



Minnesota Board of Water and Soil Resources.
Minutes.

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DATE: December 2, 2009

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

FROM: John Jaschke, Executive Director *[Signature]*

SUBJECT: December 16, 2009 Board Meeting Notice

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, December 16, 2009, beginning at 9:00 a.m. The meeting will be held in the *lower level Board Room* at 520 Lafayette Road N., St. Paul. Parking is available in the lot directly in front of the building (use hooded parking areas).

The following information pertains to agenda items:

COMMITTEE MEETINGS

Metro Water Planning Committee

- Citizen Petition for Boundary Change of South Washington WD and Valley Branch WD, and Reduction in Number of Managers of South Washington WD -**
A citizen petition for a boundary change of the South Washington WD and the Valley Branch WD, and for a reduction in the number of managers of the South Washington WD, was filed with the Board on October 5, 2009. The petition requests the boundary of the two watershed districts be changed to follow the major hydrologic boundary between the Mississippi River and the St. Croix River. Also, the petition requests the number of managers of the South Washington WD be reduced from seven to five. Last May, the watershed district boundary that is the subject of the petition was established by the Board when the two watershed districts were enlarged in conjunction with the dissolution of the Lower St. Croix WMO. The dissolution of the Lower St. Croix WMO was contingent on the boundary being established as it was last May. Also, at that time the number of managers of the South Washington WD was increased from five to seven.

A public hearing was held on November 17, 2009 and the hearing record remained open for one week after the hearing. The Board's standard of review in making determinations on proposed boundary changes of watershed districts is set forth in

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Minn. Stat. § 103D.251, Subd. 7, item a, as follows: "After the hearing on the petition for a boundary change, the board must establish the proposed boundary change, by order, if the board determines that establishment of the proposed boundary change would benefit the public welfare and public interest and the proposed boundary change would advance the purpose of this chapter." The Metro Water Planning Committee met on November 25, 2009 and found that the proposed boundary change and reduction in number of managers would benefit the public welfare and public interest and the purpose of Minn. Stat. Chapter 103D would be advanced for the reasons included in the attached Order. The Committee recommends approval of the petition by the full Board. See attachments. **DECISION ITEM**

2. **Coon Creek Watershed District Boundary Change** - The Coon Creek Watershed District (CCWD) submitted a boundary change petition dated August 24, 2009. The Petition was submitted pursuant to Minn. Stat. § 103B.215 together with the required written statements of concurrence from each affected city and watershed management organization. The statute allows the boundary change to be approved by BWSR with no public hearing after proper notice and if no timely request for a hearing is received. The legal Notice of Filing was published on September 9 and 18, 2009, and no timely request for a hearing was received. The proposed boundary change would achieve a more accurate alignment between the hydrologic and legal boundaries of the CCWD and the Lower Rum River Watershed Management Organization (LRRWMO). The proposed boundary change would transfer 365 acres currently within CCWD legal boundaries to the LRRWMO and would transfer 8.2 acres currently within LRRWMO legal boundaries to the CCWD. The Metro Water Planning Committee considered the petition on November 25, 2009 and unanimously recommends approval per the attached draft Order. **DECISION ITEM**

Southern Water Planning Committee

1. **Rice County Local Water Management Plan Update** – Rice County submitted their Local Water Management Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Update to the Board for final State review on August 20, 2009. On October 28, 2009, the Southern Water Planning Committee reviewed the recommendation of the state review agencies regarding final approval of the Rice County Local Water Management Plan Update, and recommends approval. The Findings of Fact, Conclusions, and Order are drafted for the full Board's review and action. See attachments. **DECISION ITEM**

Wetlands Committee

1. **Eleven-County Metro WCA Enforcement Grants** – The Legislature appropriated \$100,000 in each year of the current biennium "to make grants to local units of government within the 11-county metropolitan county areas to improve response to major wetland violations". BWSR was appropriated funds for this activity in the prior

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
701 Minnesota Avenue Suite 234 Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	1601 Minnesota Drive Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	1004 Frontier Trail Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	2300 Silver Creek Road N.E. Rochester, MN 55906 phone (507) 281-7797 fax (507) 285-7144	520 Lafayette Road N. Saint Paul, MN 55155 phone (651) 296-3767 fax (651) 297-5615

biennium as well. Staff developed a proposal in consultation with metro SWCDs which was reviewed by the Wetland Committee on October 28. See attachment.
DECISION ITEM

2. **BWSR-NRCS Interagency Memorandum of Understanding: Wetland Conservation Act and Swampbuster Coordination** - Changes to the Wetland Conservation Act (WCA) and Swampbuster have had an impact on agricultural producers and highlighted the value of improving programmatic coordination. BWSR and NRCS staff have been discussing the components of a memorandum of understanding (MOU) for several months. The draft MOU will be reviewed by the Wetland Committee on December 15. See attachments. **DECISION ITEM**

NEW BUSINESS

1. **Minnesota Water Sustainability Framework (MWSF) Project Presentation** – Jean Coleman, Attorney/Land Use Planner, CR Planning, Inc. – See attachments. **INFORMATION ITEM**
2. **Training Program Needs Assessment** – One of the most important tasks for Angie Becker Kudelka, BWSR's new Training Program Coordinator, will be completing a comprehensive assessment of the BWSR clientele training needs. By doing so, gaps in knowledge and skills will be determined which will become the basis for the development of the training program. The overall purpose of the training program is to deliver the most necessary and effective trainings services with a goal of achieving organizational outcomes. Angie will provide an overview of her plans to conduct the needs assessment which includes surveys, consultations and focus group interactions with BWSR staff, clients and partners. **INFORMATION ITEM**
3. **BWSR Proposed 2010 Meeting Schedule** – **DECISION 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 noon. I look forward to seeing you on December 16th!

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BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD
LOWER LEVEL BOARD ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, DECEMBER 16, 2009

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF OCTOBER 28, 2009

OPEN MIKE (10-minute agenda time, two-minute limit/person) *

INTRODUCTION OF NEW EMPLOYEE

- Angie Becker Kudelka

REPORTS

- Chair – Randy Kramer
- Executive Director – John Jaschke
- Dispute Resolution Committee – Randy Kramer
- Wetlands Committee – LuAnn Tolliver
- Grants Program & Policy Committee – Louise Smallidge
- Public Relations, Outreach & Strategic Planning Committee – Brian Napstad
- RIM Reserve Planning Committee – Paul Brutlag
- Administrative Advisory Committee – Randy Kramer

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. Citizen Petition for Boundary Change of South Washington WD and Valley Branch WD, and Reduction in Number of Managers of South Washington WD – **DECISION ITEM**

2. Coon Creek Watershed District Boundary Change – **DECISION ITEM**

Southern Water Planning Committee

1. Rice County Local Water Management Plan Update – **DECISION ITEM**

Wetlands Committee

1. Eleven-County Metro WCA Enforcement Grants – Dave Weirens and Jim Haertel - **DECISION ITEM**

2. BWSR-NRCS Interagency Memorandum of Understanding: Wetland Conservation Act and Swampbuster Coordination – Dave Weirens and Les Lemm – **DECISION ITEM**

NEW BUSINESS

1. Minnesota Water Sustainability Framework (MWSF) Project Presentation – **
Jean Coleman, Attorney/Land Use Planner, CR Planning, Inc. – **INFORMATION ITEM**
2. Training Program Needs Assessment – Angie Becker Kudelka – **INFORMATION ITEM**
3. BWSR Proposed 2010 Meeting Schedule – John Jaschke – **DECISION ITEM**

AGENCY REPORTS

- Minnesota Department of Agriculture – Joe Martin
- Minnesota Department of Health – John Linc Stine
- Minnesota Department of Natural Resources – Larry Kramka
- Minnesota Extension Service – Faye Sleeper
- Minnesota Pollution Control Agency – Rebecca Flood

ADVISORY COMMENTS

- Association of Minnesota Counties – Annalee Garletz
- Minnesota Association of Conservation District Employees – Felicia Brockoff
- Minnesota Association of Soil and Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Tim Koehler

UPCOMING MEETINGS

- Grants Program & Policy Committee Meeting, immediately following the Board Meeting today, Board Room, lower level.
- Southern Water Planning Committee Meeting, immediately following the Board Meeting today, Conference Room 2-3.
- Board Workshop, January 27th and Board Meeting, January 28, 2010, Riverwood Inn & Conference Center, Otsego

NOON ADJOURN

* Propose moving this agenda item to just prior to "Metro Water Planning Committee Recommendations" to accommodate schedules.

** Propose moving this agenda item to immediately after "Reports" to accommodate presenter's schedule.

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BOARD OF WATER AND SOIL RESOURCES

520 LAFAYETTE ROAD

ST. PAUL, MINNESOTA 55155

WEDNESDAY, OCTOBER 28, 2009

BOARD MEMBERS PRESENT:

Gordy Behm, Paul Brutlag, Quentin Fairbanks, Rebecca Flood, MPCA; Christy Jo Forgarty, Sandy Hooker, Larry Kramka, DNR; Paul Langseth, Joe Martin, MDA; John Meyer, Keith Mykleseth, Brian Napstad, Faye Sleeper, MES; Louise Smallidge, LuAnn Tolliver, Dan Wilson, MDH

BOARD MEMBERS ABSENT:

Randy Kramer
Tom Lovell
Bob Burandt
Gene Tiedemann

STAFF PRESENT:

Mary Jo Anderson, Julie Blackburn, Travis Germundson, Jim Haertel, John Jaschke, Al Kean, Kevin Lines, Jeff Nielsen, Dan Shaw

OTHERS PRESENT:

Wayne Edgerton, DNR
LeAnn Buck, MASWCD
Heather Mavencamp, MNAR

Vice-Chair Paul Brutlag called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

****** **ADOPTION OF AGENDA** – Moved by Louise Smallidge, seconded by Brian Napstad,
09-79 to adopt the agenda as presented. John Jaschke stated that the Wetlands Committee will meet immediately following the Board meeting, not the Metro Committee as listed on the agenda. Motion passed on a voice vote.

****** **MINUTES OF SEPTEMBER 23, 2009** – Rebecca Flood stated that a clarification is needed in
09-80 her report on page nine of the September 23, 2009 meeting minutes. It should read, "EPA directed public notice first on the site specific standards and then the Lake Pepin TMDL for nutrient and sediment impairments will be placed on public notice". Moved by Paul Langseth, seconded by Quentin Fairbanks, to approve the minutes of September 23, 2009, as corrected. Motion passed on a voice vote.

INTRODUCTION OF NEW BOARD MEMBER

- Keith Mykleseth, representing non-metro cities, from Crookston, provided brief background information about himself. Keith provided a copy of his resume. Board members introduced themselves.

REPORTS

Chair's Report – Vice-Chair Paul Brutlag reported that Randy Kramer, Bob Burandt, and Gene Tiedemann are out today due to late harvesting.

Executive Director's Report – John Jaschke gave an overview of the information in Board members' packets today. Board Members were asked to submit convention registration forms to Mary Jo Anderson today. The proposed 2010 Board meeting schedule will be acted on at the December 16, 2009 Board meeting. John reported that the Board will meet on January 27-28 for a Workshop/Board meeting at the Riverwood Inn and Conference Center in Otsego.

John stated that Chair Kramer has reviewed the Board Committees and has made some adjustments to include the three new board members. The Dispute Resolution Committee (DRC) is a statutory committee that will require membership options by the Attorney General's office. Paul Brutlag stated that additional review of it is important to have a means for assuring sufficient representation on this committee when conflicts of interest may occur.

John attended the Water Resources Conference earlier this week at the River Center; it was very well organized and attended. John attended the Red River Basin Commission

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meeting, and will attend the meeting next week in Grand Forks, ND. A series of public meetings are being held to get local input. John also attended the Mississippi Headwaters Board strategic planning session.

John reported that BWSR will be submitting bonding and policy proposals for the Governor's Office and Minnesota Management & Budget (MMB) review. The bonding proposals are RIM and road replacement banking.

Dispute Resolution Committee – Travis Germundson reported that no new appeals have been filed since the October 15th report. Travis reviewed a few of the appeals in more detail.

Wetlands Committee – LuAnn Tolliver reported that the Wetlands Committee will meet immediately following the Board meeting today. The Wetlands Committee has a meeting scheduled for December 15th at the Kelly Inn, in St. Paul. LuAnn welcomed new Committee Members.

Grants Program & Policy Committee – Louise Smallidge reported that the Grants Program & Policy Committee has not met. The Committee will meet immediately following the Board Meeting on December 16th. Louise welcomed the new Committee Members.

Public Relations, Outreach & Strategic Planning Committee – Brian Napstad reported that the Public Relations, Outreach & Strategic Planning Committee has not met. The Committee may meet in December as a preparatory meeting to the Board Workshop in January.

RIM Reserve Planning Committee – Paul Brutlag reported that the Krusmark issue is in negotiations. John Jaschke reported that a substitute easement is being pursued, Kevin Lines is working with the Attorney General and the landowner.

Administrative Advisory Committee (AAC) – Paul Brutlag reported that the AAC met this morning. Issues discussed included the tentative 2010 Board meeting schedule; Board Committee roster adjustments; Board Workshop; budget/staff status; policy proposals for 2010; and bonding proposals for 2010.

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

Public Hearing on Petition for Boundary Change of South Washington WD and Valley Branch WD, and Reduction in Number of Managers of South Washington

WD – LuAnn Tolliver reported that the Metro Water Planning Committee met on October 15. Jim Haertel reported that a citizen petition for a boundary change of the South Washington WD and the Valley Branch WD, and for a reduction in the number of

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managers of the South Washington WD, was filed with the Board on October 5, 2009. The Washington County Auditor has certified the requisite number of petitioner signatures has been met. The petition requests the boundary of the two watershed districts be changed to follow the major hydrologic boundary between the Mississippi River and the St. Croix River. Also, the petition requests the number of managers of the South Washington WD be reduced from seven to five. Last May, the watershed district boundary that is the subject of the petition was established by the Board when the two watershed districts were enlarged in conjunction with the dissolution of the Lower St. Croix WMO. At that time the number of managers of the South Washington Watershed District was increased from five to seven. The Metro Water Planning Committee met and found that a sufficient petition had been filed and recommend a public hearing be held.

- **
09-81 Moved by LuAnn Tolliver, seconded by Louise Smallidge, that the Board hereby orders a public hearing be held within 35 days from today, on the petition for a boundary change of the South Washington Watershed District and the Valley Branch Watershed District and a reduction in number of managers of the South Washington Watershed District to be presided over by the Board's Metropolitan Water Planning Committee on Tuesday, November 17, 2009, starting at 7:00 p.m. at the Washington County Service Center in Cottage Grove, or if conflicts arise, the Executive Director should choose another suitable date, time and location, after proper legal notice of the public hearing has been given. Motion passed on a voice vote.

Northern Water Planning Committee

- Lake of the Woods County Local Water Management Plan** – Quentin Fairbanks reported that the Northern Water Planning Committee met on October 14, 2009, and recommends approval of the Lake of the Woods County Local Water Management Plan. Moved by Quentin Fairbanks, seconded by Brian Napstad, to approve the Lake of the Woods County Local Water Management Plan. Motion passed on a voice vote.
**
09-82

Pine Soil and Water Conservation District (SWCD) Change in Location of Office Headquarters

- Quentin Fairbanks reported that the Pine SWCD Board of Supervisors filed a resolution with the BWSR Board to change the location of their office headquarters, effective October 1, 2009. The new office location is approximately 10 miles north in Sandstone. Pursuant with statute, BWSR must act on the change of office location. Quentin reported that the Northern Water Planning Committee recommends approval of the Pine SWCD change in office headquarters. Moved by Quentin Fairbanks, seconded by Brian Napstad, to approve the Pine SWCD change in location of office headquarters. Motion passed on a voice vote.
**
09-83

St. Louis County Priority Concerns Scoping Document – Quentin Fairbanks reported that the Northern Water Planning Committee reviewed the St. Louis County Priority Concerns Scoping Document and recommends approval. Moved by Quentin Fairbanks, seconded by Brian Napstad, to approve the St. Louis County Priority Concerns Scoping Document. Paul Brutlag stated that MPCA participation was discussed positively. Larry Kramka stated that DNR is participating fully with local officials. Motion passed on a voice vote.

**

09-84

Quentin reported that Steve Woods attended the meeting to introduce the joint BWSR/MPCA expectation for building TMDLs into local water plans.

RIM Reserve Planning Committee

Establish Rates, Eligibility and Wellhead Protection Area Selection for Clean Water Funded (CWF) Permanent RIM Reserve Wellhead Protection Easement Program –

Kevin Lines reported that the 2009 Minnesota State Legislature appropriated \$2.0 million of CWF to the BWSR to purchase and restore permanent RIM Reserve conservation easements on wellhead protection areas. The RIM Reserve Planning Committee met on August 10th and September 23, 2009 to review and unanimously recommends approval of the resolution presented.

**

09-85

Moved by Paul Langseth, seconded by Louise Smallidge, to authorize staff to work with the appropriate SWCDs to implement the acquisition of RIM Reserve Wellhead Protection easements in the targeted areas which have been identified by the Minnesota Department of Health (MDH) as high or very high vulnerability. A payment rate of 100% of the Average Assessed Township Value (AATV) for cropland acres, and 60% of the AATV for non-cropland acres enrolled in the Permanent RIM Reserve Wellhead Protection Conservation Easement Program. Rates are to be calculated using the township average for tillable property value established by county assessors for the 2010 tax year. Discussion followed. John Jaschke stated that sites, maps and criteria used to prioritize will be looked at and shared as requested. Motion passed on a voice vote.

Establish Rates, Eligibility, and Sign-Up Procedures for Clean Water Funded (CWF) Permanent RIM Reserve Riparian Buffer Conservation Easement Program

– Kevin Lines reported that the 2009 Minnesota State Legislature appropriated \$6.5 million of CWF to the Board of Water and Soil Resources (BWSR) to purchase and restore permanent conservation easements and riparian buffers. The RIM Reserve Planning Committee met on August 10th and September 23, 2009 to review and unanimously recommends the approval of the resolution presented.

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- **
09-86 Moved by Paul Langseth, seconded by Quentin Fairbanks, to authorize staff to implement a continuous permanent RIM Reserve Riparian Buffer Easement statewide program sign-up beginning November 1, 2009. A payment rate of 100% of the Average Assessed Township Value (AATV) for cropland acres and 60% AATV for non-cropland acres enrolled in the permanent RIM Reserve Riparian Buffer Easement Program. Rates are to be calculated using the township average for tillable property value established by county assessors for the 2010 tax year. Discussion followed. John Jaschke stated the priority will be to enroll the most critical acres of expiring CRP into long-term conservation. Listening sessions will be held regarding all clean water funding projects. Quentin Fairbanks asked about a listing of all clean water funding projects. Rebecca Flood stated that the Legislative Coordinating Commission will have information on their website that you can access as soon as funding is out for all constitutional amendment funds. Motion passed on a voice vote.

NEW BUSINESS

- Native Buffer Cost-Share Grant Program Criteria Revision** – Dan Shaw reported that the program criteria for the Native Buffer Cost-Share Grant Program has been updated to address revised BWSR native vegetation guidelines and to incorporate wording changes in 2009 legislation. Moved by Paul Langseth, seconded
**
09-87 by Louise Smallidge, to approve the new Native Buffer Cost-Share Program Criteria as presented. John Jaschke reported that this resolution is for adoption of the criteria; the guidelines will become guidance for LGUs and seed source vendors in the future. Motion passed on a voice vote.

Rural Preserves Update – Julie Blackburn reported that during the past legislative session there were changes made to the "Green Acres" tax program to provide incentives for natural areas on agricultural lands. The new program is called the "Rural Preserves Property Tax Program." These changes give responsibility to Soil and Water Conservation Districts (SWCDs) to approve conservation plans -- a requirement for enrollment in the new Rural Preserves Program. BWSR is developing guidance on administrative policies, communicating important approval timelines, and providing training on writing conservation plans. Julie provided an update on this program, including training plans and timelines for implementation. Discussion followed regarding the assessment value across the state. Julie distributed guidance document that will go out to SWCDs to work through the program. Julie stated that Michelle Schaefer has put together a great draft guidance document that will be on our website by January, 2010. Julie routed the document for board members to look at. Brian Napstad stated that he can see this program as becoming a burden for counties as the assessment values differ. Julie stated that statute mandates BWSR to only establish conservation plan criteria for the program. BWSR will provide guidance to SWCDs, fulfilling BWSR's requirements. Tax assessment and valuation guidance is coming out from the Department of Revenue.

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Dan Wilson arrived at the meeting at 10:35 a.m.

AGENCY REPORTS

Minnesota Department of Agriculture (MDA) – Joe Martin reported that MDA is working with BWSR and MPCA on open lot agreement communications, the deadline is October 2010. Joe stated that harvest has been slow and that causes problems for farmers. MDA is busy working on the H1N1 issues in swine.

Minnesota Department of Health (MDH) – Dan Wilson reported that MDH is involved in the expansion phase of the H1N1 pandemic. Minnesota was allotted 325,000 doses of the H1N1 vaccine; however, there is a production problem with getting sufficient vaccine dosages. Dan stated that he will continue to update the Board.

Minnesota Department of Natural Resources (DNR) – Larry Kramka reported that the application period for small conservation grants from the Lessard Sams Outdoor Heritage Council recommended through DNR is coming to a close; the information is on DNR's website. Larry reported that he had the opportunity earlier in month to tour recreational trail innovative projects in Aitkin County. Larry suggested that it may be interesting for the Board to bring someone in to report on this. Brian Napstad reported that the 600 mile trail is a joint effort in Isanti and Aitkin Counties.

Larry reported that PolyMet Mining, Inc. (PolyMet) proposes to develop an open pit mine to refurbish and modify the former LTV Steel Mining taconite ore processing facility to extract copper metal and precipitates of nickel, cobalt and precious metals near Babbitt and Hoyt Lakes in northeastern Minnesota. DNR and the U.S. Army Corps of Engineers prepared a joint Environmental Impact Statement (EIS) that will satisfy both state and federal environmental review requirements, and is posted on DNR's website. This posting is intended only as an early viewing opportunity. DNR cannot accept comments on the document until the beginning of the comment period on November 2. Brian Napstad reported that Polymet has served over 4000 acres in Aitkin County for wetland mitigation.

Minnesota Extension Service (MES) – Faye Sleeper reported that the MES is tasked with developing an interdisciplinary approach on water and climate change.

Minnesota Pollution Control Agency (MPCA) – Rebecca Flood reported that due to miscommunication on MPCA's part, some SWCDs were rejected for CWP grant applications. She apologized that it happened and hopefully there is still time for LGUs to resubmit their applications.

ADVISORY COMMENTS

Minnesota Association of Conservation District Employees (MACDE) – John Jaschke stated that the MACDE will meet as part of the BWSR Academy, November 2-4, near Brainerd.

Minnesota Association of Soil and Water Conservation Districts (MASWCD) – LeAnn Buck briefly commented on the Rural Preserve Property Tax Program; MASWCD will focus on learning and working with county assessors. LeAnn thanked MPCA, DNR, MES, MDA, and BWSR for partnering with MASWCD on their annual convention. There will be a panel discussion at the convention with Mike Kilgore, Chair of the LSOHC; and Louis Smith, Clean Water Council Member to discuss major sources of grant funding that SWCDs may apply for. LeAnn thanked county commissioners for their role in funding infrastructure for fulfilling SWCDs mission. MASWCD is meeting with BWSR, MAWD, and AMC on November 9th. LeAnn distributed the MASWCD e-mail newsletter. LeAnn welcomed new board members. LeAnn thanked Paul Brutlag for attending their Area leadership meetings.

Minnesota Association of Townships (MAT) – Sandy Hooker reported that the MAT annual meeting is November 20-21, 2009 in Rochester.

UPCOMING MEETINGS

- Southern Water Planning Committee Meeting, immediately following the Board Meeting.
- Wetlands Committee Meeting today at noon.
- MAWD Annual Convention, December 3-5, 2009, Alexandria.
- MASWCD Annual Convention, December 6-8, 2009, Duluth.
- AMC Annual Convention, December 7-9, 2009, Minneapolis.
- Next Board Meeting, December 16, 2009, Board Room, lower level, St. Paul.
- Board Retreat – January 27-28, 2009, Riverwood Conference Center, Otsego.

** Moved by Brian Napstad, seconded by John Meyer, to adjourn the meeting at 11:15 a.m.
09-88 Motion passed on a voice vote.

Respectfully submitted,

Mary Jo Anderson
Recorder

Dispute Resolution Report
December 1, 2009
by: Travis Germundson

There are presently 17 appeals pending. All of the appeals involve WCA except File 05-24. There have been 2 new appeals filed since the last report dated October 28, 2009.

Format note: New appeals that have been filed since last report to the Board.
~~Appeals that have been decided since last report to the Board.~~

~~File 09-24 (11-09-24) This is an appeal of a restoration order in Itasca County. The appeal regards the placement of approximately 4,065 square feet of fill in a type 7 wetland adjacent to Rice Lake. The appeal has been denied.~~

File 09-23 (11-02-09) This is an appeal of a restoration order in Pipestone County. The appeal regards the impact of approximately 2.3 acres of type 1 wetland associated with the installation of agricultural drain tile. No decision has been made on the appeal. The appellant has granted BWSR additional time to make a decision on the appeal.

File 09-22 (10-02-09) This is an appeal of a restoration order in Carlton County. The appeal regards three separate investigation areas encompassing over 18 acres of wetland impacts from excavation, filling, and ditching. The replacement order has been stayed and the appeal has been placed in abeyance pending further technical work and for submittal of complete wetland replacement plan, exemption, or no-loss application.

File 09-21 (09-30-09) This is an appeal of a restoration order in Polk County. The appeal regards the placement of approximately 1.1 acres of fill in a type 2/3 wetland adjacent to Lake Sarah. The replacement order has been stayed and the appeal has been placed in abeyance pending further technical work and for submittal of complete wetland replacement plan, exemption, or no-loss application.

File 09-18 (9-16-09) This is an appeal of a wetland bank decision in Koochiching County. The appeal regards the approval of a wetland bank application at 100-percent credit by the County Board. The decision deviated from the Technical Evaluation Panel recommendation and staff decision on percent eligible for credit. The appeal has been remanded because the local government unit's record is not adequate.

File 09-13 (8-20-09) This is an appeal of an exemption decision in Otter Tail County. The appeal regard the denial of an exemption request for agricultural/drainage actives. A previous denial of the same exemption decision had been appealed (File 09-6). The appeal was remanded for further technical evaluation and a hearing, and now the current denial has been appealed. *The appeal has been granted. A pre hearing conference convened on November 12, 2009. At which time parties agreed to hold off scheduling written briefs until March 2010.*

File 09-10 (7-9-09) This is an appeal of a banking plan application in Aitkin County. The appeal regards the LGU's denial of a banking plan application to restore 427.5 acres of wetlands through the use of exceptional natural resource value. The appeal has been accepted and a pre-hearing conference convened on October 13, 2009 and settlement discussions are ongoing.

File 09-9 (6-22-09) This is an appeal of a restoration order in Brown County. The appeal regards a no-loss request\determination for the placement of agricultural tile lines within a wetland area. The landowner requested a no-loss determination from the LGU, and then proceeded to do the work prior to obtaining a determination. Both parties mutually agreed to extend the time period for BWSR to render a final decision. No decision has been made on the appeal.

File 09-3 (2-20-09) This is an appeal of a replacement plan decision in Anoka County. The appeal regards the approval of a wetland replacement plan for 11,919 square feet of impacts associated with a residential development. The appeal has been placed in abeyance and the replacement plan decision stayed for submittal of a revised replacement plan application at the request of the petitioner.

File 09-2 (2-19-09) This is an appeal of a restoration order in Stearns County. The appeal regards the filling of approximately 6,833 square feet of a type 5 wetland with various debris materials. No decision has been made on the appeal. The appellant has granted BWSR additional time to make a decision on the appeal.

File 08-9. (03/06/08) This is an appeal of a replacement order in Pine County. The appeal regards impacts to approximately 11.26 acres of wetland. The replacement order has been stayed and the appeal has been placed in abeyance pending further technical work.

File 08-4. (01/24/08) This is an appeal of no-loss and exemption decisions in Waseca County. In addition to the no-loss decision, at issue are denials of the agricultural exemption, approved development exemption, incidental wetland exemption, and claims of numerous procedural issues that were prejudicial to the applicants. Further, a Minn. Stat. § 15.99 (60-day rule) claim is pending in Appellant Court.

File 06-23. (05/19/06) This is an appeal of a replacement plan decision in Kanabec County. The LGU denied the wetland replacement plan application. A previous denial of the same replacement plan application had been appealed, the appeal was remanded for a hearing, and now the current denial has been appealed. The appeal has been placed in abeyance pending the outcome of a lawsuit between the landowner and the county. The lawsuit concerns the county's possible noncompliance with the 60-day rule. The county prevailed in district court, however the decision was appealed to the Court of Appeals where the county again prevailed. An appeal to the Minnesota Supreme Court was denied review. It is likely the appeal will soon be placed on the calendar for DRC proceedings.

File 06-17. (05/27/06) This is an appeal of a replacement plan decision in the City of Montgomery in LeSueur County. The LGU denied an after-the-fact wetland replacement plan application based on a lack of sufficient reasons why the restoration could not be completed. The appeal has been remanded for further processing at the local level.

File 06-12. (04/13/06) This is an appeal of a no-loss decision in Stearns County. It involves the same project and issues as File 06-6. After a restoration order was issued, a no-loss application was submitted by the developer and denied by the LGU. The appeal has been remanded for further technical evaluation.

File 06-6. (02/16/06) This is an appeal of a restoration order in Stearns County. At issue are numerous wetlands impacted by filling, sedimentation, reduction of hydrology and lack of Best Management Practices associated with a residential development. The appeal has been denied in part. The Restoration Order has been affirmed in part and has been stayed in part.

File 05-24. (03/04/05) This is an appeal, actually three appeals, of the Bois de Sioux Watershed District compensation to landowners related to a project. The appeal has been held in abeyance pending settlement discussions. It appears at least two of the appeals have been settled.

File 05-1. (01/13/05) This is an appeal of a replacement plan decision by the Rice Creek Watershed District. The District previously made a decision that was appealed which resulted in a remand for an expanded TEP. Now there is an appeal of the decision made under remand since the decision differed from the TEP report. At issue is a wetland delineation and the Comprehensive Wetland Protection and Management Plan that BWSR approved. After a hearing before the DRC, the board remanded the matter for a new wetland delineation and for submission on an updated, complete replacement plan application.

Draft Summary Table

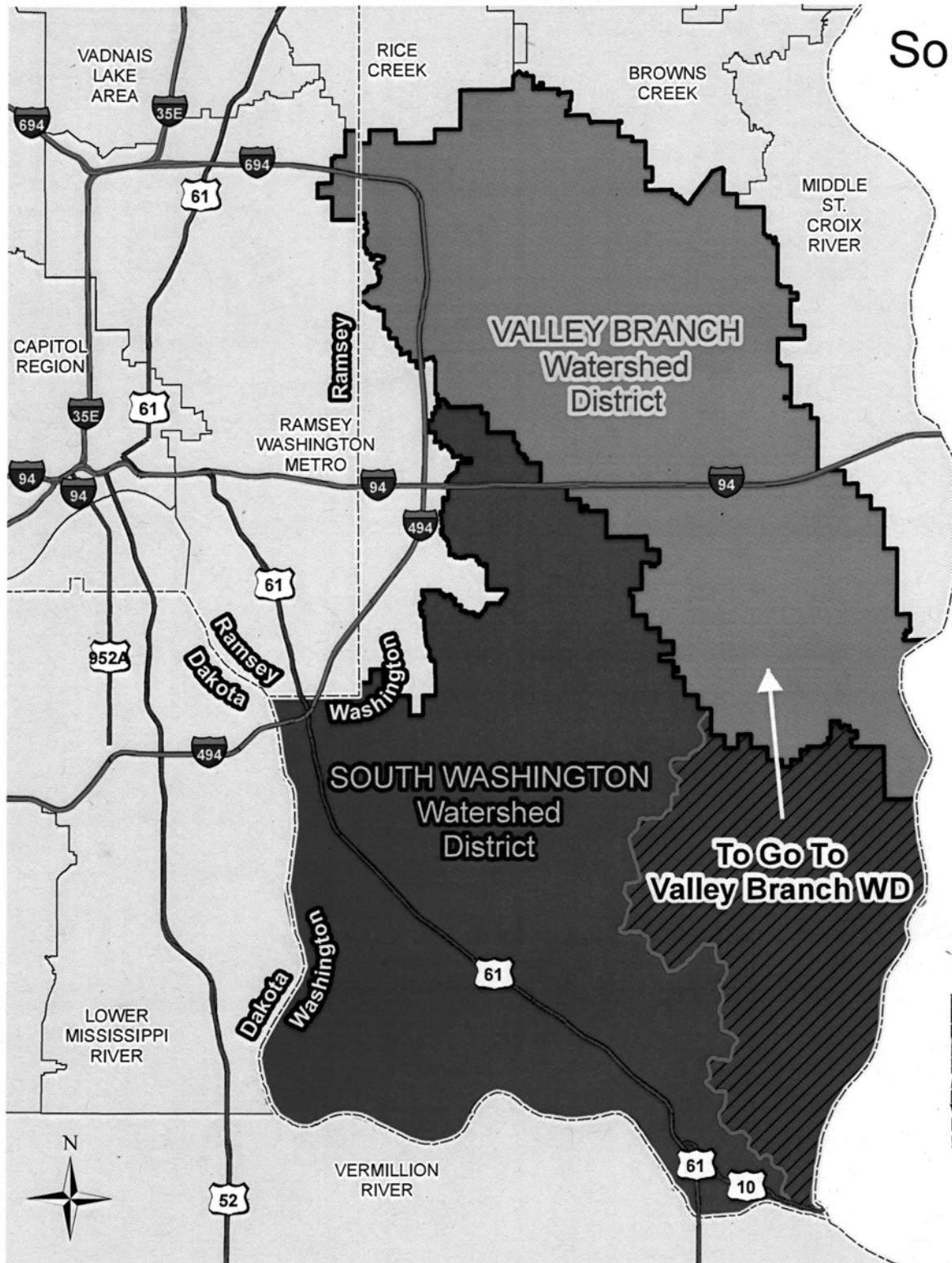
Type of Decision	Total for Calendar Year 2009
Order in favor of appellant	
Order not in favor of appellant	9
Order Modified	1
Order Remanded	3
Order Place Appeal in Abeyance	3
Negotiated Settlement	

COMMITTEE RECOMMENDATIONS

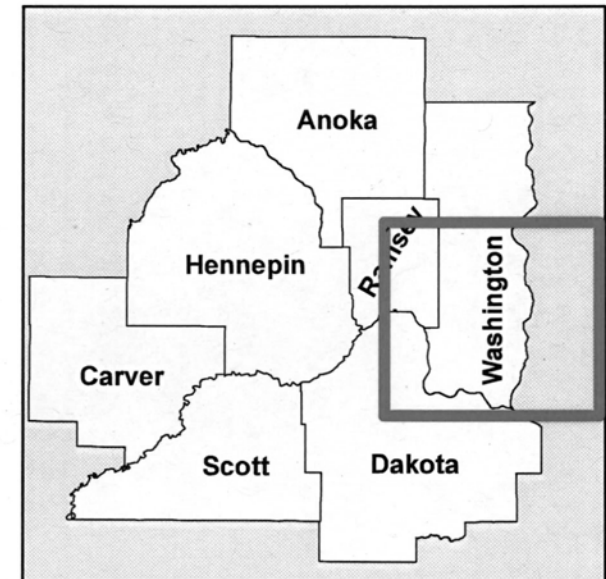
Metro Water Planning Committee

1. Citizen Petition for Boundary Change of South Washington WD and Valley Branch WD, and Reduction in Number of Managers of South Washington WD – ***DECISION ITEM***
2. Coon Creek Watershed District Boundary Change – ***DECISION ITEM***

South Washington & Valley Branch Watershed Districts Boundary Change



- County Boundaries
- Proposed Boundary Change
- Current Watershed District Boundaries
- Surrounding Watershed Districts & WMOs



Oct 2009

Miles
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Minnesota Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, MN 55155

In the Matter of the Petition for a Boundary Change of the South Washington and Valley Branch Watershed Districts and a Reduction in Number of Managers of the South Washington Watershed District, Washington County, pursuant to Minnesota Statutes Section 103D.251.

**ORDER FOR
BOUNDARY CHANGE AND
REDUCTION IN NUMBER
OF MANAGERS IN
WATERSHED DISTRICTS**

Whereas, a citizen petition (Petition) for a boundary change of the South Washington Watershed District (SWWD) and the Valley Branch Watershed District (VBWD), and for a reduction in the number of managers of the SWWD, was filed with the Board on October 5, 2009, pursuant to Minn. Stat. § 103D.251, and;

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

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

FINDINGS OF FACT

1. **Petition.** On October 5, 2009 the Board received a citizen Petition for a boundary change of the South Washington Watershed District (SWWD) and the Valley Branch Watershed District (VBWD), and for a reduction in the number of managers of the SWWD, pursuant to Minn. Stat. § 103D.251. The proposed watershed district boundary change would follow the major hydrologic boundary between the Mississippi River and the St. Croix River. The proposed reduction in the number of managers of the SWWD would reduce the number of managers from seven (7) to five (5).
2. **Property Description.** The territory affected by the proposed boundary change, the Petitioned Area, is depicted in a map dated October 2009 attached to this Order and comprises an area located in Washington County entirely within the metropolitan area that is approximately 30.08 square miles currently within the SWWD, which includes land in the

Cities of Afton and Cottage Grove, and the Town of Denmark.

The proposed boundary change would transfer from the SWWD to the VBWD approximately 30.08 square miles, of which 4.06 square miles are located within the City of Afton, 2.04 square miles are located within the City of Cottage Grove, and 23.98 square miles are located within the Town of Denmark. The proposed boundary change would result in the SWWD being approximately 79.29 square miles and the VBWD being approximately 101.42 square miles.

3. **Number of Managers.** The Petition requests the number of managers of the SWWD be reduced from seven (7) to five (5) managers.
4. **Petition Service.** The Petition was served on the Board, the SWWD and the VBWD.
5. **Certification of Petitioner Signatures.** The Washington County Auditor certified the requisite number of petitioner signatures has been met pursuant to Minn. Stat. §§ 103D.011, Subd. 25, 103D.211, 103D.251, Subd. 5 (a) (4). (See Exhibit 3)
6. **Reasons for Change.** The Petition states the proposed changes will benefit the public welfare and public interest and will advance the purposes of Minnesota Statutes Chapter 103B for the following reasons:

a. The proposed boundaries will create contiguous areas with common hydrologic boundaries as intended by Minn. Stat. § 103B.535 (2) that all drain to distinct, major rivers. As it stands today, most of the former Lower St. Croix Watershed Management Organization (LSCWMO) area recently added to the SWWD drains to the St. Croix River. The original extents of the SWWD drain to the Mississippi River. The St. Croix River is currently classified as an Outstanding Resource Value Water – Restricted and subject to significantly more restrictive requirements than the Mississippi River.

While separate standards can be maintained for each hydrologic area, the goals and priorities of the Watershed District Board members representing separate hydrologic areas will differ and make it more difficult to reach consensus on the direction of the Watershed. The petitioners maintain that this concern was properly addressed by the Washington County Water Governance Study (Washington County, 1999) that recommended the enlargement of the Valley Branch Watershed District to include the majority of the former LSCWMO.

The proposed boundary change will result in watersheds with common hydrologic

boundaries and consistent management standards that will better serve the public interest in improving the water quality of the Lower St. Croix River.

b. The SWWD has a number of Capital Improvement Projects listed in its long range Watershed Management Plan (WMP). These include the Central Draw Overflow with an estimated budget of \$17,650,000.

The SWWD has been collecting funds for the planning and construction of the central draw overflow via a stormwater utility fee pursuant to Minn. Stat. § 444.18. Resident owners within the SWWD have contributed \$5,626,479 for the purpose of planning and constructing this overflow.

The petitioners assert that the proposed reduction of SWWD board members will better serve the public welfare by ensuring that the inter-community consensus that the SWWD has taken years to develop will not be upset, and that long-range flood mitigation projects are not needlessly delayed.

7. **Washington County Governance Study.** In May 1998, the Washington County Board of Commissioners authorized a Water Governance Study to identify and evaluate the best governance structure for water management for the county. In April 2002, the county developed a plan defining the expectations of watershed management organizations for actively managing the water resources of the county. The Washington County Board of Commissioners approved the findings and recommendations of the Water Governance Study that the number of water management units in the county should be reduced and that local water management units should be watershed districts, not joint powers watershed management organizations. Washington County has worked with representatives of each of the water management units to develop recommendations for key issues related to the enlargements, such as financing policies, coordination of water management plans, and board representation. Goals from the Revised Implementation Plan for Water Governance are as follows:

- a. To create a water management structure that will provide long term protection for surface and groundwater resources.
- b. To create local water management units with the fiscal capacity and authority to govern efficiently and effectively.
- c. To identify financing mechanisms that are fair and adequate to meet the needs of the county.

- d. To coordinate surface water, groundwater, land use, and natural resources management to provide for a more comprehensive approach to resource management.
 - e. To adopt a proactive rather than a reactive approach to countywide water resources.
 - f. To increase the accountability of the water management structure.
8. **Hearing Order.** At its regular meeting on October 28, 2009, the Board determined the Petition met the requirements of Minn. Stat. § 103D.251 and consequently ordered a public hearing to be held on the Petition.
9. **Hearing Notice.** Legal notice of the public hearing on the proposed watershed district boundary change and decrease in number of managers, pursuant to Minn. Stat. § 103D.251, Subd. 6, was published in the Oakdale/Lake Elmo Review on November 4, 2009, the Woodbury Bulletin on November 4, 2009, the South Washington County Bulletin on November 4 2009, and the Hastings Star Gazette on November 5, 2009. Further, a copy of the hearing notice was mailed to several addressees including the Washington County Auditor, an Assistant Washington County Attorney, all of the cities and towns in the SWWD and VBWD, the SWWD, the VBWD, the SWCD, and the DNR.
10. **Public Hearing.** A public hearing was held on the Petition on November 17, 2009, at the Washington County Service Center—Cottage Grove, 13000 Ravine Parkway South, Cottage Grove, Minnesota. The audio of the hearing proceedings was recorded. The hearing panel was the Metro Water Planning Committee which consisted of Board members Christy Jo Fogarty, Faye Sleeper, LuAnn Tolliver and Louise Smallidge as chair.

Travis Germundson, Board staff, entered Exhibits 1 through 10 into the record by reading a brief description of each exhibit.

Exhibit 1. Citizen petition to change the boundary of the South Washington Watershed District and the Valley Branch Watershed District and to reduce the number of managers of the South Washington Watershed District, filed 10/5/09, 11 pgs.

Exhibit 2. Letter dated 10/6/09 from Jim Haertel, BWSR, to Molly O'Rourke, Washington County Auditor-Treasurer, regarding certification of the petitioner signatures.

Exhibit 3. Letter dated 10/7/09 from Molly O'Rourke, Washington County Auditor-Treasurer, to Jim Haertel, BWSR, certifying the number of petitioner signatures.

Exhibit 4. Memorandum dated 10/8/09 from Jim Haertel, BWSR, to several addressees regarding the Petition including Exhibit 4a, list of addressees, 2 pgs.

Exhibit 5. Board Order dated 10/28/09 to have a public hearing on the Petition, 3 pgs.

Exhibit 6. Letter dated 10/29/09 from Jim Haertel, BWSR, to several addressees regarding the public hearing including Exhibits 6a, list of addressees, 6b, notice of public hearing, 6c, map, 6d, affidavit of service by mail, 3 pgs.

Exhibit 7. Affidavit of publication for notice of public hearing in the Woodbury Bulletin and the South Washington County Bulletin on 11/4/09.

Exhibit 8. Affidavit of publication for notice of public hearing in the Oakdale/Lake Elmo Review on 11/4/09.

Exhibit 9. Affidavit of publication for notice of public hearing in the Hastings Star Gazette on 11/5/09.

Exhibit 10. Letter dated 11/5/09 from William Moore, Metropolitan Council, to Jim Haertel, BWSR, in support of the proposed boundary change.

Exhibit 11. Letter dated 11/17/09 from Myron Bailey, Mayor, City of Cottage Grove, to Jim Haertel, BWSR, in opposition to the proposed boundary change, 2 pgs.

Exhibit 12. Letter dated 11/17/09 from Sarah Sonsalla, legal counsel for Denmark Township, to Jim Haertel, BWSR, in opposition to the Petition, 3 pgs.

After all people present at the public hearing were given an opportunity to speak and enter written comments, the hearing record was left open for one week until 4:30 PM on November 24, 2009, for receipt of written comments. The following exhibits were received while the hearing record was open.

Exhibit 13. Letter dated 11/23/09 from Myron Bailey, Mayor, City of Cottage Grove, to Jim Haertel, BWSR, in opposition to the Petition, 3 pgs.

Exhibit 14. Letter dated 11/24/09 from Charlotte Cohn, DNR, to Jim Haertel, BWSR, in support of the Petition.

