings, processing construction invoices, updating the status of Minne-

Board of Water and Soil Resources Update, Page 2

sota River CREP wetland restorations, and focusing more time on completing restoration designs for the 2004 construction season.

In late October, the Technical and Scientific Advisory Committee of the Red River FDR Work Group provided the group an overview of its nearly complete Wetland Bounce and Biodiversity Study. This study included 28 wetlands in the Red River Basin. It is relatively unique in that it involved substantial field data collection regarding water levels, water quality, plants, birds, and bugs, as well as 20 years of simulated hydrology and the multidisciplinary evaluation of the TSAC. Important correlations were identified between wetland watershed area to wetland area ratio and land use in the watersheds of wetlands to wetland biodiversity. The level of disturbance of wetlands and their surrounding area are also key factors affecting biodiversity in natural and restored wetlands. The study generally supports bounce criteria previously proposed by the TSAC for multipurpose wetland restorations, but suggests some new approaches to manage biodiversity and FDR benefits of wetlands. The final report should be complete and approved by the Work Group in the near future.

The numerous partners of the Basin Alliance for the Lower Mississippi in Minnesota (BALMM) hosted a water quality forum for southeast Minnesota on Nov. 12 in Rochester. Attendance was good, including several BWSR staff, Board member Victor Ormsby, and a number of legislators. This was a great opportunity for an update regarding current water quality efforts in the karst region of southeast Minnesota, as well as funding and other challenges. The Governor's Clean Water Initiative, a second CREP, and other potential opportunities for continued implementation were also discussed. During lunch, Dr. Gyles Randall, U of M, presented updated information questioning the sustainability of the corn-soybean rotation, particularly in the topography of southeast Minnesota.

On Nov. 13, Mark Nelson, Gene Clark, and Al Kean participated with many other local, state, federal, and nonprofit partners in the Lake Superior Basin to brainstorm development of a new framework for coastal nonpoint implementation. This is an outgrowth of the Lake Superior Basin Planning process led by the MPCA. This implementation framework is to be a guide for coordinating prioritization, funding, monitoring, and

reporting of implementation efforts.

MPCA, BWSR, and DNR staff involved in resolving six NOAA and EPA conditions on Minnesota's Coastal Nonpoint Program had a conference call with NOAA and EPA staff (national and Region 5) on Nov. 20. The objective was to clarify our understanding of the conditions, better define their expectations (based on related work with other coastal states), review our response approaches, and clarify process. It was a successful dialogue, but we expect some iterative communication with NOAA and EPA over the next year or so to resolve the six conditions. At stake is 30 percent of the EPA 319 funding for Minnesota.

At the MASWCD Convention, Al teamed up with John Brach, NRCS, and Dave Wall, MPCA, to provide an overview of the new NRCS Interim Practice Standard 784 - Wastewater and Feedlot Runoff Control, recent interim MPCA Feedlot Filter Strip Guidelines, and a side-by-side comparison of current EQIP and State Cost-Share policies related to feedlots. It was a good opportunity for SWCD staff and others to dialogue about policies, coordinated implementation, and clarity of the roles and responsibilities of the many local, state, federal, and private players in feedlot pollution abatement.

At the MAWD Annual Meeting, Al gave a presentation entitled "Integrating Wetland Restoration, Drainage and FDR" (i.e. Flood Damage Reduction). This presentation is based on the experience of BWSR staff with RIM Reserve since 1986 and public wetland banking since the mid 1990s. This was an opportunity to show how BWSR works with landowners, drainage authorities, and others to implement wetland restorations that respect drainage rights and drainage systems, while providing wildlife habitat, erosion control, water quality improvement, and FDR benefits. Electronic surveying, computer-aided design, digital cameras, PowerPoint, and the substantial experience of BWSR staff were enablers of this presentation.

-Submitted by Al Kean

BRIEFS

Carruth Farms, Inc., named Outstanding Conservationists

Carruth Farms, Inc., Danvers, was named the 2003 Minnesota Association of Soil and Water Conservation Districts (MASWCD) Outstanding Conservationists.

Carruth Farms was nominated by the Swift County Soil and Water Conservation District for the Carruth family's efforts in conserving natural resources, their dedication to wildlife on their farm, and their willingness to adopt conservation practices and incorporate them into their normal routine.

The award was announced at the 67th annual MASWCD Convention, which was held Nov. 30-Dec. 2 at the Radisson Hotel South, Bloomington. The award program recognizes farm families, individuals, conservation organizations, and other groups for their accomplishments in implementing conservation practices and improving Minnesota's natural resources. The program is sponsored by MASWCD, with support from The Farmer Magazine.

In the nomination materials for the award, it was noted that John and Elaine Carruth have raised 18 children on their farm in Westbank Township. The Carruths, and three of their children, John Jr., James, and Joseph, operate the business.

Carruth Farms operates about 4,000 acres with 3,500 acres of tillable land in cash grain. In addition to corn and soybeans, the Carruths own and operate 130 head of Holstein milk cows in their double 12 herringbone milk parlor.

John Carruth and his sons have been pioneers in no-till farming. In the 1950s and 1960s, the Carruths used strip farming to control erosion. They began using conservation tillage in the 1960s and 1970s on their highly erodible land. In 1976, they began using irrigation. In the 1980s and 1990s, they converted to a no-till program.

Recently, the Carruths installed more than 31 acres of CRP filterstrips, more than 7 acres of CRP farmable wetland acres, and more than 17 CRP acres in the general sign-up. Additionally, the family has provided wildlife with food and cover with the use of no-till, the seeding of filter strips, and other CRP grass cover, and by

Highlights of the MASWCD Awards

Minnesota DNR Division of Waters Appreciation Award

-Becker SWCD

MASWCD/DNR Outstanding Forest Steward Award

-Dave and Paulette Krampitz, Waseca
(Nominated by Waseca SWCD)

MASWCD Media Award

-Peter Jacobson, Paynesville Press

MASWCD Environmental Education Award

-Terry Wittnebel, Lac qui Parle SWCD

MASWCD Legislator of the Year Award

-Rep. Ray Cox
-Sen. Steve Murphy

Outstanding District Employee Award (presented by the Board of Water and Soil Resources)

-Bev Nordby, Mower SWCD

MASWCD Outstanding Supervisor Award

-Wally Hildebrandt, Rice Soil and Water Conservation District

SWCD of the Year

-Stearns SWCD

Outstanding Conservationist of the Year

-Carruth Farms, Inc. (nominated by Swift SWCD)

leaving an area of corn stand along their CRP acres. Over the years, John Sr. and his family planted trees for wildlife and to reduce wind erosion on their fields.

In the nomination materials, the Swift County SWCD provided the following quote: "The Swift County Soil and Water Conservation District nominated Carruth Farms for their willingness to adopt conservation techniques and incorporate those ideas into their daily routine. The Carruths have been a cooperating family in many conservation practices and agreements, which proves the family's love for the outdoors."



Want to catch up on eLINK news? Check out the BWSR web site for a report (see <http://www.bwsr.state.mn.us/outreach/eLINK/eLINKupdate.pdf>).

Board of Water and Soil Resources Update, Page 4

Bev Nordby named Outstanding District Employee

Bev Nordby, administrator for the Mower Soil and Water Conservation District (SWCD), was named the 2003 Outstanding District Employee Dec. 1 at the Minnesota Association of Soil and Water Conservation Districts (MASWCD) annual meeting held in Bloomington. The award is sponsored by the Minnesota Board of Water and Soil Resources.

Nordby was recognized for her leadership both in and out of her work area. When presenting the award, Ron Harnack, executive director of the Minnesota Board of Water and Soil Resources, said that Nordby is known in her home district as progressive and proactive; her passion for conservation has extended beyond the boundaries of her home county.

Nordby was instrumental in organizing a group of natural resource managers across the Lower Mississippi. Soon, she became the first chair of this group, known as the Basin Alliance for the Lower Mississippi River in Minnesota (BALMM). Under her leadership, BALMM took flight and spread to include more and more local, state, and federal partners in an intensive planning process. In fall 2002, she agreed to fill an unexpected vacancy in the BALMM leadership and acted as chair for several months. She also was central in crafting BALMM's Landscape Buffer Initiative.