Exhibit 15. Letter dated 11/24/09 from William Hargis, Mayor, City of Woodbury, to Jim Haertel, BWSR, in support of the Petition, 4 pgs.

Exhibit 16. Letter dated 11/24/09 from Rebecca Flood, PCA, to Jim Haertel, BWSR, in support of the proposed boundary change.

Exhibit 17. Letter dated 11/24/09 from Daniel Belka, petitioner, to Jim Haertel, BWSR, in support of the Petition, 4 pgs.

Exhibit 18. Staff Advisory Report dated 11/24/09 from Jim Haertel, BWSR, in support of the Petition, 7 pgs.

11. **Hearing Panel.** The hearing panel, consisting of the Metro Water Planning Committee, met on November 25, 2009. Committee members in attendance were Christy Jo Fogarty, Rebecca Flood, Faye Sleeper, LuAnn Tolliver, Robert Burandt and Louise Smallidge as chair. Board staff in attendance were Melissa Lewis and Jim Haertel. Based on the entire record in this matter and after due consideration, the committee, with Smallidge abstaining, decided with a unanimous vote to recommend to the full Board that the SWWD and VBWD boundary be changed according to the Petition and that the SWWD number of managers be reduced from seven (7) to five (5).

The Board's standard of review in making determinations on a proposed boundary change of a watershed district is set forth in Minn. Stat. § 103D.251, Subd. 7, item a, as follows:

After the hearing on the petition for a boundary change, the board must establish the proposed boundary change, by order, if the board determines that establishment of the proposed boundary change would benefit the public welfare and public interest and the proposed boundary change would advance the purpose of this chapter.

In arriving at their decisions, the Committee endorsed the findings and recommendations in the Staff Advisory Report regarding the Petition. (See Exhibit 18) The Committee found that water resources are best managed on a watershed basis. More will be accomplished in watershed management with approval of the boundary change. The boundary change will allow for more hydrologically coordinated planning efforts and for better integration of water quality goals into watershed planning. Programs, policies, standards and projects to protect and improve water resources will be more readily implemented with the boundary change. The boundary change will provide an opportunity to more effectively coordinate the development and implementation of water quality restoration and improvement projects. The Committee found the boundary change and the reduction in number of managers would benefit the public welfare and public interest and the purposes of Minnesota Statutes Chapters 103B and 103D would be advanced. The Committee noted the substantial support in the hearing record for the Petition. Also, the Committee noted that the SWWD and the VBWD have not amended their watershed management plans to include the expanded areas that were added about seven months ago.

The Committee found that the reduction in number of managers is necessary because the boundary change would return the SWWD to an area similar in size to the former SWWD. The former SWWD was managed well by five managers. The Committee noted that since May 27, 2009 when the Board expanded the SWWD and increased the number of managers from five to seven that no additional new managers have been appointed by the Washington County Board of Commissioners.

CONCLUSIONS

1. The Petition for the boundary change of the South Washington Watershed District and the Valley Branch Watershed District, and reduction in number of managers of the South Washington Watershed District is valid in accordance with Minn. Stat. § 103D.251.
2. Proper notice of hearing was given and the public hearing was held in accordance with applicable laws.
3. All relevant substantive and procedural requirements of law and rule have been fulfilled.
4. The Board has proper jurisdiction in the matter of ordering a watershed district boundary change and a reduction in number of watershed district managers.
5. The boundary change of the South Washington Watershed District and the Valley Branch Watershed District, and the reduction in number of managers of the South Washington Watershed District, as proposed in the Petition would benefit the public welfare and public interest and the purposes of Minnesota Statutes Chapters 103B and 103D would be advanced because the water resources will be managed better on a watershed basis.
6. The boundary change will allow for more hydrologically coordinated planning efforts and for better integration of water quality goals into watershed planning.
7. Programs, policies, standards and projects to protect and improve water resources will be more readily implemented with the boundary change.

8. The boundary change will provide an opportunity to more effectively coordinate the development and implementation of water quality restoration and improvement projects.
9. The territory in the Petitioned Area is free of any benefits or damages from any improvement previously constructed by a watershed district.
10. The reduction in number of managers as proposed in the Petition for the South Washington Watershed District should be approved because five managers previously managed the former South Washington Watershed District well and the area of the District will be returned to a size similar to the former District.
11. The South Washington Watershed District and the Valley Branch Watershed District Watershed Management Plans should be amended within one year to include the changes made by this Order.

ORDER

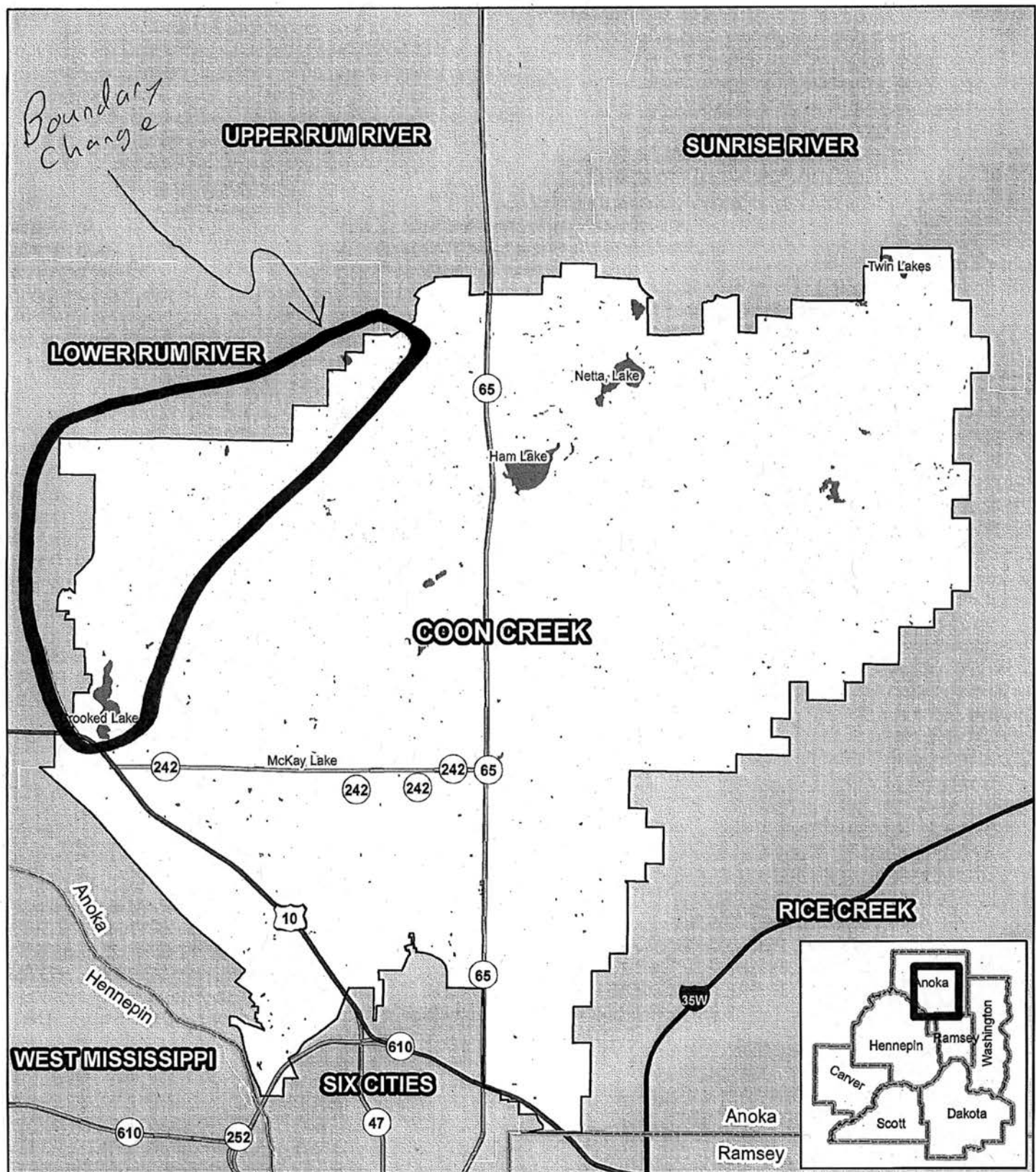
The Board hereby orders that the boundary of the South Washington Watershed District and the Valley Branch Watershed District be changed according to the Petition and the map dated October 2009 attached herewith to this Order and fully incorporated herein including the dataset for the map, and that the number of managers of the South Washington Watershed District be reduced from seven (7) to five (5). The Board further orders that the Watershed Management Plans for the South Washington Watershed District and the Valley Branch Watershed District be amended within one year of the date of this Order to include the boundary change.

Dated at Saint Paul, Minnesota this 16th day of December, 2009.

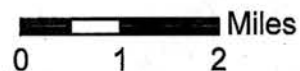
MINNESOTA BOARD OF WATER AND SOIL RESOURCES

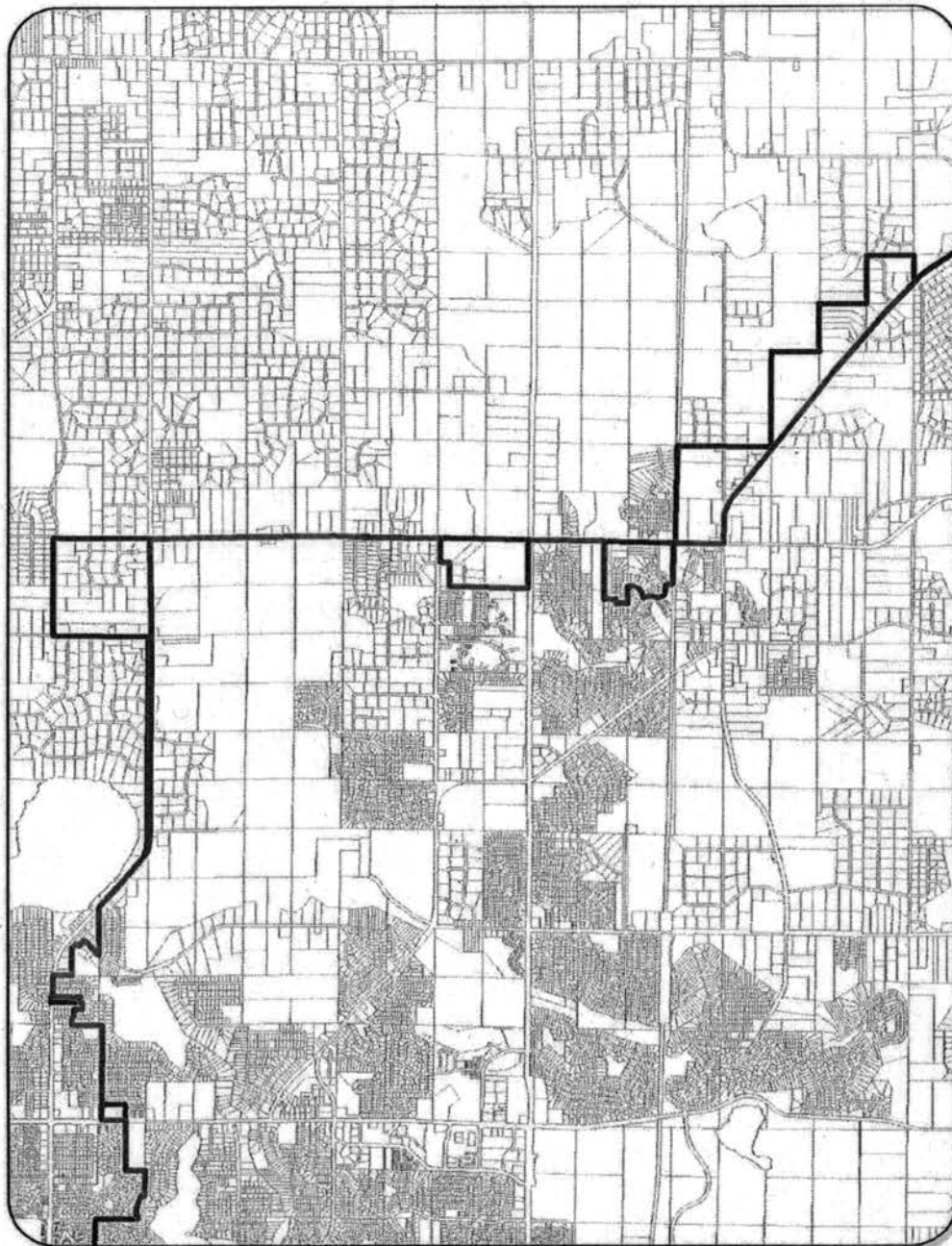
By: _____
Randy Kramer, Chair

Coon Creek Watershed District



-  Counties
-  Coon Creek WD
-  Adjacent WDs and WMOs





CCWD Legal and Hydrologic boundary

Coon Creek WD GIS June 25th 2009
Source: CCWD

Disclaimer
This is an official map of the Coon Creek Watershed District. It is not intended to be used for any other purpose. The Coon Creek Watershed District is not responsible for any errors or omissions in this map. The Coon Creek Watershed District is not responsible for any damages or losses resulting from the use of this map.

Legend

- CCWD_Hydro_Boundary
- Existing Legal Boundary
- Parcels

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of the Boundary Change for the
Coon Creek Watershed District in Anoka County
pursuant to Minnesota Statutes § 103B.215

**ORDER
BOUNDARY
CHANGE**

Whereas, the Coon Creek Watershed District filed a Petition dated August 24, 2009 with the Board of Water and Soil Resources (Board) on August 25, 2009, to change the boundary of the Coon Creek Watershed District (CCWD) pursuant to Minn. Stat. § 103B.215, and;

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

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

FINDINGS OF FACT

1. **Petition.** The Petition to change the boundary of the CCWD with the Lower Rum River Watershed Management Organization (LRRWMO) was filed by the CCWD Board of Managers with the Board on August 25, 2009.
2. **Property Description.** The territory included in the boundary change, the Petitioned Area, is located in the City of Andover in Sections 12, 13, 14, 15, 16, 17, 21, and 32 in Anoka County entirely within the metropolitan area and totals approximately 373.2 acres of land. The Petitioned Area includes the transfer of 365 acres from CCWD to the LRRWMO, and the transfer 8.2 acres from LRRWMO to CCWD. The Petitioned Area is depicted on eight maps attached to the Petition and further identified in property identification tables attached to the Petition.
3. **Reasons for Boundary Change.** The proposed boundary change would achieve a more accurate alignment between the hydrologic and legal boundaries of the CCWD and LRRWMO. The requested boundary change is consistent with the purposes and requirements of Minn. Stat. §§ 103B.205 to 103B.255.

4. **Statements of Concurrence.** The required statements of concurrence pursuant to Minn. Stat. §103B.215, Subd. 2 item c from the City of Andover, and the LRRWMO where submitted with the Petition.
5. **Effect on Benefits and Damages.** The Petition states the proposed boundary change will not affect the benefits or damages for any improvements previously constructed by the CCWD or the LRRWMO.
6. **Notice of Filing.** Legal Notice of Filing of the proposed boundary change, pursuant to Minn. Stat. § 103B.215, Subd. 3, was published in the Anoka County Union on September 9 and 18, 2009.
7. **Public Hearing.** The Legal Notice of Filing was published pursuant to Minn. Stat. § 103B.215, Subd.3, which requires within 20 days of the last date of publication of the Notice of Filing of the Petition that at least one request for hearing be received by the Board before a hearing will be held. No requests for hearing and no comments were received during the specified period of time and no hearing was held.
8. **Metro Water Planning Committee.** On November 25, 2009, the Board's Metro Water Planning Committee and staff met in St. Paul to review and discuss the boundary change Petition. Those in attendance from the Board's Committee were Faye Sleeper, LuAnn Tolliver, Christy Jo Fogarty, Robert Burandt, and Louise Smallidge as chair. Board staff in attendance were Metro Regional Supervisor Jim Haertel, Board Conservationist Melissa Lewis, and Water Management Specialist Travis Germundson. Board staff recommended approval of the boundary change. After discussion, the Committee unanimously voted to recommend approval of the CCWD boundary change to the full Board.

CONCLUSIONS

1. The Petition for Boundary change of the CCWD is valid in accordance with Minn. Stat. § 103B.215.
2. All relevant substantive and procedural requirements of law and rule have been fulfilled.
3. The Board has proper jurisdiction in the matter of ordering a watershed district boundary change.
4. The territory included in the requested boundary change is within the hydrologic boundaries of the CCWD or the LRRWMO.
5. The governing bodies of the City of Andover and LRRWMO concur with the requested boundary change.
6. The requested boundary change is consistent with the purpose and requirements of Minn. Stat. §§ 103B.205 to 103B.255.
7. The requested boundary change can be accomplished in conformance with Minn. Stat. § 103B.225 regarding benefits and damages.
8. The proposed boundary change should be approved per the Petition for CCWD, and the LRRWMO should be encouraged to change their organizational boundaries consistent with this Order.

ORDER

The Board hereby orders that the boundaries of the Coon Creek Watershed District are changed per the Petition as depicted on the eight maps, attached to this Order and made a part hereof, including the data sets the maps were created from. The Board strongly recommends the Lower Rum River Watershed Management Organization take immediate action to change its organizational boundary consistent with this Order.

Dated at Saint Paul, Minnesota this _____ day of December, 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Randy Kramer, Chair

COMMITTEE RECOMMENDATIONS

Southern Water Planning Committee

1. Rice County Local Water Management Plan Update – ***DECISION ITEM***

EXECUTIVE SUMMARY

This is Rice County's Fourth Generation Water Plan; the first water plan was adopted in 1990, the second in 1997, and the third in 2003. The purpose of this plan is to identify existing and potential problems relating to surface and/or ground water within the county; identify opportunities for the protection, management and development of water resources; and to develop objectives, as well as a plan of action to promote the management of water and land resources. There are a number of federal, state and local partners that provide assistance and/or funding through joint activities, grants and staff participation.

Rice County is located in southern Minnesota; 30 miles south of Minneapolis on Interstate 35. Interstate 35 runs through the middle of Rice County. There are seven cities and fourteen townships within the county. As Minnesota's thirteenth most populous county, all municipalities and townships in Rice County have experienced substantial growth over the past ten years. Due to the proximity to the Twin Cities Metro Area, Rice County is expected to continue to experience population growth and significant land use changes over the next ten years.

There are three major watersheds in Rice County (Cannon River Watershed, Lower Minnesota Watershed and the Zumbro River Watershed) and numerous subwatersheds throughout the County. Major rivers that run through the county include the Cannon River and the Straight River; and numerous lakes lay in the western half of the county.

Through previous water plans, partnerships with other agencies and various grant programs, Rice County has accomplished many of the action items listed in previous water plans. Rice County as well as all partners has successfully accomplished many grant projects throughout the years. In addition, there are a number of ongoing activities that are undertaken on a daily basis throughout the county.

After analyzing the previous water plan, the citizen survey, as well the job responsibilities and accomplishments of individuals and organizations within Rice County, both the Technical and Advisory Committee determined the main Priority Concerns that must be addressed with the new 2009-2014 Rice County Local Water Management Plan. These priority concerns include: 1) Erosion, 2) Storm water, 3) Waste Disposal/Management, 4) Groundwater, 5) Surface Water, 6) Coordination/Special Concern.

After describing and assessing each priority concern item, the two committees came up with goals, objectives and action items for each priority concern. Through various partnerships and funding mechanisms these action items will be the focus of projects throughout the period of this plan.



DATE: September 18, 2009
TO: Jeff Nielsen, BWSR Southern Regional Supervisor
FROM: Michelle Schaefers, BWSR Board Conservationist
SUBJECT: Rice County Local Water Management Plan— Final Review

Rice County submitted their Priority Concerns Scoping Document (PCSD) in September of 2008 for state agency reviews and comments. The Board of Water and Soil Resources (BWSR) Southern Water Planning Review Committee (Committee) met with representatives of Rice County on November 14, 2008, to discuss state agencies review comments, the contents of the PCSD and recommendations for the content of the final Local Water Management Plan (Plan). In a letter to Rice County dated December 17, 2008, the BWSR communicated the State's official comments: the priority concerns to be addressed in the final Plan were deemed to be appropriate; the Committee did not recommend or require any changes to the PCSD.

On November 3, 2008, Rice County submitted a request to the BWSR for a one-year extension of their current Plan. On December 17, 2008, the BWSR officially approved the extension request. The extended end-date of the current Plan was set at January 28, 2010.

Rice County completed the final draft Plan, held the required public hearing on August 6, 2009, and submitted the final draft Plan to the BWSR on August 20, 2009 as required for final review by state agencies. State agency comments and recommendations were to be submitted to Jeff Nielsen by September 23, 2009.

State agency comments were received from the Minnesota Department of Agriculture (MDA), Minnesota Department of Health (MDH), Minnesota Department of Natural Resources (MN DNR), and Minnesota Pollution Control Agency (MPCA). These state agencies recommend that BWSR approve the entire Plan as submitted. MPCA did however submit a list of additional items for consideration. Rice County responded to the comments made by MPCA (see attached letter from Rice County).

The Minnesota Environmental Quality Board did not provide comments/recommendations to the Rice County Water Plan.

I have completed my final review of the Rice County Plan and find that it does meet the requirements of Minnesota Statute 103B.314. The Plan:

- focuses on the priority concerns identified in the PCSD;
- assesses the priority concerns and sets forth appropriate goals and objectives;
- provides an implementation program with measurable actions, timeline and budget; and
- includes all required sections.

I recommend approval of the Rice County Local Water Management Plan. I look forward to assisting Rice County in the implementation of their Plan.

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
3217 Bemidji Avenue N. Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	217 S. 7th Street Suite 202 Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	1004 Frontier Drive Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	2300 Silver Creek Road N.E. Rochester, MN 55906 phone (507) 280-2874 fax (507) 285-7144	520 Lafayette Road N. Saint Paul, MN 55155 phone (651) 296-3767 fax (651) 297-5615

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of Reviewing the Local Water Management Plan Update
for Rice County (Minnesota Statutes , Section 103B.311,
Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER
APPROVING
LOCAL
WATER MANAGEMENT
PLAN UPDATE

Whereas, the Rice County Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Minnesota Board of Water and Soil Resources (Board) on August 20, 2009, pursuant to M.S. Section 103B.315, Subd. 5, and

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

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

FINDINGS OF FACT

1. On September 11, 2008, the Board received a Priority Concerns Scoping Document from Rice County, pursuant to M.S. Section 103B.312.
2. On November 3, 2008, Rice County submitted a request to the Minnesota Board of Water and Soil Resources to approve a one-year extension of their current water plan to January 28, 2010.
3. On December 17, 2008, the Board approved official comments on the Rice County Priority Concerns Scoping Document, which were mailed to the county on December 17, 2008.
4. On December 17, 2008, the Board of Water and Soil Resources approved the Rice County request to extend their current water plan to January 28, 2010.
5. The priority concerns the local water management plan addresses include:
 - a. Erosion
 - b. Storm Water
 - c. Waste Disposal/Management
 - d. Groundwater
 - e. Surface Water
 - f. Coordination/Special Concern
6. On August 20, 2009, the Board received the Rice County Plan Update, a record of the public hearing, and copies of all written comments pertaining to the plan update to the Board for final State review pursuant to M.S. Section 103B.315, Subd. 5.

7. On October 28, 2009, the Southern Water Planning Review Committee (Committee) of the Board reviewed the recommendation of the state review agencies regarding final approval of the Rice County Plan Update. Recommendations of the state review agencies were:
 - a. Minnesota Department of Agriculture recommends approval;
 - b. Minnesota Department of Health recommends approval;
 - c. Minnesota Department of Natural Resources recommends approval;
 - d. Minnesota Pollution Control Agency recommends approval;
 - e. Minnesota Environmental Quality Board had no comment;
 - f. Minnesota Board of Water and Soil Resources regional staff recommends approval;
 - g. Board regional Water Plan Review Committee recommends approval.
8. This update will be in effect until December 31, 2014.

CONCLUSIONS

1. All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Water Plan Update of Rice County pursuant to Minnesota Statutes, 103B.315, Subd. 5.
2. The Rice County Plan Update attached to this Order states water and water-related problems within the county; possible solutions; general goals, objectives, and actions of the county; and an implementation program. The attached Plan Update is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached update of the Rice Local Water Management Plan.

Dated at St. Paul, Minnesota, this sixteenth day of December, 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chair

COMMITTEE RECOMMENDATIONS

Wetlands Committee

1. Eleven-County Metro WCA Enforcement Grants – ***DECISION ITEM***
2. BWSR-NRCS Interagency Memorandum of Understanding: Wetland Conservation Act and Swampbuster Coordination – ***DECISION ITEM***

**Board of Water and Soil Resources
October 28, 2009**

**Wetland Conservation Act Supplemental Enforcement Funding
for the 11-County Metropolitan Area**

Recommendation for Adoption

Background:

The Board of Water and Soil Resources (BWSR) received an appropriation as follows:

\$100,000 each year (FY 2010 and 2011) is to make grants to local units of government within the 11-county metropolitan area to improve response to major wetland violations

Chapter 57 defines the 11-county metropolitan area as the Counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright.

In developing the allocation proposal, the following considerations were used:

- SWCD's provide the principal support and follow-up to wetland violations.
- Given the number of LGU's in the area, the amount of money quickly becomes insignificant as the number of potential recipients increases.
- A key goal is to support local government capacity to respond to violations (i.e. adequate staff support for WCA and WCA violations).
- This appropriation is not in the BWSR base budget (i.e. it is a one-timer, except it was done initially in FY 2008 and FY 2009 for \$250,000 each year).

Cease and desist order and restoration order data from DNR-Enforcement for the years 2005 through 2008 are shown below.

**Cease and Desist Order and Restoration/Replacement Orders: 11-County Metro Area
2005-2008**

Cease and Desist Orders

County	2005	2006	2007	2008	05-06 Total	07-08 Total	4-Year Total
Anoka	2 (2.9%)	11 (11.5%)	4 (4.9%)	12 (21.1%)	13 (7.8%)	16 (11.6%)	29 (9.6%)
Carver	3 (4.3%)	2 (2.1%)	1 (1.2%)	3 (5.3%)	5 (3.0%)	4 (2.9%)	9 (3.0%)
Chisago	9 (12.9%)	10 (10.4%)	7 (8.6%)	7 (12.3%)	19 (11.4%)	14 (10.1%)	33 (10.9%)
Dakota	2 (2.9%)	1 (1.0%)	1 (1.2%)	3 (5.3%)	3 (1.8%)	4 (2.9%)	7 (2.3%)
Hennepin	6 (8.6%)	1 (1.0%)	11 (13.6%)	6 (10.5%)	7 (4.2%)	17 (12.3%)	24 (7.9%)
Isanti	5 (7.1%)	2 (2.1%)	8 (9.9%)	2 (3.5%)	7 (4.2%)	10 (7.2%)	17 (5.6%)
Ramsey	2 (2.9%)	3 (3.1%)	5 (6.2%)	5 (8.8%)	5 (3.0%)	10 (7.2%)	15 (5.0%)
Scott	10 (14.3%)	3 (3.1%)	5 (6.2%)	1 (1.8%)	13 (7.8%)	6 (4.3%)	19 (6.3%)
Sherburne	9 (12.9%)	26 (27.1%)	12 (14.8%)	7 (12.3%)	34 (20.5%)	19 (13.8%)	53 (17.5%)
Washington	7 (10.0%)	5 (5.2%)	8 (9.9%)	0	12 (7.2%)	8 (5.8%)	20 (6.6%)
Wright	15 (21.4%)	32 (33.3%)	19 (23.5%)	11 (19.3%)	47 (28.3%)	30 (21.7%)	77 (25.4%)
Totals	70	96	81	57	166	138	303

Restoration/Replacement Orders

County	2005	2006	2007	2008	05-06 Total	07-08 Total	4-Year Total
Anoka	1 (3.2%)	5 (17.2%)	3 (8.3%)	7 (31.8%)	6 (10.0%)	10 (17.2%)	16 (13.6%)
Carver	1 (3.2%)	0	0	1 (4.5%)	1 (1.7%)	1 (1.7%)	2 (1.7%)
Chisago	7 (22.6%)	10 (34.5%)	7 (19.4%)	4 (18.2%)	17 (28.3%)	11 (19.0%)	28 (23.7%)
Dakota	0	0	0	0	0	0	0
Hennepin	2 (6.5%)	0	2 (5.6%)	3 (13.6%)	2 (3.3%)	5 (8.6%)	7 (5.9%)
Isanti	1 (3.2%)	0	3 (8.3%)	0	1 (1.7%)	3 (5.2%)	4 (3.4%)
Ramsey	1 (3.2%)	1 (3.4%)	2 (5.6%)	1 (4.5%)	2 (3.3%)	3 (5.2%)	5 (4.2%)
Scott	7 (22.6%)	2 (6.9%)	3 (8.3%)	1 (4.5%)	9 (15.0%)	4 (6.9%)	13 (11.0%)
Sherburne	3 (9.7%)	6 (20.7%)	5 (13.9%)	3 (13.6%)	9 (15.0%)	8 (14.0%)	17 (14.4%)
Washington	5 (16.1%)	2 (6.9%)	4 (11.1%)	0	7 (11.7%)	4 (6.9%)	11 (9.3%)
Wright	3 (9.7%)	3 (10.3%)	7 (19.4%)	2 (9.1%)	6 (10.0%)	9 (15.5%)	15 (12.7%)
Total	31	29	36	22	60	58	118

Staff Proposal

Although the vast majority of SWCD's prefer an equal allocation with no past activity allocation, based on the above data and the considerations outlined above, BWSR staff have developed a proposed allocation of these funds to the following SWCD's in the 11-county metropolitan area:

SWCD	Base Allocation	Activity Allocation	Total
Anoka	\$5,000	\$4,500	\$9,500
Carver	\$5,000		\$5,000
Chisago	\$5,000	\$9,000	\$14,000
Dakota	\$5,000		\$5,000
Hennepin	\$5,000	\$4,500	\$9,500
Isanti	\$5,000		\$5,000
Ramsey	\$5,000		\$5,000
Scott	\$5,000	\$4,500	\$9,500
Sherburne	\$5,000	\$9,000	\$14,000
Washington	\$5,000	\$4,500	\$9,500
Wright	\$5,000	\$9,000	\$14,000
Total	\$55,000	\$45,000	\$100,000

Wetland Committee Recommendations

The Wetland Committee met on Wednesday, October 28, 2009. The committee discussed the staff proposal, and recommends the following allocation of these funds:

SWCD	Base Allocation	Activity Allocation	Total
Anoka	\$5,000	\$4,500	\$9,500
Carver	\$5,000		\$5,000
Chisago	\$5,000	\$9,000	\$14,000
Dakota	\$5,000		\$5,000
Hennepin	\$5,000	\$4,500	\$9,500
Isanti	\$5,000		\$5,000
Ramsey	\$5,000		\$5,000
Scott	\$5,000	\$4,500	\$9,500
Sherburne	\$5,000	\$9,000	\$14,000
Washington	\$5,000	\$4,500	\$9,500
Wright	\$5,000	\$9,000	\$14,000
Total	\$55,000	\$45,000	\$100,000

The committee discussion that resulted in this recommended allocation was centered on the ability to use the funds to encourage all 11 of the SWCD's to be effectively engaged in WCA enforcement efforts and the need to provide a fair allocation of these funds, in addition to the staff considerations previously listed.

The Wetland Committee is recommending the Board adopt the proposed allocation that is based on a formula of an equal allocation to all SWCD's plus an amount calculated on the level of WCA enforcement activity during the previous four years.

Resolution # _____

**Wetland Conservation Act Supplemental Enforcement Funding
for the 11 – County Metropolitan Area**

WHEREAS, Laws of Minnesota, Chapter 57, Section 5, appropriated \$100,000 each year to BWSR in State Fiscal Year's 2010 and 2011 "to make grants to local units of governments within the 11-county metropolitan area to improve response to major wetland violations"; and

WHEREAS, the 11-County Metropolitan Area consists of the following Counties: Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright; and

WHEREAS, staff consulted with local governments and local government associations in developing a proposal to allocate these funds. This proposal was based on enforcement processes, data from the Department of Natural Resources – Division of Enforcement, and the desire to provide sufficient funds to make a difference on the ground; and

WHEREAS, the Wetland Committee reviewed the staff proposal on October 28, 2009 and is recommending the Board approve an allocation that is based on a formula of equal funding for all 11 soil and water conservation districts plus an amount calculated on the level of WCA enforcement activity during the previous four years, as follows:

SWCD	Base Allocation	Need Allocation	Total
Anoka	\$5,000	\$4,500	\$9,500
Carver	\$5,000		\$5,000
Chisago	\$5,000	\$9,000	\$14,000
Dakota	\$5,000		\$5,000
Hennepin	\$5,000	\$4,500	\$9,500
Isanti	\$5,000		\$5,000
Ramsey	\$5,000		\$5,000
Scott	\$5,000	\$4,500	\$9,500
Sherburne	\$5,000	\$9,000	\$14,000
Washington	\$5,000	\$4,500	\$9,500
Wright	\$5,000	\$9,000	\$14,000
Total	\$55,000	\$45,000	\$100,000

NOW THEREFORE BE IT RESOLVED, that the Board accepts the Wetland Committee recommendation to allocate the FY 2010-11 biennial Wetland Conservation Act Supplemental Enforcement Funding for the 11-County Metropolitan Area.

Date

Randy Kramer, Chair

INTERAGENCY MEMORANDUM OF UNDERSTANDING

WETLAND CONSERVATION ACT AND SWAMPBUSTER COORDINATION

This Memorandum of Understanding (MOU) is made and entered into by the Minnesota Board of Water and Soil Resources and the U.S.D.A. Natural Resources Conservation Service.

WHEREAS, the Minnesota Board of Water and Soil Resources (BWSR) has state oversight responsibility for the Wetland Conservation Act (WCA) and its corresponding rules (Chapter 8420) which are implemented by local government units (LGU), including soil and water conservation districts (SWCD), to achieve the state policy of no-net-loss of wetlands; and

WHEREAS, the USDA-Natural Resources Conservation Service (NRCS) is responsible for administering the technical provisions of "Swampbuster" which generally withholds Federal farm program benefits from any person who (1) plants an agricultural commodity on a converted wetland, or (2) converts a wetland to make agricultural commodity production possible; and

WHEREAS, [Statement on federal Freedom of Information Act to be provided by NRCS]; and

WHEREAS, the aforementioned local, state, and federal authorities all seek to protect wetlands on agricultural lands through regulation and incentives, respectively; and

WHEREAS, through coordinated program implementation, increased efficiency and effectiveness in program administration and reduced government costs can be achieved; and

WHEREAS, landowners who choose to take advantage of a coordinated wetland program will receive additional information on wetlands that will minimize the likelihood that activities in wetlands will be in violation of federal, state, or local regulations.

NOW THEREFORE BE IT RESOLVED, the undersigned agencies concur that it is in the public interest to coordinate, to the greatest extent possible, their respective programs as follows:

1. Communication, Information Sharing, and Coordination. The agencies will:

- a. Develop and distribute a joint factsheet for landowners and producers on program requirements, including a recommendation that landowners and producers contact both NRCS and the LGU/SWCD for guidance on projects that may affect wetlands.
- b. Develop a joint wetland information packet to provide landowners and producers with information including wetland identification, differences between USDA, state and local wetland regulations, and landowners and producers rights concerning wetland information. BWSR will develop a WCA agricultural exemption self assessment tool as part of this packet.
- c. Develop procedures for LGUs to notify NRCS offices of WCA applications and decisions.
- d. Develop guidance for NRCS staff involvement with WCA Technical Evaluation Panels that involve wetlands on agricultural land.

December 1, 2009

- e. Coordinate wetland-related administrative and technical training opportunities for state, USDA, and local government staff, including private sector staff when applicable.
- f. Develop and share guidance and technical assessment tools in order to increase technical consistency and minimize duplication of effort. These items, include, but are not limited to, drainage lateral effect and encirclement guidance, hydric soils information, hydrologic tools, and remotely sensed imagery.

2. Delineation of Wetland Boundaries. The agencies agree:

- a. To delineate wetland boundaries according to the 1987 Corps of Engineers Wetland Delineation Manual, including regional supplements and appropriate technical guidance.
- b. That WCA approved wetland delineations performed by a Minnesota Certified Wetland Delineator are acceptable to NRCS when they meet NRCS documentation standards.
- c. That wetland boundaries delineated by NRCS staff as part of a Certified Wetland Determination, prior to the application of policy labels (PC, CWTE, etc.), can be accepted by local government units and Technical Evaluation Panels when appropriate documentation is included and when approved by the landowner.
- d. To develop guidance specifying when wetland determinations are acceptable for WCA and USDA purposes and including procedures for joint acceptance.
- e. To assess the 1994 Minnesota Mapping Conventions/USDA-Farm Service Agency imagery procedures for possible updates and improvements.

3. Wetland Violations. For wetland violations on agricultural land:

- a. WCA Restoration and Replacement Orders will be shared with the appropriate NRCS field office.
- b. NRCS staff will be invited to Technical Evaluation Panel meetings.
- c. The agencies will review restoration requirements and identify restoration standards that will be acceptable for both programs. The goal of wetland restoration completed in compliance with a WCA Restoration Order is for it to be sufficient to fulfill NRCS restoration requirements.

4. Wetland Mitigation. The agencies agree:

- a. That wetland replacement via banking in accordance with WCA standards generally provides acceptable mitigation for wetland impacts that require replacement under respective program requirements.
- b. The goal is for a conservation easement held by BWSR and monitoring conducted by BWSR, on a replacement wetland to be sufficient for NRCS purposes.
- c. To conduct a joint review of corresponding wetland replacement requirements to identify and agree on replacement standards that will be mutually acceptable.

BE IT FURTHER RESOLVED, the undersigned agencies concur that the following provisions apply to the implementation of this agreement:

- 1. The policies and procedures contained within this MOU does not create any rights or obligations, either substantive or procedural, enforceable by any party or any third party. Deviation or variance from the wetland mitigation guidance included in this MOU will not constitute a defense for violators or others concerned with any State or Federal action.

December 1, 2009

2. Nothing in this MOU is intended to diminish, modify, or otherwise affect statutory or regulatory authorities of any signatory agencies. All formal guidance interpreting this MOU and background materials upon which this MOU is based will be issued after consultation with the signatory agencies.
3. All responsibilities identified in this MOU are subject and dependent on the availability of sufficient funds appropriated and allocated for that purpose.
4. This MOU will take effect on the date of the last signature below and will continue in effect until modified or revoked by the signatory agencies. Either signatory agency must provide the other a minimum notice of 30 days prior to revoking this agreement.
5. This MOU is based on the state and federal authorities as they exist on the date of signature. Subsequent changes to these authorities are not binding on the parties to this MOU.

Randy Kramer
Chair
Minnesota Board of Water and Soil Resources

William Hunt
State Conservationist
Natural Resources Conservation Service
United States Department of Agriculture

BOARD OF WATER AND SOIL RESOURCES

Interagency Memorandum of Understanding: *Wetland Conservation Act and Swampbuster Coordination*

WHEREAS, the Minnesota Board of Water and Soil Resources (BWSR) has state oversight responsibility for the Wetland Conservation Act (WCA) and its corresponding rules (Chapter 8420) which are implemented by local units of government (LGU), including soil and water conservation districts (SWCD), to achieve the state policy of no-net-loss of wetlands; and

WHEREAS, the USDA-Natural Resources Conservation Service (NRCS) is responsible for administering the technical provisions of "Swampbuster" which generally withholds Federal farm program benefits from any person who (1) plants an agricultural commodity on a converted wetland, or (2) converts a wetland to make agricultural commodity production possible; and

WHEREAS, the aforementioned local, state, and federal authorities all seek to protect wetlands on agricultural lands through regulation and incentives, respectively; and

WHEREAS, through coordinated program implementation, increased efficiency and effectiveness in program administration and reduced government costs can be achieved; and

WHEREAS, landowners who choose to take advantage of a coordinated wetland program will receive additional information on wetlands that will minimize the likelihood that activities in wetlands will be in violation of federal, state, or local regulations; and

WHEREAS, the Wetland Committee reviewed the proposed MOU on December 15, 2009 and recommends adoption.

NOW THEREFORE BE IT RESOLVED, the Board adopts the MOU and authorizes the Chair to make final edits to the MOU and sign the agreement on behalf of the Board

Randy Kramer, Chair

Date

NEW BUSINESS

1. Minnesota Water Sustainability Framework (MWSF) Project Presentation –
Jean Coleman, Attorney/Land Use Planner, CR Planning, Inc. –
INFORMATION ITEM
2. Training Program Needs Assessment – ***INFORMATION ITEM***
3. BWSR Proposed 2010 Meeting Schedule – ***DECISION ITEM***



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Minnesota Water Sustainability Framework

The University of Minnesota's Water Resources Center has been charged by the Minnesota State Legislature to develop the state's master plan for sustainable water management, a plan that will protect and preserve Minnesota's lakes, stream, rivers and ground waters for the 21st century and beyond without compromising people's current needs, water quality or natural ecosystems.

Background

In fall of 2008, Minnesotans passed The Clean Water, Land and Legacy Act, an amendment to the state's constitution that created a three-eighths of a percent sales tax to fund, among other things, the protection and preservation of Minnesota's freshwater. The amendment has the potential to raise more than \$275 million a year – of which roughly one third—about \$85 million a year—will go toward protecting and preserving Minnesota's surface and ground water.

This spring, the legislature took the first step in investing that money, appropriating \$750,000 to the University of Minnesota's Water Resources Center to create a comprehensive, 25-year framework for the sustainable management of Minnesota's water resources. The framework is intended to serve as a roadmap—with clear signposts on how and when to spend the money and on what initiatives—based on scientific research, expert opinion, and input from citizens around the state. The plan, titled "Minnesota Water Sustainability Framework," will be presented for recommendation to the legislature in January of 2011.

Why a Framework?

Currently, Minnesota lacks a holistic approach to its water management. The state's drinking water, water used for industrial and agricultural purposes, and lake and river water are monitored and managed by independent agencies. "As a result, we don't have a good understanding of how much water we're using relative to how much is being replenished," says Deborah Swackhamer, co-director of the Water Resources Center and Framework project leader.

Swackhamer, an environmental chemistry professor with the university's School of Public Health who also holds the Humphrey Institute's Charles M. Denny Jr. Chair in Science, Technology and Public Policy, was the lead on [Minnesota Statewide Conservation and Preservation Plan](#), the 400-page comprehensive plan for environmental sustainability produced by the university's Institute on the Environment and the Legislative-Citizen Commission on Minnesota Resources (LCCMR) and presented to the Minnesota Legislature last July.

Process and Governance

The Headwaters Council, an oversight team made up of experts on the topic of water resources from around the region, is currently being assembled to provide guidance to the Framework's process and policy recommendations.

Concurrently, experts from state agencies including the Minnesota Pollution Control Agency, the Department of Natural Resources, the Department of Agriculture, the Department of Health, the Environmental Quality Board, the Board of Soil and Water Resources and representatives from higher education, the private sector, and non-governmental organizations are being appointed to work teams. These teams will identify the water issues to be considered, determine gaps in knowledge, management and policy, and formulate recommendations. Additional teams will synthesize the recommendations and identify timelines for implementation.

Commitment to Public Engagement

Because water policy involves values as well as science, the Water Resources Center will engage all Minnesotans through surveys, workshops and on-site events to find out how Minnesotans want to use their water and how they feel about a range of water-related issues — from fishing and boating to agricultural practices. A Citizen and Stakeholder Advisory Committee will be named this fall to guide this process.

Timeline

Summer/Fall 2009

- Naming of Headwaters Council. Citizens and Stakeholder Advisory Committee. and work

Timeline

Summer/Fall 2009

- Naming of Headwaters Council, Citizens and Stakeholder Advisory Committee, and work teams.
- Water Resource Center booth at the Minnesota State Fair solicits public opinion on a range of water issues

Fall/Winter 2009 –2010

- Work teams develop recommendations and engage citizens and stakeholders through communications campaigns and public forums

Spring/Fall 2010

- Work team recommendations are compiled and synthesized

Fall/Winter 2010—2011

- Final report is prepared and reviewed before being presented to the Minnesota State Legislature on January 15, 2011.

Key Contacts and Partner Organizations

Deborah L. Swackhamer, Project Leader - dswack@umn.edu

Jean Coleman, Project Coordinator - jcoleman@crplanning.com

Barbara Liukkonen, Citizen Engagement Coordinator - liukk001@umn.edu

[Minnesota Board of Water and Soil Resources](#)

[Minnesota Department of Agriculture](#)

[Minnesota Department of Health](#)

[Minnesota Department of Natural Resources](#)

[Minnesota Pollution Control Agency](#)

[Minnesota Public Facilities Authority](#)

[The Metropolitan Council](#)

[The Minnesota Environmental Quality Board](#)

Feedback

The Water Resources Center wants your thoughts on how to preserve and protect Minnesota's waters for all future generations. [Contact Us](#)

Resources

[Statewide Conservation and Preservation Plan](#). 2008. University of Minnesota

[Water Is Life: Protecting a Critical Resource for Future Generations](#). 2008. Freshwater Society (.pdf)

[Minnesota Water Marks](#). 2000. Minnesota Environmental Quality Board (.pdf)

[Managing for Water Sustainability](#). 2008. Minnesota Environmental Quality Board and MN Department of Natural Resources (.pdf)

[Minnesota's Water Supply](#). 2000. MN Department of Natural Resources (.pdf)

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Last modified on August 27, 2009

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Minnesota Water Sustainability Framework Water Resources Planning for Minnesota's Future Overview

The Legacy Amendment Funding Bill (2009 Minn. Laws. Ch. 172, Art. 2 § 30 at 45-46) included funding for the University of Minnesota Water Resources Center to develop a Statewide Water Sustainability Framework. The following paragraphs summarize the legislative language.

- **Project Goal:** Develop a comprehensive statewide sustainable water resources detailed framework to protect, conserve, and enhance the quantity and quality of the state's groundwater and surface water. The long-range, 25-year detailed framework shall include an implementation schedule and associated benchmarks, for policy, research, monitoring, and evaluation in order to achieve sustainable groundwater and surface water use, including the ecological benefits provided by water resources to humans and fish and wildlife habitat. For the purposes of the detailed framework, water use is sustainable when the use does not harm ecosystems, degrade water quality, or compromise the ability of future generations to meet their own needs.
- **Work Cooperatively:** Tap the knowledge, expertise, and existing plans of the Departments of Natural Resources and Agriculture, the Environmental Quality Board, the Pollution Control Agency, the Board of Water and Soil Resources, Clean Water Council, watershed management districts, watershed management organizations, soil and water conservation districts, and other federal, state, and local government and private nonprofits with expertise in water resources.
- **Issues to Address/Project Outcomes:** Include, but not be limited to, identification of infrastructure needs, drinking water, groundwater and surface water, storm water, agricultural and industrial needs, the interfaces of climate change, development and land use, and demographics. Identify best practices and methods for determining the effectiveness of those practices for wastewater treatment, drinking water source protection, pollution prevention, conservation, and water valuation.

The UM Water Resources Center is responsible for the final Framework to be delivered to the Legislature by January 2011. The project will proceed with the following general steps:

- Identify and describe guiding principles and values for water sustainability
- Identify major uses of water, water-related issues, and drivers of change in water resources
- Collect and analyze existing technical information on water issues
- Form a guiding committee, the Headwaters Council, to provide advice to the UM Water Resources Center throughout the overall process
- Form a Stakeholder and Citizen Advisory Group to ensure that citizens and stakeholders are included and consulted throughout process
- Form Technical Work Teams around the major uses to define water needs over time, identify knowledge gaps, identify threats and impacts
- Form a cross-cutting team, the Framework Synthesis Team, to integrate information from the Technical Work Team across issues and develop draft recommendations
- Develop the overall framework for sustainably managing our water resources

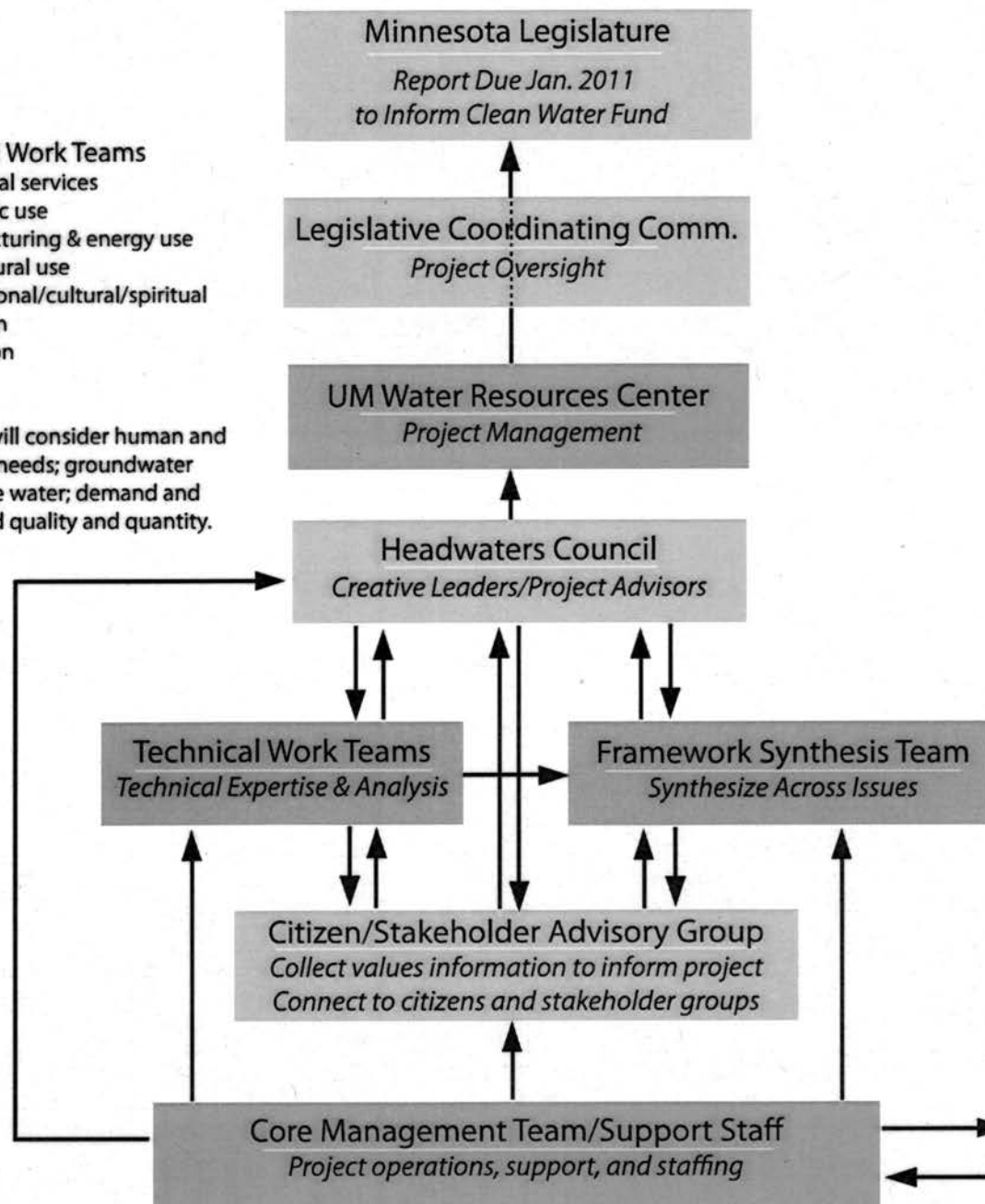
Minnesota Water Sustainability Framework

Project Organizational Chart

Technical Work Teams

Ecological services
Domestic use
Manufacturing & energy use
Agricultural use
Recreational/cultural/spiritual
Valuation
Education
Policy

All teams will consider human and ecological needs; groundwater and surface water; demand and supply; and quality and quantity.



Project Contacts:

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Project Leader

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Citizen/Stakeholder Outreach Coordinator

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Project Briefings to:

- MN Legislative Committees
- Environmental Quality Board
- CWF Interagency Coordination Team
- Clean Water Council

**Sec. 30. COMPREHENSIVE STATEWIDE SUSTAINABLE WATER RESOURCES
DETAILED FRAMEWORK.**

(a) The University of Minnesota shall develop a comprehensive statewide sustainable water resources detailed framework to protect, conserve, and enhance the quantity and quality of the state's groundwater and surface water. The detailed framework shall be a long-range, 25-year detailed framework, with an implementation schedule and associated benchmarks, for policy, research, monitoring, and evaluation in order to achieve sustainable groundwater and surface water use, including the ecological benefits provided by water resources to humans and fish and wildlife habitat. For the purposes of the detailed framework, water use is sustainable when the use does not harm ecosystems, degrade water quality, or compromise the ability of future generations to meet their own needs.

(b) The detailed framework shall be developed by the University of Minnesota Water Resources Center in cooperation with the Departments of Natural Resources and Agriculture, the Environmental Quality Board, the Pollution Control Agency, the Board of Water and Soil Resources, watershed management districts, watershed management organizations, soil and water conservation districts, and other federal, state, and local government and private nonprofits with expertise in water resources. In developing the detailed framework, the water resources plans of organizations with water resources expertise shall be considered. The detailed framework must include, but is not limited to, identification of infrastructure needs, drinking water, groundwater and surface water, storm water, agricultural and industrial needs, the interfaces of climate change, development and land use, and demographics. The detailed framework must identify best practices and methods for determining the effectiveness of those practices for wastewater treatment, drinking water source protection, pollution prevention, conservation, and water valuation.

(c) The University of Minnesota shall also develop a ten-year plan for sustainable water resources. In developing this plan, the University of Minnesota Water Resources Center shall examine existing plans, as available and appropriate, from the Environmental Quality Board and Clean Water Council.

(d) The University of Minnesota shall submit the detailed framework to the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture policy and finance, environment and natural resources policy and finance, and cultural and outdoor resources policy and finance by January 15, 2011.

(e) It is a condition of acceptance of this appropriation that the University of Minnesota must submit a work plan, a timeline, a budget, and periodic progress reports to the Legislative Coordinating Commission. After review, the work plan, progress reports, and any comments on the plan must be submitted to the house of representatives and senate environment finance and policy and cultural and outdoor resources finance committees, and to the Legislative Coordinating Commission.

Board Resolution # _____

BWSR Proposed 2010 Meeting Schedule

January 27 - 28, 2010 Workshop and Meeting

February 24, 2010 (tentative) – Committee Meetings

March 24, 2010

April 28, 2010

May 26, 2010

June 23, 2010

July – no meeting

August 25 - 26, 2010 - Tour and Meeting

September 22, 2010

October 27, 2010

November – no meeting

December 15, 2010

Date _____

Randy Kramer, Chair

Minnesota Board of Water and Soil Resources

FOR YOUR INFORMATION

December 16, 2009

- Updated Board Member Listing
- Updated Board Member Location Map
- Updated BWSR Staff Listing
- BWSR "Snapshots"
- Overview of Cultivated Riparian Zone Estimates

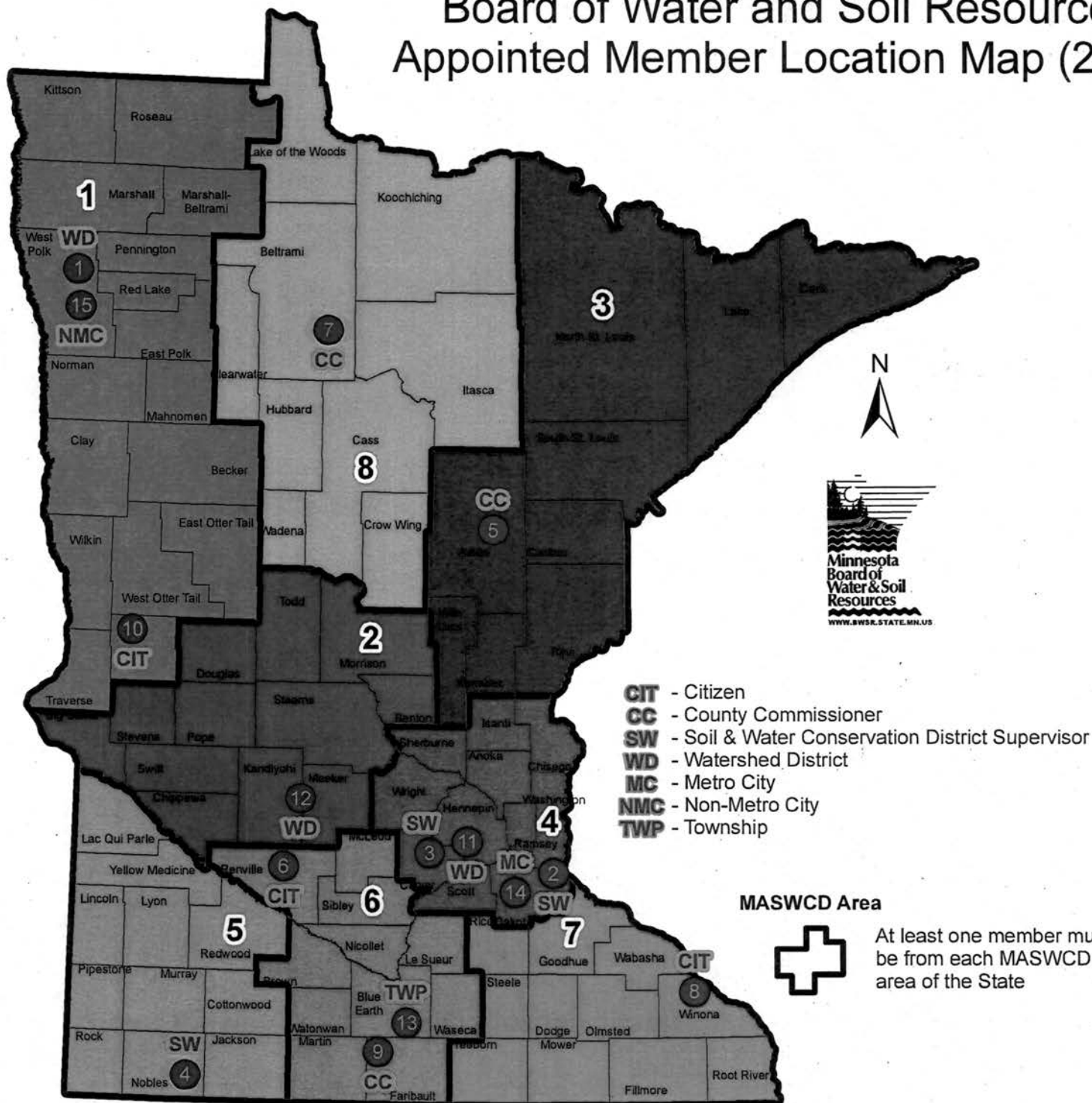
MINNESOTA BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
ST. PAUL, MINNESOTA 55155
Phone: 651-296-3767 Fax: 651-297-5615

<u>Appointed Members</u>	<u>Appointment Designation</u>	<u>Term Expires</u>	<u>Telephone/Fax/Cell</u>	
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Rebecca Flood 520 Lafayette Road, St. Paul, MN 55155 Rebecca.Flood@state.mn.us	Pollution Control Agency	651-757-2022 651-296-7923	Office Fax

Board of Water and Soil Resources Appointed Member Location Map (2009)



Board Members

ID, Member, Yr. Appt. Ends

- 1, Gene Tiedmann, 2010
- 2, Louise Smallidge, 2012
- 3, Robert Burandt, 2013
- 4, Paul Langseth, 2010
- 5, Brian Napstad, 2010
- 6, Randy Kramer, Chair, 2011
- 7, Quentin Fairbanks, 2011
- 8, John Meyer, 2013
- 9, Tom Loveall, 2013
- 10, Paul Brutlag, 2012
- 11, LuAnn Tolliver, 2012
- 12, Gordon Behm, 2011
- 13, Sandra Hooker, 2012
- 14, Christy Jo Fogarty, 2013
- 15, Keith Mykleseth, 2011

Agency Seats

- 16, Joe Martin, MDA
- 17, John Linc Stine, MDH
- 18, Larry Kramka, DNR
- 19, Faye Sleeper, UME
- 20, Rebecca Flood, MPCA

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 Fure, Jon 296-0884
 Germundson, Travis 297-4958
 Girolamo, Dan 215-1703
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 Kean, Al 297-2907
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BWSR Snapshots

December 2009

A Successful BWSR Academy! By Jason Weinerman, Board Conservationist

The 2009 BWSR Academy was held in the Brainerd Lakes area from November 2nd to the 4th. The primary objective of the BWSR Academy is to combine much of the training that would be offered throughout the year into a single high intensity event in a single location. In 2008, the north region piloted the Academy concept and, with over 90 satisfied participants, the effort was seen as successful and worthy of a statewide effort. The 2009 BWSR Academy was attended by over 200 LGU staff from soil and water conservation districts, watershed districts, and county government. 130 evaluations ranked the overall success of the 2009 Academy on a scale from 1 to 5 with 5 being excellent. The mean response was 4.0, indicating a very good satisfaction level.

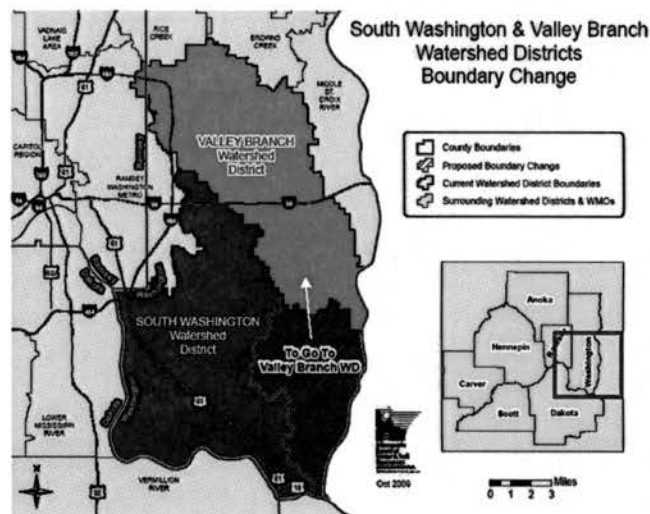
The 2009 Academy consisted of four concurrent tracks that focused on administrative, technical and organizational topics required for the successful delivery of BWSR programs. In addition to the strong focus on BWSR programs, there were several "value-added" presentations designed to improve the delivery of our LGU partner programs. John Jaschke provided the keynote speech during lunch on the first day and also was available for a fireside chat that evening. In addition to BWSR staff, presenters from the Minnesota Pollution Control Agency, the Minnesota Department of Natural Resources, the Headwaters Regional Development Commission, the State Auditor's Office and many others helped to fill out our ambitious curriculum.

With comments like "This was great, Thank You!", "One meeting saves travel and expenses", and "Very good overall and look forward to next year."- the 2009 BWSR Academy was a successful event. In addition to providing a solid training base for BWSR programs, the planning group was successful in keeping costs contained so that the event was affordable for most of our LGU partners. As was identified in the agency's strategic plan, BWSR can only be as good as our delivery system. With the success of the 2009 Academy, we moved another step towards accomplishing this critical objective.

SWWD/VBWD Boundary Change By Jim Haertel, Metro Region Supervisor

On May 27, 2009, the Board of Water and Soil Resources (Board) enlarged the South Washington Watershed District (SWWD) and the Valley Branch Watershed District (VBWD) in conjunction with the dissolution of the Lower St. Croix Watershed Management Organization (LSCWMO) and increased the number of managers in the SWWD to seven. Because the dissolution of the LSCWMO was contingent on a certain watershed district boundary alignment, the enlarged boundaries did not align with the major hydrologic divide of the Mississippi and St. Croix Rivers. On October 5, 2009, a citizen petition was submitted to the Board requesting a boundary change of the SWWD and the VBWD to align the boundary with the major hydrologic divide and reduce the number of managers of the SWWD to five. A public hearing was held on November 17th with the record closing on November 24th. The Metro Committee met on November 25th to review the hearing record and developed a recommendation for the Board to accept the citizen petition; to be acted on at the December Board meeting.

The issue has been contentious with Denmark Township and the Cities of Cottage Grove and Woodbury. Former LSCWMO members Denmark and Cottage Grove are opposed to the petition and prefer no changes to the Board's action taken last May. They desire to have all of their lands within the SWWD, instead of some in the SWWD and some in the VBWD. Woodbury supports the petition and wants water managed on a hydrologic basis.



Riceland Wetland Restoration, Freeborn County
Tom Wenzel, Sr. Water Resources Engineer

The Riceland Wetland Restoration Project in southeast Minnesota is a good example of a multi-purpose project that achieves flood damage reduction, with habitat restoration and water quality improvement.

The Riceland Township project is south of Lake Geneva, in Freeborn County. The site had been previously identified by the Turtle Creek Watershed District (TCWD) as a high-priority in a recent flood damage reduction study. The site contains a variety of wetland habitats, all extensively drained by subsurface tile and open ditch systems. Currently, the site provides little flood storage opportunity for the 2,060 acre drainage area that contributes to the site.

Cooperation between the TCWD, BWSR, Freeborn Soil and Water Conservation District (SWCD), USDA Natural Resources Conservation Service (NRCS), and USDA Farm Services Agency (FSA) office in Freeborn County enabled five properties within the project area to be enrolled into permanent conservation easements through a Reinvest In Minnesota (RIM) Reserve program partnership (CREP 2). This resulted in the restoration of approximately 309 acres of adjoining land.

Many engineering and construction challenges needed to be addressed such as the scope of work needed, the size of the drainage area, and the desire to manage the timing of the restoration of hydrology to the site. This required that construction be completed in two phases. The first phase designed by BWSR engineering staff included approximately 90 tile blocks, the construction of several earthen embankments, the installation of a steel sheet pile weir outlet structure, and the realignment and regrading of an existing drainage ditch. The phase one construction work was recently completed at a cost of about \$137,000.

The phase two design work is more challenging and includes the construction of additional tile blocks, earthen embankments, and a large concrete drop structure and earthen dam at the outlet of the project. The expertise of the NRCS structural engineering design staff is being utilized to help design the concrete drop structure. The phase 2 design will be completed yet this winter with construction planned for the 2010 construction season.

About 130 wetland acres will be restored, including 40 acres of open water within the three main pools and a variety of other wetland types. The restoration will include the abandonment of approximately 10.5 miles of subsurface tile drainage and about 1 mile of an open ditch. The flood control benefits anticipated from this

completed project are also significant. The model results indicate that the project will provide about 304 acre-feet of detention flood storage and a reduction in peak flow rate of almost 58% (718 cfs existing to 304 cfs proposed) for the 100-year 24-hour flood event.



*Constructed steel sheet pile weir outlet with plunge pool
(wetland basin off to the left)*

Cultivated Riparian Zone Estimates

Overview

The Riparian Buffer Analysis is an effort to estimate the total area and miles where cultivated land is within a riparian zone along surface water features. It has been developed for Minnesota counties deemed to have an overall agricultural rate of more than 30%. The results are based on the USDA - National Agricultural Statistics Service's 2008 Cropland Data Layer (CDL), a 56 meter resolution raster layer of land uses and therefore results at larger scales will be subject to the coarseness of this data layer. Because of the resolution of the CDL, it is likely some existing non-cultivated buffers are not reflected in the results. Additionally, all buffers were derived from an overlay of vector streams, lakes and wetland data and the estimates reflect any under or over estimation of these features or misrepresentations of them.

Two iterations of the cultivated riparian zone estimates have been completed, each narrowing the focus of the surface waters being analyzed. The estimates are being provided for:

1. All Minnesota DNR 24k waters and National Wetland Inventory (NWI) open water wetlands
2. All Minnesota DNR Public Waters Inventory (PWI) watercourses and basins

Methods

Surface Water Data Layer Selection – Vector Datatype

Because of the two iterations of the analysis, there are two slightly varied vector data sources that represent the streams (*watercourses*) and the Lakes and Wetlands (*Basins*). The vector data sources for each iteration of the analysis are as follows:

1. All Minnesota DNR 24k waters and NWI open water wetlands (Tables 1 & 2)

Vector Data layers used in the analysis were:

- MN DNR 24K Rivers and Streams, including channelized streams and drainage ditches.
- MN DNR 24K Lakes
- U.S. Fish and Wildlife Service NWI

Vector data consideration for this analysis:

DNR 24K rivers and streams were filtered and only the following classes were used for the analysis: streams (perennial), streams (intermittent), streams (unknown), drainage ditch (perennial), drainage ditch (intermittent), drainage ditch (undifferentiated). All DNR 24K lakes were used. NWI data was filtered and only wetland types 3, 4 and 5 greater than 10 acres were used to represent open water wetlands. Other wetlands were not considered in the analysis.

2. All Minnesota DNR Public Waters Inventory (PWI) watercourses and basins (Tables 3 & 4)

Vector Data layer used in the analysis were:

- MN DNR PWI Watercourses
- MN DNR PWI Basins.

Vector data consideration for this analysis:

DNR PWI Watercourses contain natural watercourses and public ditch/alterd natural watercourses as designated by the commissioner under Minnesota Statute 103G.201. All DNR PWI basins were used. This basin layer includes both lakes and wetlands.

Land Use Data Layer Selection – Raster Datatype

The land use used for these estimates was the USDA-NASS 2008 Cropland Data Layer (CDL). It was chosen because it is the most recent land use data available. The USDA Cropland Data Layer was classified using imagery taken by the Indian Remote Sensing satellite IRS-P6 (RESOURCESAT-1) using its Advanced Wide Field Sensor (AWiFS) which operates in three spectral bands in the Visible and Near Infrared Region (VNIR) and one band in Short Wave Infrared (SWIR). The AWiFS ground resolution is 56 meters squared. USGS Digital Elevation Models (DEM), USGS NLCD 2001 Imperviousness and Tree Canopy data sets, and MODIS 250 meter 16 days Normalized Difference Vegetation Index (NDVI) composites were utilized as ancillary inputs to the classification. The CDL is aggregated to a reduced number of standardized categories for display purposes with the emphasis being agricultural land cover.

In the process of determining what data to use, we considered the National Land Cover Database (NLCD) data because it is available at an improved 30 meter resolution but because its last update was 2001, the decision was to use more recent data.

Riparian Zone Generation

A 50 foot riparian zone was created for each surface water layer and subsequently merged into a single buffer layer. This was completed for each of the two iterations of this analysis. Counties with greater than 30% cultivated land were delineated from the Board of Water and Soil Resources Conservation Lands Summary¹. The merged buffer was then clipped to only those counties that contain greater than 30% cultivated land. Total riparian buffer area was calculated from this layer.

To calculate linear miles of cropped riparian buffers, the 50 foot polygon buffer was converted to a line feature. Then, to remove the inside lines, the subsequent line feature was erased by the original water features themselves buffered to 25 feet. Total riparian miles were calculated using the resulting feature.

Cropland Data Layer Preparations

Because of the coarse resolution of the 2008 CDL raster layer, boundaries between water areas and land can be jagged and incorrectly classify land areas in the riparian zone as water, effectively underestimating the area cultivated when cropped pixels are adjacent to water pixels (Figure 1).

Therefore, we interpolated the CDL to better reflect the land use in the buffered areas. To do this, we began by stripping any CDL raster cells out that were classed as water or wetlands (Figure 2). Then we resampled the raster to 28m² to allow a moderate expansion of cell values in the newly opened space. The interpolation was accomplished by expanding cells adjacent to the areas that were once classified as water. This expansion was only implemented into empty areas of the raster and therefore classification of land use other than water was not altered (Figure 3).

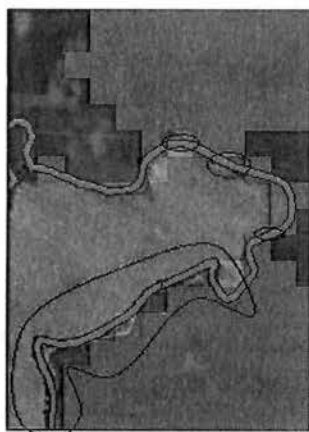


Figure 1.

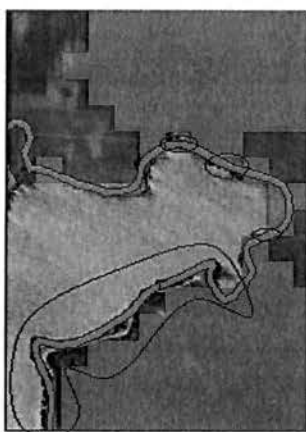


Figure 2.

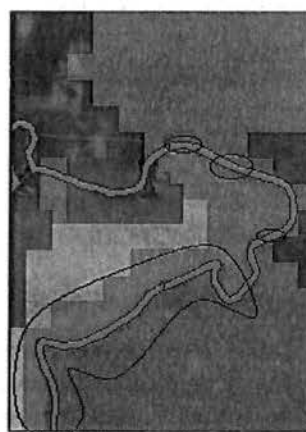


Figure 3.

The interpolated 2008 CDL raster layer was vectorized to better accommodate clipping. No generalization was applied in the vectorization.

Riparian Zone / Interpolated CDL Intersect and Summary

For each iteration, the CDL vector layer was clipped to the merged riparian zone area effectively creating a 50 foot riparian CDL layer. Also, the linear riparian layer was intersected with the CDL so the CDL classifications could be summarized for miles. All cultivated crop classes within the CDL except Christmas trees, clover/wildflowers, and apples were selected and total cultivated area was summarized for each county. For detailed information about the CDL, see the USDA cropland data layer metadata referenced at the end of this report.

As a general reference, Table 5 shows the acreage of Conservation Reserve Program (CRP)² parcels within the 50 foot riparian zone is included as well as total CRP acreages by county.

Data Accuracy Considerations

Sources of Error

The cropland land use data (CDL) is over three times the size of the 50 foot riparian zone being analyzed. This creates a significant possibility that actual land use in the riparian zone is misrepresented in the result. Because of the random nature of the CDL, there some balancing of the land use estimation, however, land use adjacent to the riparian zones is an influencing factor in the classification of the land use within the riparian zone. In general, it is not desirable to use datasets with differing scales, but given the lack of high resolution current statewide agricultural land use data, it was determined some basic large scale understanding was possible from doing this analysis.

Additionally, the data layers representing streams, lakes and wetlands can also create error if they do not precisely reflect surface waters on the ground.

Keep in mind that this analysis is designed to provide only an estimate of cultivated riparian area. Due to the coarse resolution of the CDL data, these results should not be interpreted as precise calculations. They are meant to be used for general planning purposes only and to approximate target acres for riparian easement programs.

Comparison with Similar Studies

Cannon River Watershed Partnership (CRWP) is currently working on a Shoreland Mapping Project (SMP) in ten southeastern Minnesota counties. This project is using aerial photography to manually delineate land use according to the Minnesota Land Cover Classification System (MLCCS) along watercourses with shoreland status. Because of the far higher accuracy, it makes good base data to compare with. At this time, four counties are complete and as a comparison, BWSR determined the acreage of cultivation within a 50 foot riparian zone for the same set of watercourses using both the CDL based cultivated acres and the CRWP cultivated acres. (Figure 4.)

Figure 4.

County	CDL Estimate (acres w/in 50ft)	CRWP SMP (acres w/in 50ft)
Goodhue	885	276
Mower	952	238
Rice	769	414
Winona	116	154

As evident in figure 4, in this small sample of counties, there is a significant over estimation in three of the counties. However, in Winona County, the CDL layer is underestimating cultivation relative to the manual determination of cultivation from the Shoreland Mapping Project. There are too many variables to fully understand what causes the CDL to classify higher or lower cultivated riparian estimates, but a comparison like this helps keep prospective on the level of emphasis to place on the estimates. In all instances where more precise efforts have been made to determine land use within a riparian zone, those numbers should be favored over the estimates of this analysis.

Disclaimer

BWSR conducted this analysis using available public data layers, but does not assume responsibility for how the data is used or any products or conclusions derived from it by others.

Metadata links:

- DNR 24K Rivers and Streams:
http://jmaps.dnr.state.mn.us/mdreporter/dp_brief_record.jsp?mpid=26000007&ptid=21&fcid=02
- DNR 24K Lakes: http://jmaps.dnr.state.mn.us/mdreporter/dp_brief_record.jsp?mpid=26000006&ptid=21&fcid=01
- NWI: http://jmaps.dnr.state.mn.us/mdreporter/dp_brief_record.jsp?mpid=26000016&ptid=21&fcid=01
- PWI Watercourses:
http://jmaps.dnr.state.mn.us/mdreporter/dp_full_record.jsp?mpid=39000659&ptid=02&fcid=02&dsid=null
- PWI Basins: http://jmaps.dnr.state.mn.us/mdreporter/dp_full_record.jsp?mpid=39000660&ptid=02&fcid=01&dsid=null
- USDA 2008 Cropland Data Layer: http://www.nass.usda.gov/research/Cropland/metadata/metadata_mn08.htm

Cited Web Resources:

1. Conservation Lands Summary: <http://www.bwsr.state.mn.us/easements/COENROL.XLS>
2. Conservation Reserve Program: <http://www.fsa.usda.gov/FSA/webapp?area=home&subject=copr&topic=crp>
3. Cannon River Watershed Partnership Shoreland Mapping Project: <http://www.crowp.net/shorelandmap.html>

Counties with More than 30% Cultivated Land
Cultivated Acres within 50 Ft Riparian Zone Adjacent to Surface Waters
 Reporting Perennial & Intermittent Streams, Rivers, Lakes and Open Water Wetlands *



Table 1.

County Name	Total Acres	Riparian and Cultivated Riparian Acres Adjacent to Surface Waters					
		All Surface Waters			Perennial Surface Waters		
		Riparian Acres	Cultivated Riparian Acres	Cultivated Percent	Riparian Acres	Cultivated Riparian Acres	Cultivated Percent
Becker	925,073	29,843	5,162	17%	23,604	1,733	7%
Benton	264,221	10,929	1,740	16%	6,030	679	11%
Big Stone	338,286	9,688	5,391	56%	5,338	2,406	45%
Blue Earth	489,731	12,763	4,860	38%	7,904	2,355	30%
Brown	395,607	11,274	5,882	52%	5,707	2,065	36%
Carver	240,450	9,473	1,849	20%	7,768	1,298	17%
Chippewa	376,406	11,234	6,858	61%	3,850	1,276	33%
Chisago	283,030	9,053	590	7%	5,433	127	2%
Clay	674,378	18,449	7,961	43%	8,730	2,343	27%
Cottonwood	415,044	13,922	8,009	58%	4,887	1,678	34%
Dakota	374,981	10,906	2,765	25%	6,015	520	9%
Dodge	281,164	10,538	5,739	54%	2,905	585	20%
Douglas	460,946	17,591	2,837	16%	14,085	1,684	12%
Faribault	461,631	9,505	5,353	56%	6,670	3,226	48%
Fillmore	551,460	23,194	4,172	18%	7,171	481	7%
Freeborn	461,960	10,221	5,426	53%	6,529	2,927	45%
Goodhue	499,093	19,953	5,583	28%	6,137	756	12%
Grant	368,568	10,945	5,002	46%	5,413	1,394	26%
Houston	363,942	17,529	1,077	6%	6,223	412	7%
Isanti	288,733	10,049	799	8%	8,208	554	7%
Jackson	460,267	11,309	6,076	54%	4,678	1,611	34%
Kandiyohi	551,880	19,169	7,094	37%	11,831	2,159	18%
Kittson	707,261	15,770	4,928	31%	6,201	1,068	17%
Lac Qui Parle	498,329	17,283	9,161	53%	7,266	2,373	33%
Le Sueur	303,022	10,960	3,571	33%	6,573	1,446	22%
Lincoln	351,298	13,594	5,345	39%	4,334	1,108	26%
Lyon	462,086	15,843	8,057	51%	5,812	2,222	38%
Mahnomen	373,535	14,151	4,262	30%	8,825	1,306	15%
Marshall	1,161,080	31,979	10,329	32%	10,507	1,694	16%
Martin	466,613	9,341	5,087	54%	6,007	2,525	42%
McLeod	323,361	9,892	4,461	45%	7,156	2,629	37%
Meeker	412,484	15,314	5,155	34%	11,349	2,777	24%
Morrison	737,783	28,714	1,780	6%	22,518	1,218	5%
Mower	455,010	15,595	8,703	56%	5,602	1,395	25%
Murray	460,673	14,341	6,751	47%	5,582	1,713	31%
Nicollet	298,537	8,399	4,495	54%	5,234	2,665	51%
Nobles	462,647	15,636	9,359	60%	3,881	1,320	34%
Norman	561,592	16,789	8,817	53%	4,915	1,535	31%
Olmsted	418,743	18,351	4,394	24%	5,308	466	9%
Otter Tail	1,423,970	43,263	4,474	10%	36,216	2,120	6%
Pennington	395,641	9,224	2,322	25%	3,104	590	19%
Pipestone	298,526	13,351	5,192	39%	3,155	478	15%
Polk	1,279,480	38,527	15,269	40%	14,731	3,254	22%
Pope	458,955	15,407	3,758	24%	11,632	1,894	16%
Red Lake	277,195	8,879	2,830	32%	3,727	578	16%
Redwood	564,194	13,424	8,238	61%	6,605	3,071	46%
Renville	631,739	13,860	8,415	61%	7,811	4,057	52%
Rice	329,914	12,439	3,445	28%	5,492	618	11%
Rock	309,155	13,133	7,234	55%	2,868	615	21%
Roseau	1,074,190	28,833	4,819	17%	10,419	607	6%
Scott	235,508	9,341	1,156	12%	6,807	582	9%
Sherburne	288,266	10,636	460	4%	9,607	385	4%
Sibley	384,139	11,677	7,045	60%	6,730	3,603	54%
Stearns	889,283	37,925	7,654	20%	26,617	3,104	12%
Steele	276,476	6,815	3,176	47%	3,174	904	28%
Stevens	368,359	11,031	6,738	61%	3,858	1,567	41%
Swift	481,455	13,857	7,066	51%	5,947	1,914	32%
Todd	626,774	26,037	1,506	6%	19,868	824	4%
Traverse	375,292	10,135	6,456	64%	2,478	1,251	50%
Wabasha	351,374	16,154	2,675	17%	4,630	279	6%
Wadena	347,609	13,162	183	1%	10,823	118	1%
Waseca	276,947	7,485	3,745	50%	3,586	1,094	31%
Watsonwan	281,255	7,212	4,649	64%	3,616	1,701	47%
Wilkin	481,192	15,084	9,153	61%	3,617	1,505	42%
Winona	410,324	18,291	1,561	9%	6,097	184	3%
Wright	457,189	16,982	2,225	13%	14,250	1,600	11%
Yellow Medicine	488,667	16,853	8,848	53%	6,129	2,256	37%
Counties with > 30% Ag.	32,043,972	1,038,505	345,170	33%	535,781	102,482	19%

*Accuracy of Analysis Limited by 56 Meter Resolution Crop Data Layer and any inaccuracies of the 24k Lakes, 24k Streams and NWI Wetlands > than 10 Acres.

Counties with More than 30% Cultivated Land
Cultivated Miles within 50 Ft Riparian Zone Adjacent to Surface Waters
 Reporting Perennial & Intermittent Streams, Rivers, Lakes and Open Water Wetlands*



Table 2.

County Name	Total Acres	Riparian and Riparian Cultivated Miles Adjacent to Surface Waters					
		All Surface Waters			Perennial Surface Waters		
		Riparian Miles	Cultivated Riparian Miles	Cultivated Percent	Riparian Miles	Cultivated Riparian Miles	Cultivated Percent
Becker	925,073	4,889	868	18%	3,874	302	8%
Benton	264,221	1,787	298	17%	998	124	12%
Big Stone	338,286	1,613	908	56%	904	416	46%
Blue Earth	489,731	2,089	811	39%	1,297	396	31%
Brown	395,607	1,849	981	53%	936	347	37%
Carver	240,450	1,546	312	20%	1,275	223	17%
Chippewa	376,406	1,839	1,136	62%	629	214	34%
Chisago	283,030	1,496	100	7%	904	23	3%
Clay	674,378	3,045	1,331	44%	1,454	404	28%
Cottonwood	415,044	2,276	1,328	58%	800	282	35%
Dakota	374,981	1,798	463	26%	1,001	93	9%
Dodge	281,164	1,726	955	55%	476	101	21%
Douglas	460,946	2,900	498	17%	2,336	306	13%
Faribault	461,631	1,559	891	57%	1,094	539	49%
Fillmore	551,460	3,821	707	18%	1,207	90	7%
Freeborn	461,960	1,680	904	54%	1,075	490	46%
Goodhue	499,093	3,257	934	29%	1,004	132	13%
Grant	368,568	1,800	841	47%	894	244	27%
Houston	363,942	2,885	181	6%	1,045	71	7%
Isanti	288,733	1,668	140	8%	1,373	99	7%
Jackson	460,267	1,845	1,013	55%	763	273	36%
Kandiyohi	551,880	3,144	1,185	38%	1,948	372	19%
Kittson	707,261	2,622	829	32%	1,055	183	17%
Lac Qui Parle	498,329	2,832	1,524	54%	1,200	403	34%
Le Sueur	303,022	1,782	600	34%	1,073	249	23%
Lincoln	351,298	2,229	895	40%	732	195	27%
Lyon	462,086	2,601	1,342	52%	966	377	39%
Mahnomen	373,535	2,320	715	31%	1,453	228	16%
Marshall	1,161,080	5,237	1,720	33%	1,725	289	17%
Martin	466,613	1,524	846	56%	979	423	43%
McLeod	323,361	1,620	749	46%	1,179	450	38%
Meeker	412,484	2,495	874	35%	1,860	484	26%
Morrison	737,783	4,685	314	7%	3,713	222	6%
Mower	455,010	2,552	1,450	57%	913	238	26%
Murray	460,673	2,339	1,129	48%	923	296	32%
Nicollet	298,537	1,375	745	54%	857	442	52%
Nobles	462,647	2,560	1,558	61%	644	228	35%
Norman	561,592	2,762	1,472	53%	813	262	32%
Olmsted	418,743	2,998	735	25%	870	81	9%
Otter Tail	1,423,970	7,131	777	11%	5,995	389	6%
Pennington	395,641	1,537	404	26%	533	107	20%
Pipestone	298,526	2,185	872	40%	531	87	16%
Polk	1,279,480	6,353	2,555	40%	2,454	560	23%
Pope	458,955	2,514	644	26%	1,902	335	18%
Red Lake	277,195	1,468	481	33%	622	105	17%
Redwood	564,194	2,211	1,368	62%	1,095	516	47%
Renville	631,739	2,275	1,399	61%	1,286	679	53%
Rice	329,914	2,026	577	28%	900	108	12%
Rock	309,155	2,152	1,207	56%	483	112	23%
Roseau	1,074,190	4,745	816	17%	1,734	109	6%
Scott	235,508	1,533	196	13%	1,123	101	9%
Sherburne	288,266	1,737	80	5%	1,574	68	4%
Sibley	384,139	1,913	1,168	61%	1,108	604	54%
Stearns	889,283	6,189	1,304	21%	4,368	553	13%
Steele	276,476	1,115	531	48%	519	153	30%
Stevens	368,359	1,813	1,123	62%	640	269	42%
Swift	481,455	2,276	1,180	52%	981	327	33%
Todd	626,774	4,249	270	6%	3,267	156	5%
Traverse	375,292	1,664	1,070	64%	410	212	52%
Wabasha	351,374	2,641	449	17%	761	51	7%
Wadena	347,609	2,125	33	2%	1,754	22	1%
Waseca	276,947	1,219	624	51%	584	187	32%
Watsonwan	281,255	1,177	767	65%	590	283	48%
Wilkin	481,192	2,479	1,527	62%	596	256	43%
Winona	410,324	2,994	262	9%	1,009	34	3%
Wright	457,189	2,810	386	14%	2,378	283	12%
Yellow Medicine	488,667	2,761	1,474	53%	1,016	382	38%
Counties with > 30% Ag.	32,043,972	170,338	57,828	34%	88,455	17,638	20%

*Accuracy of Analysis Limited by 56 Meter Resolution Crop Data Layer and any inaccuracies of the 24k Lakes, 24k Streams and NWI Wetlands > than 10 Acres.

Counties with More than 30% Cultivated Land
Cultivated Acres within 50 Ft Riparian Zone Adjacent to All Public Waters
Reporting Rivers, Streams, Lakes and Wetlands *



Table 3.