Toward the end of 2001, she seized the opportunity to launch a Conservation Reserve Enhancement Program initiative for Southeastern Minnesota—a project that was only a dream two years earlier when BALMM began.



Bev Nordby, Mower SWCD administrator, accepts the 2003 Outstanding District Employee Award from Ron Harnack, BWSR executive director.

Nordby was key in garnering support for a CREP and coordinated discussions to complete the SE CREP application with details on practices, acreage, and other essential elements. This year, she continued to lead the charge for the SE CREP group and has done important work with her outreach efforts to build a strong coalition in support of the Governor's CREP proposal.

In support materials for the nomination, a peer wrote this about Nordby: "Her vision has allowed her conservation efforts to step outside the traditional boundaries of conservation district work and placed Mower SWCD at the forefront of conservation activity."

*Deadline for next edition:
January 21, 2004*

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DATE: December 11, 2003
TO: Agency Payroll and HR Staff
FROM: Don Smith, Director, Statewide Payroll Services
SUBJECT: IRS Mileage Rate

The standard IRS mileage rate for the business use of an automobile will **increase** on January 1, 2004, from 36 cents per mile to 37.5 cents per mile. Most union contracts and compensation plans refer to this IRS mileage rate when outlining expense allowances. Be sure to consult individual contracts and agreements for the **difference** between:

- the reimbursement rate when a state-owned vehicle **is not available**, and an employee is required to use his or her own personal automobile. (For employees inside the seven-county metro area traveling more than 75 miles for a trip, an agency control number is required.)
- the reimbursement rate when a state-owned vehicle **is offered, but is declined** by the employee

SEMA4 users can use the Business Expense Mileage Rates page to view previous and current IRS mileage rates. Select Compensate Employees > Capture Business Expenses >, Inquire > Business Expense Mileage Rates. (Note: The IRS rate is not affected by whether the mileage is considered In State or Out State.)

If you have questions about this information, please contact Jeff Moe (651) 296-1199 or jeff.moe@state.mn.us.

PLEASE SHARE THIS INFORMATION WITH APPROPRIATE AGENCY STAFF.

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RESIDUE MANAGEMENT VEGETATIVE BARRIERS STREAM CROSSING PASTURE AND HAY PLANTING POND

ALLEY CROPPING ACCESS ROAD BRUSH MANAGEMENT TERRACE FENCING POND COMPOSTING CROP ROTATION CONSTRUCTED WETLAND CONTOUR BUFFER STRIPS CONTOUR FARMING CONTOUR

PROGRAM	What land is eligible?	Length of Agreement	What USDA Offers \$ indicates financial incentives			Producer Obligations
			Rental Payments	Easements	Cost Share	
Conservation Reserve Program (CRP) *see program notes	Highly erodible cropland that has been planted for 4 of the 6 years preceding enactment of the 2002 law. Marginal pastureland is also eligible.	10-15 years	\$ annual payment based on length of agreement		\$ up to 50%	Develop and follow a plan for the conversion of cropland to a less intensive use. Also, assist with the cost, establishment, and maintenance of conservation practices.
Wetlands Reserve Program (WRP)	Most private wetlands converted to agricultural use prior to 1985 are eligible. Wetland must be restorable and suitable for wildlife benefits.	10 or 30 years; permanent		\$ one-time, up-front payment	\$ up to 100%	Develop and follow a plan for the restoration and maintenance of the wetland. If necessary, assist with the cost of restoration.
Grassland Reserve Program (GRP) *see program notes	Private grassland, shrubland and land containing forbs or land that historically contained those features is eligible.	10, 15, 20, or 30 years; permanent	\$ annual payment based on length of agreement	\$ one-time, up-front payment	\$ up to 90%	Develop and comply with a plan for the easement or restoration agreement; assist with the remaining installation costs.
Wildlife Habitat Incentives Program (WHIP)	All private land is eligible, unless it is currently enrolled in CRP, WRP or a similar program.	5-15 years			\$ up to 75%	Prepare and follow a wildlife habitat development plan; assist with installation costs.
Environmental Quality Incentives Program (EQIP)	All private land in agricultural production is eligible; includes cropland, grassland, pastureland and non-industrial private forestland.	1-10 years			\$ up to 75%	Develop and follow an EQIP plan that describes the conservation and environmental purposes to be achieved; assist with installation costs.
Conservation Security Program (CSP)	All private agricultural land and forested land that is an incidental part of an agricultural operation is eligible.	5-10 years	\$ annual payment based on length of agreement		\$ up to 75%	A conservation security plan is required to install and/or maintain conservation practices on working lands.
Forest Land Enhancement Program (FLEP) *see program notes	All non-industrial private forestlands are eligible for financial, technical, and educational assistance.	10 years or more			\$ up to 75%	Develop and implement a management plan; assist with the remaining installation costs.
Farm and Ranch Lands Protection Program (FRLPP)	Private land that contains prime farmland or other unique resources and is subject to a pending easement from an eligible entity	Permanent		\$ one-time, up-front payment		Continue to use the land for agricultural purposes. Develop a conservation plan and comply with the terms of the easement.

10 acres or less.
GRP--A minimum of 40 contiguous acres is required for enrollment; less than 40 acres requires a waiver. FLEP--Each state will determine the minimum forest land ownership that is eligible, not to exceed 25 acres. Financial assistance is available on up to 1,000 acres per year, or up to 5,000 acres with a waiver. All programs are subject to final USDA regulations.
*PROGRAM NOTES: CRP--includes a general sign-up, continuous sign-up, the Conservation Reserve Enhancement Program (CREP) and the Farmable Wetlands Program (FWP). Incentive payments are available for certain practices. A maintenance fee of up to \$5/acre per year is also provided. To qualify for FWP, land must have been planted or considered planted in at least 3 of the past 10 years; must be cropped wetlands, farmed wetlands or prior converted cropland.

FAQ

frequently asked questions

How can I improve the chances of having my application to enroll in a conservation program accepted?
Applications offered under most programs are selected according to a state-specific ranking and selection process. Ask your local USDA representative for a list of the criteria that will help your application rank high in your area.

If I enroll my land in a conservation program, do I maintain ownership? Am I required to allow public access to my land?
If you enroll land under an easement or rental agreement, you retain ownership of the land. Although your participation in the program will limit certain economic uses of the land during the term of the agreement, you maintain control of public access. You also maintain the right to lease the land for hunting or other recreational purposes.

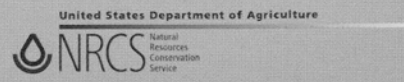
Will I be responsible for maintaining practices I install under a conservation program?
Most programs require you to maintain the practices. There are some differences in programs – check with your local USDA office.

What types of wildlife will I attract if I enroll in conservation programs?
The type of wildlife attracted to your land depends greatly on the practices you install and the plants that are established. Practices can be designed and managed to attract particular species, such as pheasants, quail, and other wild species.

Reprinted from a publication of the Wildlife Management Institute with technical help from the Wildlife Habitat Management Institute of the Natural Resources Conservation Service. This reprint contains minor revisions from the original, which was printed with support from 37 conservation and farm organizations and agencies.