County Name	Total Acres	Riparian and Cultivated Riparian Acres Adjacent to Public Surface Waters					
		All Public Surface Waters			Perennial Public Surface Waters		
		Riparian Acres	Cultivated Riparian Acres	Cultivated Percent	Riparian Acres	Cultivated Riparian Acres	Cultivated Percent
Becker	925,073	17,597	1,436	8%	16,407	1,154	7%
Benton	264,221	3,107	189	6%	2,235	86	4%
Big Stone	338,286	5,850	2,952	50%	4,098	1,811	44%
Blue Earth	489,731	8,510	2,801	33%	6,728	1,741	26%
Brown	395,607	5,397	1,891	35%	3,916	987	25%
Carver	240,450	5,432	765	14%	4,271	410	10%
Chippewa	376,406	5,474	2,894	53%	2,724	965	35%
Chisago	283,030	5,474	161	3%	4,273	61	1%
Clay	674,378	7,415	2,202	30%	5,592	1,480	26%
Cottonwood	415,044	6,698	2,746	41%	4,072	1,323	32%
Dakota	374,981	5,392	405	8%	4,156	166	4%
Dodge	281,164	3,066	685	22%	2,220	274	12%
Douglas	460,946	9,428	1,042	11%	8,194	854	10%
Faribault	461,631	7,072	3,637	51%	5,915	2,755	47%
Fillmore	551,460	10,946	748	7%	5,753	191	3%
Freeborn	461,960	4,087	1,810	44%	3,379	1,343	40%
Goodhue	499,093	7,876	933	12%	4,490	359	8%
Grant	368,568	6,005	1,786	30%	4,539	1,111	24%
Houston	363,942	7,988	384	5%	5,201	303	6%
Isanti	288,733	4,579	231	5%	4,282	204	5%
Jackson	460,267	6,466	3,097	48%	3,547	1,199	34%
Kandiyohi	551,880	7,777	1,507	19%	6,932	1,030	15%
Kittson	707,261	6,606	1,664	25%	3,726	442	12%
Lac Qui Parle	498,329	7,949	3,071	39%	5,150	1,586	31%
Le Sueur	303,022	5,715	1,199	21%	4,394	760	17%
Lincoln	351,298	6,635	1,729	26%	2,645	511	19%
Lyon	462,086	5,801	2,026	35%	3,932	1,265	32%
Mahnomen	373,535	7,881	1,309	17%	6,608	790	12%
Marshall	1,161,080	10,302	1,788	17%	9,058	1,242	14%
Martin	466,613	6,876	3,298	48%	5,157	2,107	41%
McLeod	323,361	4,735	1,531	32%	2,893	605	21%
Meeker	412,484	7,073	1,524	22%	6,271	1,184	19%
Morrison	737,783	8,672	219	3%	6,992	155	2%
Mower	455,010	5,247	1,060	20%	4,469	781	17%
Murray	460,673	7,456	2,496	33%	3,905	1,013	26%
Nicollet	298,537	3,159	921	29%	2,709	742	27%
Nobles	462,647	7,742	3,394	44%	2,849	850	30%
Norman	561,592	6,010	2,229	37%	3,637	1,103	30%
Olmsted	418,743	5,823	436	7%	4,121	287	7%
Otter Tail	1,423,970	24,732	1,716	7%	22,260	1,314	6%
Pennington	395,641	2,436	405	17%	1,815	243	13%
Pipestone	298,526	5,146	725	14%	2,190	251	11%
Polk	1,279,480	13,803	3,502	25%	10,516	2,102	20%
Pope	458,955	9,248	1,428	15%	8,235	1,110	13%
Red Lake	277,195	3,163	441	14%	2,559	264	10%
Redwood	564,194	7,052	3,522	50%	4,935	2,120	43%
Renville	631,739	5,362	2,369	44%	4,088	1,588	39%
Rice	329,914	5,186	941	18%	2,917	276	9%
Rock	309,155	4,759	1,344	28%	1,978	310	16%
Roseau	1,074,190	7,995	480	6%	6,241	256	4%
Scott	235,508	5,735	433	8%	4,709	199	4%
Sherburne	288,266	5,226	134	3%	5,046	132	3%
Sibley	384,139	4,285	1,963	46%	3,569	1,514	42%
Stearns	889,283	13,967	1,508	11%	11,620	836	7%
Steele	276,476	1,703	291	17%	1,634	279	17%
Stevens	368,359	5,021	2,298	46%	3,136	1,158	37%
Swift	481,455	5,632	2,011	36%	4,293	1,250	29%
Todd	626,774	8,947	222	2%	7,577	188	2%
Traverse	375,292	4,050	2,406	59%	1,504	760	51%
Wabasha	351,374	6,426	330	5%	3,901	169	4%
Wadena	347,609	4,179	25	1%	4,031	11	0%
Waseca	276,947	4,481	1,819	41%	2,517	669	27%
Watsonwan	281,255	4,856	2,769	57%	3,074	1,366	44%
Wilkin	481,192	2,980	1,253	42%	2,402	1,018	42%
Winona	410,324	9,935	197	2%	5,553	111	2%
Wright	457,189	8,757	643	7%	7,832	477	6%
Yellow Medicine	488,667	9,316	3,917	42%	4,883	1,742	36%
Counties with > 30% Ag.	32,043,972	459,697	103,288	22%	336,452	56,941	17%

*Accuracy of Analysis Limited by 56 Meter Resolution Crop Data Layer and any inaccuracies of the Public Waters Inventory

Counties with More than 30% Cultivated Land
Cultivated Linear Miles within 50 Ft Riparian Zone Adjacent to All Public Waters
Reporting Rivers, Streams, Lakes and Wetlands *



Table 4.

County Name	Total Acres	Riparian and Cultivated Riparian Miles Adjacent to Public Surface Waters					
		All Public Surface Waters			Perennial Public Surface Waters		
		Riparian Miles	Cultivated Riparian Miles	Cultivated Percent	Riparian Miles	Cultivated Riparian Miles	Cultivated Percent
Becker	925,073	2,810	246	9%	2,628	199	8%
Benton	264,221	486	33	7%	350	15	4%
Big Stone	338,286	945	497	53%	666	308	46%
Blue Earth	489,731	1,338	466	35%	1,062	291	27%
Brown	395,607	856	316	37%	624	166	27%
Carver	240,450	864	129	15%	681	71	10%
Chippewa	376,406	870	480	55%	432	161	37%
Chisago	283,030	844	27	3%	657	11	2%
Clay	674,378	1,174	370	32%	887	250	28%
Cottonwood	415,044	1,049	455	43%	632	220	35%
Dakota	374,981	844	68	8%	649	29	4%
Dodge	281,164	480	116	24%	346	47	13%
Douglas	460,946	1,521	183	12%	1,331	151	11%
Faribault	461,631	1,132	606	54%	948	460	49%
Fillmore	551,460	1,677	127	8%	874	34	4%
Freeborn	461,960	654	302	46%	542	224	41%
Goodhue	499,093	1,220	158	13%	695	61	9%
Grant	368,568	973	304	31%	741	193	26%
Houston	363,942	1,220	64	5%	791	51	6%
Isanti	288,733	739	40	5%	694	36	5%
Jackson	460,267	1,022	517	51%	557	202	36%
Kandiyohi	551,880	1,247	257	21%	1,113	178	16%
Kittson	707,261	1,030	276	27%	580	72	12%
Lac Qui Parle	498,329	1,259	512	41%	819	266	32%
Le Sueur	303,022	880	203	23%	673	130	19%
Lincoln	351,298	1,048	290	28%	417	87	21%
Lyon	462,086	930	338	36%	633	212	33%
Mahnomen	373,535	1,268	219	17%	1,069	134	13%
Marshall	1,161,080	1,619	294	18%	1,424	204	14%
Martin	466,613	1,096	549	50%	827	353	43%
McLeod	323,361	759	259	34%	465	105	22%
Meeker	412,484	1,130	263	23%	1,005	206	21%
Morrison	737,783	1,370	38	3%	1,113	27	2%
Mower	455,010	814	180	22%	695	133	19%
Murray	460,673	1,181	418	35%	624	172	28%
Nicollet	298,537	499	154	31%	429	124	29%
Nobles	462,647	1,216	566	47%	448	143	32%
Norman	561,592	931	364	39%	554	177	32%
Olmsted	418,743	894	74	8%	636	48	8%
Otter Tail	1,423,970	3,982	302	8%	3,596	235	7%
Pennington	395,641	391	68	17%	293	41	14%
Pipestone	298,526	791	124	16%	344	43	12%
Polk	1,279,480	2,207	590	27%	1,690	356	21%
Pope	458,955	1,487	247	17%	1,330	194	15%
Red Lake	277,195	497	76	15%	403	46	11%
Redwood	564,194	1,128	585	52%	792	354	45%
Renville	631,739	851	394	46%	649	265	41%
Rice	329,914	821	158	19%	465	48	10%
Rock	309,155	736	226	31%	308	53	17%
Roseau	1,074,190	1,260	82	6%	987	43	4%
Scott	235,508	901	75	8%	739	36	5%
Sherburne	288,266	826	24	3%	800	24	3%
Sibley	384,139	686	328	48%	572	253	44%
Stearns	889,283	2,215	260	12%	1,851	148	8%
Steele	276,476	267	50	19%	257	47	18%
Stevens	368,359	808	385	48%	510	197	39%
Swift	481,455	900	338	38%	687	212	31%
Todd	626,774	1,422	40	3%	1,211	34	3%
Traverse	375,292	646	399	62%	241	127	52%
Wabasha	351,374	980	55	6%	590	28	5%
Wadena	347,609	653	4	1%	633	2	0%
Waseca	276,947	705	303	43%	401	114	29%
Watsonwan	281,255	771	456	59%	489	226	46%
Wilkin	481,192	458	207	45%	367	167	45%
Winona	410,324	1,491	33	2%	826	19	2%
Wright	457,189	1,416	114	8%	1,273	86	7%
Yellow Medicine	488,667	1,479	654	44%	781	291	37%
Counties with > 30% Ag.	32,043,972	72,667	17,337	24%	53,396	9,637	18%

*Accuracy of Analysis Limited by 56 Meter Resolution Crop Data Layer and any inaccuracies of the Public Waters Inventory

Counties with More than 30% Cultivated Land
CRP Acres within 50 Ft Riparian Zone Adjacent to Surface Waters and Public Waters
 Reporting Rivers, Streams, Lakes and Wetlands

Table 5.			CRP Acres in 50 Ft. Riparian Zones*	
County Name	Total Acres	Total CRP Acres**	All Surface Waters	Public Waters
Becker	925,073	13,664	373	165
Benton	264,221	2,254	335	228
Big Stone	338,286	6,786	300	169
Blue Earth	489,731	11,812	519	307
Brown	395,607	15,287	653	237
Carver	240,450	3,047	182	101
Chippewa	376,406	15,284	854	351
Chisago	283,030	731	14	9
Clay	674,378	36,695	581	210
Cottonwood	415,044	14,116	812	446
Dakota	374,981	2,952	221	84
Dodge	281,164	2,913	359	158
Douglas	460,946	17,847	511	174
Faribault	461,631	5,630	379	270
Fillmore	551,480	19,211	469	172
Freeborn	461,960	11,445	935	351
Goodhue	499,093	8,036	296	113
Grant	368,568	21,944	1,386	522
Houston	363,942	16,563	333	125
Isanti	288,733	664	19	7
Jackson	460,267	8,689	487	279
Kandiyohi	551,880	25,576	963	314
Kittson	707,261	96,299	1,317	268
Lac Qui Parle	498,329	32,356	1,619	555
Le Sueur	303,022	13,135	744	306
Lincoln	351,298	26,276	1,428	814
Lyon	462,086	15,445	646	225
Mahnomen	373,535	16,165	477	133
Marshall	1,161,080	134,600	3,191	179
Martin	466,613	6,575	331	229
McLeod	323,361	5,922	424	201
Meeker	412,484	17,025	738	284
Morrison	737,783	6,034	382	154
Mower	455,010	5,168	692	185
Murray	460,673	21,285	1,241	737
Nicollet	298,537	4,751	255	77
Nobles	462,647	7,982	1,010	671
Norman	561,592	31,226	1,031	292
Olmsted	418,743	8,843	190	31
Otter Tail	1,423,970	74,163	1,262	471
Pennington	395,641	62,146	1,175	85
Pipestone	298,526	9,646	571	193
Polk	1,279,480	135,997	2,373	411
Pope	458,955	38,532	996	540
Red Lake	277,195	41,588	929	54
Redwood	564,194	16,719	992	559
Renville	631,739	12,574	614	171
Rice	329,914	13,039	478	150
Rock	309,155	2,151	313	140
Roseau	1,074,190	128,572	2,962	267
Scott	235,508	2,753	145	64
Sherburne	288,266	1,494	55	27
Sibley	384,139	4,485	351	115
Stearns	889,283	31,838	1,353	416
Steele	276,476	10,923	409	55
Stevens	368,359	12,477	776	262
Swift	481,455	35,042	1,241	284
Todd	626,774	14,790	350	56
Traverse	375,292	14,045	1,502	714
Wabasha	351,374	8,132	144	20
Wadena	347,609	3,237	175	50
Waseca	276,947	7,531	568	339
Watsonwan	281,255	6,190	350	226
Wilkin	481,192	15,949	711	98
Winona	410,324	9,284	217	141
Wright	457,189	6,331	159	74
Yellow Medicine	488,667	22,406	1,607	893
Counties with > 30% Ag.	32,043,972	1,452,268	49,470	17,006

*Accuracy Limited by any inaccuracies of the DNR 24K Surface Waters and Public Waters Inventory.

**2007 CRP

FOR YOUR INFORMATION

October 28, 2009

- Updated Board Member Listing
- BWSR "Snapshots"
- Notice of Intent to Prepare a Supplemental Environmental Impact Statement for the Conservation Reserve Program (CRP)
- Joint Memo from MPCA and BWSR, regarding Local Water Planning and TMDL Connections
- Upcoming Conventions
 - MAWD – December 3-5, 2009, Alexandria
 - MASWCD – December 6-8, 2009, Duluth
 - AMC – December 7-9, 2009, Minneapolis
- Proposed 2010 BWSR Meeting Schedule
- Board Committee Roster

MINNESOTA BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
ST. PAUL, MINNESOTA 55155
Phone: 651-296-3767 Fax: 651-297-5615

Appointed Members

	<u>Appointment Designation</u>	<u>Term Expires</u>	<u>Telephone/Fax/Cell</u>	
Randy Kramer, Chair 42808 County Road 11, Bird Island, MN 55310	Citizen rkramer@westtechwb.com	01-03-11	320-365-3094 320-365-4784	Home Office
Paul Brutlag 27113 County Road 11, Wendell, MN 56590	Citizen brutlagp@runestone.net	01-02-12	218-458-2113 320-589-4151	Home Office
John Meyer 18689 Highway 248, Rollingstone, MN 55969	Citizen quarry@ridge-runner.com	01-07-13	507-689-2612 507-689-2457	Home Office
Quentin Fairbanks 16374N Blackduck Road NE, Hines, MN 56647	Co. Commissioner quentin@paulbunyan.net	01-03-11	218-835-4184 218-679-3378	Home Fax
Tom Loveall 39290 200 th St., Winnebago, MN 56098	Co. Commissioner Tomcat56098@yahoo.com	01-07-13	507-854-3572 507-854-3300	Home Office
Brian Napstad 51227 Long Point Place, McGregor, MN 55760	Co. Commissioner bnapstad@yahoo.com	01-04-10	218-426-3008 218-426-4662	Home Office
Robert Burandt 1340 Waconia Pkwy. S., Waconia, MN 55387	SWCD rlburandt@gmail.com	01-07-13	952-442-4216	Home
Paul Langseth 35505 280 th St., Worthington, MN 56187	SWCD paul.langseth@gmail.com	01-04-10	507-360-5844 507-376-5686	Office Home
Louise Smallidge 10992 Point Douglas, Hastings, MN 55033	SWCD Choregirl2@juno.com	01-02-12	651-459-5600	Home
Gordon Behm 13851 Diamond Shores Road, Atwater, MN 56209	Watershed gbehm@frontiernet.net	01-03-11	320-974-8242 320-979-0737	Home Cell
Gene Tiedemann 13099 310 th Ave., SW, Euclid, MN 56722	Watershed gtiedemann@rrv.net	01-04-10	218-289-3511 218-281-6723	Office Home
LuAnn Tolliver 14801 Wychewood Road, Minnetonka, MN 55345	Watershed mltolly@aol.com	01-02-12	952-938-6749 952-221-9796	Home Office
Sandra Hooker 14418 618 th Avenue, Mapleton, MN 56065	Townships Sandy.hooker@Gmail.com	01-02-12	507-869-3114 507-381-6793	Home Cell
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Keith Mykleseth 532 Summit Avenue, Crookston, MN 56716	Non-Metro City kmykleseth@tnc.org	01-03-11	218-281-1801 218-637-2146 218-289-1093	Home Work Cell

State Agency Members:

Joe Martin Freeman Office Bldg., 625 Robert St. N., St. Paul, MN 55155 Joe.Martin@state.mn.us	Department of Agriculture	651-201-6551 651-297-5522	Office Fax
John Linc Stine P.O. Box 64975, St. Paul, MN 55164-0975 john.stine@health.state.mn.us	Department of Health	651-201-5063 651-201-4572	Office Fax
Larry Kramka 500 Lafayette Road, St. Paul, MN 55155 Larry.Kramka@state.mn.us	Department of Natural Resources	651-259-5033 651-296-4799	Office Fax
Faye Sleeper Room 173 McNeal Hall, 1985 Buford Avenue, St. Paul, MN 55108 fsleeper@umn.edu	U of M/Water Resources Center	612-624-3738 612-625-1263	Office Fax
Rebecca Flood 520 Lafayette Road, St. Paul, MN 55155 Rebecca.Flood@state.mn.us	Pollution Control Agency	651-757-2022 651-296-7923	Office Fax



BWSR Snapshots

October 2009

WCA on Agricultural Lands By Steven C. Hofstad, Wetland Specialist

The administration of WCA in agriculture dominated counties of Minnesota has become more of a challenge since 2002. The nullification of the "Farm Program exemption" and other changes in WCA statute and rule has resulted in two primary concerns for LGU and SWCD staff in West Central MN; an increase in workload, and a lack of adequate funding. In an effort to respond to LGU and SWCD concerns, BWSR north region wetland staff hosted a listening session on September 21, 2009 in Fergus Falls. SWCD and county staff from west central Minnesota were invited to discuss these issues with BWSR staff including Dave Weirens, Ron Shelito, Dale Krystosek and myself. Twelve local WCA staff attended.

Local staff concerns focused on two primary issues. First, the WCA funding formula does not adequately reflect the changes in WCA as they relate to agricultural lands. Second, LGUs and SWCDs are unsure what expectations are in terms of WCA administration on ag lands. The programmatic differences between WCA and "Swampbuster" and the complicating issue of the Freedom of Information Act (FOIA) greatly hamper the local staff's ability to effectively and efficiently address wetland issues on ag lands. The landowners and ag producers are equally confused and frustrated with the regulatory requirements of WCA creating difficult situations for local staff to deal with.

Escalation of land value and commodity prices linked with a long term wet cycle has resulted in an increase in tile drainage. While a common practice in southern Minnesota, tiling was relatively rare in west central Minnesota and further north until recently. Now it is commonplace, and the practice has led to several wetland violations of the WCA and Swampbuster alike.

The discussion on September 21, 2009 was a good launching point for potential changes to administration of WCA on ag lands. To advocate for a change in the funding formula, hard data is necessary to document the "true cost" of WCA for ag counties. Additionally, interagency cooperation is required to streamline the process and specify the expectations of local staff in

dealing with ag wetland projects. Local WCA staff are hopeful that they will see adjustments in WCA funding soon and that BWSR will continue to work towards a more consistent approach to wetlands regulation between state and federal partners.

Clean Water Fund and Competitive Grants RFP **Application Period Opens** Dave Weirens, Land & Water Section Manager

After months of preparation, the FY2010 Clean Water Fund and Competitive Grants Program was opened for applications on October 15. While some General Funds are included in this RFP, most of the available funds are a result of the constitutional amendment passed by Minnesota voters in 2008.

A total of \$14 million in grants and loans is available in a number of program categories to counties, cities, soil and water conservation districts, water management organizations and certain joint powers boards. To help local governments prepare to apply for funds to implement projects, BWSR made *Clean Water Fund and Competitive Grants* information available on our website: www.bwsr.state.mn.us.

Funds are available in four main categories:

- * Clean Water Fund Grant Programs - \$12.8 million
- * Native Buffer Cost Share Program- \$900,000
- * Cooperative Weed Management Area Program- \$100,000
- * Conservation Drainage Program - \$200,000

In addition to providing essential information on the BWSR website, nine meetings were held around the state to provide information and answer questions on these funding programs. Two additional sessions will be held at the BWSR Academy, November 2-4 that will be held at Craguns Conference Center near Brainerd.

BWSR has also established the 2010 BWSR Competitive Grant Q & A Blog as an easy way for questions to be asked and answers provided.

The application window closes on December 1, and the Board is scheduled to approve grant allocations on January 27, 2010.

Wetland Training Program Continues to Grow

By Ken Powell, Senior Wetland Specialist

One of the ways that BWSR assists its local government partners in protecting and conserving the State's water and soil resources is by providing training in various programs to local staff. Training is an effective means of conveying relevant conservation and regulatory program information to a large group of local partners that are implementing these programs at the local level. One of BWSR's core functions is to provide general oversight and administration of the Wetland Conservation Act. As the Wetland Conservation Act (WCA) matures (18 years now), the science behind wetland conservation has improved and regulations have been changed to adapt to the state of the science. Keeping up with the science and regulations is a challenge for our local government partners given the other conservation and regulatory programs they must keep track of as well.

Since passage of the WCA in 1991, BWSR has pursued an ever expansive and comprehensive wetland training program in partnership with other entities including the U.S. Army Corps of Engineers, University of Minnesota, Minnesota Department of Natural Resources, and the Natural Resource Conservation Service. In addition to various training sessions on WCA administration, BWSR has been and continues to be the primary agency involved in conducting technical training related to wetland delineation and other aspects of wetland science.

In 2009, BWSR staff participated in 40 different wetland training sessions throughout the State. These sessions involved over 1500 total participants. Approximately 18 BWSR staff members were involved at various levels in the training sessions. New in 2009 was the awarding of five partial scholarships to local government partners to send staff members to the 5-day wetland delineation training class.

Planning for training sessions to be offered in 2010 is already underway as BWSR seeks to develop more and stronger partnerships with other agencies to provide coordinated, cost effective training. In addition, BWSR is working on guidance documents and technical tools to assist those involved in wetland regulation and science. BWSR has hired a training coordinator that will provide a full-time staff member to assess the training needs of our local conservation partners, facilitate all training (including wetlands), and foster continued training partnerships with other agencies.



BWSR Website Update
Jon Fure, Communications Director

The BWSR Communications Team recently completed an update of the BWSR website in an effort to better convey information to the public, local government officials and staff and agency and other staff and partners. The Wetlands pages had been redesigned earlier in the year, and based on positive feedback on those pages, the rest of the site was given a similar look and feel. This update also involved re-organizing some of the content.

A new "Featured Project" has been added to highlight premier projects, which is one of the goals in the BWSR Strategic Plan. Adding a new Featured Project each month will provide a means to recognize the accomplishments of local government units, and to provide examples of BWSR roles in implementing conservation programs and services.

BWSR web content is constantly changing -- new guidance documents and forms are being developed for competitive grant programs and for Wetland Conservation Act administration, and more web-based data and reports will soon be available in response to the increasing emphasis on measurable outcomes. Some links have been added to each page to help make the site easy to navigate, even as the content continues to change. "A to Z Topics" is an alphabetical list of the most frequently visited pages in the site. "Contact" is the link to the staff and board member directories, work area maps, and BWSR office locations. And "Search" brings you to a page where you search the BWSR site, or all Minnesota state government websites.

The Communications Team will continue seeking ideas for making the site a more effective communications tool.

Minnesota Department
of Natural Resources



Minnesota Pollution
Control Agency

Minnesota Board of
Water and Soil Resources

October 19, 2009

Submitted via: CRPcomments@tecinc.com

Re: **Federal Register Vol. 74, No. 170, September 3, 2009, pages 45606-45607**

**Notice of Intent to Prepare a Supplemental Environmental Impact Statement for the
Conservation Reserve Program (CRP)**

We are writing to comment on the Conservation Reserve Program notice published September 3, 2009. Our comments reflect the perspectives of three Minnesota state agencies—the Board of Water and Soil Resources, Department of Natural Resources, and Pollution Control Agency.

USDA conservation programs play a major role in protecting sensitive lands, retaining and improving surface and ground water quality, and providing a wide array of wildlife benefits. The Conservation Reserve Program (CRP) has been very popular in Minnesota since it began in 1986.

This letter is in follow up to verbal comments made at the September 21, 2009 Moorhead, MN public meeting by Mark Holsten, Minnesota DNR Commissioner, and John Jaschke, Minnesota BWSR Executive Director. Please consider the following as recommendations to assist in making CRP even more valuable as we move into full implementation of the 2008 Farm Bill.

- **Maintain enrollment as close to the national cap as possible and focus on high-priority acres:** The new national enrollment cap of 32 million acres, reduced from the previous cap of 39.2 million acres, presents many challenges – in particular the need to enhance the current process for re-enrolling high-priority acres and maximizing CRP Continuous Signup opportunities.

- **Increase the ratio of CCRP/CREP to General CRP:** In light of the reduced acreage cap, we believe CRP's overall environmental goals can best be met by increasing the ratio of Continuous Signup to General Signup acres. A significant proportion (at least 8 million acres or one-fourth) of the total authorized acreage should be reserved for the highest priority lands – highly erodible lands, buffers, wetland restorations (including the Farmable Wetlands Program), drinking water protection areas, CREP, SAFE and other special initiatives.
- **Increase opportunities to enroll in the State Acres For wildlife Enhancement (SAFE) program:** This program has been highly successful and well received by landowners. Minnesota's 2009 allocation of 23,100 acres was fully obligated within a few months and there are presently at least 7,000 acres of eligible, unfunded applications. More acres should be allocated to SAFE nationwide.
- **Increase enrollment opportunities for land in vulnerable source water protection areas:** Local groundwater quality in many cases could be significantly and immediately improved by enrolling land in CRP within highly vulnerable source water protection areas. Additional incentives may be warranted to encourage landowners in these areas to enroll, due to the close proximity to urban areas and associated higher land values.
- **Hold General Signups as needed to maximize enrollment:** If national enrollment falls significantly below the national cap with priority on CCRP/CREP, a general CRP sign-up should be held as soon and as often as needed to keep the enrollment near the 32-million acre cap.
- **Help special initiatives succeed:** We applaud that the Farm Bill now explicitly recognizes "addressing issues raised by state, regional and national conservation initiatives" as a CRP purpose. As noted in comments by the MN Board of Water and Soil Resources and the MN DNR at the Moorhead CRP meeting, Minnesota has a long and successful history of collaborating with USDA on CRP special initiatives that address state regional and national priorities.
- We support the idea of utilizing CRP to better address state water quality priorities, similar to the way SAFE has enabled Minnesota and other states to address wildlife habitat priorities. This does not necessarily require but

might benefit from a new special initiative, especially if the new initiative provided greater flexibility than existing opportunities to establish filter strips, grassed waterways and other riparian restoration practices, including side inlet controls as a supporting practice.

- Some of our state-funded and local government efforts to help USDA promote and implement CRP are impeded by the way in which FOIA related data security provisions of the 2008 Farm Bill are implemented. Information sharing for local-state-federal partnerships has become much more difficult over the past several years. We would very much like to work with USDA to identify solutions to ensure continued, successful collaboration on CRP and other conservation programs.
- **Make payment rates competitive:** CRP payment rates must be competitive with current land rental rates in order for this program to be a viable economic option for landowners. The existing process of using a 3-year average of rental rates to determine the CRP payment rate does not allow the rate to respond to the volatile economic conditions in rural America. Using 12-month rental rates would allow CRP rental rates to better reflect the "real world" economic conditions that landowners face. In addition, special incentive payments should be continued for acres with high priority resource conservation needs.
- **Make the new hayland eligibility requirements reasonable:** Any crop rotation which, in 4 of the 6 years prior to 2008, included at least 3 years of alfalfa (and/or other multi-year grasses and legumes) and at least 1 year of other eligible commodity crops (i.e., a cropping history of at least 4 years total), should meet the CRP cropping history eligibility requirement. The 6- and 10-year minimums for alfalfa (plus 2 years other crops) suggested in Alternatives 1 and 2 would be difficult to meet in Minnesota.
- The EIS and subsequent rule should address other questions raised by this provision. For example, what are the intended conservation benefits of converting hayland to CRP? Will land currently in alfalfa or other grasses/legumes be required to be replanted to a different species mix upon enrollment in CRP? What would be the short-term environmental impacts of disrupting the existing perennial cover?

- **Enhanced management of CRP tree plantings:** Tree plantings may result in conservation measures enduring far beyond the contract period. We commend the rule change providing cost share and/or commercial application for prescribed thinning which will benefit the landscape, improve the forest cover, and enhance wildlife habitat.
- **Provide more flexible CRP grassland management options:** CRP acres planted to grass require periodic management by haying (or other managed harvesting), rotational or managed grazing, and/or prescribed burning to maintain the health and vigor of the vegetative cover. Currently, mid-contract management can be a cost burden on participants. Greater flexibility should be provided to encourage alternative management options. For example, a portion of the acreage could be burned, hayed or rotationally grazed according to State developed, USDA approved vegetative management standards designed to preserve and enhance the conservation benefits of CRP. (See, for example, the attached state-specific Vegetative Management and Enhancement standards adapted from the Reinvest in Minnesota (RIM) program. This information was requested by FSA staff at the CRP meeting in Moorhead.)

Adhering to State developed, USDA approved vegetative management standards would ensure that this would ensure that this flexibility is restricted to management options that enhance the vegetative cover to maintain or improve soil erosion control, surface and ground water quality and wildlife habitat benefits. Management activities on enrolled land would not be allowed during the primary nesting season unless specified in the approved management plan for purposes of enhancing the vegetation. NRCS-certified prescribed grazing experts as well as wildlife agency professionals should have input in developing state-specific grazing standards for CRP lands.

CRP could also provide opportunities to leverage the Biomass Crop Assistance Program collection, harvest, storage, and transport payments ensuring that sites can be economically harvested for bio-energy markets.

Below are additional comments related to haying and grazing of CRP:

- **Keep CRP haying and grazing terminology and provisions as simple and straightforward as possible.** The 2008 Farm Bill adds the terms *routine grazing*, *prescribed grazing* and *managed harvesting* to CRP. These terms and provisions should be defined and explained as clearly and consistently as possible in the EIS and subsequent rule. Education and outreach may be needed to help CRP participants understand the full range of CRP land management alternatives, so they are not deterred by the perceived complexity of these provisions.
- **Allow grazing on most CRP practices:** Regarding Alternative 1, we see no reason to categorically prohibit managed or prescribed grazing on the buffer portion of CP23 and CP23A restored wetlands, especially if it is permitted on the buffer portion of CRP Farmable Wetlands Program practices. Similarly, we see no reason to prohibit managed or prescribed grazing on all CP25 Rare and Declining Habitat land. Most CP25 land in Minnesota is restored native prairie, where managed or prescribed grazing can be very effective in helping to control invasive species. State-level NEPA analysis (Alternative 2) seems redundant if the above-mentioned State developed, USDA approved standards must be met for all CRP grazing situations.
- **Eliminate the penalty for managed harvesting or routine or prescribed grazing of CRP lands:** We recommend that USDA strongly consider eliminating the current penalty (25% reduction in rental rate) for exercising the option to manage CRP vegetation according to the above-mentioned State developed, USDA approved standards. We believe this would remove a significant disincentive to enrolling land in CRP in Minnesota.
- **Implement the CRP transition option without delay:** The CRP Transition Option offers incentives for CRP contract holders who do not plan to re-enroll or extend their CRP contracts, to sell, rent or lease the land to beginning or socially disadvantaged farmers who agree to farm the land using conservation-oriented production systems – including opportunities to re-enroll high-priority partial field enrollments (such as buffers) and apply for funding from other conservation programs such as EQIP and CSP.

- Since the CRP Transition Option involves land that is leaving the program, we see little point in subjecting it to the EIS process; in fact, doing so risks missing the opportunity for this provision to provide substantial long-term environmental benefits on expiring CRP lands suitable for farming. The EIS process could defeat the purpose of the CRP Transition Option if it delayed implementation until after most of the currently active CRP contracts are set to expire (over 4.2 million acres in 2009 and 2010 alone).
 - The future of agriculture depends on the ability of new generations to make a living at farming. The CRP Transition Option, as one of a suite of 2008 Farm Bill provisions for beginning and socially disadvantaged farmers, is too important to delay.
 - Prompt implementation and promotion of the CRP Transition Option will give USDA a significant opportunity to enroll beginning and socially disadvantaged farmers in other Farm Bill conservation programs, leading to lasting soil erosion, water quality and wildlife habitat benefits on CRP lands that are returned to production.
-
- **Provide effective incentives for beginning, limited resource and socially disadvantaged farmers and Indian tribes to participate:** We support the advance payments and higher cost-share rates presented in Alternative 1 to encourage CRP participation by farmers in these categories, as well as by Indian tribes. Beginning and limited resource farmers are often unable to afford the farmers' required share of the costs to install a new CRP conservation practice. Additionally, for beginning farmers, it is often easier to incorporate high-priority conservation practices such as grass waterways or filter strips into a cropping system before the system is well established than later on.
 - **Enhance CRP's contribution to pollinator habitat:** We believe CRP could better support pollinator habitat by allowing states to modify the recommended species composition and rate for existing CRP practices for this purpose. A new Pollinator Habitat conservation practice seems unwarranted since it would be comprised of existing practices. Instead, a Pollinator Habitat initiative focused on the selected suite of practices could help draw attention to this important conservation benefit.

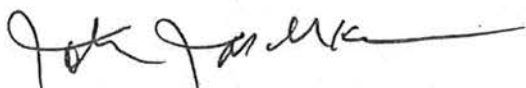
Thank you for the opportunity to comment on this notice. If you have questions about our comments, please contact any of the following agency staff:

- Wayne Anderson, Watershed Implementation, MN Pollution Control Agency, 651-757-2195
- Julie Blackburn, Assistant Director, MN Board of Water and Soil Resources, 651-297-5617
- Wayne Edgerton, Ag Policy Coordinator, MN Dept of Natural Resources, 651-259-5223

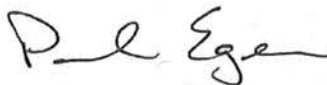
Sincerely,



Mark Holsten, Commissioner
Minnesota Department of Natural Resources



John Jaschke, Executive Director
Minnesota Board of Water and Soil Resources



Paul Eger, Commissioner
Minnesota Pollution Control Agency

Enc.

cc: Minnesota Governor Tim Pawlenty

FSA Minnesota Director Linda K. Hennen

NRCS Minnesota State Conservationist Bill Hunt

U.S. Senators Amy Klobuchar and Al Franken

U.S. Representatives Michele Bachmann, Keith Ellison, John Kline, Betty McCollum,
James Oberstar, Erik Paulsen, Collin Peterson and Timothy Walz

Attachment A:

**Minnesota Vegetative Management
&
Enhancement Standards for Conservation Lands
Adapted from the Reinvest in Minnesota (RIM) Reserve Program
DRAFT**

[Note: This information is provided in follow-up to the September 21, 2009, CRP meeting in Moorhead, where Minnesota officials commented about the need for greater flexibility in managing CRP lands and FSA officials responded by requesting examples of what greater flexibility might look like and how it might be managed.]

Vegetative management may include the practices of mowing, haying, grazing, harvest for seed or energy, prescribed burning, establishment of native grasses, forest land and wetland management.

Existing vegetation on contract acres requires ongoing management to assure that vegetative quality is maintained. A management plan must be reviewed by a wildlife agency professional for all vegetation management activities being conducted on the contract site.

Contract vegetation can be broken into three distinct cover types:

I. Grassland Management: For purposes of species diversity, wildlife habitat, water quality and erosion control, it may be necessary to undertake practices to enhance or modify some or all of the cover of a contract. Practices may include:

A. Mechanical (mowing, haying, harvest, energy)

Mechanical methods can successfully manipulate growth stages of habitat. Annual mowing and mowing of entire stands is not allowed without technical justification from the resource manager preparing the management plan. Removal of biomass can increase the vigor of desirable vegetation, remove stored nutrients for water quality and provide a seed bed for restoration or enhancement. Generally, mechanical treatment will be done no more frequently than a three year rotation. On larger sites (>30 acres), treatments should occur on no more than 1/3 of the site in any given year. In some cases it may be not be practical to manage smaller sites in stages, especially, if they are within a larger habitat complex. Mowing, haying, or harvest is not allowed during the primary nesting season (May 15 to August 1 in Minnesota). Minimum stubble heights will be 4-6 inches. Any modifications to these criteria should be explained and specified in the management plan.

B. Chemical/Biological Weed Control

Chemical Application: Herbicides used must follow label restrictions and be conducted in a way that maintains plant diversity and wildlife habitat. Care should be taken to minimize impacts to desired vegetation while controlling target species as specified in the management plan.

Biological Control: Biological control agents may be used for the control of invasive plant species. Appropriate federal/state guidelines for using biological control agents should be followed and incorporated into the management plan.

C. Grazing

Livestock may be used to manage health and vigor of permanent vegetative cover when done in accordance with a grazing plan. Grazing requires very careful management to assure the site is not overgrazed. Grazing should not be recommended unless the landowner fully understands the plan and is capable of managing the system. Grazing plans are to be developed on a 3-year rotation according to applicable NRCS practice standards. On larger sites (>30 acres), treatments should occur on no more than 1/3 of the site in any given year. In some cases it may not be practical to manage smaller sites in stages, especially if they are within a larger habitat complex. Generally, grazing will not occur during the primary nesting season. Minimum stubble heights are 4-6 inches. Livestock will be removed from the site when the grass on the site is grazed to these stubble heights. Any modifications to these criteria should be explained and specified in the management plan.

D. Prescribed Burning

Improvement of plant species diversity, control of brush, and recycling of nutrients can be achieved by controlled burning. Burning will be allowed on cool season as well as warm season grass stands. The management plan will indicate the timing of burns for the area being treated. Appropriate permits must be obtained by the landowner prior to performance of a prescribed burn. On larger sites (>30 acres), treatments should occur on no more than 1/3 of the site in any given year. Appropriate NRCS practice standards will be followed for prescribed burning.

E. Native Prairie Planting.

Enhancement or re-establishment of existing native prairie or replacement of cool season vegetation shall use native grasses & forbs of local eco-type where possible or as required by statute or rule. Quality of habitat can be increased by conversion of introduced grass stands to native grass stands. Follow appropriate NRCS practice standards for habitat management and restoration of declining habitats.

II. Forest Land Management: Necessary to provide regeneration, maintenance, or conversion of species to manage forest stands for wildlife benefits and stand density.

Contract lands planted to trees need to be managed to maintain and improve preferred species that are critical to providing specific wildlife habitat. When tree cover is requested in the conservation plan and established, the planting should not be considered the final product. The planting will be viewed as a component of the desired future condition to retain tree cover on the site. Harvesting can be done for a variety of purposes such as to create wildlife openings, manage browse for specific wildlife species, and for forest stand improvement. The management plan should outline the necessary steps to achieve this desired future condition.

III. Wetland Management:

Wetland management activities for vegetation and water level control are site specific. Wildlife habitat and nutrient reduction benefits of wetlands are affected by: vegetative quality, fish, minnows, invasive species, sedimentation, and water depth to name a few. Detailed plans must be developed for each restoration project that lay out the engineering of the restoration as well as any vegetative component.



Date: **September 30, 2009**

To: MPCA and BWSR Staff

Fr: Rebecca Flood, Assistant Commissioner, MPCA & John Jaschke, Executive Director, BWSR

Re: Local Water Planning and TMDL Connections

Sound science. Good planning. Each is needed to achieve clean water.

Our agencies are pursuing ways to expand the value of scientific facts and analysis so this information can be utilized as part of local planning endeavors to better inform the choices and actions needed to improve the waters of our state. This objective is also important to us directly as state agency representatives as we deliver programs to carry out our agency missions and mandates. However, the primary reason to pursue a better connection between sound science and good planning is to grow the ownership citizens have in restoring, protecting and enhancing Minnesota's water resources.

The attached fact sheet explains the expected linkages between Minnesota's Local Water Planning and Clean Water Legacy programs. In essence, we are seeking to build on the depth of analysis required by TMDL studies to achieve pollutant reduction or resource protection goals by advocating that the means, measures and mechanisms for reaching these goals be included in the comprehensive local water management plans developed and adopted by local government units and subject to state approval.

This logical linkage is already underway in many places. It is our expectation that this approach becomes standard practice. Therefore, we need you to collaboratively engage with local government unit officials to communicate this message as they will be doing the majority of the work needed to achieve clean water results for Minnesota.

Connecting local water management and state water quality programs

Coordination efforts through the Clean Water Fund

September 2009



**Minnesota
Pollution
Control
Agency**

The Minnesota Pollution Control Agency (MPCA) and the Board of Water and Soil Resources (BWSR) are moving toward an approach that uses major watersheds (see figure 1) as the appropriate scale for monitoring and assessing water quality and for developing water management and TMDL implementation plans. The approach can be described in four steps:

Step 1 — Monitor and gather data

MPCA employs an intensive watershed monitoring schedule that will provide comprehensive assessments of all of the 81 major watersheds on a ten-year cycle. This schedule provides intensive monitoring of streams and lakes within each major watershed to determine overall health of the water resources, to identify impaired waters, and to identify those waters in need of additional protection to prevent future impairments. Data from past and current local water monitoring are included in the process. Information on watershed characteristics, like land use, topography, soils, and pollution sources is also gathered in this step. Step 1 can take up to two years to complete.

Step 2 — Assess the data

MPCA staff and its partners conduct a rigorous process to determine whether or not water resources meet water quality standards and designated uses. Waters that do not meet water quality standards are listed as impaired waters. Step 2 takes one year to complete.

Step 3 — Set targets and goals

Based on the watershed assessment, a TMDL study and/or protection strategy is

completed. Existing local water plans and water body studies are incorporated into the planning process. Step 3 will be completed within four years of initiating Step 1.

Step 4 — Implement permits, projects, and practices

Included in this step are all traditional permitting activities*, in addition to programs and actions directed at nonpoint sources. Partnerships with federal, state, and local government and landowners will be necessary to implement these water quality activities. Step 4 is ongoing.

*MPCA will continue routine regulation during all steps of the watershed approach process.

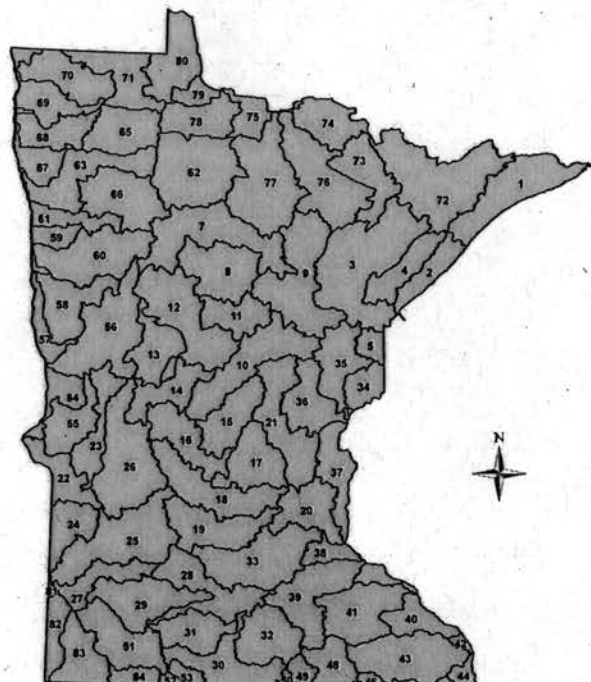


Fig. 1: 81 Major Watersheds

Although it makes sense to manage water resources at the major watershed scale, much of the work to protect and restore water quality is organized on political, rather than watershed boundaries. This includes such activities as land use planning and zoning, along with comprehensive local water planning and implementation. Counties, cities, and Soil and Water Conservation Districts (SWCD) play important water management roles that are not necessarily aligned with major watershed boundaries. Watershed districts and metro watershed management organizations (WMOs) do mimic hydrologic boundaries, but they can be significantly larger or smaller than major watersheds. On-the-ground solutions for nonpoint source pollution therefore require a pragmatic approach that recognizes both types of boundaries -- hydrologic and political.

One challenging aspect of the transition to the watershed approach is to find ways in which newly developed water quality goals and targets (e.g., TMDL allocations) can be incorporated into local management plans without unduly disrupting or overburdening local planning cycles.

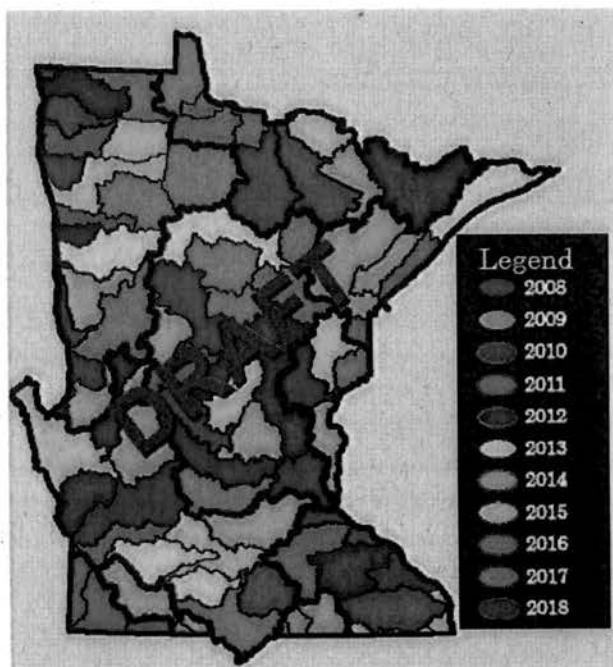


Fig. 2: Current MPCA monitoring schedule

Connecting local and state programs

It is important to connect local water management programs and activities, watershed assessments, and TMDL plans because each informs the others. Although

there will be some challenges because a local governmental unit may have several major watersheds within its jurisdiction, and local plans address a broader array of issues than just water quality, building the water quality assessment and implementation efforts into local water plans is the best means to achieve results.

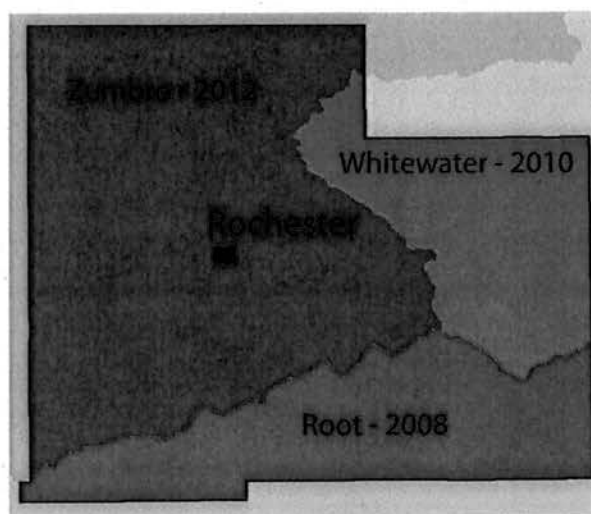


Fig. 3 Major watersheds in Olmsted County

In the case of Olmsted County, the MPCA will be working with local partners to monitor and assess three separate watersheds over the span of the 10 year local water planning cycle (see figure 3). These watersheds are in different stages of their four-year processes of water quality assessment and TMDL development.

Even though completing TMDLs on a major watershed basis will significantly reduce the number of potential TMDLs, local governments cannot be expected to unreasonably adjust their planning schedules.

Therefore, MPCA, BWSR, and others intend to work with local governments to:

- Incorporate the findings from the water quality assessment into local programs and projects to protect unimpaired waters, and
- Integrate the findings and translate the restoration goals from the TMDL studies into the local water planning process and related land use programs.

Our agencies will advocate for incorporation of both restoration and protection findings and goals into the next regularly scheduled local water plan update. This will eliminate the need for frequent revisiting of local

Local governments are often within multiple major watersheds

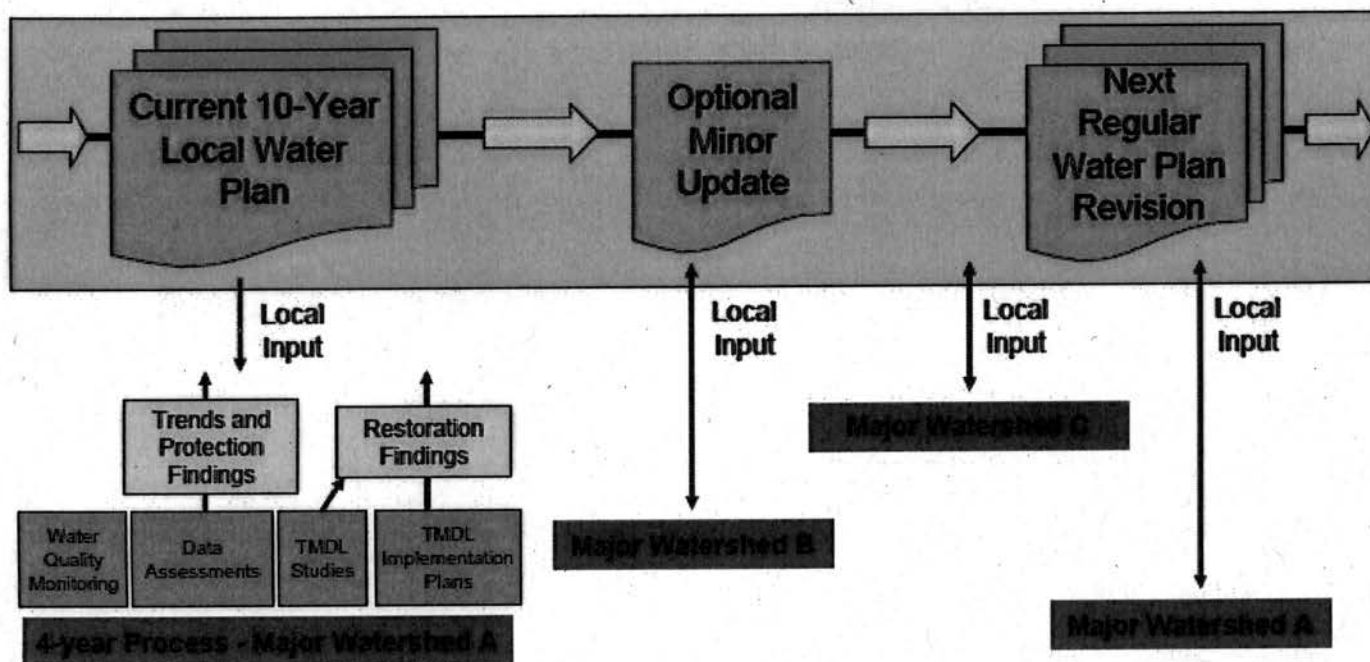


Fig. 4: Partnering with local governments

plans and allow local governments to concentrate on implementing measures to improve water quality. Figure 4 illustrates the connection between the processes and how the MPCA and BWSR envision water quality information, public and agency input to flow between them.

Future adjustments to state programs will be developed to further enhance the state's local water management connection. MPCA and BWSR will continue to inform and update local partners in water planning as the major watershed approach progresses further.

Contact information

For more information, or to send us your ideas or any comments you have, please contact:

Steve Woods
BWSR, Assistant Director
520 Lafayette Road North, St. Paul, MN 55155
651-297-7748
steve.woods@state.mn.us

Bob Finley
MPCA, Regional Division Manager
12 Civic Center Plaza, Suite 2165, Mankato, MN 56001
507-344-5247; 800-657-3861
robert.finley@state.mn.us

Upcoming Conventions

Please review the attached information regarding the upcoming Associations' conventions.

Complete the registration form(s) today and submit to Mary Jo Anderson.

A direct billing (you do not pay) will be submitted for the registration fees.

- MAWD, December 3-5, 2009, Alexandria
Complete the registration form; and hotel/meals reservation form
- MASWCD, December 6-8, Duluth
Complete the registration form – you will need to make your hotel reservation
- AMC, December 7-9, 2009, Minneapolis
Complete the registration form – you will need to make your hotel reservation

Upcoming Conventions

Please review the attached information regarding the upcoming Associations' conventions.

Complete the registration form(s) today and submit to Mary Jo Anderson.

A direct billing (you do not pay) will be submitted for the registration fees.

- MAWD, December 3-5, 2009, Alexandria
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- MASWCD, December 6-8, Duluth
Complete the registration form – you will need to make your hotel reservation
- AMC, December 7-9, 2009, Minneapolis
Complete the registration form – you will need to make your hotel reservation

***MAWD 39th
Annual Meeting
& Trade Show***



Land and Water Shall be Preserved

**December 3-5, 2009
Arrowwood Conference Center
Alexandria, MN**

MAWD Annual Meeting & Trade Show

December 3-5, 2009 - Arrowwood Resort and Conference Center

Please note: Please register for the MAWD Annual Meeting on the Registration Form.
This form does not register you for the MAWD Annual Meeting.

Name: _____

Address: _____

City: _____ Zip: _____

Phone: (Day) _____ (Evening) _____ Email: _____

Hotel & Meal Reservations

Please send completed form to Arrowwood by November 20, 2009. (Phone reservations not accepted - fax or mail only.)

Send to: 2100 Arrowwood Lane, Alexandria, MN 56308

Fax: 320-762-0133 Phone: 866-386-5263

Lodging - deadline November 20, 2009

- One form per party please-you may copy this form.
- Please select **one room plan per party**.
- The room rates are for 1-4 persons
- All guestrooms are now non-smoking
- Big Splash Indoor Water Park discount tickets at \$10 per person per day are available for MAWD.

☐ Lodging I - Dec. 3 - 4 \$168.88

☐ Lodging II - Dec. 4 \$84.44

☐ Townhouse units: \$79.00
per bedroom/night plus tax

Select Unit Type desired:

☐ 3 bedroom/3bath

☐ 4 bedroom/3bath

No elevators. Specify a first floor unit.

Meal Packages options -

- ◆ Meal packages must be purchased at Arrowwood even if you stay at another hotel.
- ◆ Individual meal tickets will not be sold at Arrowwood during the conference.

☐ Meal Package I

Friday, December 4 Breakfast, lunch, banquet
Saturday, December 5 Breakfast

Package I at \$70.00 per person # _____

☐ Meal Package II

Friday, December 4 Lunch, Banquet
Saturday, December 5 Breakfast

Package II at \$59.00 per person # _____

☐ Additional Banquet Tickets

\$28.00 per person # _____ tickets = \$ _____

Guaranteed Payment: _____ Visa/MasterCard _____ American Express _____ Other

Card Number: _____ Exp. Date: _____

Signature: _____

All rooms must be guaranteed. Individual reservations cancelled within 72 hours of the scheduled arrival date will be charged one night lodging on the date of cancellation. Check-in time is 4:00 p.m. Checkout time is 12:00 noon.

Minnesota Association of Watershed Districts
39th Annual Meeting & Trade Show

Registration Form

DUE: NOVEMBER 20, 2009 Please use one form per party:
Copy as needed. Names of all attendees must be submitted.

- Skip the mailman and register on-line at www.mnwatershed.org

December 3-5, 2009

Arrowwood Conference Center

2100 Arrowwood Lane, Alexandria, MN 56308

Name: _____

Title (to be on nametag): _____

Organization: _____

Address: _____

City: _____ Zip _____

Phone: (Day) _____ (Evening) _____ Email _____

Name of spouse/guest (no fee) _____

*** Registration \$100.00 per person**

(Late registrations postmarked after Nov. 20, 2009 = \$125.00 per person)

- * No refunds after November 27, 2009**

Registration Total \$ _____

Please make check payable to or enter credit card registration to Minnesota Association of Watershed Districts and return with this form by November 20 to:

Minnesota Association of Watershed Districts
540 Diffley Road
St. Paul, MN 55123

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

Credit Card Registration: (on-line at mnwatershed.org)

Guaranteed Payment: ____ Visa/MasterCard ____ American Express ____ Other major credit cards

Card Number: _____ Exp. Date: _____

Signature: _____

39th Annual Meeting & Trade Show

December 3-5, 2009

Introduction

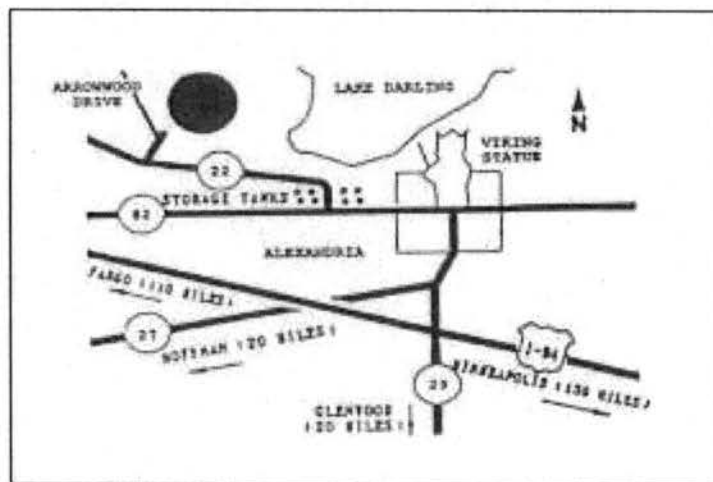
The MAWD 39th Annual Meeting & Trade Show is offering a strong seminar program to help meet your needs as a watershed district official or key watershed district partner. Our program includes four general concurrent sessions and two technical sessions for a total of fifteen different seminars. We will start off the Annual Meeting with our traditional Welcome Reception on Thursday evening on the trade show floor. Door prize opportunities will again be part of the MAWD Trade Show format. **Special Event: Nine Mile Creek 50 years Birthday Celebration!**

MAWD is also offering four special day long sessions prior to the start of the Annual Meeting on Thursday, December 3. They are Minnesota Drainage and Water Management, ADA, Water Words that Work, a New Managers Orientation Workshop and an Advanced Manager Workshop. Find registration materials for these workshops on pages 11 - 15.

Arrowwood Conference Center

2100 Arrowwood Lane, Alexandria, MN 56308

Telephone 320-762-1124



From I-94:

Hwy 29 North off I-94 through downtown. Left on County Road 82 for .7 mile. Turn between Williams Pipeline Gas Tanks on County Road 22. Stay on 22 for 2.3 miles. Right on County Road 104. Arrowwood Lane is .4 mile.

From North:

Take 29 South through Parkers Prairie into Alexandria. Right on Hwy 29. Straight to Williams Pipeline Gas Tanks. Right on County Road 22. Stay on 22 for 2.3 miles. Right on County Road 104. Arrowwood Lane is .4 miles.

Arrowwood Conference Center Reservation

Hotel reservation deadline - November 20 - page 3.

Registration - page 2

This packet of information includes the materials you will need to register for the 2009 Annual Meeting & Trade Show, December 3-5, at the Arrowwood Conference Center, Alexandria, MN.

Registration fees are \$100.00 per person, spouses/guests are exempt. Late registration (postmarked after November 20) fees are \$125.00 per person. No refunds after November 27, 2009

Name tag and agendas are at the registration table on the Trade Show floor from 6:00 - 9:00 p.m. on Thursday, December 3, and 8:00 a.m. Friday, December 4.

If you are attending for the day only on Friday, you must still send in the MAWD registration form and registration fee to the MAWD office. You must also check in at MAWD's registration table for your name tag and other information.

The MAWD Board wishes to remind members that watershed districts are not permitted to cover expenses for spouses and guests. This is in accordance with recent State Auditor findings and the Minnesota Constitution which states "taxes shall be uniform . . . and shall be levied and collected for public purposes."

MINNESOTA ASSOCIATION OF WATERSHED DISTRICTS, INC.

**39th Annual Meeting & Trade Show
Schedule**

Thursday, December 3, 2009

3:00 p.m. Director's Meeting — Executive Board Room II

6:00 - 9:00 p.m. Registration, Trade Show Floor

7:00 - 9:30 p.m. MAWD Trade Show — Tennis Center

7:00 - 8:00 p.m. Concurrent General Session I

Seminar A Operation and Maintenance for Stormwater Management

Results from a national literature search for maintenance costs and a public works survey of municipalities in Minnesota and Wisconsin for maintenance frequency, effort, and cost will be presented. On average, most (61%) cities inspect or maintain their stormwater BMPs at intervals of once per year or less. Also, most maintenance is minimal or simple and addresses sediment buildup, litter & debris, or vegetation management. Annual cost for routine and non-routine maintenance can be significant compared to construction cost, and should be considered when implementing BMPs.

Presenter: Andy Erickson, St. Anthony Falls Laboratory,
Department of Civil Engineering, University of Minnesota,

Seminar B Draining Lakes for Water Quality –

Using Lake Drawdown to Address Curly Leaf Pondweed

In the fall 2008, the Nine Mile Creek Watershed District initiated a drawdown of Northwest Anderson Lake and Southwest Anderson Lake in Eden Prairie and Bloomington to address an invasive plant species, Curly Leaf Pondweed. Watershed District staff and consultants will present the process of completing the drawdown from project design, through addressing public concerns, to project implementation.

Presenters: Kevin Bigalke, Nine Mile Creek Watershed District Administrator
Scott Sobiech, Barr Engineering
Bob Obermeyer, Barr Engineering

Seminar C LCCMR Drainage Related Studies Review - A & B

A. LCCMR Project Study: MN Drainage Law Analysis and Evaluation

An overview of the project and draft work plan. The project will focus on 3 scenarios / case studies (e.g. metro suburban, agricultural, lakeshore development) to define and evaluate critical issues related to drainage code and related laws. Outcomes are to include analysis and legislative recommendations

Presenter: Louis Smith, Smith Partners, PLLP,

Thursday programming continued:

B. LCCMR Project Study: Intensified Tile Drainage Evaluation

A summary of Lake Pepin sedimentation since European settlement and sediment source fingerprinting. An outcome of that work points to stream bank, bluff and ravine erosion as key sources of sediment (> 60%), rather than field erosion as the primary source.

Sedimentation in Lake Pepin increased significantly around 1940, about the time that tiling is also believed to have increased significantly (hypothesis). The project is to include evaluation of 23 watersheds, some with extensive tile drainage and some without.

Presenter: Rick Moore, MN State University Mankato, Water Resources Center

8:00 p.m. Welcome Reception – Trade Show Floor

Special Event: Nine Mile Creek Birthday Celebration!

Friday, December 4, 2009

7:00 - 9:00 a.m. Breakfast Buffet — Tennis Center

8:00 a.m. Registration - Trade Show Floor

8:00 a.m. Resolutions Committee Meeting

8:30 a.m. Plenary Session

Guest Speaker - Commissioner Mark Holsten
Department of Natural Resources

9:00 a.m. MAWD Business Meeting

Presiding - President Barbara Haake

- * President's Report
- * Secretary's Report
- * Treasurer's Report
- * Presentation of 2010 Recommended Budget
- * Bylaws/Dues Committee Report
- * Citizens League Water Policy Study Recommendations
Annie Levenson-Falk, Citizens League Policy Manager



**Plenary Session speaker
DNR Commissioner Mark Holsten**

9:00-10:00 a.m. Concurrent Association of District Administrators Technical Sessions

Tech Session I Examples of Data Management, Decision Support and Public Outreach with the use of Web GIS Tools

Have you been struggling with how to manage data for district activities, using it for quick decision making or disseminating information for public outreach? This presentation will demonstrate and describe several web GIS tools that have been developed for watershed districts around Minnesota. Come see how other watershed districts are using web applications to manage permit records, supporting staff in permit reviews, managing drainage records, sharing GIS data and using simple tools for public outreach. These tools are supporting board managers, staff and the general public in daily district activities.

Presenter: Brian Fisher, GIS project manager, Houston Engineering

Friday programming continued:

Tech Session II Fish Habitat Partnership Opportunities in Minnesota

Mr. Duval serves as the statewide Lakes Management Coordinator for the DNR Section of Fisheries. His primary responsibilities include coordination of aquatic habitat management activities between the Section of Fisheries and other partners conducting fish habitat protection, rehabilitation, and enhancement work in the state. Mike is located at the Brainerd Office and is currently co-chairing an aquatic habitat strategic planning process for the Section of Fisheries.

Presenter: Michael Duval, MN DNR Brainerd.

9:30 a.m. Spouses Seminar - Ten Thousand Villages - invite the world into your life

Ten Thousand Villages presents a world of exquisite home decor, personal accessories and gift items handcrafted by artisans from around the world - artisans whose work isn't just their livelihood, but an expression of their culture. Discover the artisans, their stories and the unique products they create - including Christmas decorations from around the world!



www.TenThousandVillages.com

10:00 a.m. Break - MAWD Trade Show Floor - Tennis Center

10:30 a.m. 2009 Resolutions Committee Report

11:30 a.m. Regional Caucuses

Region I

Region II

Region III

Administrators Meeting

12:15 p.m. Buffet Luncheon - Tennis Center

Guest Speaker – Senator Ellen Anderson

Chair, Senate Environment,
Energy, and Natural Resources Budget Division

**“The future of clean water
funding in Minnesota”**



Luncheon speaker,
Senator Ellen Anderson

DNR Watershed District of the Year Award

Kent Lokkesmoe, Director, DNR Division of Waters

Friday programming continued:

1:30 p.m. Break - MAWD Trade Show Floor

2:00 - 3:00 p.m. **Concurrent General Session II**

Seminar A Emerging Issues in Aquatic Invasive Species Control - A Panel Discussion

A discussion of emerging issues relating to the Aquatic Invasive Species Program. How should watershed districts deal with flowering rush, herbicide restrictions, and the zebra mussels onslaught? And, how do local units of government and property owners deal with the rising costs of this program?

Participants: DNR Program Staff

Tera Guetter, Pelican Lake WD Administrator,
Marian Bender, Executive Director, MN Waters

Seminar B Stormwater Management Rulemaking: Is There a Silver Bullet for Addressing the Myriad of Regulatory Requirements?

Total Maximum Daily Loads (TMDLs), the Nondegradation and Outstanding Resource Value Waters provisions of the industrial, construction and MS4 NPDES permits for stormwater, combined with the water quantity and quality goals of local watershed management authorities, have added several layers of complexity for stakeholder's ability to comply with all of the regulatory requirements. Since there had been a concern that VRWJPO's new volume control design criteria may not provide adequate protection of the water resources on a long-term basis given the added runoff volume, associated with additional imperviousness in a developing watershed, this project represented an opportunity to show whether the design standard is equally protective as the NPDES stormwater requirements and wasteload allocations of recently approved TMDLs. As a result, continuous and design event simulations in XP-SWMM were developed to evaluate the cost and benefit of various undeveloped and developed design scenarios, both with and without the volume and peak runoff rate control requirements. The results of the modeling indicated that the VRWJPO runoff control standards will significantly improve upon the flow frequency and flow duration characteristics, ensuring adequate protection of the predevelopment flow conditions and offsetting some of the volume impacts of past watershed development.

Presenters: Greg Wilson, Barr Engineering, Paul Nelson, Scott County

Seminar C. Watershed Planning: Planning for the Future

The Cedar River Watershed District was established in April of 2007. This year, the district completed the two-year process of developing a 10-year watershed management plan and obtaining approval from the BWSR board. The presentation will include a discussion of a) the plan's goals and implementation activities to achieve flood reduction and water quality improvement in a watershed that presents a unique terrain and funding-related challenges, and

b) the public involvement process for the plan, including activities performed by each Board Manager to inform the public and obtain widespread approval.

Presenters: Bev Nordby, Cedar River WD Administrator
Karen Chandler, Barr Engineering

3:00 - 3:30 p.m. Break - MAWD Trade Show Floor

3:30 - 4:30 p.m. Concurrent General Session III

Seminar A Watershed District Accountability Measures and Outcomes - A Panel Discussion

Learn firsthand what is expected from Watershed Districts from the Legislature to bring accountability to and measure outcomes for the funding and water management programming of watershed districts in Minnesota.

Participants: John Jaschke, BWSR

BWSR staff

Jon Roeschlein, Administrator, Bois de Sioux WD.

Seminar B Seminar Rural Watershed Management—Why Not Use What We Already Have?

This presentation will discuss an approach to watershed-wide flood control and water quality management through simple modification of available infrastructure (township and county roads and culverts) to operate as a system and in turn significantly reduce flooding and improve water quality. The presentation will describe two studies performed for the Cedar River watershed and the Big Sioux River watershed that show how managing roads and culverts as a system as apposed to each road and culvert being operated as its own autonomous structure to achieve incredible flood reduction for the 100-year event. Key to the implementation of the plans for each watershed is a sensitivity analysis that was performed which helps the water management entities identify a prioritization for where the first efforts to achieve significant flow reduction should be focused.

Presenter: Steve Klein, Vice President, Barr Engineering

Seminar C Watershed Planning: Collaborative Efforts on Projects

The updated Red Lake Watershed District's 10 Year Overall Comprehensive Plan was completed in 2006. The planning process for this document used a multi-jurisdictional approach, in which watershed officials, agencies, stakeholders, and landowners all participated in the development of the RLWD's mission, vision, goals and outcomes. Since that time, the "Plan" has been an ongoing reference for project planning and development. Several projects have been taken from the Plan and implemented. Further refinement of specific projects continues to use the consensus based approach, referred to as the "Mediation Agreement". This presentation will feature projects that have used a collaborative approach to gain public and governmental support.

Presenters: Nate Dalager, HDR Engineering Inc.

Myron Jesme, Red Lake Watershed District Administrator

6:00 p.m. Social Hour (Cash Bar)

7:00 p.m. Association Banquet - MAWD Awards - Entertainment

Saturday, December 5, 2009

7:00- 9:00 a.m. Breakfast Buffet

8:30 **Concurrent General Session IV**

Seminar A Protecting Groundwater Dependent Natural Resources

The Brown's Creek Watershed District has several high quality groundwater dependent natural resources (GDNRs) it is interested in protecting. Learn how the BCWD developed a Fen Management Plan using available data to identify the groundwater and surface watershed and to determine any additional management standards.

Presenters: Karen Kill, BCWD and Jennifer Olson, EOR

Seminar B RWMWD Office Building – Four Years Later

The Ramsey-Washington Metro Watershed District constructed their own office building in 2005 as a demonstration site for small urban sites in the Twin Cities. Stormwater best management practices (BMP) were chosen such as rain gardens, rain barrels, pervious asphalt, green roof, native prairie vegetation and limited turf grass. This presentation will look at those BMPs and focus on their successes as well as lessons learned. Three years of monitoring data will also investigate whether or not the Watershed District has met their zero runoff goals! Individual BMP monitoring data will be presented for the rain gardens, pervious asphalt, and the green roof as well as overall site discharge monitoring.

Presenters: Tina Carstens, Permit Program Coordinator
Ramsey-Washington Metro Watershed District

Seminar C Drainage Management Practices and Conservation Drainage Program

A number of drainage management practices fall within the definition of conservation drainage. This session will present a current overview and examples of conservation drainage practices, as well as provide information about a new conservation drainage cost-share program administered by BWSR within the new Clean Water Fund appropriations.

Presenter: Joel Peterson, BWSR

9:30 a.m. **MAWD Business Meeting (Continued)**

Presiding – President Barbara Haake

- * BWSR Report
- * MAWD Administrative Report
- * Region Reports
- * Watershed District Administrators Report
- * Final Report on Attendance
- * Audit Committee Report
- * Bylaws/Dues Committee Report
- * 2010 Budget Adoption
- * 2010 Annual Meeting
- * Introduction of new MAWD Board Members

11:30 a.m. Meeting Adjourned

BOARD OF DIRECTORS MEET FOR REORGANIZATION AT 12:00 NOON or Fifteen Minutes after adjournment - BOARD ROOM II

PRE-CONFERENCE DAY LONG SESSIONS

THURSDAY, DECEMBER 3

Pre-Conference Seminar Registration - Please return this form before November 23.

Name/Title: _____

Organization: _____

Address: _____

City: _____ Zip Code: _____

Phone: _____ Email: _____

Please specify seminar - \$75 to \$100 per session

Includes workshop, registration packet, coffee breaks and lunch.

- | | |
|---|--------------|
| ☐ Conservation and Minnesota Drainage | \$75 |
| ☐ New Manager Orientation Workshop | \$75 |
| "Basic WD management for new & experienced managers and staff" | |
| ☐ Advanced Manager Training: | \$75 |
| ☐ ADA, Words That Work | \$100 |

Total Due \$ _____

Credit Card Registration: (on-line at mnwatershed.org)

Guaranteed Payment: ____ Visa/MasterCard ____ American Express ____ Other major credit cards

Card Number: _____ Exp. Date: _____

Signature: _____

Advanced Registration is recommended - on-site registration subject to availability.

Registration deadline is November 20, 2009.

Lodging: Rooms reserved (one night is \$84.44 with tax) for Wednesday, December 2, 2009 at Arrowwood - 320-762-1124 for reservations. Please reference the MAWD Pre-Conference Day Long Sessions

Cancellations: Refund only if cancellation received by November 27, 2009. Substitutes may be sent.

Registration questions please call 651-452-8506 or email: raybohnmg@aol.com.

Minnesota Association of Watershed Districts
Pre-Conference Day Long Sessions - Thursday, Dec. 3, 2009

New Manager's Orientation Workshop

"Basic Watershed management for new & experienced managers and staff"

Watershed Districts are an interesting blend of missions and authorities. Understanding how they fit into the big picture is critical to new Managers. Your organization has broad powers to tackle issues the citizenry has determined other governments either cannot, or will not, address.

It's a big deal...and as a new manager, it is now your responsibility.

Presenters: *Louis Smith* - Attorney, Smith Partners, a firm offering water law and policy expertise
Steve Woods - Assistant Director with MN Board of Water and Soil Resources
Bruce Albright - Administrator of the Buffalo-Red River Watershed District
Tera Guetter - Administrator of the Pelican River Watershed District

9:15 Welcome and Introductions

Watershed Districts, BWSR, and the World (Steve Woods)

Your WD is just one organization in a world full of state, federal, non-profit, citizen, and municipal interests with their own mandate to work for the public good.

Government Basics (Louis Smith)

The public and private sectors operate differently. (Hold secret strategy meetings if you want to learn the hard way...) Ethics, open meeting laws, and other board responsibilities will be explored.

10:30 Break

10:45 Your Role as Leader (Steve)

Your county appointed you to the Board and probably expects you to make sure the organization does more than just exist. There are a few skills that will help you make your organization excel.

Powers, Duties, and Responsibilities of Managers from the Statutes (Louis)

Managers have their own compact chapter of law - MN Statutes Ch. 103D. This overview of the structure and content will demystify the nuances it contains. Whether or not your WD regulates, you'll hear some specifics about your powers to compel individuals or other government to do things.

12:00 - 1:15 Lunch

1:15 Signaling Your Intentions Through Planning (Tera Guetter)

Every organization on the planet from the Cub Scouts to the US Army has some sort of strategic plan to guide them. WD plans set priorities, outline tactics, and explain where the tax money will come from.

2:30 Break

2:45 Getting Projects Authorized, Permitted, Funded, and Built (Bruce Albright)

Managers set direction for their staff or consultants. This session will cover the statutes staff utilize to get projects airborne in a format as close as possible to the desires of the Board.

Open Q&A time

Register on Page 11 12

Minnesota Association of Watershed District
Pre-Conference Day Long Sessions
Thursday, Dec. 4, 2008

Advanced Manager Workshop

8:00 a.m. Registration

9:00 a.m. Working with Consultants

- Selection models (annual, biennial, permanent)
- Retainer vs per project
- Board/consultant relationship framework
- Best practices for developing, RFP/review/selection process
- What is the "lowest responsible bidder"
- How can you include any specific requirements such as geographical area, materials
- Qualification Based Selection (QBS)

10:15 Break

10:30 a.m. Positioning your watershed district for the future

- Future forces affecting your WD
- CWA, TMDLS, NPDES
- Working, through planning and amendment processes
- Getting your message out!

11:15 a.m. Water Management Districts

- Funding tool option
- BWSR guidance on plan and plan amendment process
- BWSR guidance on "Project" petition, order, fee establishment process

12:00 Noon Lunch

1:00 p.m. 2:30 Board Governance

- Why governance models matter
- Types of governance models
- How boards can unify around a governance model

2:15 Break

2:30 Working through conflicts

- Options for resolution
- How can board process help resolve/reduce conflict
- When to vote, abstain, take a stand

3:30 pm Sexual Harassment Policy/Training

- Review MAWD policy highlights
- WD Expectations 1) conduct sexual harassment training in their own WD and 2) adopt a sexual harassment policy

Presenters: Julie Blackburn, BWSR, John Kolb, Rinke Noonan

Register on Page 11 13

Pre-Conference Day Long Sessions

Thursday, Dec. 3, 2009



Association of Watershed District Administrators

2009 Watershed District Administrative Workshop

Water Words that Work Mr. Eric Eckl

<http://waterwordsthatwork.com>

Training Agenda:

9:00-3:00 – Water Words that Work

Water Words That Work is a water blog and environmental communication technique developed by Eric Eckl. Eric explores how the conservation community can be more successful whenever we set out to change everyday citizens' minds and behavior. Water Words That Work re-orient nature protection and pollution control experts to the vocabulary and perspective of everyday citizens, and helps you translate your shoptalk into environmental writing that is clear and compelling to them. By applying the principles of Water Words That Work, you will develop the communications skills you need for:

- Environmental writing for everyday citizens (not your professional peers)
- Planning social marketing campaigns
- Working with reporters and bloggers
- Preparing environmental websites and blogs
- Fundraising
- Speaking at public meetings and hearings
- Lobbying public officials

The cost of this year's workshop is \$100 per attendee, and includes the workshop, lunch and all materials.

Register on Page 11

Pre-Conference Day Long Sessions

Thursday, Dec. 3, 2009

Minnesota Drainage & Water Management

This one-day seminar is designed to provide drainage authorities and their key partners with a solid foundation in drainage law and water management. Presenters include: Kurt Deter, partner with Rinke Noonan Law Firm, Al Kean, Les Lemm and Jeremy Maul, BWSR, Gary Sands, University of Minnesota, Adam Birr, MDA, Corey Hansen, Red Lake Watershed District

- | | |
|------------|--|
| 8:00 a.m. | Registration |
| 9:00 a.m. | Welcome & Introductions |
| 9:05 a.m. | Drainage Law 101 and Recent Case Law
Kurt Deter, Rinke-Noonan |
| 10:15 a.m. | Break |
| 10:30 a.m. | Drainage Work Group Update
Al Kean, BWSR |
| 10:50 a.m. | WCA, Swampbuster and Ag Drainage
Les Lemm and Jeremy Maul, BWSR |
| 12:00 p.m. | Lunch |
| 1:15 p.m. | Modeling the Effects of Conventional, Shallow and
Controlled Subsurface Drainage
Gary Sands, University of Minnesota |
| 2:15 p.m. | Break |
| 2:30 p.m. | Terrain Analysis and Identification of Concentrated Flow Inlets
to Drainage Ditches
Adam Birr, MDA |
| 3:30 p.m. | Farm to Stream Tile Drainage Water Quality Study
Corey Hansen, Red Lake Watershed District |
| 3:45 p.m. | Questions & Answers |

Register on Page 11



Land and Water Shall be Preserved

540 Diffley Road
St. Paul, MN 55123-1601

Minnesota Association of Watershed Districts

Annual Meeting & Trade Show

December 3 - 5, 2009

Pre-Conference Day Long Sessions - December 3, 2009

- **Minnesota Drainage and Water Management**
- **New Manager Orientation Workshop**
"Basic WD management for new & experienced managers and staff"
- **ADA Workshop - Water Words that Work**
- **Advanced Manager Workshop**

**MINNESOTA ASSOCIATION OF SOIL AND WATER
CONSERVATION DISTRICTS**

ANNUAL MEETING AND TRADE SHOW

SWCDs - Working

**Clean,
Green,
& Lean**



December 6, 7, 8, 2009

**DULUTH ENTERTAINMENT CONVENTION CENTER
DULUTH, MINNESOTA**



Hosted By:

Minnesota Association of Soil and Water Conservation Districts and West Central Area 2
Soil and Water Conservation Districts (SWCDs), Ralph Peterson, West Central Area 2 Director



Minnesota Association of Soil & Water Conservation Districts

73rd Annual Convention & 19th Annual Trade Show

December 6, 7, 8, 2009

Duluth Entertainment Convention Center (DECC), Duluth, Minnesota

REGISTRATION FORM

Please use a separate form for each couple or person.

Registrations must include full payment and must be received in the MASWCD office by **November 5**.

Cancellations received by November 13 will be refunded less a \$75 cancellation fee. No refunds for cancellations after November 13.

Name _____

SWCD _____

MASWCD Area _____

☐ Outstanding Conservationist

☐ Other Award Recipient

(Outstanding Conservationists and other
award recipients do not pay registration fee)

☐ SWCD Supervisor

☐ SWCD Employee

☐ BWSR ☐ NACD

☐ NRCS ☐ DNR

☐ MPCA ☐ MDA

Other _____

REGISTRATION FEE

	Quantity	Amount
Complete Convention Registration	_____ @ \$190.00 =	\$ _____
Monday Only Registration	_____ @ \$130.00 =	\$ _____
Tuesday Only Registration	_____ @ \$130.00 =	\$ _____

MEALS

Monday Awards Luncheon _____ @ \$19.50 = \$ _____

Tuesday Outstanding Conservationist's Luncheon** _____ @ \$22.00 = \$ _____

** note - There is reserved seating for Tuesday's luncheon; reservations can be made at the registration desk starting Monday morning.

Tuesday Evening Banquet _____ @ \$25.50 = \$ _____

Welcome Reception (cash bar)

Sunday, 7:30 pm, Radisson Hotel Duluth - Harborview _____ @ no charge

While there is no fee for
these three events, we
ask you to please
indicate here if you
plan to participate so
we can plan
accordingly.

Continental Breakfast/Hospitality Area

Monday, 6:30 - 8:15 am, Holiday Inn Rooms 414-415, Radisson Rooms 408-409 _____ @ no charge

Tuesday, 6:30 - 8:15 am, Holiday Inn Rooms 414-415, Radisson Rooms 408-409 _____ @ no charge

TOTAL REGISTRATION AND MEAL FEES \$ _____

Please enclose check for the **full** amount payable to MASWCD.

Mail to: MASWCD, 790 Cleveland Avenue South, Suite 201, St. Paul, MN 55116.

Meeting and Meal Events: Meeting and meal events will be held at the Duluth Entertainment Convention Center.

Lodging Information: Individuals are responsible for booking their own hotel rooms. To get the convention rate, ask to make a reservation under the room block named: Minnesota Association of Soil and Water Conservation Districts.

Holiday Inn Hotel and Suites Downtown Waterfront

200 West First Street, Duluth MN 55802

- convention rate: \$77 plus tax
- cut-off date: Nov. 5, 2009
- reservations numbers: 1-800-477-7089 or 218-722-1202 (both are hotel direct)

Radisson Hotel Duluth Harborview

505 West Superior Street, Duluth MN 55802

- convention rate: \$77 plus tax
- cut-off date: Nov. 5, 2009
- reservations number: 1-800-333-3333

The Suites Hotel at Waterfront Plaza

325 Lake Avenue South, Duluth MN 55802

- convention rate: start at \$80 plus tax for studio queen/king suites
- cut-off date: Nov. 10, 2009
- reservations numbers: 1-877-766-2665 or 218-727-4663

Donations:

MASWCD is a 501(c)(3) non-profit organization and welcomes your tax deductible donations.

Please indicate whether you are enclosing a donation in the amount of: ☐ \$50 ☐ \$100 ☐ \$150 ☐ other amount: _____



Minnesota Association of Soil & Water Conservation Districts

73rd Annual Convention & 19th Annual Trade Show

December 6, 7, 8, 2009

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SWCD _____

MASWCD Area _____

☐ Outstanding Conservationist

☐ Other Award Recipient

(Outstanding Conservationists and other award recipients do not pay registration fee)

☐ SWCD Supervisor

☐ SWCD Employee

☐ BWSR ☐ NACD

☐ NRCS ☐ DNR

☐ MPCA ☐ MDA

Other _____

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Please indicate whether you are enclosing a donation in the amount of: ☐ \$50 ☐ \$100 ☐ \$150 ☐ other amount: _____

SWCDs - WORKING CLEAN, GREEN, & LEAN

MASWCD 73rd ANNUAL MEETING AND 19th ANNUAL TRADE SHOW

DECEMBER 6, 7, 8, 2009

DULUTH ENTERTAINMENT CONVENTION CENTER - DULUTH, MINNESOTA

SUNDAY, DECEMBER 6, 2009

7:30 p.m.

Reception - Join the MASWCD Board and West Central Area 2 Hosts for a cash-bar welcome reception at the Radisson Hotel Duluth Harborview.

Please check this box on your registration form if you will be joining us at the reception.

PLEASE NOTE: REGISTRATION WILL NOT BE OPEN ON SUNDAY.

MONDAY, DECEMBER 7, 2009

6:30 a.m. - 8:15 a.m.

Continental Breakfast/Hospitality Areas - Holiday Inn Rooms 414-415 and Radisson Rooms 408-409

Please check this box on your registration form if you will be joining us in the hospitality area.

7:00 a.m.

Registration Opens at the Duluth Entertainment Convention Center - Ground Level

8:25 a.m. - 9:15 a.m.

Opening Ceremony and Business Meeting - Lake Superior JK, Skywalk Level

Monday business meeting will have reports & introduction of business only - all voting will take place Tuesday.



Steve
Sunderland

■ Welcome to Duluth from State Representative Roger Reinert

■ President's Report - Steve Sunderland, MASWCD President

■ Introduction of MASWCD Board and Committee Chairs - Steve Sunderland, MASWCD President

■ Introduction of MASWCD Resolutions - Dr. Kathryn Kelly, MASWCD Vice President

■ Finance Committee Report - Clark Lingbeek, MASWCD Secretary/Treasurer

9:15 a.m. - 10:00 a.m.

Keynote Address: - Lake Superior Ballroom JK, Skywalk Level

To be announced

9:00 a.m. - 4:00 p.m.

Trade Show Open - Edmund Fitzgerald Hall, Ground Level

10:00 a.m. - 10:30 a.m.

Refreshment Break in Trade Show Area - Edmund Fitzgerald Hall, Ground Level

10:30 a.m. - 11:30 a.m.

Panel Presentation and Q & A Session - Lake Superior Ballroom JK, Skywalk Level

Panelists will discuss three major sources of grant funding that Soil and Water Conservation Districts may apply for, the priorities for grant allocations, and how these grants fit with the mission of Soil and Water Conservation Districts. Two of the grant sources were just recently established through the Constitutional Amendment that Minnesotans voted on in November, 2008 - the Outdoor Heritage Fund, overseen by the Lessard-Sams Outdoor Heritage Council, and the Clean Water Fund, overseen by the Clean Water Council. The third, the Legislative-Citizen Commission on Minnesota Resources, developed from a program initiated in 1963. Since 1963, over \$600 million has been appropriated to more than 1,250 projects recommended by the Commission to protect and enhance Minnesota's environment and natural resources.

Presenters: Dr. Mike Kilgore, U of M Associate Professor, Lessard-Sams Outdoor Heritage Council Chair
Louis Smith, Smith Partners, PLLP, Clean Water Council Member and former Chair
Representative from the Legislative-Citizen Commission on Minnesota Resources (invited)

11:45 a.m. - 1:45 p.m.

Awards Luncheon - Lake Superior Ballroom LMNO, Skywalk Level

Luncheon Speaker: Mark Holsten, Commissioner, Minnesota Department of Natural Resources - the importance of private lands in meeting the state's conservation goals and the importance of DNR's partnership with the SWCDs

■ MASWCD/MPCA Community Conservationist Award

■ MASWCD/MnDOT Living Snow Fence Achievement Award

■ MASWCD/DNR Forestry Outstanding Forest Steward Award

■ DNR Division of Waters Appreciation Award

■ BWSR's Outstanding District Employee Award

■ MASWCD Media, Teacher, Environmental Education, and Outstanding Supervisor Awards

2:00 p.m. - 3:00 p.m.

CONCURRENT-SESSIONS

THE ECONOMICS OF LOW IMPACT DEVELOPMENT - Gooseberry Falls Room, Ground Level

We hear all the time that developers won't implement low impact development methods because they cost too much. But small business owner, Janelle Riley, has proven that low impact development not only makes environmental sense, but it also costs less! Janelle and her family developed Fairview Office Park, an award winning low impact small commercial development in Baxter, Minnesota. This session will highlight: a history of Fairview Conservancy; low impact development techniques at Fairview Office Park; the economic impact of low impact development; and how low impact development can be adopted at other commercial properties. Attendees of this session will learn how small businesses can save money while also having a positive impact on the environment.

Presenter: Janelle R. Riley, CPA, President, Syvantis Technologies, LLC

Moderator: Larry Salzer, Stearns SWCD Supervisor

CIVIC ENGAGEMENT - FULFILLING THE MISSION OF YOUR SWCD - Split Rock Room, Ground Level

SWCDs strive to provide leadership and education regarding soil and water conservation to their communities. Civic engagement is the individual and collective actions designed to identify and address issues of public concern. This session will provide suggestions of how SWCDs can explain things like TMDL study results, water quality data, etc. to the public, our partners, and other local organizations. This session will also give SWCDs ideas on how to increase public awareness and to identify what SWCD's roles are in civic engagement.

Presenter: Louis Smith, Smith Partners, PLLP, Clean Water Council Member and former Chair

Moderator: Katie Evans, Benton SWCD Technician



Mike Kilgore



Louis Smith



Mark
Holsten



Minnesota Association of Soil and Water Conservation Districts
www.maswcd.org

MONDAY, DECEMBER 7, 2009 (continued)

2:00 p.m. – 3:00 p.m.

CONCURRENT-SESSIONS (continued)

SWCD COLLABORATION – French River Room, Skywalk Level

This session will be held in round-table discussion format and will provide an opportunity for SWCD Supervisors and Employees to share ideas and success stories related to collaboration across SWCD boundaries. Topics may include sharing of equipment, sharing staff time and resources, enhancing the Technical Service Areas to go beyond engineering services, and working with other SWCDs on implementing water quality grants and projects.

Moderators: Jerry Haggenmiller, Douglas SWCD Manager
Kitty Tepley, Todd SWCD Water Management & TMDL Coordinator
Luan Johnsrud, Pope SWCD Office Manager
Rick Reimer, Kandiyohi SWCD Program Coordinator

3:00 p.m. – 3:30 p.m.

Refreshment Break in the Trade Show Area – Edmund Fitzgerald Hall, Ground Level

3:30 p.m. – 4:30 p.m.

CONCURRENT-SESSIONS

THE WATERSHED APPROACH: PROTECTING AND IMPROVING THE WATER QUALITY OF OUR LAKES AND RIVERS –

Gooseberry Falls Room, Ground Level

Minnesotans spoke loudly and clearly when they passed the Clean Water, Land, and Legacy Amendment to the state constitution in Fall of 2008. How do we make their desire for clean lakes and rivers a reality? This presentation will explain the watershed approach to protecting and improving the waters of the state. This includes the water monitoring and assessment cycle, development of watershed plans for cleaning up and protecting lakes and rivers, and how funding for this work is managed.

Presenter: Glenn Skuta, Watershed Section Manager, Minnesota Pollution Control Agency, Regional Division

Moderator: Kitty Tepley, Todd SWCD Water Management & TMDL Coordinator

FEDERAL FREEDOM OF INFORMATION ACT (FOIA) AND ITS CLASH WITH STATE DATA PRACTICES ACT – St. Louis River Room, Skywalk Level

Confused about what is protected and what is public information as it pertains to the Federal Freedom of Information Act (FOIA) and the State Data Practices Act? Find out what information can be shared with landowners, the general public and between government agencies, what information needs a written request, and what information is considered protected.