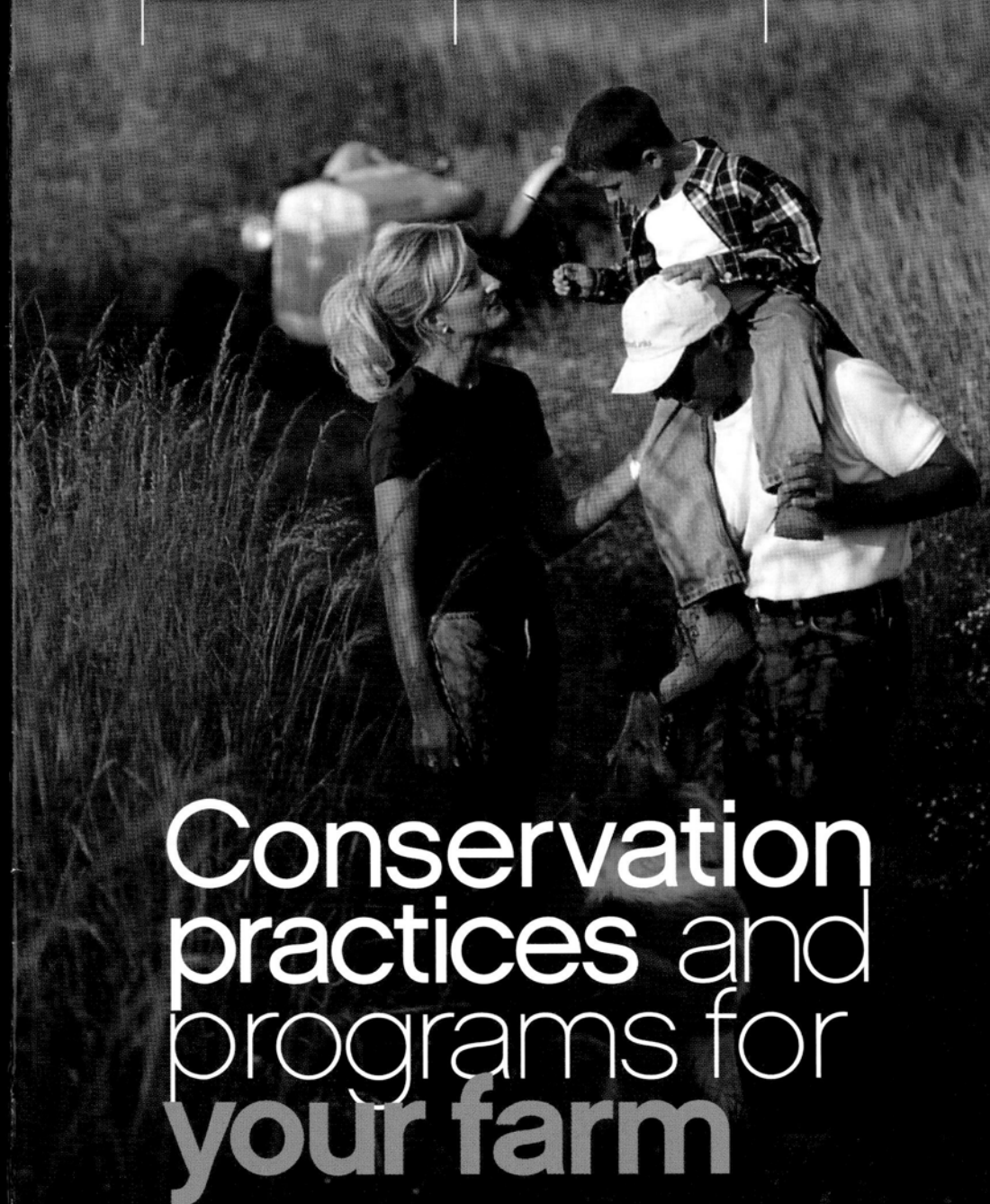
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NUTRIENT MANAGEMENT STREAM CROSSING SPRING DEVELOPMENT TREE PLANTING PRESCRIBED FIRE RANGE PLANTING RIPARIAN FOREST BUFFERS HERBACEOUS WIND BARRIERS WINDBREAK

FARM BILL 2002 WHAT'S IN IT FOR YOU



Conservation practices and programs for your farm

FISH PASSAGE TREE PLANTING GRASSED WATERWAY SEDIMENT BASIN RIPARIAN FOREST BUFFERS POND

Farm Bill 2002 What's in it for you?

The 2002 Farm Bill offers America's farmers and ranchers more incentives than ever before to voluntarily conserve natural resources on our nation's privately owned farmland. Its conservation provisions help reduce erosion, guard streams and rivers, restore and establish fish and wildlife habitat, and improve air quality. Government and non-government organizations stand ready to help – this guide introduces the assistance available.

What's New?

New programs include the Grassland Reserve Program (GRP), Conservation Security Program (CSP) and the Forest Land Enhancement Program (FLEP).
More flexibility with new rules for the Conservation Reserve Program (CRP) and other programs

soil water wildlife

conserving croplands | improving water quality | managing for wildlife

Financial and Economic Incentives The U.S. Department of Agriculture (USDA) offers a variety of financial incentives to producers and landowners interested in conservation programs. Some programs offer annual payments for a conservation use, others offer one-time up-front payments for long-term easements for a conservation use, and most include government funds to share in the costs of installing conservation measures. Local USDA offices have information on these payments.