Presenters: Dave Weirens, Board of Water and Soil Resources Land and Water Section Manager
Paul Flynn, Natural Resources Conservation Service State Resource Conservationist

Moderator: Doris Christians, Meeker SWCD Secretary

FUTURE FUNDING OPPORTUNITIES FOR DISTRICTS – French River Room, Skywalk Level

Did you ask yourself after the 2009 Legislative Session, "Now what? How do we, the SWCD's, fit into the new funding opportunities created from the Session? What will be required of us to compete? What kinds of staff changes should we be making, if any?" This session will include speakers familiar with the grant processes of the Legislative-Citizen Commission on Minnesota Resources (LCCMR), the Clean Water Council, and the Lessard-Sams Outdoor Heritage Council. This break-out session will allow time for questions and answers!!

Presenters: Tom Kalahar, Renville SWCD Technician
Marilyn Bernhardson, Redwood SWCD Manager, Clean Water Council Chair
Dr. Mike Kilgore, U of M Associate Professor, Lessard-Sams Outdoor Heritage Council Chair
Steve Nokleby, Chippewa SWCD Supervisor

2b OR NOT 2b - THE SWCD ROLE IN THE RURAL PRESERVE PROPERTY TAX PROGRAM – Split Rock Room, Ground Level

The new Rural Preserve Property Tax Program created during the 2009 legislative session includes a role for SWCDs related to conservation plans. Learn more about the opportunities and obligations of SWCDs, including what the conservation plans may entail and who should write them, time frames for approval, and more. Speakers will include representatives from the Board of Water and Soil Resources and the Property Tax Division of Minnesota Revenue.

7:00 & 7:30 p.m.

Auctions for Conservation Education – Holiday Inn Downtown Waterfront, Great Lakes Ballroom, Lower Level

- **Silent Auction:** 7:00 p.m. to 8:30 p.m. **Live Auction:** 7:30 p.m. until all donated items are auctioned off
- Proceeds support conservation education, including the Minnesota State Envirothon

TUESDAY, DECEMBER 8, 2009

6:30 a.m. – 8:15 a.m.

Continental Breakfast/Hospitality Area – Holiday Inn Rooms 414-415 and Radisson Rooms 408-409

Please check this box on your registration form if you will be joining us in the hospitality area.

7:00 a.m. – noon

Trade Show Open – Edmund Fitzgerald Hall, Ground Level

7:30 a.m.

Registration Opens – Ground Level

8:30 a.m. – 11:45 a.m.

Business Meeting (continued) – Lake Superior Ballroom JK, Skywalk Level

- Presiding Officer: Steve Sunderland, MASWCD President
- Approval of Standing Rules and 2008 Annual Meeting Minutes
- Action on Proposed 2009-2010 Budget
- Action on Resolutions



Steve
Sunderland

8:30 a.m. – 9:30 a.m.

Outstanding Conservationist Program; Shipwrecks of Lake Superior – French River Room, Skywalk Level

Elmer Engman is an accomplished and respected diver and marine historian. He has authored two books, "Shipwreck Guide to the Western Half of Lake Superior," and "In the Belly of a Whale - Duluth's Shipwreck Tragedy." In 2002, Engman was presented with Lake Superior Magazine's Achievement Award for his generous efforts to promote enthusiasm and protection for Lake Superior and its history.

Presenter: Elmer Engman, diver, author and marine historian

Moderator: Mark Weimerskirch, Swift SWCD Supervisor, West Central Area 2 Co-Director



Elmer Engman



Minnesota Association of Soil and Water Conservation Districts
www.maswcd.org

TUESDAY, DECEMBER 8, 2009 (continued)

8:30 a.m. – 10:00 a.m.

SWCD EMPLOYEE SESSIONS

WHAT'S YOUR "OUTLOOK" ON "SALES TAX"? – Gooseberry Falls Room

Two sessions geared toward helping you become more organized in the office and compliant on sales tax issues.

Moderator: Audrey Kleespies, Douglas SWCD District Secretary

Session One: HOW TO GET THE MOST OUT OF MICROSOFT OUTLOOK – TIPS & TRICKS (8:30 – 9:15 a.m.)

This session will cover the knowledge and skills needed to use Microsoft Office Outlook and will include creating new calendar items such as events, appointments, and invitations. It will also cover how to schedule, update, and cancel meetings as well as how to respond to meeting requests. Learn how to set up contact lists to organize groups that you work with. Find a date all staff will be available for a meeting in a click of a button. Create a signature block with your own contact information. Find out some tricks you can use to share your calendar with supervisors, set up reminders, and more. Outlook is not just for e-mail anymore! Outlook can be a powerful tool if used to its full potential.

Presenters: Danielle Evans, GIS Specialist, NRCS - Duluth

Kristy Baross, GIS Specialist, NRCS - Duluth

Session Two: SALES TAX – ARE YOU IN COMPLIANCE? (9:15 – 10:00 a.m.)

Sales tax can be confusing! Learn more about sales tax as it relates to issues such as: trees and accessories planted/installed by the landowner or SWCD with state and federal cost-share or non-program dollars; soil stewardship materials; office supplies purchased online, in-state/out-of-state; new or used machinery purchases, rental machinery parts or sale of your used machinery; trees donated or unsold; ST-3's – who completes them and how long they are valid; what to expect during a sales tax audit. This session will provide you with answers along with handouts for future reference. We will all sleep better knowing we are in compliance!

Presenter: Karin Harris, Revenue Tax Specialist, Minnesota Revenue - Duluth

COMMUNITY CONSERVATION IN MINNESOTA – Split Rock Room

To continue to offer valuable services for the protection and restoration of surface water quality, we must diversify our approaches for outreach and share our technical and program experiences. This session is an opportunity to learn about the latest in bioretention design, including NRCS standard 712 and the Blue Thumb Outreach Based Education Initiative. The session will include a round table exchange of the technical and strategic roles SWCDs play in TMDL, MS4 and nondegradation implementation around the state.

Presenters: Shawn Tracy, Association of Metro SWCDs, Landscape Restoration Specialist

Jay Riggs, Washington Conservation District Manager

Mike Isensee, CPESC, Dakota SWCD Urban Conservationist

Moderator: Greg Berg, Stearns SWCD Shoreland Specialist

Outstanding Conservationist Photo Area Open – Edmund Fitzgerald Hall, Ground Level

Refreshment Break – Edmund Fitzgerald Hall, Ground Level

SWCD EMPLOYEE SESSIONS

GRANT TRACKING AND YEAR-END FINANCIAL REPORTING – Gooseberry Falls Room

Presenters: Glenn Skuta, Watershed Section Manager, Minnesota Pollution Control Agency, Regional Division

Ryan Hughes, Board of Water and Soil Resources Board Conservationist

Bill Eisele, Board of Water and Soil Resources Administrative Services Director

Moderator: Sheri Gades, Swift SWCD Office Manager

SUCCESSFUL SEEDING, DIVERSITY AND PRACTICE; AN UPDATE ON BWSR RESTORATION PROGRAMS – Split Rock Room, Ground Level

Learn how to sort through new seed and diversity standards for BWSR restoration programs as well as other changes to the Native Buffer Program. New technical resources designed to aid in restoration efforts will be discussed. Learn and share experiences and challenges of "re-vegetating" new and existing RIM sites. In addition hear the latest update and status of the nation's premier private wetland restoration program, RIM/WRP.

Presenters: Dan Shaw, Board of Water and Soil Resources Vegetation Specialist/Landscape Ecologist

Tim Fredbo, Board of Water and Soil Resources Easement Specialist

Moderator: Ryan Peterson, Kandiyohi SWCD RIM Coordinator

MASWCD Outstanding Conservationists Luncheon (with support from The Farmer Magazine, Paula Mohr, Editor) – Lake Superior Ballroom LMNO, Skywalk Level

- Master of Ceremonies: Lynn Ketelsen, Linder Farm Network
- Presentation of Distinguished Service Awards to SWCDs and the SWCD of the Year Award
- Slide Show of Minnesota's Outstanding Conservationists – selected by local SWCDs
- Presentation of Minnesota Outstanding Conservationist Award - Area Finalists & State Winner

Refreshment Break – Ground Level Foyer

Where We've Been, Where We Are, and Where We Need To Be In Conserving Soil and Water – Gooseberry Falls Room, Ground Level

Join us for a lighthearted look back in time to 1933 in northeastern Minnesota, when roads became paved, to 1993 of a major reconstruction that included stream relocation and habitat creation, to 2009 for a highly developed metropolitan stream. The presentation will digress into hot, heavy and humorous construction topics for today that celebrate air, land and water from around North America, and highlight how construction activities impact soil and conservation principles.

Speaker: Dwayne Stenlund, CPESC, Erosion Control Engineering Unit, Minnesota Department of Transportation

Reception – Ground Level Foyer

Closing Banquet – Lake Superior Ballroom

- Recognition of retiring and deceased SWCD supervisors and staff
- Time to relax, network and reflect on two days of conservation information and policy setting
- Entertainment – Stone Circle presents music of the Celtic Isles: Jigs and reels to tap your feet to, and slow airs that evoke old memories.

9:30 a.m. – 11:45 a.m.

10:00 a.m. – 10:30 a.m.

10:30 a.m. – 11:45 a.m.

Noon – 2:00 p.m.



Paula Mohr



Lynn Ketelsen

2:00 p.m. – 2:30 p.m.

2:30 p.m. – 3:30 p.m.



Dwayne Stenlund

4:00 p.m. – 5:00 p.m.

5:00 p.m. – 7:15 p.m.



Minnesota Association of Soil and Water Conservation Districts
www.maswcd.org



AUCTIONS FOR CONSERVATION

Monday, December 7

Holiday Inn Hotel & Suites Downtown Waterfront, Great Lakes Ballroom

The Minnesota Association of Soil and Water Conservation Districts (MASWCD) is hosting both a live auction and a silent auction during the MASWCD Annual Convention on Monday evening, December 7th.

A wide array of merchandise and craft items are donated every year by Soil and Water Conservation District Supervisors, employees, spouses and other friends of conservation.

PROCEEDS. Funds raised from the auctions will go to support conservation education activities such as the Minnesota State Envirothon.

DATE, LOCATION, TIMES.

Monday, December 7

Holiday Inn Hotel & Suites Downtown Waterfront (200 West First Street, Duluth MN 55802)
Great Lakes Ballroom, lower level

- **Silent Auction.** 7:00 p.m. to 8:30 p.m.
- **Live Auction.** 7:30 p.m. to whenever all items are auction off.

AUCTION DONATIONS. If you have an item you would like to donate to the auction, please use one of the enclosed auction slips to indicate:

- the name of the donor;
- which SWCD the donation is from;
- a brief description of the item, and
- whether it is for the live auction or the silent auction.

(feel free to make duplicates of the donation slips page as needed).

Auction items may be dropped off

- at the Marina Room on the 4th floor at Holiday Inn (times to be announced later) or
- at the convention registration desk at the Duluth Entertainment Convention Center starting Monday morning at 7:00 a.m.

**MASWCD Auctions
For Conservation**

Donation Form

Name of item: _____

Description: (what the item is and anything special that would help sell the item):

Name of Donor: _____ SWCD : _____

This item is for (circle one): **Live Auction** or **Silent Auction**

Please attach this form to EACH item you donate for the Auctions For Conservation

**MASWCD Auctions
For Conservation**

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**MASWCD Auctions
For Conservation**

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Name of item: _____

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Name of Donor: _____ SWCD : _____

This item is for (circle one): **Live Auction** or **Silent Auction**

Please attach this form to EACH item you donate for the Auctions For Conservation

For 100 years, the Association of Minnesota Counties' (AMC) Annual Conference has brought *key players* in Minnesota county government together under one roof.

No other event offers the *important educational opportunities* that this conference does, and nowhere else will you find a forum for an *open exchange of ideas* between more than 600 county decision-makers, including elected officials, department heads and key staff.

The AMC annual conference has a long tradition of *engaging and educating county officials and staff* on important topics and trends affecting county government. Minnesota counties have been brave and bold in accepting the challenge of redefining the future by undertaking the Minnesota Redesign. Now more than ever, counties are in position to facilitate positive change in government systems efficiency and this year's annual conference focuses on ways to do just that.

This year's *Opening Session Keynote* by body language expert *Jan Hargrave* teaches the ways of reading and sending nonverbal communications. From handshakes to head-scratches, Hargrave says movements matter. Among her key messages is that research shows only about 7% of what we say is actually conveyed by speaking, and the rest is said by *body language* and vocal inflection. It is for those reasons that body language can be a powerful tool in everything from negotiating contracts to determining if someone is telling you the truth. Hargrave presents in a show-and-tell style, tinged with humor and tips that entertain as much as educate.

AMC's *Annual Business Meeting* on Tuesday is another important part of the conference. Input from all county delegates is encouraged as we vote on our legislative platform. Delegates will also elect officers to the 2010 AMC Board of Directors.

This year's *Tuesday Workshops* cover a wide variety of topics from "The Effect of Technology on Data and the Open Meeting Law" and "Preserving Ag Land" to "Creative Budgeting in Challenging Times" and "eWorkPlace: Productivity, Innovation and Efficiency" there is quite literally something for everyone!



Wednesday's *Closing Session Keynote* by *Tom Fisher*, Dean of the University of Minnesota's College of Design, focuses on building resiliency back into our fracture-critical system designs -- a design where the failure of any one part will bring down the whole, and cites as examples the I-35W bridge, the global financial system, the New Orleans levee system, our oil-dependent transportation system, and our food supply system. Fisher says we designed so many fracture-

critical systems because of an over-optimism in our ability to maintain the extended infrastructure, an unwarranted faith in technology, and hubris. We need the *resilience and redundancy* inherent in natural systems in these constructed systems, Fisher says, because, ironically the more interconnected and efficient a system becomes, the more likely it is to become less resilient and fail.

In addition to the conference workshops, meetings and speakers, we've planned a little fun, too!

The *Vendor Fair* will be busy with more than 115 vendor booths—all with products and services to help county government do its business better! Company representatives will be on hand to showcase heavy equipment, computer software, benefits packages, office supplies, financial advisory services and more!

The annual *Silent Auction* inside the Vendor Fair gives conference participants the chance to place bids on great prizes and help a good cause at the same time! Proceeds go toward the annual AMC Student Scholarship. Donated items range from gift certificates to iPods, and everything in between!

The *Awards Banquet* on Monday night provides an opportunity to publicly recognize counties and individuals for outstanding achievements in government. Download nomination forms from www.mncounties.org. Award application deadline: October 16.

Get ready to dance the night away at the *President's Dinner & Dance* on Tuesday night Featuring Doc's All-Stars, a 14-piece Big Band.



See inside for agenda details, lodging information & conference registration!

[Agenda](#) [Awards](#) [Lodging](#) [On-Line Registration](#) [Vendors](#)

On-Line Registration

The conference fee is \$325 per attendee before October 30, 2009, and \$350 after that date.

County/Organization:

Contact Name:

Contact Email:

Registrants:

Your county will be billed for all on-line registrations.

The conference fee is \$325 per attendee if received before October 30, 2009, and \$350 after that date.

Refunds will be granted less a \$100 cancellation fee if notice is received November 30 - December 4.
No refunds granted after that date.

Guest Information: There are no specific guest events planned during the conference, but spouses and guests are invited to any or all conference meals/events. Individual tickets for conference meals and evening events will be sold at the Registration Booth during the conference.

Monday, December 7

- 7:30 - 9:30 a.m. AMC EXTENSION COMMITTEE
- 7:30 - 9:30 a.m. AG & RURAL DEVELOPMENT ADVISORY BOARD
- 8:30 - 9:30 a.m. 2009 CONFERENCE PLANNING COMMITTEE BREAKFAST
- 9:00 a.m. - 2:30 p.m. ASSOCIATION OF MINNESOTA EMERGENCY MANAGERS (AMEM)
- 9:00 a.m. - 3:00 p.m. VENDOR FAIR OPEN
- 9:30 - 11:30 a.m. AMC POLICY COMMITTEES
- Environment & Natural Resources
 - General Government
 - Public Safety
- 10:00 - 11:30 a.m. MINNESOTA COUNTIES INSURANCE TRUST (MCIT) BOARD OF DIRECTORS
- 10:00 a.m. - 12:30 p.m. MINNESOTA COUNTY ENGINEERS ASSOCIATION (MCEA)
- 10:00 a.m. - 1:00 p.m. MINNESOTA ASSOCIATION OF COUNTY SURVEYORS (MACS)
- 11:00 a.m. - 1:30 p.m. MINNESOTA ASSOCIATION OF COUNTY ADMINISTRATORS (MACA)
- 11:30 a.m. - 12:30 p.m. LUNCH
Served inside the exhibit hall.
- 11:30 a.m. - 1:00 p.m. MAGIC FUND ANNUAL MEETING
- 11:30 a.m. - 1:00 p.m. MINNESOTA SOLID WASTE ADMINISTRATORS ASSOCIATION (SWAA)
- 12:30 - 2:30 p.m. AMC POLICY COMMITTEES
- Health & Human Services
 - Transportation
- 12:30 - 2:30 p.m. MCIT ANNUAL MEETING
- 12:30 - 1:30 p.m. CANDIDATE SCREENING FOR AMC OFFICERS
- 1:00 - 3:00 p.m. MINNESOTA ASSOCIATION OF PLANNING & ZONING ADMINISTRATORS (MACPZA)
- 1:00 - 2:30 p.m. RURAL MINNESOTA ENERGY BOARD & METRO COUNTIES ENERGY TASK FORCE
- 3:00 - 5:00 p.m. OPENING SESSION
- Presentation of Colors
 - President's Welcome
 - Host County Welcome
- KEYNOTE PRESENTATION:
"Understanding Nonverbal Communication" by Jan Hargrave
Nonverbal communication—"Body Language"—often communicates a different message from the spoken word. Hargrave proves with her contagious warmth, wit, and humor that there is a method, and a style, to success. Bring your body, your curiosity, your sense of humor and learn what your body—and the body of others—is communicating to the world.
- 5:00 - 6:00 p.m. PAST PRESIDENTS' RECEPTION
- 6:00 p.m. AWARDS BANQUET



www.janhargrave.com

Tuesday, December 8

7:00 - 8:00 a.m.

BREAKFAST BUFFET

8:00 - 10:00 a.m.

AMC BUSINESS MEETING

- Call to Order
- Secretary/Treasurer Report
- Screening Committee Report
- AMC Officer Candidate Presentation
- Platform Amendments
- Federal Resolutions
- AMC 2010 Presidential Election
- Redesign Work Plan Update
- Other

8:00 a.m. - 2:00 p.m.

VENDOR FAIR

- Please note that the Vendor Fair ends earlier this year! Complete your Grand Prize drawing booth map to be eligible for the drawing on Wednesday morning.

10:00 - 10:30 a.m.

BREAK

10:30 a.m. - 12:00 p.m.

CONCURRENT WORKSHOPS I

The Effect of Technology on Data and the Open Meeting Law

Consider all the emails you send. If you think your communications are confidential or by hitting the "delete" button the data has permanently vanished and is not discoverable; think again. The law often lags behind technology, but not so when the email you sent is needed in a lawsuit. Back by Popular Demand! Bill Everett (Everett Law LLC) will educate and entertain you on the definition of "data", what is discoverable and how to protect yourself from the inappropriate release or purging of data.

Emerging Wind Turbine Issues

This session will focus on county decision making, land use issues, and litigation surrounding the siting of wind tower developments.

Embracing an Era of Transportation Innovation

For 50 years, federal, state and local road authorities utilized one process to deliver transportation projects. During the past decade, however, this one-method-fits-all mentality has been replaced by a desire to instead provide road authorities with a multitude of transportation delivery options that offer advantages in terms of cost, time and/or liability risks but also require road authorities to manage initially steep learning curves. As Minnesota's counties are now joining the movement toward these innovative transportation delivery methods, MnDOT will discuss the successes, challenges and lessons learned from its first experiences with innovative transportation delivery options, specifically focusing on the design-build procurement method and the utilization of best value selection criteria as these are the two innovative transportation methods with immediate applicability to counties around the state.

One Size Doesn't Fit All: Best Methods in Public Participation

Public meetings are a standard way to invite public participation, but are they always the best way to engage the public? Not likely. If you want to learn ways to match what you want to accomplish with the right tools, come and find out more about the Public Participation Spectrum and ways to make public participation more useful to you. Lisa Hinz is an Educator in Leadership and Civic Engagement with the University of Minnesota Extension. She has worked in and with public sector organizations and issues for over 20 years, sharing ideas and good practices to improve public life.

Network of Care: Putting Comprehensive Social Services Information At Everyone's Fingertips

Looking for an online way to aggregate the information about available health and human services in your county and make it easy for your staff, the public, caregivers and social service providers to access that information? The Network of Care is a highly interactive, no-wrong-door web-based network that develops unique county websites for Behavioral Health, Veterans, Aging and People with Disabilities, Developmental Disabilities, Children and Families, Domestic Violence, and Public Health.

12:00 - 1:00 p.m.

LUNCH

- Installation of the 2010 AMC President

12:00 - 3:30 p.m.

MINNESOTA ASSOCIATION OF PROFESSIONAL COUNTY ECONOMIC DEVELOPERS (MAPCED)

1:00 - 1:30 p.m.

BREAK - VENDOR FAIR FINALE!

- FINAL CHANCE TO COMPLETE THE 'BOOTH MAP' to be eligible for the drawings on Wednesday morning.
- SILENT AUCTION ENDS AT 1:30 P.M. SHARP!

1:45 - 3:15 p.m.

CONCURRENT WORKSHOPS II

Creative Budgeting in Challenging Times

A panel of budget and finance officials will share their successful strategies for handling reduced revenues (including County Program Aid) in the face of growing demand for safety net services.

Maximum Advocacy: Successfully Moving Your Agenda Forward

County commissioners have two important roles when it comes to advocating for county issues. Commissioners act as advocates for the county in the local community and work to promote the county agenda in St. Paul. The County Board also needs to enable and empower county staff to get engaged with policy makers on behalf of your county's issues. Learn more about how and when to be an advocate and what you can do to tap into the knowledge and experience of your county staff to achieve your maximum advocacy effectiveness.

Federal Corrections Legislation: Cost and Policy Implications for Counties

From the Adam Walsh Act to Ignition Interlock, Congress has an influence on state and county corrections policy. This workshop will outline recent and proposed federal legislation that will require counties to make changes to their correctional policies and have significant costs to implement.

Preserving Ag Land

You are invited to listen and learn how four diverse counties have approached the issue of preserving farmland. The benefits, challenges and opportunities associated with protecting agricultural land will be presented through a moderated panel discussion. The panelists, county commissioners from Winona, Wright, Stearns, and Dakota Counties, will describe issues, approaches they have used, and results respective to each of their counties. The panel will also discuss potential actions for AMC to consider.

Hot Topic!

A timely topic/emerging issue will be the subject of this workshop and is determined closer to the conference.

3:30 - 5:00 p.m.

CONCURRENT WORKSHOPS III

Dealing with the Media During Litigation

Counties are frequently asked to provide information to the media regarding matters in litigation. Public perception of local government can be shaped by how government responds to these inquiries. Given the impact comments can have on litigation, as well as statutory limitations, counties must be careful when responding to media requests. This session will provide guidance on what cannot be revealed; what can be revealed but only in certain forms; and finally things you may want to reveal and how best to accomplish this task.

eWorkPlace: Productivity, Innovation and Efficiency

Is your county offering telecommuting for some of their employees? Would you like to learn more about rural and urban Minnesota counties that are currently using telecommuting to increase efficiencies, reduce absenteeism, increase morale, retain employees and create greater productivity? This workshop will include representatives from the Minnesota eWorkPlace, a state sponsored program, and representatives from Minnesota counties who currently have anywhere from 180 to 20 of their staff telecommuting. They will outline the benefits to the employer, employee, and community. You will learn what is working and what could be improved in the future to allow alternative work arrangements.

Reducing Criminality Through a Redesign of Intra-County Collaboration

Beyond reducing the counties share on incarceration costs, there are opportunities for systems change within counties that can reduce criminality and criminal behavior and enhance quality of life for your community. The Minnesota Association of Community Corrections Act Counties (MACCAC) will offer ideas for identifying offender risk areas that would likely result in on-going criminality and how to target resources to those areas in order to reduce community risk.

A Tax Policy Primer

Anybody can spend the money, its raising the money that is the hard part. Join fellow county officials as a primer on tax policy and process is presented. Get a better understanding of how each of the major taxes work, the consequences, intended or un-, and how you can more clearly understand the significance of wealth, income and consumption taxes. Have the opportunity to discuss local option taxes, tax abatement, tax increment finance, tax loopholes, TnT and the rest.

Hot Topic!

A timely topic/emerging issue will be the subject of this workshop and is determined closer to the conference.

5:00 p.m.

PRESIDENT'S RECEPTION

6:00 p.m.

PRESIDENT'S DINNER & DANCE

Featuring Doc's All-Stars, a 14-piece Big Band.

Wednesday, December 9

County Door Prize Drawing winners will be posted Wednesday morning.

8:00 a.m.

MINNESOTA COUNTIES HUMAN RESOURCE MANAGEMENT ASSOCIATION (MCHRMA)

8:00 - 9:00 a.m.

BREAKFAST & GENERAL ASSEMBLY

8:30 a.m.

AMC OFFICER ELECTIONS

- AMC Executive Director's Report

9:00 - 11:00 a.m.

CLOSING SESSION



Tom Fisher

KEYNOTE PRESENTATION:

"Designing a More Resilient Future" by Tom Fisher, Dean of the University of Minnesota's College of Design

If recent headlines read like a descent into global madness, you do not want to miss this presentation! Tom Fisher explains that since World War II, we have designed the systems we depend on --our food system, banking system, transportation system, electrical grid system-- to be as efficient as possible, which has also made these systems extremely "fracture critical" and liable to sudden and catastrophic failure. The impact of this has already become apparent with the recent collapse of our investment banking system and the periodic blackouts across our national electrical grid. In ecology, there is a relationship between the efficiency and interconnectedness of a system and its lack of resiliency, and when an ecosystem collapses, it becomes less efficient and less interconnected, but more resilient and more resistant to sudden failure. If we are to avoid further collapses of our fracture-critical infrastructure, we need to follow the same course.

11:00 a.m.

GRAND PRIZE DRAWINGS

You must be present to win!

ADJOURN

Association of Minnesota Counties

Composing the Future

"A Symphony of Balance"

AMC ANNUAL CONFERENCE
December 7-9, 2009 Hyatt Regency Minneapolis

Agenda Awards Lodging On-Line Registration Vendors



Lodging

Hyatt Regency Minneapolis

1300 Nicollet Mall

Phone: 612-370-1234

www.minneapolis.hyatt.com



You are responsible for making your own room reservations.
Please be sure to mention the AMC Annual Conference room block to receive the rates below.

Room Rates

Single/Double: \$104 per night +tax

Triple/Quadruple: \$129 per night +tax

Cut-off Date: November 11, 2009

ADDITIONAL PARKING NEAR THE HOTEL.

The Hyatt's ramp for hotel guest and visitors can fill during the day.

The map above shows additional parking options in the area if the hotel ramp is full.



Board Resolution # _____

BWSR Proposed 2010 Meeting Schedule

January 27 - 28, 2010 Workshop and Meeting

February 24, 2010 (tentative) – Committee Meetings

March 24, 2010

April 28, 2010

May 26, 2010

June 23, 2010

July – no meeting

August 25 - 26, 2010 - Tour and Meeting

September 22, 2010

October 27, 2010

November – no meeting

December 15, 2010

Date _____

Randy Kramer, Chair

Minnesota Board of Water and Soil Resources

BOARD OF WATER AND SOIL RESOURCES COMMITTEES October 2009

ADMINISTRATIVE ADVISORY COMMITTEE

Membership:	Randy Kramer, chair	citizen
	Paul Brutlag, vice-chair	citizen
	Louise Smallidge	soil & water conservation district
	Brian Napstad	county commissioner
	LuAnn Tolliver	watershed district/WMO
	John Jaschke	staff
	Mary Jo Anderson	staff

Responsibility:

The administrative advisory committee consists of the Board's chair and vice-chair and the chairs of the Board's standing committees. The administrative advisory committee will make evaluations and recommendations to the Board on various Board issues including ethics; expenses/per diem; bylaws; and legislation and budgets. The Administrative Advisory Committee will act as the personnel committee for personnel actions relating to the Board's executive director. The chairman may include additional members ad hoc to address special or unique topics or issues.

Meetings: The committee will meet at the call of the chair.

DISPUTE RESOLUTION COMMITTEE (DRC)

Membership:	Randy Kramer, chair	citizen
	Paul Brutlag	citizen
	LuAnn Tolliver	watershed district/WMO
	Quentin Fairbanks	county commissioner
	Brian Napstad	county commissioner
	Louise Smallidge	soil & water conservation district
	Travis Germundson	staff lead

Responsibility:

The DRC is responsible for appeals relating to the Wetland Conservation Act rule decisions of local governments, watershed district rule and permit decision appeals, and, under MS103A.301, determinations of water law and policy. The authority of the DRC is established in statute and assigned to the DRC by the Board. Under current guidelines the DRC receives the appeals; hears the issues; and makes recommendations to the Board.

Meetings:

The Committee will meet as needed to process appeals that have been filed with the Board.

GRANTS PROGRAM AND POLICY COMMITTEE

Membership:	Louise Smallidge, chair	soil & water conservation district
	Bob Burandt	soil & water conservation district
	Paul Langseth	soil & water conservation district
	John Meyer	citizen
	Gene Tiedemann	watershed district/WMO
	Christy Jo Fogarty	metro cities
	Keith Mykleseth	non-metro cities
	Rebecca Flood	Pollution Control Agency
	Faye Sleeper	University of Minnesota Extension
	Wayne Zellmer	staff lead
	Julie Blackburn	SMT staff

Responsibility:

The committee is responsible for reviewing cost-share, non-point engineering, clean water legacy, natural resources block grants, local water management challenge grants and services grants allocations, policies, and rules and making recommendations to the Board.

Meetings:

The committee will meet at least two times a year; once prior to the June allocation of cost-share (feedlots, general and special projects); non-point engineering; and services grants.

PUBLIC RELATIONS, OUTREACH AND STRATEGIC PLANNING COMMITTEE

Membership:	Brian Napstad, chair	county commissioner
	John Meyer	citizen
	Louise Smallidge	soil & water conservation district
	LuAnn Tolliver	watershed district/WMO
	Sandy Hooker	townships
	Christy Jo Fogarty	metro cities
	Keith Mykleseth	non-metro cities
	John Linc Stine	Department of Health
	Faye Sleeper	University of Minnesota Extension
	Jon Fure	staff lead
	Steve Woods	SMT staff

Responsibility:

The Public Relations, Outreach and Strategic Planning Committee is responsible for the development of strategic and outreach strategies and plans for the Board including identification of key outcomes, partnerships and opportunities.

Meetings: *Committee will meet twice a year or at the call of the chair.*

RIM RESERVE PLANNING COMMITTEE

Membership:	Paul Brutlag, chair	citizen
	Randy Kramer	citizen
	Gordon Behm	watershed district/WMO
	Tom Loveall	county commissioner
	Gene Tiedemann	watershed district/WMO
	Bob Burandt	soil & water conservation district
	Paul Langseth	soil & water conservation district
	John Linc Stine	Department of Health
	Joe Martin	Department of Agriculture
	Larry Kramka/Wayne Edgerton	Department of Natural Resources/Alternate
	Kevin Lines	SMT staff

WATER PLANNING and COMPREHENSIVE WETLAND PLAN REVIEW COMMITTEES: NORTHERN/SOUTHERN/METRO

Membership: *The committee consists of Board Members from the BWSR administration regions – metro, north, and south.*

Chairs:
*north – Quentin Fairbanks
south – Paul Langseth
metro – Bob Burandt*

North (4)

Quentin Fairbanks - CC
Paul Brutlag - CIT
Gordon Behm - WD
Brian Napstad - CC
Keith Mykleseth - NMC
Gene Tiedemann - WD
Wayne Edgerton - DNR
Ron Shelito, SMT staff

South (4)

Paul Langseth - SWCD
Tom Loveall - CC
Randy Kramer - CIT
John Meyer - CIT
Sandy Hooker - TWP
Joe Martin - MDA
Dan Wilson - MDH
Jeff Nielsen, SMT staff

Metro (3)

Bob Burandt - SWCD
Louise Smallidge - SWCD
LuAnn Tolliver - WD
Faye Sleeper - UM/Extension
Christy Jo Fogarty - MC
Rebecca Flood - PCA
Jim Haertel, SMT staff

Responsibility:

The committee has the responsibility to review county water plans, water management organization plans, watershed district overall plans, comprehensive wetland plans, and amendments to same and to advise the Board on the adequacy of the plans.

Meetings:

*The committee will meet as necessary to review the local plans and amendments.
A **majority** of the committee members must be present. The BWSR northern, southern, and metro regional supervisors will coordinate meeting schedules with members.*

CC = county commissioner
CIT = citizen
SWCD = soil and water conservation district
WD = watershed district

WMO = watershed management organization
MC = metro cities
NMC = non-metro cities
TWP = townships

WETLANDS COMMITTEE

Membership:	LuAnn Tolliver, chair	watershed district/WMO
	Paul Brutlag	citizen
	Gordon Behm	watershed district/WMO
	Tom Loveall	county commissioner
	Brian Napstad	county commissioner
	Quentin Fairbanks	county commissioner
	Sandy Hooker	townships
	Larry Kramka	Department of Natural Resources
	Joe Martin	Department of Agriculture
	Rebecca Flood	Pollution Control Agency
	Les Lemm	WCA Coordinator, staff lead
	Dave Weirens	SMT staff

Responsibility:

The Wetlands Committee is responsible for reviewing Wetland Conservation Act (WCA) and wetland banking rules, policies, guidelines and projects and making recommendations to the Board.

Meetings: The committee will meet twice during the year or at the call of the chair.

STATUTORY COMMITTEES

Committee: Committee on Wells and Borings

Membership: Eric Mohring, staff lead; Board members assigned by Chairman as needed

Responsibility:

Interest and availability with regard to Advisory Council on Wells and Borings and Pesticide Advisory Committee. Policy issues will be brought before the Board for discussion as a new business agenda item.

Meetings: The committee will meet when necessary.

GENERAL COMMITTEE MEETING SCHEDULE

*The Board has adopted a resolution that **committees shall schedule meetings in conjunction with monthly Board meetings as much as possible.** A majority of each committee's membership should be available for a scheduled meeting. The committee chair and staff are expected to develop an agenda and staff are responsible for keeping minutes of the committee proceedings. The committee meetings are considered to be **public meetings** under the open meeting law and therefore must be noticed in the same manner as regular board meetings. All committee agendas should be e-mailed to Mary Jo Anderson for appropriate notice posting.*

Advisory members have offered to serve and may serve on BWSR committees as non-voting members and provide assistance as needed.

Advisory members:

Local Government Partners

- ☐ Association of Minnesota Counties (AMC) – Annalee Garletz, Policy Analyst
- ☐ Minnesota Association of Conservation District Employees (MACDE) – Felicia Brockoff, President
- ☐ Minnesota Association of Soil & Water Conservation Districts (MASWCD) – LeAnn Buck, Executive Director
- ☐ Minnesota Association of Townships (MAT) – Sandy Hooker, Director
- ☐ Minnesota Association of Watershed Districts (MAWD) – Ray Bohn, Executive Director
- ☐ Minnesota County Planning and Zoning Administrators (MCPZA) – Jane Starz, President
- ☐ League of Minnesota Cities (LMC) – Jim Miller, Executive Director

Federal Partners

- ☐ U.S. Army Corps of Engineers (USACoE) – Tamara Cameron, Chief of Regulatory Branch
- ☐ U.S. Fish and Wildlife Service (USF&WS) – Tom Melius, Regional Director
- ☐ USDA Farm Services Agency (FSA) – Glenn Schafer, Acting Executive Director
- ☐ USDA Natural Resources Conservation Service (NRCS) – Tim Koehler, Assistant State Conservationist

State Agencies

- ☐ Met Council – Bill Moore, General Manager/Environmental Services Division
- ☐ Minnesota Department of Transportation (MNDOT) – Frank Pafko, Director/Environmental Services

Interest Partners

- ☐ Allete Minnesota Power – Blake Francis, Supervisor/Water Quality & Waste Management Division
- ☐ Audubon Minnesota – Mark Peterson, Executive Director
- ☐ Builders Association of the Twin Cities – James Vagle, Senior Public Affairs Representative
- ☐ Fish and Wildlife Legislative Alliance – Lance Ness
- ☐ Iron Mining Association of Minnesota – Craig Pagel, President
- ☐ Izaak Walton League – Gary Schwartz, National Director
- ☐ Minnesota Agricultural Water Resources Coalition – Warren Formo, Director
- ☐ Minnesota Agri-Growth Council – Daryn McBeth, President
- ☐ Minnesota Association of Realtors – Heather VanValkenburg, Director/Governmental Affairs
- ☐ Minnesota Association of Wheat Growers – Dave Torgerson, Executive Director
- ☐ Minnesota Barley Research & Promotion Council – Marv Zutz, Executive Director
- ☐ Minnesota Cattlemen's Association – Ted Reichmann, President
- ☐ Minnesota Center for Environmental Advocacy – Martha Brand, Advocacy Director
- ☐ Minnesota Conservation Federation – Gary Botzek
- ☐ Minnesota Corn Growers Association – Tim Gerlach, Executive Director
- ☐ Minnesota Ducks Unlimited – Ryan Heiniger, Director of Conservation Programs
- ☐ Minnesota Environmental Partnership – Steve Morse, Executive Director
- ☐ Minnesota Farm Bureau Federation – Kevin Paap, President
- ☐ Minnesota Farmers Union – Doug Peterson, President
- ☐ Minnesota Land Trust – Jane Prohaska, Executive Director
- ☐ Minnesota Milk Producers Association – Bob Lefebvre, Executive Director
- ☐ Minnesota Native Wildflowers/Grass Producers Association – Bill Olson, President
- ☐ Minnesota Pork Producers Association – Dave Preisler, Executive Director
- ☐ Minnesota Sierra Club – John Hottinger, Chapter Chair
- ☐ Minnesota Soybean Growers Association – Jim Palmer, Executive Director
- ☐ Minnesota Timber Producers Association – Wayne Brandt, Executive Vice-President
- ☐ Minnesota Turkey Growers Association – Steve Olson, Executive Director
- ☐ Minnesota Viewers Association – Ron Ringquist, Secretary/Treasurer
- ☐ Minnesota Waterfowl Association – Brad Nylin, Executive Director
- ☐ Minnesota Waters – Marian Bender, Executive Director
- ☐ Minnesota Wetland Professionals Association – Scott Milburn, Vice President
- ☐ Pheasants Forever – Matt Holland, Field Supervisor
- ☐ Red River Valley Sugarbeet Growers Association, Nick Sinner, Executive Director
- ☐ The Nature Conservancy – Tom Landwehr, Assistant State Director
- ☐ Urban Wetland Management Coalition – Cliff Aichinger
- ☐ Wetlands for Minnesota (Bankers) – Mike Whitt, Interim President

10/29/09

**BOARD OF WATER AND SOIL RESOURCES
COMMITTEES
October 2009**

ADMINISTRATIVE ADVISORY COMMITTEE

Membership:	Randy Kramer, chair	citizen
	Paul Brutlag, vice-chair	citizen
	Louise Smallidge	soil & water conservation district
	Brian Napstad	county commissioner
	LuAnn Tolliver	watershed district/WMO
	John Jaschke	staff
	Mary Jo Anderson	staff

Responsibility:

The administrative advisory committee consists of the Board's chair and vice-chair and the chairs of the Board's standing committees. The administrative advisory committee will make evaluations and recommendations to the Board on various Board issues including ethics; expenses/per diem; bylaws; and legislation and budgets. The Administrative Advisory Committee will act as the personnel committee for personnel actions relating to the Board's executive director. The chairman may include additional members ad hoc to address special or unique topics or issues.

Meetings: *The committee will meet at the call of the chair.*

DISPUTE RESOLUTION COMMITTEE (DRC)

Membership:	Randy Kramer, chair	citizen
	Paul Brutlag	citizen
	LuAnn Tolliver	watershed district/WMO
	Quentin Fairbanks	county commissioner
	Louise Smallidge	soil & water conservation district
	Travis Germundson	staff lead

Responsibility:

The DRC is responsible for appeals relating to the Wetland Conservation Act rule decisions of local governments, watershed district rule and permit decision appeals, and, under MS103A.301, determinations of water law and policy. The authority of the DRC is established in statute and assigned to the DRC by the Board. Under current guidelines the DRC receives the appeals; hears the issues; and makes recommendations to the Board.

Meetings:

The Committee will meet as needed to process appeals that have been filed with the Board.

GRANTS PROGRAM AND POLICY COMMITTEE

Membership:

Louise Smallidge, chair	soil & water conservation district
Bob Burandt	soil & water conservation district
Paul Langseth	soil & water conservation district
John Meyer	citizen
Gene Tiedemann	watershed district/WMO
Christy Jo Fogarty	metro cities
Keith Mykleseth	non-metro cities
Rebecca Flood	Pollution Control Agency
Faye Sleeper	University of Minnesota Extension
Wayne Zellmer	staff lead
Julie Blackburn	SMT staff

Responsibility:

The committee is responsible for reviewing cost-share, non-point engineering, clean water legacy, natural resources block grants, local water management challenge grants and services grants allocations, policies, and rules and making recommendations to the Board.

Meetings:

The committee will meet at least two times a year; once prior to the June allocation of cost-share (feedlots, general and special projects); non-point engineering; and services grants.

PUBLIC RELATIONS, OUTREACH AND STRATEGIC PLANNING COMMITTEE

Membership:

Brian Napstad, chair	county commissioner
John Meyer	citizen
Louise Smallidge	soil & water conservation district
LuAnn Tolliver	watershed district/WMO
Sandy Hooker	townships
Christy Jo Fogarty	metro cities
Keith Mykleseth	non-metro cities
John Linc Stine	Department of Health
Faye Sleeper	University of Minnesota Extension
Jon Fure	staff lead
Steve Woods	SMT staff

Responsibility:

The Public Relations, Outreach and Strategic Planning Committee is responsible for the development of strategic and outreach strategies and plans for the Board including identification of key outcomes, partnerships and opportunities.

Meetings: *Committee will meet twice a year or at the call of the chair.*

RIM RESERVE PLANNING COMMITTEE

Membership:	Paul Brutlag, chair	citizen
	Randy Kramer	citizen
	Gordon Behm	watershed district/WMO
	Tom Loveall	county commissioner
	Gene Tiedemann	watershed district/WMO
	Bob Burandt	soil & water conservation district
	Paul Langseth	soil & water conservation district
	John Linc Stine	Department of Health
	Joe Martin	Department of Agriculture
	Larry Kramka/Wayne Edgerton	Department of Natural Resources/Alternate
	Kevin Lines	SMT staff

WATER PLANNING and COMPREHENSIVE WETLAND PLAN REVIEW COMMITTEES: NORTHERN/SOUTHERN/METRO

Membership: *The committee consists of Board Members from the BWSR administration regions – metro, north, and south.*

Chairs:
*north – Quentin Fairbanks
south – Paul Langseth
metro – Bob Burandt*

North (4)

Quentin Fairbanks - CC
Paul Brutlag - CIT
Gordon Behm - WD
Brian Napstad - CC
Keith Mykleseth - NMC
Gene Tiedemann - WD
Wayne Edgerton - DNR
Ron Shelito, SMT staff

South (4)

Paul Langseth - SWCD
Tom Loveall - CC
Randy Kramer - CIT
John Meyer - CIT
Sandy Hooker - TWP
Joe Martin - MDA
Dan Wilson - MDH
Jeff Nielsen, SMT staff

Metro (3)

Bob Burandt - SWCD
Louise Smallidge - SWCD
LuAnn Tolliver - WD
Faye Sleeper - UM/Extension
Christy Jo Fogarty - MC
Rebecca Flood - PCA
Jim Haertel, SMT staff

Responsibility:

The committee has the responsibility to review county water plans, water management organization plans, watershed district overall plans, comprehensive wetland plans, and amendments to same and to advise the Board on the adequacy of the plans.

Meetings:

*The committee will meet as necessary to review the local plans and amendments.
A **majority** of the committee members must be present. The BWSR northern, southern, and metro regional supervisors will coordinate meeting schedules with members.*

CC = county commissioner
CIT = citizen
SWCD = soil and water conservation district
WD = watershed district

WMO = watershed management organization
MC = metro cities
NMC = non-metro cities
TWP = townships

WETLANDS COMMITTEE

Membership:	LuAnn Tolliver, chair	watershed district/WMO
	Paul Brutlag	citizen
	Gordon Behm	watershed district/WMO
	Tom Loveall	county commissioner
	Brian Napstad	county commissioner
	Quentin Fairbanks	county commissioner
	Sandy Hooker	townships
	Larry Kramka	Department of Natural Resources
	Joe Martin	Department of Agriculture
	Rebecca Flood	Pollution Control Agency
	Les Lemm	WCA Coordinator, staff lead
	Dave Weirens	SMT staff

Responsibility:

The Wetlands Committee is responsible for reviewing Wetland Conservation Act (WCA) and wetland banking rules, policies, guidelines and projects and making recommendations to the Board.

Meetings: *The committee will meet twice during the year or at the call of the chair.*

STATUTORY COMMITTEES

Committee: Committee on Wells and Borings

Membership: Eric Mohring, staff lead; Board members assigned by Chairman as needed

Responsibility:

Interest and availability with regard to Advisory Council on Wells and Borings and Pesticide Advisory Committee. Policy issues will be brought before the Board for discussion as a new business agenda item.

Meetings: *The committee will meet when necessary.*

GENERAL COMMITTEE MEETING SCHEDULE

*The Board has adopted a resolution that **committees shall schedule meetings in conjunction with monthly Board meetings as much as possible.** A majority of each committee's membership should be available for a scheduled meeting. The committee chair and staff are expected to develop an agenda and staff are responsible for keeping minutes of the committee proceedings. The committee meetings are considered to be **public meetings** under the open meeting law and therefore must be noticed in the same manner as regular board meetings. All committee agendas should be e-mailed to Mary Jo Anderson for appropriate notice posting.*

Advisory members have offered to serve and may serve on BWSR committees as non-voting members and provide assistance as needed.

Advisory members:

Local Government Partners

- ☐ Association of Minnesota Counties (AMC) – Annalee Garletz, Policy Analyst
- ☐ Minnesota Association of Conservation District Employees (MACDE) – Felicia Brockoff, President
- ☐ Minnesota Association of Soil & Water Conservation Districts (MASWCD) – LeAnn Buck, Executive Director
- ☐ Minnesota Association of Townships (MAT) – Sandy Hooker, Director
- ☐ Minnesota Association of Watershed Districts (MAWD) – Ray Bohn, Executive Director
- ☐ Minnesota County Planning and Zoning Administrators (MCPZA) – Jane Starz, President
- ☐ League of Minnesota Cities (LMC) – Jim Miller, Executive Director

Federal Partners

- ☐ U.S. Army Corps of Engineers (USACoE) – Tamara Cameron, Chief of Regulatory Branch
- ☐ U.S. Fish and Wildlife Service (USF&WS) – Tom Melius, Regional Director
- ☐ USDA Farm Services Agency (FSA) – Glenn Schafer, Acting Executive Director
- ☐ USDA Natural Resources Conservation Service (NRCS) – Tim Koehler, Assistant State Conservationist

State Agencies

- ☐ Met Council – Bill Moore, General Manager/Environmental Services Division
- ☐ Minnesota Department of Transportation (MNDOT) – Frank Pafko, Director/Environmental Services

Interest Partners

- ☐ Allete Minnesota Power – Blake Francis, Supervisor/Water Quality & Waste Management Division
- ☐ Audubon Minnesota – Mark Peterson, Executive Director
- ☐ Builders Association of the Twin Cities – James Vagle, Senior Public Affairs Representative
- ☐ Fish and Wildlife Legislative Alliance – Lance Ness
- ☐ Iron Mining Association of Minnesota – Craig Pagel, President
- ☐ Izaak Walton League – Gary Schwartz, National Director
- ☐ Minnesota Agricultural Water Resources Coalition – Warren Formo, Director
- ☐ Minnesota Agri-Growth Council – Daryn McBeth, President
- ☐ Minnesota Association of Realtors – Heather VanValkenburg, Director/Governmental Affairs
- ☐ Minnesota Association of Wheat Growers – Dave Torgerson, Executive Director
- ☐ Minnesota Barley Research & Promotion Council – Marv Zutz, Executive Director
- ☐ Minnesota Cattlemen's Association – Ted Reichmann, President
- ☐ Minnesota Center for Environmental Advocacy – Martha Brand, Advocacy Director
- ☐ Minnesota Conservation Federation – Gary Botzek
- ☐ Minnesota Corn Growers Association – Tim Gerlach, Executive Director
- ☐ Minnesota Ducks Unlimited – Ryan Heiniger, Director of Conservation Programs
- ☐ Minnesota Environmental Partnership – Steve Morse, Executive Director
- ☐ Minnesota Farm Bureau Federation – Kevin Paap, President
- ☐ Minnesota Farmers Union – Doug Peterson, President
- ☐ Minnesota Land Trust – Jane Prohaska, Executive Director
- ☐ Minnesota Milk Producers Association – Bob Lefebvre, Executive Director
- ☐ Minnesota Native Wildflowers/Grass Producers Association – Bill Olson, President
- ☐ Minnesota Pork Producers Association – Dave Preisler, Executive Director
- ☐ Minnesota Sierra Club – John Hottinger, Chapter Chair
- ☐ Minnesota Soybean Growers Association – Jim Palmer, Executive Director
- ☐ Minnesota Timber Producers Association – Wayne Brandt, Executive Vice-President
- ☐ Minnesota Turkey Growers Association – Steve Olson, Executive Director
- ☐ Minnesota Viewers Association – Ron Ringquist, Secretary/Treasurer
- ☐ Minnesota Waterfowl Association – Brad Nylin, Executive Director
- ☐ Minnesota Waters – Marian Bender, Executive Director
- ☐ Minnesota Wetland Professionals Association – Scott Milburn, Vice President
- ☐ Pheasants Forever – Matt Holland, Field Supervisor
- ☐ Red River Valley Sugarbeet Growers Association, Nick Sinner, Executive Director
- ☐ The Nature Conservancy – Tom Landwehr, Assistant State Director
- ☐ Urban Wetland Management Coalition – Cliff Aichinger
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DATE: October 19, 2009

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

FROM: John Jaschke, Executive Director *JA*

SUBJECT: October 28, 2009 Board Meeting Notice

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, October 28, 2009, beginning at 9:00 a.m. The meeting will be held in the second floor conference room at 520 Lafayette Road N., St. Paul. Parking is available in the lot directly in front of the building (use hooded parking areas).

The following information pertains to agenda items:

COMMITTEE MEETINGS

Metro Water Planning Committee

- 1. Public Hearing on Petition for Boundary Change of South Washington WD and Valley Branch WD, and Reduction in Number of Managers of South Washington WD** - A citizen petition for a boundary change of the South Washington WD and the Valley Branch WD, and for a reduction in the number of managers of the South Washington WD, was filed with the Board on October 5, 2009. The Washington County Auditor has certified the requisite number of petitioner signatures has been met. The petition requests the boundary of the two watershed districts be changed to follow the major hydrologic boundary between the Mississippi River and the St. Croix River. Also, the petition requests the number of managers of the South Washington WD be reduced from seven to five. Last May, the watershed district boundary that is the subject of the petition was established by the Board when the two watershed districts were enlarged in conjunction with the dissolution of the Lower St. Croix WMO. At that time the number of managers of the South Washington Watershed District was increased from five to seven. The Metro Water Planning Committee met on October 15, found that a sufficient petition had been filed and recommend a public hearing be held per the attached Order.

DECISION ITEM

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
701 Minnesota Avenue Suite 234 Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	1601 Minnesota Drive Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	1004 Frontier Trail Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	2300 Silver Creek Road N.E. Rochester, MN 55906 phone (507) 281-7797 fax (507) 285-7144	520 Lafayette Road N. Saint Paul, MN 55155 phone (651) 296-3767 fax (651) 297-5615

Northern Water Planning Committee

1. **Lake of the Woods County Local Water Management Plan** – Lake of the Woods County has submitted their Local Water Management Plan Update for state review and comment. The Northern Water Planning Committee met October 14th to review the content of the plan, state agency comments to the plan, and to make recommendations for the final water plan approval. The Committee's recommendations or requirements for the content of the final plan are drafted for the full Board to review and act upon. The state's expectations of the final plan must be sent to Lake of the Woods County. See attachment. **DECISION ITEM**
2. **Pine Soil and Water Conservation District Change in Location of Office Headquarters** - The Pine Soil and Water Conservation District Board of Supervisors filed a resolution with the Board to change the location of their office headquarters, effective October 1, 2009. The new office location is approximately 10 miles north in Sandstone. Pursuant with statute, BWSR must act on the change of office location. The Northern Water Planning Committee voted unanimously to recommend the headquarters change of location be approved per the attached draft resolution. **DECISION ITEM**
3. **St. Louis County Priority Concerns Scoping Document** - St. Louis County submitted their Priority Concerns Scoping Document for approval by the Northern Water Planning Committee. The Northern Water Planning Committee, led by Quentin Fairbanks, approved the document and recommended that the full board approve the Priority Concerns Scoping Document for St. Louis County. See attachment. **DECISION ITEM**

RIM Reserve Planning Committee

1. **Establish Rates, Eligibility and Wellhead Protection Area Selection for Clean Water Funded (CWF) Permanent RIM Reserve Wellhead Protection Easement Program** - The 2009 Minnesota State Legislature appropriated \$2.0 million of CWF to the BWSR to purchase and restore permanent RIM Reserve conservation easements on wellhead protection areas. The RIM Reserve Management Planning Committee met on August 10th and September 23, 2009 to review and unanimously recommends the following draft resolution for full board approval at the October 20, 2009 meeting. This authorizes staff to implement the acquisition of RIM Reserve Wellhead Protection easements in the targeted areas which have been identified by the Minnesota Department of Health (MDH) as high or very high vulnerability. It established a payment rate of 100% of the Average Assessed Township Value (AATV) for cropland acres, and 60% of the AATV for non-cropland acres enrolled in the Permanent Wellhead Protection Conservation Easement Program. See attachment. **DECISION ITEM**

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
701 Minnesota Avenue Suite 234 Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	1601 Minnesota Drive Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	1004 Frontier Trail Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	2300 Silver Creek Road N.E. Rochester, MN 55906 phone (507) 281-7797 fax (507) 285-7144	520 Lafayette Road N. Saint Paul, MN 55155 phone (651) 296-3767 fax (651) 297-5615

2. **Establish Rates, Eligibility, and Sign-Up Procedures for Clean Water Funded (CWF) Permanent RIM Reserve Riparian Buffer Conservation Easement Program** - The 2009 Minnesota State Legislature appropriated \$6.5 million of CWF to the Board of Water and Soil Resources (BWSR) to purchase and restore permanent conservation easements and riparian buffers. The RIM Reserve Management Planning Committee met on August 10th and September 23, 2009 to review and unanimously recommends the following draft resolution for full board approval at the October 20, 2009 meeting. This authorizes staff to implement a continuous permanent RIM Reserve Riparian Buffer Easement program sign-up beginning November 1, 2009. It established a payment rate of 100% of the Average Assessed Township Value (AATV) for cropland acres and 60% AATV for non-cropland acres enrolled in the permanent RIM Reserve Riparian Buffer Easement Program. See attachment. **DECISION ITEM**

NEW BUSINESS

1. **Native Buffer Cost-Share Grant Program Criteria Revision** - The program criteria for the Native Buffer Cost-Share Grant Program has been updated to address new BWSR native vegetation guidelines and to revise wording related to eligible project types, reference to the eligible project area and program contacts. We are requesting approval of the new criteria through the attached resolution. **DECISION ITEM**
2. **Rural Preserves Update** - During the past legislative session there were changes made to the "Green Acres" tax program to provide incentives for natural areas on agricultural lands. The new program is called the "Rural Preserves Property Tax Program." These changes give responsibility to Soil and Water Conservation Districts (SWCDs) to approve conservation plans -- a requirement for enrollment in the new Rural Preserves Program. BWSR is developing guidance on administrative policies, communicating important approval timelines, and providing training on writing conservation plans. Julie Blackburn will provide an update on this program, including training plans and timelines for implementation. **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 noon. I look forward to seeing you on October 28th!

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
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BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD
ST. PAUL, MINNESOTA 55155
WEDNESDAY, OCTOBER 28, 2009

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF SEPTEMBER 23, 2009

OPEN MIKE (10-minute agenda time, two-minute limit/person)

INTRODUCTION OF NEW BOARD MEMBER

- Keith Mykleseth

REPORTS

- Chair – Randy Kramer
- Executive Director – John Jaschke
- Dispute Resolution Committee – Randy Kramer
- Wetlands Committee – LuAnn Tolliver
- Grants Program & Policy Committee – Louise Smallidge
- Public Relations, Outreach & Strategic Planning Committee – Brian Napstad
- RIM Reserve Planning Committee – Paul Brutlag
- Administrative Advisory Committee – Randy Kramer

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. Public Hearing on Petition for Boundary Change of South Washington WD and Valley Branch WD, and Reduction in Number of Managers of South Washington WD – **DECISION ITEM**

Northern Water Planning Committee

1. Lake of the Woods County Local Water Management Plan – **DECISION ITEM**
2. Pine Soil and Water Conservation District Change in Location of Office Headquarters – **DECISION ITEM**
3. St. Louis County Priority Concerns Scoping Document – **DECISION ITEM**

RIM Reserve Planning Committee

1. Establish Rates, Eligibility and Wellhead Protection Area Selection for Clean Water Funded (CWF) Permanent RIM Reserve Wellhead Protection Easement Program – Kevin Lines – ***DECISION ITEM***
2. Establish Rates, Eligibility, and Sign-Up Procedures for Clean Water Funded (CWF) Permanent RIM Reserve Riparian Buffer Conservation Easement Program – Kevin Lines – ***DECISION ITEM***

NEW BUSINESS

1. Native Buffer Cost-Share Grant Program Criteria Revision – Dan Shaw – ***DECISION ITEM***
2. Rural Preserves Update – Julie Blackburn – ***INFORMATION ITEM***

AGENCY REPORTS

- Minnesota Department of Agriculture – Joe Martin
- Minnesota Department of Health – John Linc Stine
- Minnesota Department of Natural Resources – Larry Kramka
- Minnesota Extension Service – Faye Sleeper
- Minnesota Pollution Control Agency – Rebecca Flood

ADVISORY COMMENTS

- Association of Minnesota Counties – Annalee Garletz
- Minnesota Association of Conservation District Employees – Felicia Brockoff
- Minnesota Association of Soil and Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Tim Koehler

UPCOMING MEETINGS

- Metro Water Planning Committee Meeting, October 28, 2009
(immediately following Board Meeting)
- Southern Water Planning Committee Meeting, October 28, 2009
(immediately following Board Meeting)
- MAWD Annual Convention, December 3-5, 2009, Alexandria
- MASWCD Annual Convention, December 6-8, 2009, Duluth
- AMC Annual Convention, December 7-9, 2009, Minneapolis
- Next Board Meeting, December 16, 2009, Board Room, lower level, St. Paul
- Board Retreat – January 27-28, 2009, Riverwood Conference Center, Otsego

NOON ADJOURN

Dispute Resolution Report
October 15, 2009
by: Travis Germundson

There are presently 17 appeals pending. All of the appeals involve WCA except File 05-24. There have been 3 new appeals filed since the last report included in your packet dated September 9th.

Format note: New appeals that have been filed since last report to the Board.
~~Appeals that have been decided since last report to the Board.~~

File 09-22 (10-02-09) This is an appeal of a restoration order in Carlton County. The appeal regards three separate investigation areas encompassing over 18 acres of wetland impacts from excavation, filling, and ditching. No decision has been made on the appeal

File 09-21 (09-30-09) This is an appeal of a restoration order in Polk County. The appeal regards the placement of approximately 1.1 acres of fill in a type 2/3 wetland adjacent to Lake Sarah. No decision has been made on the appeal.

File 09-20 (09-28-09) This is an appeal of a restoration order in Chippewa County. The appeal regards the placement of fill in type 3 wetland to widen an existing private road. No decision has been made on the appeal.

~~File 09-19 (9-18-09) This is an appeal of a restoration order in Kandiyohi County. The appeal regards the placement of drain tile in two separate wetlands. No decision has been made on the appeal. The appeal has been denied because failure to remit the correct filing fee.~~

File 09-18 (9-16-09) This is an appeal of a wetland bank decision in Koochiching County. The appeal regards the approval of a wetland bank application at 100-percent credit by the County Board. The decision deviated from the Technical Evaluation Panel recommendation and staff decision on percent eligible for credit. *The appeal has been remanded because the local government unit's record is not adequate.*

~~File 09-17 (9-10-09) This is an appeal of a wetland bank decision in Lake of the Woods County. The appeal regards the denial of a wetland bank application to re-vegetate/restore a 40-acre type 1/2 wetland. A previous denial of the same bank application decision had been appealed (File 09-5). The appeal was remanded for further technical evaluation and a public hearing, and now the current denial has been appealed. The appeal has been denied.~~

File 09-13 (8-20-09) This is an appeal of an exemption decision in Otter Tail County. The appeal regard the denial of an exemption request for agricultural/drainage actives. A previous denial of the same exemption decision had been appealed (File 09-6). The appeal was remanded for further technical evaluation and a hearing, and now the current denial has been appealed. *The appeal has been granted and a pre hearing conference is scheduled for November 12, 2009.*

File 09-10 (7-9-09) This is an appeal of a banking plan application in Aitkin County. The appeal regards the LGU's denial of a banking plan application to restore 427.5 acres of wetlands through the use of exceptional natural resource value. *The appeal has been accepted and a pre-hearing conference convened on October 13, 2009 and settlement discussions are ongoing.*

File 09-9 (6-22-09) This is an appeal of a restoration order in Brown County. The appeal regards a no-loss request\determination for the placement of agricultural tile lines within a wetland area. The landowner requested a no-loss determination from the LGU, and then proceeded to do the work prior to obtaining a determination. Both parties mutually agreed to extend the time period for BWSR to render a final decision. No decision has been made on the appeal.

File 09-3 (2-20-09) This is an appeal of a replacement plan decision in Anoka County. The appeal regards the approval of a wetland replacement plan for 11,919 square feet of impacts associated with a residential development. The appeal has been placed in abeyance and the replacement plan decision stayed for submittal of a revised replacement plan application at the request of the petitioner.

File 09-2 (2-19-09) This is an appeal of a restoration order in Stearns County. The appeal regards the filling of approximately 6,833 square feet of a type 5 wetland with various debris materials. No decision has been made on the appeal. The appellant has granted BWSR additional time to make a decision on the appeal.

~~File 08-35 (12-3-08) This is an appeal of a exemption decision in Grant County. The appeal resulted from issuance of a restoration order for 32 acres of wetland impacts associated with agricultural drain tile work. The appeal has been accepted and copies of the record have been obtained. A formal settlement agreement has been signed.~~

~~File 08-34 (12-2-08) This is an appeal of the same agricultural exemption decision in Grant County as identified in File 08-35. The appeal has been accepted and copies of the record have been obtained. The two related appeals will be combined and processed as one decision. A formal settlement agreement has been signed.~~

File 08-9. (03/06/08) This is an appeal of a replacement order in Pine County. The appeal regards impacts to approximately 11.26 acres of wetland. The replacement order has been stayed and the appeal has been placed in abeyance pending further technical work.

File 08-4. (01/24/08) This is an appeal of no-loss and exemption decisions in Waseca County. In addition to the no-loss decision, at issue are denials of the agricultural exemption, approved development exemption, incidental wetland exemption, and claims of numerous procedural issues that were prejudicial to the applicants. Further, a Minn. Stat. § 15.99 (60-day rule) claim is pending in Appellant Court.

File 06-23. (05/19/06) This is an appeal of a replacement plan decision in Kanabec County. The LGU denied the wetland replacement plan application. A previous denial of the same replacement plan application had been appealed, the appeal was remanded for a hearing, and now the current denial has been appealed. The appeal has been placed in abeyance pending the outcome of a lawsuit between the landowner and the county. The lawsuit concerns the county's possible noncompliance with the 60-day rule. The county prevailed in district court, however the decision was appealed to the Court of Appeals where the county again prevailed. An appeal to the Minnesota Supreme Court was denied review. It is likely the appeal will soon be placed on the calendar for DRC proceedings.

File 06-17. (05/27/06) This is an appeal of a replacement plan decision in the City of Montgomery in LeSueur County. The LGU denied an after-the-fact wetland replacement plan application based on a lack of sufficient reasons why the restoration could not be completed. The appeal has been remanded for further processing at the local level.

File 06-12. (04/13/06) This is an appeal of a no-loss decision in Stearns County. It involves the same project and issues as File 06-6. After a restoration order was issued, a no-loss application was submitted by the developer and denied by the LGU. The appeal has been remanded for further technical evaluation.

File 06-6. (02/16/06) This is an appeal of a restoration order in Stearns County. At issue are numerous wetlands impacted by filling, sedimentation, reduction of hydrology and lack of Best Management Practices associated with a residential development. The appeal has been denied in part. The Restoration Order has been affirmed in part and has been stayed in part.

File 05-24. (03/04/05) This is an appeal, actually three appeals, of the Bois de Sioux Watershed District compensation to landowners related to a project. The appeal has been held in abeyance pending settlement discussions. It appears at least two of the appeals have been settled.

File 05-1. (01/13/05) This is an appeal of a replacement plan decision by the Rice Creek Watershed District. The District previously made a decision that was appealed which resulted in a remand for an expanded TEP. Now there is an appeal of the decision made under remand since the decision differed from the TEP report. At issue is a wetland delineation and the Comprehensive Wetland Protection and Management Plan that BWSR approved. After a hearing before the DRC, the board remanded the matter for a new wetland delineation and for submission on an updated, complete replacement plan application.

Draft Summary Table

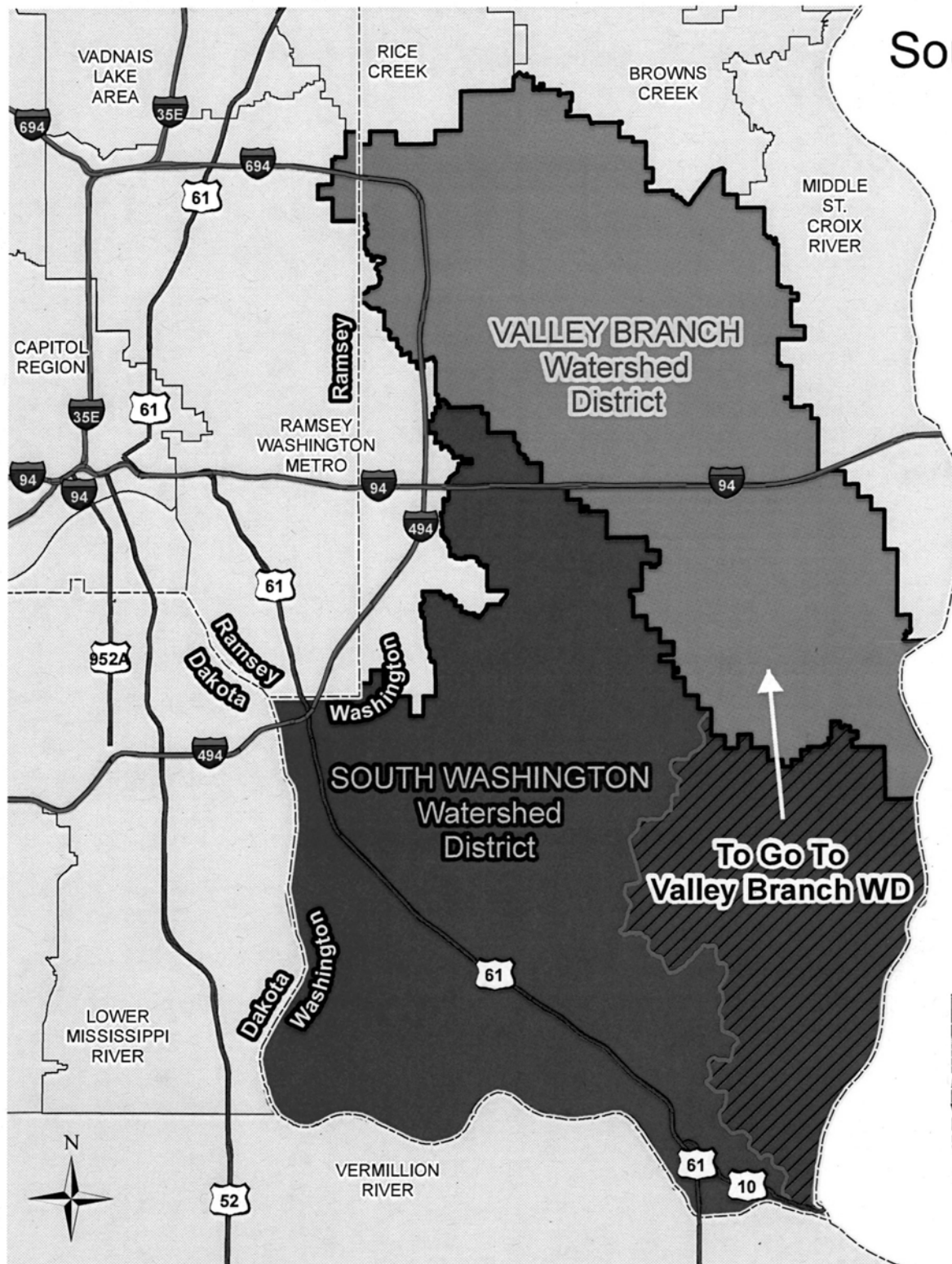
Type of Decision	Total for Calendar Year 2009
Order in favor of appellant	
Order not in favor of appellant	7
Order Modified	1
Order Remanded	3
Order Place Appeal in Abeyance	1
Negotiated Settlement	

COMMITTEE RECOMMENDATIONS

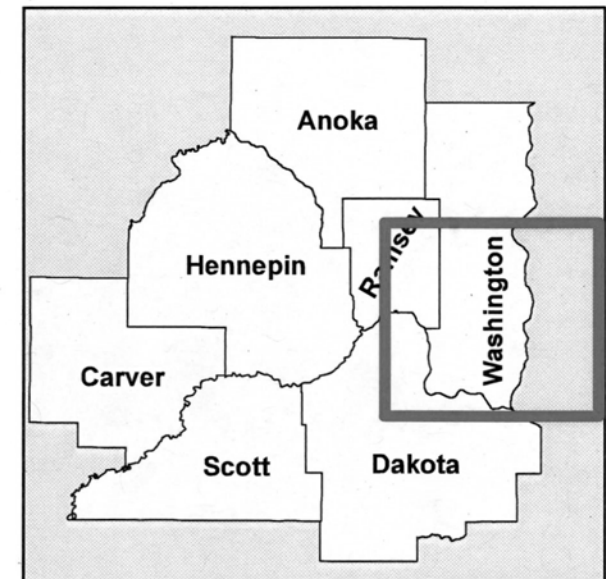
Metro Water Planning Committee

1. Public Hearing on Petition for Boundary Change of South Washington WD and Valley Branch WD, and Reduction in Number of Managers of South Washington WD – ***DECISION ITEM***

South Washington & Valley Branch Watershed Districts Boundary Change



- County Boundaries
- Proposed Boundary Change
- Current Watershed District Boundaries
- Surrounding Watershed Districts & WMOs



Oct 2009

0 1 2 3 Miles

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, MN 55155

In the Matter of the Petition for a Boundary Change of the South Washington Watershed District and the Valley Branch Watershed District, and a Reduction in Number of Managers of the South Washington Watershed District, Washington County, pursuant to Minnesota Statutes Section 103D.251.

**ORDER FOR WATERSHED
DISTRICT BOUNDARY CHANGE
AND REDUCTION IN NUMBER OF
MANAGERS PUBLIC HEARING**

Whereas, a citizen petition (Petition) for a boundary change of the South Washington Watershed District (SWWD) and the Valley Branch Watershed District (VBWD), and for a reduction in the number of managers of the SWWD, was filed with the Board on October 5, 2009, pursuant to Minn. Stat. § 103D.251, and;

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

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

FINDINGS OF FACT

1. On October 5, 2009 the Board received a citizen Petition for a boundary change of the SWWD and the VBWD, and for a reduction in the number of managers of the SWWD, pursuant to Minn. Stat. §103D.251. The proposed watershed district boundary change would follow the major hydrologic boundary between the Mississippi River and the St. Croix River. The proposed reduction in the number of managers of the SWWD would reduce the number of managers from seven (7) to five (5).
2. The Washington County Auditor has certified the requisite number of petitioner signatures has been met pursuant to Minn. Stat. §§ 103D.011, Subd. 25, 103D.211, 103D.251, Subd. 5 (a) (4).
3. Staff has determined that a valid Petition exists pursuant to Minn. Stat. § 103D.251.

4. Minn. Stat. § 103D.251 requires a public hearing to be held within thirty-five days of the Board determining a valid petition has been received.
5. The Board's Metropolitan Water Planning Committee should preside over the hearing and bring recommendations to the Board after the public hearing has been held.
6. The appropriate parties have been coordinated with such that the hearing should be held on Tuesday, November 17, 2009, starting at 7:00 PM.
7. The public hearing should be held at the Washington County Service Center—Cottage Grove, 13000 Ravine Parkway South, Cottage Grove, Minnesota.
8. If conflicts arise the Executive Director should choose another suitable location, date and time.
9. The Board's Metro Water Planning Committee met on October 15, 2009, to review and discuss holding a public hearing on the draft Petition. Those in attendance from the Board's Committee were Rebecca Flood, Louise Smallidge, LuAnn Tolliver, and Robert Burandt as chair. Board staff in attendance was Metro Region Supervisor Jim Haertel. Board staff stated the petition was sufficient and recommended ordering a public hearing on the Petition. After discussion, the Committee unanimously voted to recommend to the full Board that a public hearing be held on the Petition.

CONCLUSIONS

1. The Petition for a boundary change and a reduction in number of managers is valid in accordance with Minn. Stat. § 103D.251.
2. All relevant, substantive and procedural requirements of law and rule have been fulfilled.
3. The Board has proper jurisdiction in the matter of ordering a public hearing to determine whether the proposed boundary change and reduction in number of managers would benefit the public welfare and public interest and the purpose of Minn. Stat. Chapter 103D would be advanced.
4. A public hearing should be held within thirty-five days of the date of this order.
5. The Board's Metropolitan Water Planning Committee should preside over the public hearing and bring recommendations on the Petition to the Board after the public hearing has been held.

6. The public hearing should be held on Tuesday, November 17, 2009, starting at 7:00 PM.
7. The public hearing should be held at the Washington County Service Center—Cottage Grove, 13000 Ravine Parkway South, Cottage Grove, Minnesota after proper legal notice has been given.
8. If conflicts arise the Executive Director should choose another suitable location, date and time.

ORDER

The Board hereby orders a public hearing be held within 35 days of the date of this Order on the Petition for a boundary change of the South Washington Watershed District and the Valley Branch Watershed District and a reduction in number of managers of the South Washington Watershed District to be presided over by the Board's Metropolitan Water Planning Committee on Tuesday, November 17, 2009, starting at 7:00 PM at the Washington County Service Center—Cottage Grove, or if conflicts arise, the Executive Director should choose another suitable date, time and location, after proper legal notice of the public hearing has been given.

Dated at Saint Paul, Minnesota this 28th day of October, 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Randy Kramer, Chair

COMMITTEE RECOMMENDATIONS

Northern Water Planning Committee

1. Lake of the Woods County Local Water Management Plan – ***DECISION ITEM***
2. Pine Soil and Water Conservation District Change in Location of Office Headquarters – ***DECISION ITEM***
3. St. Louis County Priority Concerns Scoping Document – ***DECISION ITEM***

LAKE OF THE WOODS COUNTY
LOCAL WATER MANAGEMENT PLAN
2010 – 2020 UPDATE



Prepared by:

Lake of the Woods Soil and Water Conservation District
And
Lake of the Woods County Water Plan Task Force Committee

I. EXECUTIVE SUMMARY

The purpose of this plan is to address the water related issues across the entire county, regardless of jurisdictional, political, municipal or watershed boundaries. This plan should provide a means of consistency across the county and is consistent with other state, regional or local planning processes. It will look at ground and surface water and those activities that may influence water quality or quantity.

The plan will look specifically at the top five priority concerns that were developed through the scoping process. The concerns identified are on a county-wide basis, however, when necessary or applicable, will be implemented on a watershed level.

This plan was written under the delegated authority of the Lake of the Woods County Board of Commissioners and is designed to cover the period from January, 2010 to January, 2020, with a review and update of the goals and implementation strategy scheduled for 2015. Much progress has been made over the last two decades to protect and restore water resources, and it is the intent of the county water planners to actively continue these efforts.

County Background

Lake of the Woods County is the youngest county in the state of Minnesota. The county was organized on November 28, 1922, when a vote by area residents separated the northern townships from Beltrami County. On January 1, 1923, the county officially began operations at its county seat in Baudette. The county contains the Northwest Angle, the northernmost point of the Lower 48 States. The county also includes the U.S. portions of Lake of the Woods. The county is bordered by two Canadian provinces, Manitoba and Ontario, and three Minnesota counties, Roseau, Beltrami, and Koochiching.

The land area the county occupies was created largely by several periods of glaciation, and was once covered by glacial Lake Agassiz. The county is on the southern edge of the Canadian Shield, is generally flat, sloping very gradually toward the Rainy River and Lake of the Woods, with scattered bedrock outcrops and glacial lake beach deposits. Lake of the Woods is the dominant water related feature, covering 1,679 square miles in Minnesota and Canada. The Lake contains over 14,000 islands.

The county is sparsely populated. With a total land area of approximately 1,297 square miles and a population of 4,095, the county averages only 3.2 people per square mile. Most of the population is concentrated in relatively small areas of the county, mainly near the shoreline of the Rainy River and Lake of the Woods, in Baudette (pop. 952) and Williams (pop. 184), and to a lesser degree along major thoroughfares.

The county has a total area of approximately 1,136,918 acres. The area breakdown is as follows: Lake of the Woods comprises 306,393 acres (27%), wetlands 708,591 (62%) and upland 121,934 (11%). The land ownership within the county is: State or Federally owned 489,820 (59%), Reservation Lands 110,003 (13%), private lands 227,534 (27.5%), and the remaining amount (.5%) is comprised of publicly owned land through the City of Baudette or Lake of the Woods County.

Land use in many instances has been dictated by land suitability and public water access considerations. The number of tourists in the area can range anywhere from 500 to over 1200 people on any given day. In addition to the county's permanent residents, seasonal residences are increasing in number and contribute to development pressures along Lake of the Woods, the Rainy River, and its tributaries. In some areas in the county, land use has shifted from marginally productive agricultural to recreational. Even the vast acreage of wetlands, peat bogs, and areas of non-merchantable timber are utilized for a varied number of recreational uses including hunting and snowmobiling. Wetlands and other undeveloped areas also protect water quality in the County's many streams and rivers, as well as Lake of the Woods.

The main industries of the area are tourism, forestry and agriculture. Tourism revolves around the Lake of the Woods fishery, hence Lake of the Woods County has a vested interest in water quality. The forested lands of the County are a major supplier of pulp wood to several local sawmills of economic importance to county residents and the Boise Inc paper mill in International Falls, MN, 70 miles to the east. Agricultural lands contribute substantially to the economic stability of the County. Currently there are less than 40 registered feedlots in the county. Small grains, soybeans, grass seed, and oil seed are the main agricultural products for this area.

Water Plan Strategies

The primary focus for the Lake of the Woods County Water Plan is to identify existing and potential problems, and then utilize opportunities for the protection, management, and development of land and water resources. The plan, through the planning process, develops objectives to carry out action plans to promote sound natural resource management. The original water plan was adopted in 1992, revised in 1997 and again in 2002. This revision will be the forth generation and will be completed by 2010.

The major strategic goals of this water plan will be to assist local units of government, landowners and other interested groups with making wise land and water resource decisions regarding potential impacts to water quality as a result of land use changes. In conjunction with the priorities of the water plan, many of the strategies include the use of new technologies like geographical information systems and LIDAR to assist in making better natural resource management decisions. This additional information will provide a means to refine the focus of future priorities to answer questions regarding the impact to surface waters from land and water use changes.

Lake of the Woods County Water Plan Accomplishments, 2003-2010

1. Installation of more than a dozen shoreline stabilization and protection projects utilizing the State Cost Share Program and other funds.
2. Establishment of a water level monitoring gauge at Morris Point.
3. Active participation with the Rainy River Basin Planning Process.
4. Revision of the County Drainage Inventory Book.
5. Creation of a County Ditch Maintenance Policy.
6. Over 10,000 acres enrolled in EQIP for the following practices:
field borders, buffer strips, riparian CRP, and residue management.
7. Creation of Wheeler's Point Sanitary District.
8. Completion of SE LOW TMDL and continuation of monitoring activities.
9. Completion of the Baudette River TMDL and continuation of monitoring activities.
10. Creation of a River Watch Program in cooperation with Lake of the Woods School.
11. Completion of 7 Feedlot Water Quality Management Grants.
12. Completion of 4 Drought Disaster Assistance Projects.
13. Completion of a level 2 feedlot inventory, containing information including: location, animal numbers, open lots, manure storage pits, and distance to waters.
14. Administration of countywide low-interest (AgBMP) septic upgrade loan program.
15. Support and utilization of the Joint Powers Board Engineering Assistance Program.
16. Assist the University of MN in a cooperative study of paleolimnology on Zippel Bay.
17. Administration of the Wetland Conservation Act.
18. Participated as a Delegated Feedlot County through MPCA's Feedlot Program.
19. Collection of culvert inventory data to assist with a county-wide stormwater management plan.
20. Development of an annual well water testing clinic.
21. Completed 21 abandoned well sealing contracts.
22. Administration of the abandoned well sealing program.
23. Development of the Bostic Watershed Protection Project.

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of Reviewing the Local Water Management Plan Update
for Lake of the Woods County (Minnesota Statutes , Section 103B.311,
Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER
APPROVING
LOCAL
WATER MANAGEMENT
PLAN UPDATE

Whereas, the Lake of the Woods County Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board on August 12, 2009, pursuant to M.S. Section 103B.315, Subd. 5, and

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

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

FINDINGS OF FACT

- 1) On May 1, 2007, the Minnesota Board of Water and Soil Resources received a Priority Concerns Scoping Document from Lake of the Woods County, pursuant to M.S. Section 103B.312.
- 2) On December 19, 2007, the Board of Water and Soil Resources approved official comments on the Lake of the Woods County Priority Concerns Scoping Document, which were mailed to the county on December 19, 2007.
- 3) The priority concerns, in no particular order of importance, the local water management plan addresses include:
 - Erosion, Sedimentation, Flood Damage Reduction
 - Land Use Management
 - Sewage Treatment Systems
 - Water Quality
 - Education
- 4) On August 12, 2009, the BWSR received the Lake of the Woods County Plan Update, a record of the public hearing, and copies of all written comments pertaining to the plan update to the Board for final State review pursuant to M.S. Section 103B.315, Subd. 5.
- 5) On October 14, 2009, the regional Water Planning Committee of the board reviewed the recommendation of the state review agencies regarding final approval of the Lake of the Woods County Plan Update. Recommendations of the state review agencies were:
 - A) Minnesota Department of Agriculture: no recommendation received;
 - B) Minnesota Department of Health: recommends approval;
 - C) Minnesota Department of Natural Resources: recommends approval;
 - D) Minnesota Pollution Control Agency: recommends approval;

- E) Minnesota Environmental Quality Board: no recommendation received;
 - F) Minnesota Board of Water and Soil Resources regional staff recommends approval;
 - G) Board Water Plan Review Committee Meeting recommends approval.
- 6) This update will be in effect for a ten-year period until October 28, 2019; with Goals, Objectives, Action Items amended by October 28, 2014.

CONCLUSIONS

1. All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Local Water Management Plan Update of Lake of the Woods County pursuant to Minnesota Statutes, 103B.315, Subd. 5.
2. The Lake of the Woods County Plan Update attached to this Order states water and water-related problems within the county; possible solutions; general goals, objectives, and actions of the county; and an implementation program. The attached Plan Update is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached update of the Lake of the Woods County Local Water Management Plan through October 28, 2019; with Goals, Objectives, and Action Items being amended prior to October 28, 2014.

Dated at St Paul, Minnesota, this twenty-eighth day of October 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chair

Minnesota Board of Water and Soil Resources Resolution No. _____

**RESOLUTION ACCEPTING CHANGE IN OFFICE LOCATION
FOR PINE SOIL AND WATER CONSERVATION DISTRICT**

WHEREAS, the Pine Soil and Water Conservation District Board of Supervisors adopted a resolution dated July 14, 2009, to change the office headquarters from 260 Morris Avenue, Hinckley, MN 55037 to 1602 Hwy 23 North, Sandstone, MN 55072, effective October 1, 2009, and;

WHEREAS, the Board of Water and Soil Resources must act on the change of office location pursuant to Minn. Stat. § 103C.221;

**NOW THEREFORE BE IT RESOLVED BY THE MINNESOTA BOARD OF
WATER AND SOIL RESOURCES:**

The Board of Water and Soil Resources hereby approves the change in office location of the Pine Soil and Water Conservation District from 260 Morris Avenue, Hinckley, MN 55037 to 1602 Hwy 23 North, Sandstone, MN 55072, effective October 1, 2009.

Dated at St. Paul, Minnesota this 28th day of October, 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Randy Kramer, Chair

Priority Concerns Scoping Document

for the:

St. Louis County Comprehensive Water Management Plan Update



Prepared by:

The South St. Louis Soil & Water Conservation District
215 N. 1st Ave E. Rm. 301
Duluth, MN 55802

The North St. Louis Soil & Water Conservation District
307 1st St. South, Suite 114
Virginia, MN 55792

July, 2009



INTRODUCTION

This Priority Concerns Scoping Document (PCSD) was developed in accordance with the changes to the Minnesota Comprehensive Local Water Management Act; Statutes: 103B.304-103B.355. This PCSD identifies the priority concerns selected by the St. Louis County Water Plan Advisory Committee, along with a detailed account of how these concerns were selected.

County primer

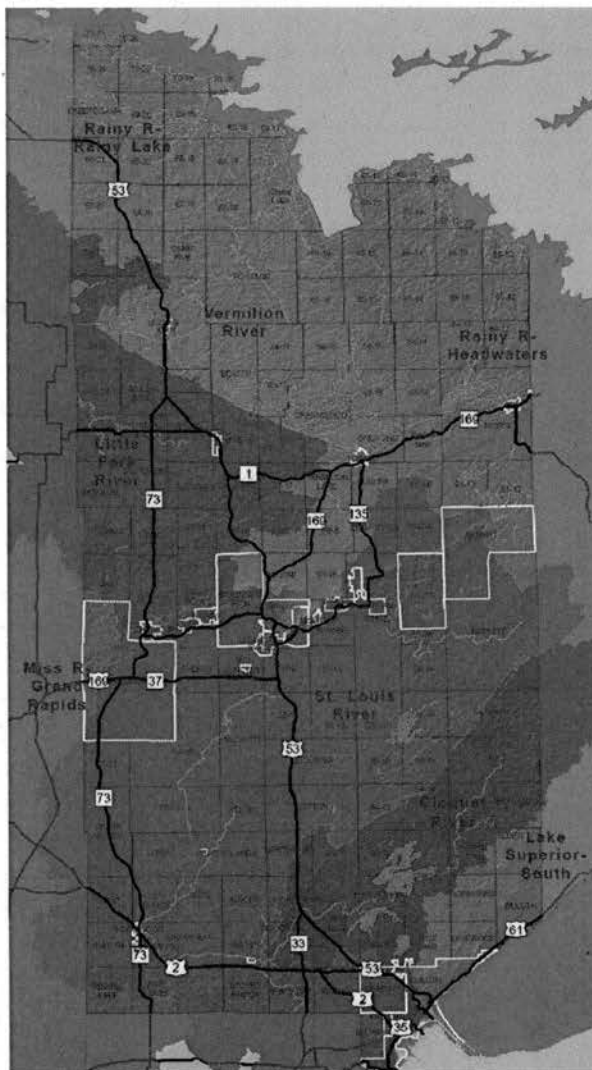
Located in northeastern Minnesota, St. Louis County is the largest county east of the Mississippi River. It is an estimated 7,092 square miles in size, with just over one thousand lakes. Seven major watersheds are contained within, or straddle parts of, the county. The watersheds

that are located generally in the northern part of the county are part of the Rainy River basin. Those generally in the south are part of the Lake Superior basin. See Figure 1. St. Louis County is known for its spectacular natural beauty, including a national forest (Superior National Forest) and a national park (Voyageurs National Park), the Boundary Waters Canoe Area Wilderness, four state parks, and many popular recreational trails.

St. Louis County contains 26 cities and 73 organized townships. It also has 72 unincorporated communities, 26 unorganized territories and 1 "Census Designated Place." There are about 32 persons per square mile. The City of Duluth serves as the County seat with a population of approximately 86,000. The estimated 2008 population of St. Louis County was 196,864 (*U.S. Census*). This represents an estimated 1.8% decline in population in the County between the year 2000 and 2008. The MN State Demographic Center predicts that the County's population will rise to 202,040, or an increase of about 2.6%, by 2030.

The Iron Range cities of Hibbing and Virginia and the Lake Superior port of Duluth are the County's population and economic centers. Both areas have international importance – Duluth for having one of the largest freshwater ports in the world and the Iron Range for its large mining industry. Surrounding counties are: Carlton County to the south; Aitkin, Itasca and Koochiching Counties to the west; Lake County to the east; and Douglas County, WI to the SE (across the St. Louis River – the largest U.S. tributary to Lake Superior). The coast of Lake Superior creates part of the County's southern border, while the Rainy River District of Ontario flanks its northern border.