Technical Help The Natural Resources Conservation Service (NRCS) of USDA helps plan and use conservation practices on private lands. Technical assistance is provided on a day-to-day basis, and contributes to the value of the Farm Bill conservation programs. Technical help is also available through certified technical service providers. Local USDA offices can provide additional information.

Partnerships that add to USDA private lands programs USDA works with many partners to deliver conservation services and programs. Local conservation districts, Cooperative Extension, Resource Conservation and Development Councils (RC&Ds), state fish and wildlife agencies, state forestry agencies, and conservation organizations each play an important role. Experts in each organization can provide technical help and may offer educational and financial assistance on top of what USDA offers to establish conservation practices (see last page).

For More Information Contact your local USDA Service Center, NRCS, Local conservation district, Extension Service, or the Farm Service Agency (FSA) for assistance, or find additional information on the web at <http://www.usda.gov/farmbill>

If you are specifically interested in forestry programs, contact the U.S. Forest Service or your state forestry agency. More information is provided at <http://www.stateforesters.org>

Curbing water erosion

To reduce soil movement and nutrient runoff, consider these or similar practices:

- | Grassed waterways
- | Terraces
- | Grassed conservation buffers
- | Field borders
- | Contour buffer strips

Begin with a look at these USDA programs:

- | CRP, EQIP, CSP

Curbing wind damage

To mitigate the effects of wind on farmland, consider these or similar practices:

- | Residue management
- | Shelterbelts
- | Windbreaks
- | Field stripcropping

Begin with a look at these USDA programs:

- | CRP, EQIP, CSP

Conserving soil and water resources

To improve soil and water quality, consider these or similar practices:

- | Nutrient management
- | Pest management
- | Cover crops
- | Efficient water management
- | Riparian buffers
- | Conservation tillage

Begin with a look at these USDA programs:

- | CRP, EQIP, CSP

Stabilizing streams

To reduce runoff and stabilize areas adjacent to streams, consider these or similar practices:

- | Forested riparian buffers
- | Grass filterstrips
- | Livestock exclusion
- | Streambank protection
- | Watering facilities

Begin with a look at these USDA programs:

- | CRP, WHIP, EQIP, CSP, FLEP

Managing manure

To prevent nutrient loss and protect air, soil, water, fish and wildlife resources, consider these or similar practices:

- | Waste storage structures and lagoons
- | Nutrient management
- | Compost facilities
- | Manure spreading

Begin with a look at these USDA programs:

- | EQIP, CSP

Managing grasslands

To improve forage quality, control invasive species and conserve fish and wildlife habitat, consider these or similar practices:

- | Prescribed grazing
- | Prescribed fire
- | Fencing
- | Brush management

Begin with a look at these USDA programs:

- | EQIP, WHIP, CRP, GRP

Establishing wildlife habitat

To enhance, restore and manage fish and wildlife populations on your land, consider these or similar practices:

- | Rotational grazing
- | Wetland restoration
- | Grassland restoration
- | Conservation buffers
- | Stream habitat improvement

Begin with a look at these USDA programs:

- | WHIP, CRP, WRP, GRP, EQIP, CSP, FLEP

Managing forest lands

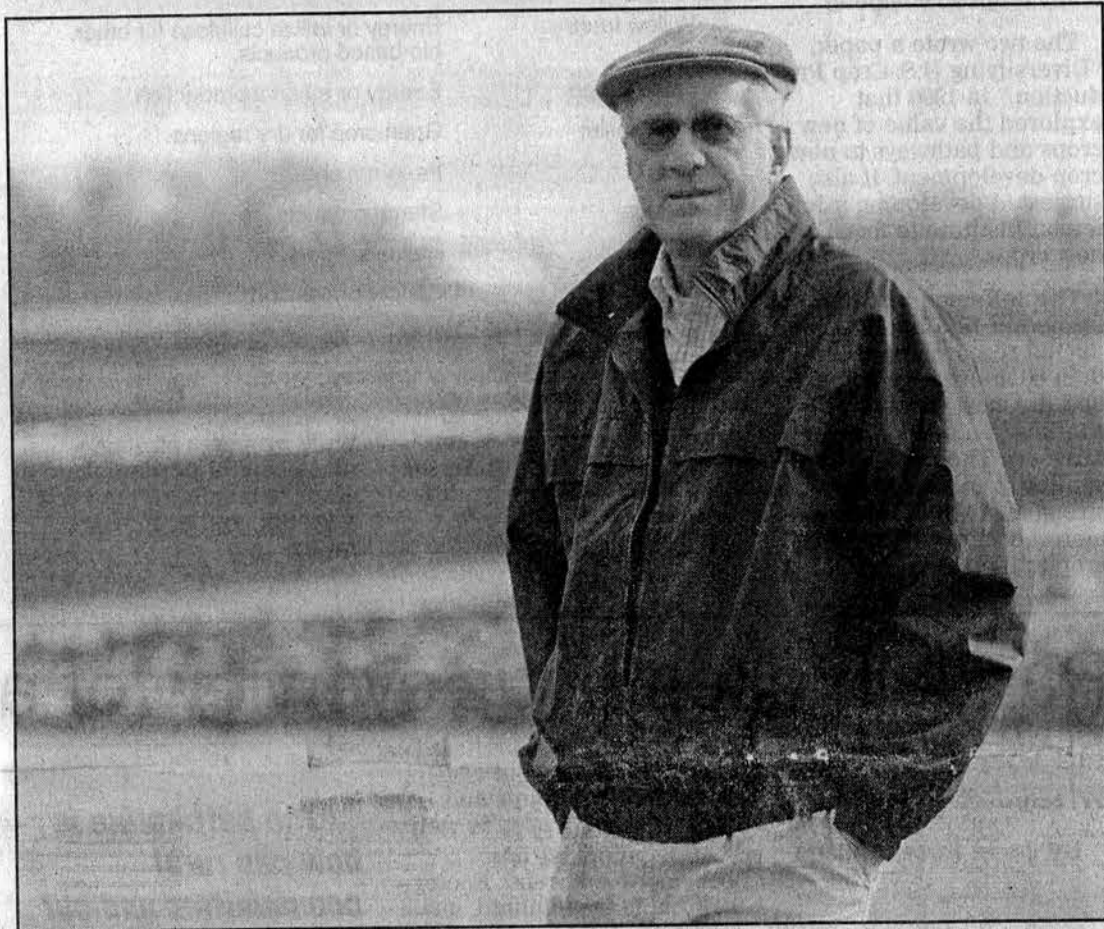
To restore and protect forest resources and improve fish and wildlife habitat, consider these or similar practices:

- | Tree planting
- | Forest stand improvement, thinning
- | Prescribed burning
- | Controlling invasive plants

Begin with a look at these USDA programs:

- | FLEP, WHIP, CRP, EQIP
- Forest Stewardship Program, Forest Legacy Program

MURKY FUTURE



Scott Jacobson/Agri News

Gyles Randall, soil scientist at the Southern Research and Outreach Center in Waseca, questions the future of the corn-soybean rotation. He says farmers, government officials and others must re-evaluate the system based on sustainability issues.

Randall's pointed words turn heads in agriculture

By Janet Kubat Willette

jkubat@agrnews.com

ROCHESTER, Minn. — Gyles Randall says agricultural and political leaders need to reduce denial and think long-term.

Randall, a soil scientist at the University of Minnesota's Southern Research and Outreach Center in Waseca, delivered a strongly worded speech at last week's Southeast Minnesota Water Quality Forum.

"Some of you may be kind of uncomfortable about what you're going to hear," Randall said.

Soybean acreage has increased by 100 percent in southeastern Minnesota's nine counties since 1975, he said. In Fillmore, Goodhue, Houston, Olmsted, Wabasha and Winona counties soybean acreage has increased by 200 percent.

The increase in soybean acreage has been at the expense of small grains and hay and has resulted in

Inside

- Some say alternative crops hold great potential — Page A2

increased soil erosion. From 1997 to 2002 alone tremendous erosion occurred in southeastern Minnesota, Randall said.

There is little residue to hold soil in place from April through June when thunderstorms bring downpours, he said. The seedlings aren't able to absorb the water, with 71 percent of the water that moves through the tile lines moving in April through June.

The corn-soybean system is the leakiest when it comes to nitrate losses, Randall said, with 30 to 50 times more nitrate lost with row crops than perennial crops.

He quoted Iowa State University professor John Pesek saying, "the dominance of

corn and soybeans has given the landscape a different roof."

The switch to soybeans has been accompanied by fewer livestock farms, farmers and more absentee landlords and more rental property.

"I would argue a renter has less intimacy, less value for the land," Randall said.

Randall captured a weaker stewardship ethic with his camera, showing slides of field craters large enough to hide a vehicle. Sometimes, he said, renters trying to do the right thing are rebuffed by landowners who are only interested in rental payments.

He said he doesn't understand farm groups' opposition to the Conservation Reserve Enhancement Program, which would enroll land that isn't very productive and reduce erosion.

Farm groups, Randall said, need to get past denial and stonewalling and become part of the solution.



From: Peter Raeker
To: Clark, Kay; Judy Erickson; Nordby, Bev; Scheidecker, Kevin
Date: 12/16/03 9:02AM
Subject: CREP Article

FYI. In case you haven't seen this yet:

Ron Schara: Support for new CREP policy needed
Ron Schara, Star Tribune

Published December 14, 2003

When we have a way to clean up a polluted river in Minnesota, why don't we always have the will to do it? If we have a way to reduce soil erosion in farm country and create grassland habitat for wildlife at the same time, why is the right thing to do sometimes so hard to do?

These might be naive questions from a city slicker long removed from life down on the farm, but I'll ask them anyway.

There's a hot potato sizzling in Minnesota these days over a major soil and water conservation program (called CREP) announced recently by Gov. Tim Pawlenty.

The governor's plan is to spend \$250 million to retire from crop production 100,000 acres of farmland adjoining rivers, streams, wetlands and other environmentally fragile landscapes.

Landowners who chose to participate will be paid a fair price to retire the land, including cost-sharing to install conservation practices, such as native grass plantings.

Another important point: Landowners will have a choice between a 35-year easement contract or a perpetual agreement, meaning the river banks, the creek banks and so forth will never be plowed and planted again.

By the way, the first CREP program was successfully launched by Gov. Arne Carlson, resulting in a major first step to clean up the Minnesota River, one of the most polluted waterways in the state.

The first CREP effort also offered permanent easements to willing farmers. Now, before us in the daily news pages, we have an odd juxtaposition.

We have a common sense land conservation program being opposed by major farm organizations, including the Minnesota Farm Bureau.

Farm leaders contend the permanent easement portion is bad public policy, an economic hardship on ag companies who sell seed, pesticides and farm equipment, and an economic setback for farm communities whose business livelihood depends on land being planted.

Something else seems to be a work here. Politics maybe. Despite Gov. Pawlenty's interest in farm conservation, the national Republican leadership seems unable to lead a conservation parade. And federal ag officials seem nervous about the audacity of the governor to offer a CREP project that awards taxpayers, too.

One reason erosive land needs to be taken out of production is because it never should have been farmed in the first place. If we haven't learned by now to keep plows and cows away from river banks, when will we?

If this city slicker understands the objections by farm groups, they've failed to make their case. Don't permanently retire cropland, they say, we might need it someday. If we followed that logic, we'd never cover an acre with highway cement.

How about this logic: When we clean up the Minnesota River, when we stabilize southeast Minnesota streams, when we reduce erosion in the Mississippi River, when would we ever decide to start undoing those accomplishments?

It won't happen and shouldn't happen. We need to start cleaning up our rivers, most of which suffer from too much farming too close. Farmers seem to understand this; why not the Minnesota Farm Bureau?

Keep your conservation face on, Gov. Pawlenty. Our rivers need it, and so do Republicans.

Ron Schara is at ron@mnbound.com.

CC: #Senior Managment Team