Figure 1: Watersheds of St. Louis County
Source: County Planning Dept., 2009



St. Louis County is comprised of an estimated 4.3 million acres of land of which approximately 22.6% is bog/marsh/fen and 8.7% is surface water. Less than 0.1 % is cultivated and only 0.7% is categorized as urban/industrial. One half of the County is classified as forest, which is a contributing factor to the high water quality found here.

Plan Information

In 1985, the State of Minnesota adopted the Comprehensive Local Water Management Act under State Statutes 103B.301 – 103B.335. The act encourages counties outside of the metropolitan area to develop and implement comprehensive water management plans. While the plans are voluntary, various state grants and even some federal monies require that a county have an adopted local water management plan that is updated periodically (*MN Board of Water & Soil Resources Website*).

The St. Louis County Comprehensive Water Management Plan (Plan) was originally adopted in 1992 with amendments relating to wetland program administration in 1999. An updated plan was adopted in 2001.

The St. Louis County Board adopted a resolution on March 11, 2008, requiring an update and revision of the Plan. In May of 2008, Minnesota's Board of Water and Soil Resources (BWSR) granted the County an extension of its current Plan until May of 2010. The new plan will be valid for ten years, through May of 2020, with updates planned for 2015.

St. Louis County is responsible for local water management; it is contracting with the North St. Louis (NSL) and South St. Louis (SSL) Soil & Water Conservation Districts (SWCDs) to conduct the work for this update.

PRIORITY CONCERNS IDENTIFICATION

The Priority Concerns for the St. Louis County Comprehensive Water Management Plan Update were identified through the following process:

Timeline of Actions

March 11, 2008 – The St. Louis County Board passes two resolutions: Board Letter 08-88 resolved to update the Plan; Board Letter 08-89 resolved to request a two-year extension for the current Plan from BWSR.

May 28, 2008 – BWSR approves County's request to extend the effective date of the current Plan by two years to May 28, 2010.

June 26, 2008 – The County Planning and Development Department sends a written notice to all interested parties indicating the County's intent to update the Plan, inviting them to submit their priority concerns with copies of any local water and related land resource plans that should be considered in the development of the updated Plan. Notice is sent to all mayors, supervisors, and clerks of all incorporated townships and cities in the County. Notice is also sent to adjacent counties and their SWCDs, and to representatives of the Minnesota Department of Natural Resources, MN Department of Health, MN Department of Agriculture, BWSR, the Minnesota Pollution Control Agency, and the Minnesota Environmental Quality Board. A form is provided to help respondents prioritize and explain their concerns. The parties are given 45 days to respond.

August 11, 2008 – Response period ends. Twenty Local Government Units (LGUs), including 14 townships, five cities, one unnamed contributor and one agency, provide responses.

February 11, 2009 – A public meeting is held in Duluth at the SSL SWCD office. Notice for this meeting is provided through: a press release, the SSL SWCD website, a paid advertisement in the Duluth News Tribune, and postings at the County and SSL SCWD offices.

February 18, 2009 – A similar public meeting is held in North St. Louis County at the Mountain Iron Community Center in Mountain Iron. Notice for this meeting is provided through a press release and postings at the County and NSL SWCD offices.

January 22, 2008 - February 28, 2008 – A public survey is made available online at *SurveyMonkey.com*. An invitation to complete the survey along with information about the Plan update process are provided through the following venues: the SSL and NSL SWCD websites; the County website; press releases distributed by the SSL and NSL SWCDs; an insert included in the NSL SWCD annual tree order mailing; a paid advertisement in the Duluth News Tribune; and the SSL SWCD annual spring newsletter/tree order form distributed through the Duluth News Tribune.

March 2, 2009 – Priority concerns are received and accepted from the MN Department of Health.

March 11, 2009 – Priority concerns are received and accepted from BWSR.

March 31, 2009 – The Water Plan Advisory Committee meets in Virginia and Duluth by videoconferencing. Public input garnered during the scoping process is discussed and considered, and four priority concerns are selected.

Water Plan Advisory Committee Meeting Participants:

Mark Lindhorst, County Planner II, Virginia
Scott Smith, Physical Planning Manager, Duluth
R.C. Boheim, Dist. Mgr. – SSL SWCD
Paul Ojanen, Resource Conservationist – NSL SWCD
Al Moline, SSL Supervisor
Gary Rantala, NSL Supervisor
John Calgaro, NSL Supervisor
Kate Kubiak, Conservation Specialist – SSL SWCD

April 22, 2009 – Selected priority concerns are shared with LGUs in South St. Louis County at the monthly meeting of the Regional Stormwater Protection Team, held in Duluth. This group includes representatives from about 20 local agencies and governmental units. Comments are invited but none are received.

April 22nd, 2009 Meeting Participants (South St. Louis):

Rich Axler, Natural Resources Research Institute
Jack Salmela, MN Dept. of Transportation
Caleb Petersen, City of Cloquet

Todd Carlson and Chris Kleist, City of Duluth
Val Brady, Duluth Township
Candice Richards, UMD
Gina Temple-Rhodes, WLSSD
Jenny Thoreson, City of Superior, WI
Amber Westerbur, MN Coastal Program
Jim Aird, Midway Township
Joel Peterson, MPCA
Rick Gitar, Fond du Lac Reservation
Cindy Hagley, MN Sea Grant
Lori Walters, City of Hermantown
Julene Boe, St. Louis River Alliance
Kate Kubiak, SSL SWCD

June 10, 2009 – LGUs in North St. Louis County are invited to share their input on the selected priority concerns at a meeting held in Virginia. Approximately 40 invitation letters are sent to the LGUs of northern St. Louis County. Representatives from five entities attend. All attending concurred with the priority concerns, especially as related to the protection of lake or riparian property. Attendees agree that fewer variances should be granted with stricter enforcement of existing codes and that septic system standards should be enforced.

June 10th, 2009 Meeting Participants (North St. Louis):

Ellis Alto – Supervisor, Sturgeon Township
Evelyn Hughes – Treasurer, Sturgeon Township
Gene Capitani – Supervisor, French Township
Ronn Campbell – Supervisor, French Township
Pete Pastika - City Administrator, City of Babbitt
Philip Lobb – Supervisor, Colvin Township
Kim Eisenhuth – Supervisor, Embarrass Township
Paul Ojanen, NSL SWCD

Results/Outcomes

Public Meetings

NSL and SSL SWCDs held public meetings in each of their districts – one in Duluth on February 11, 2009, and one in Mountain Iron a week later. Though well-publicized, the meetings did not garner any response from the public. The meetings were publicized through postings at County offices, County and SWCD websites, press releases, and newspaper ads.

Survey

The online survey was more popular than the public meetings. The survey was posted on the *Survey Monkey* website, a free hosting service for small public surveys. See Figure 4 for a copy of the survey. A paper copy version was also available. The survey consisted of four questions and took approximately five minutes to complete. It was based on the *Citizen Survey Example* provided by BWSR in their water management plan guidance documents.

There were 42 responses to the online survey. There was also one paper copy of the survey submitted, for a total of 43 responses. Respondents were asked to indicate in which watershed they lived or owned property, in order to gauge the geographical breadth of the respondents (see

Table 2). The survey included 13 common water quality issues, which the survey respondents could rank 1-4, with "1" being their most pressing concern and "4" being their least pressing concern. The respondents could also provide additional concerns under an "other" option. See Table 4 for the "other" concerns listed. The most important priority concern (receiving the most votes for a ranking of "1") indicated by the survey respondents was development pressure/impacts. The next three most important concerns by number of votes for a ranking of "1" were: failing public infrastructure (sewers), failing septic systems, and habitat destruction. Two issues received the most votes over all four rankings: "failing septic systems" and "development pressure/impacts." These concerns received a total of 27 and 26 votes respectively. See Table 3.

Survey respondents were also asked which water resource they thought was most threatened in St. Louis County. Results were:

Groundwater.....	2 votes (3%)
Wetlands.....	9 votes (24%)
Lakes.....	18 votes (47%)
Streams/Rivers.....	10 votes (26%)

See Figure 5 at the end of this document for respondents' reasons why they chose each resource as "most threatened" and Figure 6 for their additional survey comments.

LGU and Agency Input

Table 1 shows the summary of the LGU and Agency responses. Since these groups were given the opportunity for open answer, and the public was given pre-determined choices, priority concerns provided from the LGUs and Agencies were grouped by coding their responses into categories similar to those provided in the public survey (see codes at the bottom of Table 1).

PRIORITY CONCERNS SELECTION

Four priority concerns were selected by the Water Plan Advisory Committee based on the data gathered through the priority concerns scoping process:

1. **Development** - Mitigate impacts from development.
Emphasis: sensitive areas including lakeshore, wetlands, and riparian areas along streams and rivers.
2. **Wastewater Management** - Address water quality problems stemming from inadequate wastewater management.
Emphasis: failing private septic systems (rural) and sanitary sewer overflows (urban).
3. **Ground and Surface Waters** - Protect ground and surface water from the combined impacts of point and non-point pollutants.
Emphasis: contaminated run-off.
4. **Impaired Waters** - Work towards restoring those waters in the County listed as "impaired" on the State 303(d) list.



October 28, 2009

St. Louis County Board of Commissioners
C/O Mark Lindhorst
St. Louis County Planning and Development Department
307 First Street South
Virginia, MN 55792

RE: Official Comments Pertaining to the State Review of the St. Louis County Priority Concerns Scoping Document

Dear St. Louis County Commissioners:

Pursuant to M.S. section 103B.313, subdivision 5, this letter communicates the State's official comments pertaining to the priority concerns St. Louis County has chosen to address in the update of their Comprehensive Local Water Management Plan. The Board of Water and Soil Resources (BWSR), along with the state review agencies, were sent the St. Louis County Priority Concerns Scoping Document (PCSD) on August 13, 2009 and asked to forward comments to Ron Shelito, BWSR Regional Supervisor by September 15, 2009.

Many water resources concerns were submitted to the St. Louis County Water Plan Advisory Committee. These comments and concerns were arranged into the following priority concerns that will be addressed in the water plan revision.

1. **Development** – Mitigate impacts from development with an emphasis on sensitive areas including lakeshore, wetlands and riparian areas along streams and rivers.
2. **Wastewater Management** – Address water quality problems stemming from inadequate wastewater management with an emphasis on failing septic systems (rural) and sanitary sewer overflows (urban).
3. **Ground and Surface Waters** – Protect ground and surface water from the combined impacts of point and non-point pollutants.
4. **Impaired Waters** – Work towards restoring those waters in the County listed as "impaired" on the State 303(d) list.

The BWSR Northern Water Planning Committee met October 14, 2009, to discuss the state review agency comments, the contents of the PCSD and recommendations for the content of the final plan. Comments were received from the Minnesota Pollution Control Agency, Minnesota Department of Agriculture and the Minnesota Department of Health. Based on the Committee's review, the BWSR deems the priority concerns selected to be appropriate and does not require any changes to the PCSD as submitted.

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
701 Minnesota Avenue Suite 234 Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	1601 Minnesota Drive Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	1004 Frontier Trail Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	2300 Silver Creek Road N.E. Rochester, MN 55906 phone (507) 281-7797 fax (507) 285-7144	520 Lafayette Road N. Saint Paul, MN 55155 phone (651) 296-3767 fax (651) 297-5615

The Committee offers the following specific suggestions to be considered in the development of the final plan:

- Include erosion as an area of emphasis within the appropriate priority concern(s).
- Continue to seek participation in the water planning process from local stakeholders.
- Develop a technical advisory committee to assist in the process.

Please consider the expiration date of the current St. Louis County Comprehensive Local Water Management Plan, which is May 28, 2010, as the development of the final plan moves forward.

Sincerely,

Randy Kramer, Chair
Board of Water and Soil Resources

cc: Ryan Hughes, BWSR
Ron Shelito, BWSR
Wayne Edgerton, DNR
John Wells, EQB
Rebecca Flood, MPCA
Becky Balk, MDA
Beth Kluthe, MDH
Mike Peloquin, DNR

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
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COMMITTEE RECOMMENDATIONS

RIM Reserve Planning Committee

1. Establish Rates, Eligibility and Wellhead Protection Area Selection for Clean Water Funded (CWF) Permanent RIM Reserve Wellhead Protection Easement Program – Kevin Lines – ***DECISION ITEM***
2. Establish Rates, Eligibility, and Sign-Up Procedures for Clean Water Funded (CWF) Permanent RIM Reserve Riparian Buffer Conservation Easement Program – Kevin Lines – ***DECISION ITEM***

Board Resolution # _____

Establish Rates, Eligibility and Wellhead Protection Area Selection for Clean Water Funded Permanent RIM Reserve Wellhead Protection Easement Program

WHEREAS the 2009 Minnesota State Legislature appropriated \$2.0 million of Clean Water Funds (CWF) to the Board of Water and Soil Resources (BWSR) in the *2009 Regular Legislative Session, House File 1231, Session Law, Chapter 172, Article 2 – Clean Water Fund, Section 6, Board of Water and Soil Resources*, to purchase and restore permanent RIM Reserve conservation easements on wellhead protection areas under Minnesota Statutes, Section 103F.515, subd. 2, paragraph (d);

WHEREAS priority must be placed on land that is located where the vulnerability of the drinking water supply management area, as defined under Minnesota Rules, part 4720.5100, subpart 13, is designated as high or very high by the Commissioner of the Minnesota Department of Health (MDH);

WHEREAS the Reinvest in Minnesota (RIM) Reserve conservation easement program is administered by the Board of Water and Soil Resources (BWSR) in cooperation with local Soil and Water Conservation Districts (SWCD);

WHEREAS the SWCDs will be reimbursed for their services related to riparian buffer easement acquisition and conservation plan development at the BWSR's current RIM services rate;

WHEREAS enrollment into a Permanent RIM Reserve Wellhead Protection easement will be limited to Wellhead Protection Areas (WPA) identified by the MDH and mapped as high or very high vulnerability. A majority, greater than 51% of the area, must be enrolled;

WHEREAS a priority will be placed on extending new or existing USDA Conservation Reserve Program (CRP) contracts within the WPA and will be limited to areas with cropping history;

WHEREAS the MDH, in consultation with the Minnesota Department of Agriculture, will provide the BWSR with a list of the most highly vulnerable WPA's conducive to enrollment in the Permanent RIM Reserve Wellhead Protection Easement Program;

WHEREAS the payment rate for the permanent RIM Reserve Wellhead Protection conservation easement will be 100% of the Average Assessed Township value (AATV) for cropland, and 60% of the AATV for non-cropland enrolled in the Permanent Wellhead Protection Conservation Easement Program;

WHEREAS the BWSR RIM Reserve Management Planning Committee met on August 10 and September 23, 2009 to review and recommend the following provision to successfully implement the RIM Reserve Wellhead Protection Conservation Easement Program;

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to work with the appropriate SWCDs to implement the acquisition of RIM Reserve Wellhead Protection easements in the targeted areas with high or very highly vulnerability as provided to the BWSR by the MDH. The payment rate will be 100% of the Average Assessed Township Value (AATV) for cropland acres and 60% of the AATV for non-cropland enrolled in the Permanent RIM Reserve Wellhead Protection Easement Program funded by Clean Water Funds. Rates are to be calculated using the township average for tillable property value established by county assessors for the 2010 tax year.

DRAFT

Board Resolution #_____

**Establish Rates, Eligibility, and Sign-up Procedures for Clean Water Funded
Permanent RIM Reserve Riparian Buffer Conservation Easement Program**

WHEREAS the 2009 Minnesota State Legislature appropriated \$6.5 million of Clean Water Funds (CWF) to the Board of Water and Soil Resources (BWSR) in the *2009 Regular Legislative Session, House File 1231, Session Law, Chapter 172, Article 2 – Clean Water Fund, Section 6, Board of Water and Soil Resources*, to purchase and restore permanent conservation easements on riparian buffers. This appropriation may be used for restoration of riparian buffers protected by easements purchased with this appropriation and for stream bank restorations when the riparian buffers have been restored. Up to five percent may be used for administration of this program;

WHEREAS these funds are available to purchase and restore permanent conservation easements on riparian buffers of at least 50 feet average unless there is a natural impediment, road or other impediment beyond the control of the landowner but no more than 100 feet average measured from the edge of channel or shoreline;

WHEREAS the purpose of these CWFs is to purchase and restore permanent conservation easements on riparian buffers of up to 100 feet adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant and nutrient transport, reduce hydrologic impacts to surface waters and increase infiltration for groundwater recharge.;

WHEREAS the Reinvest in Minnesota (RIM) Reserve conservation easement program is administered by the BWSR in cooperation with local Soil and Water Conservation Districts;

WHEREAS the SWCDs will be reimbursed for their services related to riparian buffer easement acquisition and conservation plan development at the BWSR's current RIM services rate;

WHEREAS eligible riparian buffers are adjacent to public waters, streams, ditches and lakes (excluding wetlands). These are streams identified as dark blue lines, ditches identified as a dashed line and basins marked with a 'P' on the Department of Natural Resources (DNR) Public Waters Inventory map, and other public ditches defined by MN Statute 103E;

WHEREAS a majority of the riparian buffer area enrolled must have a cropping history and a priority will be placed on extending new or existing USDA Conservation Reserve Program (CRP) contracts in to a RIM reserve permanent conservation buffer easement;

WHEREAS the sign-up period will begin November 1, 2009 and will be continuous with riparian buffer easements funded as Clean Water Funds are available to the BWSR;

WHEREAS the payment rate for the RIM Reserve Permanent Riparian Buffer Easement will be 100% of the Average Assessed Township value (AATV) for cropland, and 60% of the AATV for non-cropland enrolled in the permanent riparian buffer easement;

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on August 10 and September 23, 2009 to review and recommend the following provision to successfully implement the RIM Reserve Riparian Buffer Easement Program;

NOW, THEREFORE, BE IT RESOLVED THAT, THE Minnesota Board of Water and Soil Resources authorizes staff to implement a continuous permanent RIM Reserve Riparian Buffer Easement Program sign-up beginning November 1, 2009. The payment rate will be 100% of the Average Assessed Township Value (AATV) for cropland acres, and 60% of the AATV for non-cropland acres enrolled in the permanent RIM Reserve Riparian Buffer Easement Program funded by Clean Water Funds. Rates are to be calculated using the township average for tillable property value established by county assessors for the 2010 tax year.

NEW BUSINESS

1. Native Buffer Cost-Share Grant Program Criteria Revision – Dan Shaw –
DECISION ITEM
2. Rural Preserves Update – Julie Blackburn – ***INFORMATION ITEM***



DRAFT BWSR NATIVE VEGETATION GUIDELINES

10/14/09

Intent: This document summarizes new guidelines for the use of native seed and plants. Consistent with updated state legislation, projects are required to use local sources of plant materials and strive for diversity levels that will provide high levels of ecological function.



(2009 Legislation) "To the extent possible, any person conducting a restoration with money appropriated in this section must plant vegetation or sow seed only of ecotypes native to Minnesota, and preferably of the local ecotype, using a high diversity of species originating from as close to the restoration site as possible, and protect existing native prairies from genetic contamination."

The following guidelines apply to all BWSR programs across all portions of the state, and should be used in combination with Natural Resource Conservation Service (NRCS) practice standards that apply to specific programs.

Diversity Levels: Projects focused on habitat or plant community restoration (including RIM/WRP and Lessard-Sams Outdoor Heritage Council (LSOHC)) should focus on using high levels of diversity; at least 20 species per seed mix (25 species if only one mix will be used for a project), to promote native community stability and function, to provide benefits to multiple wildlife species and to prevent establishment of invasive species.

Projects that are designed as Best Management Practices (BMPs) (i.e. raingardens, bioretention areas, grass filter strips etc.) should have diversity levels/seed mixes that are designed to accomplish the functional goals (stabilization, filtering etc.) of the project and meet NRCS practice guidelines. Special project types such as seed production areas and bio-energy plantings may also have unique species diversity needs.

Seed Mixes: State seed mixes (www.bwsr.state.mn.us/wetlands/vegetation/index.html) are recommended for projects. Specific mixes have been developed for wetland mitigation, conservation and BMP plantings. The mixes contain combinations of early and later successional species, warm and cool season grasses, forbs, sedges and rushes to meet the establishment needs of specific projects/programs. Substitutions of individual species are acceptable if they meet the intended goals of a project/program and are approved by local design staff. The NRCS 643 practice standard "Restoration and Management of Declining Habitats" www.bwsr.state.mn.us/grantscostshare/native-buffer.html provides specific seed mix specifications for RIM/WRP projects, as custom mixes are often developed for this program.

Seed Source: As individual wetland, forest and prairie species have unique dispersal mechanisms and genetic sensitivities, local resource staff should work together to determine appropriate distances for obtaining seed of individual species. As a general rule, seed must be selected to match site conditions (soils, hydrology, etc.) and have original harvest locations (original remnant population) from as close to the project site as possible, with an emphasis on obtaining seed that was originally harvested from the local eco-type region (ecological section). The Minnesota Ecological Sections and Subsections map located at www.bwsr.state.mn.us/wetlands/vegetation/index.html shows areas of the state with

ecological similarities and can be used as a guide for selecting seed. 150 miles is recommended as a maximum distance for obtaining seed for a project. Projects near a state border can use seed from an adjoining state or province (up to 100 from the Minnesota border) as long as the eco-type conditions in the adjoining state are similar to the project location.

Yellow Tag Seed: When available, source identified (Yellow tag) seed through the Minnesota Crop Improvement Association (MCIA) shall be used. See the following website for a survey of yellow tag seed availability: (<http://www.mncia.org/>). Flexibility regarding the use of yellow tag seed can be granted by local staff when appropriate, such as when seed from local remnant communities (wild harvested seed) will be used for a project, or the available yellow tag seed is not of a local source.

Native Variety Use: The first priority for seed should be that which originated as close to the project site as possible, named germplasms (also known as Ecovars, i.e. Red River Germplasm Prairie Cordgrass) may be acceptable if their original collection sites represent the closest available source for an individual species, and they have not been intentionally selected for traits such as height, aggressiveness and color.

Seed Labeling: All seed shall be supplied as pure-live seed (PLS) and conform to State seed requirements for noxious weed content and labeling. The origin (area where the original seed was harvested) shall be listed on the seed tag for all species in a mix to provide verification of seed source. The smallest known geographic area (township, county, ecotype region etc.) shall be listed. Seed must be cleaned to an extent sufficient to allow its passage through appropriate seeding equipment. Information pertaining to individual components (species and inert material) in a mix is required for all components. For wild harvest mixes, information should be provided for all species that are required through a program or project diversity requirement.

Protecting Existing Native Prairies and Seed Production Areas: Remnant prairies and seed production areas should be protected from non-local sources of seed. Varieties (selected germplasms) of native species should not be used adjacent to these areas to limit genetic influences. A minimum buffer distance of one-quarter mile is recommended. Seed collected directly from a remnant (generation 0) or seed from the first generation of production (generation 1) is recommended when planting buffers adjacent to remnant communities. Experienced resource professionals should be involved in seed collection and management planning when working in or near remnant prairies. The DNR County Biological Survey Program can provide more information about remnant communities in the state. Data about mapped remnant prairie communities can be found at: http://deli.dnr.state.mn.us/data_search.html.

Project Installation and Maintenance: Project site preparation, seeding/planting and maintenance need to be well planned and conducted by qualified professionals to result in successful projects. The following documents provide guidelines for the use of native seeds and plants:

Minnesota Wetland Restoration Guide http://www.bwsr.state.mn.us/publications/restoration_guide.html
NRCS practice standard 643 www.bwsr.state.mn.us/grantscostshare/native-buffer.html
Plants for Stormwater Design www.pca.state.mn.us/publications/manuals/stormwaterplants.html
Restore Your Shore www.dnr.state.mn.us/restoreyourshore/index.html
Going Native, A Prairie Restoration Guide for Minnesota Landowners www.dnr.state.mn.us/eco/pubs_restoration.html
A Soil Bioengineering Guide for Streambank and Shoreline Stabilization www.fs.fed.us/publications/soil-bio-guide/



Native Buffer Cost-Share Program Criteria

Date: 10-7-09

Purpose:

Grants for cost-sharing contracts to establish and maintain diverse native vegetation buffers using seeds and plants of local ecotype regions.

Policies:

I. Program Requirements

- BWSR State Cost-Share Program processes required.
- Eligible conservation buffer areas to be determined by the SWCD.
- Projects must be sustained for a minimum of 15 years.
- Eligible project areas are within the prairie regions of the state (list of counties in M.S. 84.02, Sec. 17, Subd. 4)
- Min/max size and costs determined by SWCD Boards using reasonable cost process.
- Multiple estimates are required for work done, to the extent possible.
- A complete set of program records must be kept, like other Cost-share programs.
- The "BWSR Native Vegetation Guidelines" (<http://www.bwsr.state.mn.us/practices/>) summarize seed source requirements and seed specifications for the program.
- The county of origin for all seed within mixes shall be listed on seed tags. The county of origin (seed source) of containerized herbaceous plants, trees and shrubs shall be documented on species lists.
- Prairie plantings must use a minimum of 25 species.



II. Eligible Practices

- Site preparation, seed collection, seeds/plants, mulch, seeding/establishment costs.
- Prairie establishment, lakeshore restoration (including minimal grading for site preparation), stormwater treatment projects, wellhead protection, river/streambank restoration, wetland buffer and drainage buffers.
- Remnant native prairie management using vegetation management activities with approval from BWSR Vegetation Specialist.
- Native vegetation management (when tied to efforts to increase native species diversity); prescribed burning, inter-seeding, weed and invasive species control
- Land rental costs, for non-program lands, during establishment (3yrs. CCRP rate x 75%) for agricultural lands or seed production areas. The rental payment is at the discretion of the SWCD board when there are acres being converted from agricultural use and no other program payments are involved. The intent is to cover costs as native vegetation establishes.

III. Allowable Activities

- Haying, seed propagation, energy production and prescribed burning, outside of the nesting season (Typically June 1st to August 1st) if allowed by any underlying program conditions.

For more information:

BWSR Board Conservationists: www.bwsr.state.mn.us/contact/index.html

Dan Shaw Dan.Shaw@state.mn.us (651-296-0644)



Native Buffer Cost-Share Program Fact Sheet

Date: 5-27-08

Purpose:

Grants for cost-sharing contracts to establish and maintain diverse native vegetation buffers using seeds of local ecotype regions.

Policies:

I. Program Requirements

- BWSR State Cost-Share Program processes required.
- Eligible conservation buffer areas to be determined by the SWCD.
- Projects must be sustained for a minimum of 15 years.
- Eligible project areas are limited to list of counties in M.S. 84.02, Sec. 17, Subd. 4
- Min/max size and costs determined by SWCD boards using reasonable cost process.
- Multiple estimates are required for work done, to the extent possible.
- A complete set of program records must be kept, like other Cost Share programs.
- An attempt must be made to find local ecotype seed according to the following geographic areas - in sequential order. If project cannot go forward due to a lack of local geographic area seed or unreasonable costs the SWCD may approve using seed from the next local geographic area according to the following sequence:
 1. The same county or within 25 miles of the county's border but not across an ecotype region boundary
 2. Anywhere within the local ecotype region
 3. Neighboring ecotype region or county
 4. All prairie eco-type regions in Minnesota
 5. Prairie eco-type regions in neighboring states within 25 miles of MN boundary
- The seed source shall be verified by the SWCD using a source verification form. Yellow tag certified seed is recommended to aid in the verification of source.
- Cultivars are discouraged.
- Projects must have a goal of 25 species within the project site.



II. Eligible Practices

- Site prep, seed collection, seed, seeding, and establishment costs.
- Native vegetation management; prescribed burning, inter seeding, weed control when tied to veg. improvement, invasive species control, disking, haying and reseeding existing stands of grass on existing RIM easements.
- Lakescaping, including minimal grading for site preparation, plant materials, seed and mulch.
- Remnant native prairie management using vegetation management activities with approval from BWSR vegetation management specialist.
- Land rental costs, for non-program lands, during establishment (3yrs. CCRP rate x 75%) for agricultural lands or seed production areas. The rental payment is at the discretion of the SWCD board when there are acres being converted from ag use and no other program payments are involved. The intent is to cover costs as native vegetation establishes.

III. Allowable Activities

- Haying, seed propagation, energy production and prescribed burning, outside nesting season (Typically June 1st to August 1st) if allowed by any underlying program conditions.

For more information:

Tabor Hoek Tabor.Hoek@state.mn.us (507-537-7260)

Dan Shaw Dan.Shaw@state.mn.us (651-296-0644)

Pete Waller Pete.Waller@state.mn.us (218-763-5445 ext 104)



Board Resolution # _____

Native Buffer Cost Share Program Criteria Revision

WHEREAS, the BWSR Board authorized the Native Buffer Cost Share Program at their January 2008 Board meeting through the approval of Board Resolution 08-12.

WHEREAS, the program criteria for the Native Buffer Cost-Share Grant Program administered by the Board of Water and Soil Resources (BWSR), has been updated. Wording about seed source and diversity levels have been changed in the criteria to refer to new BWSR Native Vegetation Guidelines (attached). The new vegetation guidelines have been developed to address 2009 legislative language that takes precedent over the seed source and diversity provision that were in M.S 84.02. New language has also been incorporated into the program criteria about eligible project types; eligible project areas and program contacts.

NOW THEREFORE, the BWSR hereby approves new Native Buffer Cost-share Program Criteria (attached) that replaces program criteria (attached) that were approved in resolution 08-12.

Date: _____

Randy Kramer, Chair
Board of Water and Soil Resources

Attach: Native Buffer Cost Share Program Criteria (New Policy)
Attach: Native Buffer Cost-Share Program Fact Sheet (Previous Policy)
Attach: BWSR Native Vegetation Guidelines

Rural Preserve Property Tax Program

15

Property Tax Fact Sheet 15

Fact Sheet

The Rural Preserve Program provides property tax relief for qualifying owners of rural vacant land in areas where the market value of the land is being affected by development pressure, sales of recreational land or other factors.

The Rural Preserve Program

This fact sheet provides information to property owners regarding the eligibility requirements for the Rural Preserve Program (Rural Preserve), which will be available beginning with the 2011 assessment. Rural Preserve was enacted into law by the state Legislature in 2009 and is codified in Minnesota Statutes, section 273.114.

Minnesota law requires assessors to value property at its estimated market value. Estimated market value must reflect the use of the property that will bring the greatest economic return to the land (its "highest and best use"). For many rural properties, this highest and best use may be to develop the land for a residential or recreational use. The residential or recreational value of a property is typically significantly higher than that of undeveloped rural vacant land.

Rural Preserve provides property tax relief to taxpayers with eligible class 2b rural vacant land. Participants in the program must commit to a conservation management plan approved by a county's soil and water conservation district for at least 10 years. Qualifying applicants may include taxpayers with class 2b land that was grandfathered into Green Acres for the 2010 assessment, or who own other agricultural homestead property. Real estate taxes on enrolled land are based upon a value that is not influenced by outside factors such as urban sprawl or seasonal activities.

Rural Preserve is designed to work in conjunction with the changes that were made to the Green Acres program in 2008 and 2009. Qualifying class 2b land that was previously enrolled in Green Acres may be enrolled in Rural Preserve by May 1, 2013, without being subject to the payback of Green Acres deferred taxes. Please refer to the *Green Acres Fact Sheet (Fact Sheet 5)* to learn more about transferring property from Green Acres into Rural Preserve.

How does Rural Preserve work?

The assessor determines two values on land enrolled in Rural Preserve:

- The "estimated market value" based on sales of similar property taking into consideration all of the outside factors that influence its market value.
- The "value without regard to outside influences" or "Rural Preserve Value" which must not exceed the class 2a tillable value for that county.

Taxes are calculated on both values, but paid on the lower value each year. The difference between the tax calculated on the higher and lower values is deferred until the property is sold, transferred, or no longer qualifies for Rural Preserve. When the property is sold, transferred, or no longer qualifies for the program, the deferred taxes for the current year and two prior years must be paid to the county.

What about special local assessments?

Special local assessments may be deferred while the property qualifies for Rural Preserve. When the property no longer qualifies for the program, all deferred special assessments plus interest are due.

How do I qualify?

If you own class 2b rural vacant land that was grandfathered into Green Acres for the 2010 assessment or that is part of an agricultural homestead and covered by an approved conservation management plan, you may be eligible for Rural Preserve. You must apply with the county assessor.

The enrolled acres must:

- have been enrolled in Green Acres prior to enrollment in Rural Preserve; or be part of an agricultural homestead;
- be at least 10 acres in size;
- be covered by a conservation management plan developed by an approved plan writer;
- not be enrolled in Green Acres, Open Space, or SFIA;
- have no delinquent property taxes owed on the land; and
- be subject to a recorded covenant for a minimum of 10 years.

How do I apply?

Rural Preserve applications will be filed with and approved by the county assessor. The assessor will require that a copy of your conservation management plan, the recorded covenant, and other supporting documents be submitted with the application to prove that the property meets all requirements for qualification.

Application forms will be available at the county assessor's office and must be filed by May 1 for the next taxes-payable year. Applications will be available beginning with the 2011 assessment year, for taxes payable in 2012.

What about the 10-year covenant?

Before applying for Rural Preserve, you must file a covenant agreement with the county recorder where the property is located. When you record the covenant, you are agreeing that:

- The covenant runs with the land, so it continues even if there is a change in ownership. Future owners must continue to comply with the terms of the covenant.
- The covenant will remain on the property for a minimum of 10 years. After five years of enrollment in the program, you may request to cancel the covenant. It will take another five years for the covenant to terminate. The covenant does not automatically expire after 10 years. You must notify the assessor five years before you desire the covenant to be terminated.
- After the covenant is terminated, the land will not be eligible for re-enrollment in Rural Preserve for a period of three years.
- For the entire length of the covenant, you will be required to abide by the terms set forth in your conservation management plan.

What happens when the covenant is terminated?

When the covenant is terminated by the owner, or when the property no longer qualifies for Rural Preserve, the property owner will have to pay back deferred taxes for the year of termination plus the two prior years. The deferred taxes are a lien against the property.

All deferred special assessments, plus interest, will also have to be paid back. The total due will be payable in equal installments, spread over the time remaining until the last maturity date of the bonds issued to finance the improvement for which the special assessments were levied.

What else should I know about Rural Preserve?

Applications for enrollment are not yet available, but will be available in time for the first application due date of **May 1, 2011**. This fact sheet is meant to inform you of the program so that you can plan in advance what you would like to do with your property. Planning ahead is particularly important for property owners who are currently enrolled in Green Acres.

If you own property that is currently enrolled in Green Acres, or was recently withdrawn from Green Acres, please look at the *Green Acres Fact Sheet (Fact Sheet 5)* that is at the Department of Revenue's website: www.taxes.state.mn.us; or available from your county assessor.

Please contact your county assessor if you have specific questions about your property or the Rural Preserve Program.

**Please contact your county assessor if you have specific questions
about your property or the Rural Preserve Program.**

Rural Preserve Property Tax Program

15

Property Tax Fact Sheet 15

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Minnesota law requires assessors to value property at its estimated market value. Estimated market value must reflect the use of the property that will bring the greatest economic return to the land (its "highest and best use"). For many rural properties, this highest and best use may be to develop the land for a residential or recreational use. The residential or recreational value of a property is typically significantly higher than that of undeveloped rural vacant land.

Rural Preserve provides property tax relief to taxpayers with eligible class 2b rural vacant land. Participants in the program must commit to a conservation management plan approved by a county's soil and water conservation district for at least 10 years. Qualifying applicants may include taxpayers with class 2b land that was grandfathered into Green Acres for the 2010 assessment, or who own other agricultural homestead property. Real estate taxes on enrolled land are based upon a value that is not influenced by outside factors such as urban sprawl or seasonal activities.

Rural Preserve is designed to work in conjunction with the changes that were made to the Green Acres program in 2008 and 2009. Qualifying class 2b land that was previously enrolled in Green Acres may be enrolled in Rural Preserve by May 1, 2013, without being subject to the payback of Green Acres deferred taxes. Please refer to the *Green Acres Fact Sheet (Fact Sheet 5)* to learn more about transferring property from Green Acres into Rural Preserve.

How does Rural Preserve work?

The assessor determines two values on land enrolled in Rural Preserve:

- The "estimated market value" based on sales of similar property taking into consideration all of the outside factors that influence its market value.
- The "value without regard to outside influences" or "Rural Preserve Value" which must not exceed the class 2a tillable value for that county.

Taxes are calculated on both values, but paid on the lower value each year. The difference between the tax calculated on the higher and lower values is deferred until the property is sold, transferred, or no longer qualifies for Rural Preserve. When the property is sold, transferred, or no longer qualifies for the program, the deferred taxes for the current year and two prior years must be paid to the county.

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Special local assessments may be deferred while the property qualifies for Rural Preserve. When the property no longer qualifies for the program, all deferred special assessments plus interest are due.

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If you own class 2b rural vacant land that was grandfathered into Green Acres for the 2010 assessment or that is part of an agricultural homestead and covered by an approved conservation management plan, you may be eligible for Rural Preserve. You must apply with the county assessor.

The enrolled acres must:

- have been enrolled in Green Acres prior to enrollment in Rural Preserve; or be part of an agricultural homestead;
- be at least 10 acres in size;
- be covered by a conservation management plan developed by an approved plan writer;
- not be enrolled in Green Acres, Open Space, or SFIA;
- have no delinquent property taxes owed on the land; and
- be subject to a recorded covenant for a minimum of 10 years.



DATE: September 15, 2009

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

FROM: John Jaschke, Executive Director 

SUBJECT: September 23, 2009 Board Meeting Notice

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, September 23, 2009, beginning at 9:00 a.m. The meeting will be held in the second floor conference room at 520 Lafayette Road N., St. Paul. Parking is available in the lot directly in front of the building (use hooded parking areas).

The following information pertains to agenda items:

COMMITTEE MEETINGS

Southern Water Planning Committee

1. **Cedar River Watershed District (CRWD) Watershed Management Plan** - CRWD was established by the BWSR Board Order on April 25, 2007. Minnesota Statutes 103D.401 states that a board of watershed district managers must adopt a plan for any or all reasons for which the district may be established. The CRWD has completed the planning process for its proposed ten-year plan: 2009 – 2019. The CRWD distributed its draft Watershed Management Plan as required for final review and comment. Comments received were considered by the CRWD, the plan was revised as needed, and submitted to BWSR for approval. BWSR provided proper Notice of Filing for the plan. This notice provided an invitation to submit written comments or a written request for a hearing if opposed to the plan. No written comment or request was received by BWSR. The Board's Southern Water Planning Committee (Committee) met on August 25, 2009, after the state and local review period had ended. The Committee recommends approval of the Plan. See attachments. ***DECISION ITEM***
2. **Lac qui Parle-Yellow Bank Watershed District (LQPYBWD) Watershed Management Plan** - LQPYBWD was established by the BWSR Board Order on April 19, 1971. Minnesota Statutes 103D.401 states that a board of watershed district managers must adopt a plan for any or all reasons for which the district may be established. The LQPYBWD has completed the planning process for its proposed ten-year plan: 2009 – 2019. The LQPYBWD distributed its draft

Watershed Management Plan as required for final review and comment. Comments received were considered by the LQPYBWD, the plan was revised as needed, and submitted to BWSR for approval. BWSR provided proper Notice of Filing for the plan. This notice provided an invitation to submit written comments or a written request for a hearing if opposed to the plan. No written comment or request was received by BWSR. The Board's Southern Water Planning Committee (Committee) met on September 3, 2009, after the state and local review period had ended. The Committee recommends approval of the Plan. See attachments. **DECISION ITEM**

3. **Lincoln County Local Water Management Plan Amendment** - By Board Order, the Board of Water and Soil Resources (Board) approved the Lincoln County Comprehensive Local Water Management Plan (Plan) on September 23, 2004. This plan covers the ten-year period of 2004 – 2014 and contained a 2004 – 2009 five-year implementation section. Board Order stipulated that the county was required to revise/update the implementation section by August 31, 2009. Following the guidelines established by the Board, Lincoln County has completed the local water management plan amendment process and submitted their specific 2009-2014 Addendum. The Board's Southern Water Planning Committee (Committee) met on September 3, 2009 to review the Lincoln County 2009 Addendum. The Committee recommends approval of the Plan amendment. See attachments. **DECISION ITEM**

4. **Pipestone County Local Water Management Plan Amendment** -By Board Order, the Board of Water and Soil Resources (Board) approved the Pipestone County Comprehensive Local Water Management Plan (Plan) on August 25, 2004. This plan covers the ten-year period of 2004 – 2014 and contained a 2004 – 2009 five-year implementation section. Board Order stipulated that the county was required to revise/update the implementation section by August 25, 2009. Following the guidelines established by the Board, Pipestone County has completed the local water management plan amendment process and submitted their specific 2009-2014 Addendum. The Board's Southern Water Planning Committee (Committee) met on September 3, 2009 to review the Pipestone County 2009 Addendum. The Committee recommends approval of the Plan amendment. See attachments. **DECISION ITEM**

5. **Steele County Local Water Management Plan Amendment** - On May 11, 2009, the Board received a resolution from Steele County requesting to amend the 2007-2016 Steele County Local Water Management Plan (Plan) to allow the County to participate in the Wetland Preservation Area Program. Steele County did not include wetland preservation and restoration as one of the five priority concerns in this Plan; however, during the most recent water plan update process wetland protection was listed as an issue that ranked just behind the top five priority concerns. Through this amendment Steele County will provide its citizens the

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701 Minnesota Avenue Suite 234 Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	1601 Minnesota Drive Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	1004 Frontier Trail Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	2300 Silver Creek Road N.E. Rochester, MN 55906 phone (507) 281-7797 fax (507) 285-7144	520 Lafayette Road N. Saint Paul, MN 55155 phone (651) 296-3767 fax (651) 297-5615

opportunity to enroll wetlands in the Wetland preservation Area Program. Board staff reviewed and recommended approval of this amendment. The Board's Southern Water Planning Committee (Committee) met on August 25, 2009 to review this amendment request. The Committee recommends approval of the Plan amendment. See attachments. **DECISION ITEM**

6. **Area II Minnesota River Basins Project Inc., FY10 Annual Work Plan** – This plan is for BWSR oversight of administrative funding related to the efforts of the Area II Minnesota River Basins Project Inc. (Area II). Administrative funding for Area II, via state general funds, has been appropriated in the amount of \$130,000 from the 2009 legislative session. The overall budget objectives are included in the plan. Staff recommends approval of this plan and execution of the administrative grant agreement for FY2010. The Board's Southern Water Planning Committee met on September 3, 2009 to review the Area II Work Plan and recommends approval. See attachment. **DECISION ITEM**

NEW BUSINESS

1. **Grants Administration Initiative** - BWSR staff have developed a process to improve and increase the administrative efficiency of BWSR grant programs for state and local governments. The increase in grant activities last biennium and the further increase this biennium was the genesis for this effort. The work plan for this initiative was reviewed and recommended for approval by the Grants Program and Policy Committee on August 25. See attachment.
DECISION ITEM
2. **Authorization of the FY2010 Competitive Grants Program** - BWSR has been appropriated competitive grant funds under the Clean Water Fund and General Fund to make grants to local governments to address water quality needs. In addition, the Pollution Control Agency and Department of Agriculture are also contributing funds to this request for proposals. BWSR staff are proposing to package all of these competitive grant funds into a single request that will allow local governments to apply for funds to address needs that are identified in their local water management plan or in an approved TMDL implementation plan. The proposed RFP includes separate RFPs for the Competitive Clean Water Fund Grants, Cooperative Weed Management Area Grant Program, Native Buffer Cost Share Program, and Conservation Drainage. The Board Grants Program and Policy Committee reviewed this request on August 25, 2009 and is recommending approval. See attachments.
DECISION ITEM
3. **Krusmark's Farmed Cervidae Shooting Preserve RIM Reserve Easement Release of RIM Easement 79-04-96-01** - BWSR easement staff was contacted about an issue in Wabasha County concerning a farmed cervidae shooting preserve

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possibly being operated on lands under RIM easement 79-04-96-01. Staff has discussed this issue with the Wabasha SWCD, the landowner and has made a site visit. The RIM Reserve Management Planning Committee (RRMPC) met to discuss findings and possible solutions. The RRMPC recommends that the matter be resolved as outlined in the Board Resolution being presented at the September 23, 2009 Board meeting. See attachment. **DECISION ITEM**

- 4a. Targeting BMPs to Critical Portions of the Landscape** – Professor David Mulla, University of Minnesota and Adam Birr, MDA – Critical areas have a higher likelihood of conveying contaminants to surface waters than other portions of the landscape. When present in an agricultural setting, critical areas contribute a disproportionate amount of contaminants such as sediments, nutrients, and pesticides, to nearby surface waters. This project focused on the LeSueur River watershed and used terrain analysis to identify where critical areas, and target appropriate BMPs to mitigate the degradation of water quality. **INFORMATION ITEM**
- 4b. LCCMR-funded Critical Lands Project** – Professor David Mulla, University of Minnesota Department of Soil, Water and Climate, and Greg Larson, BWSR Soil Scientist, will provide an update on an LCCMR-funded project to develop a method for identifying critical lands based on soil productivity, potential soil erosion, water quality, wildlife and other natural resource factors. Early efforts focus on CRP lands that will expire by 2014 and the economics of re-enrolling those lands in a conservation program. **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 noon. I look forward to seeing you on September 23rd!

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BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD
ST. PAUL, MINNESOTA 55155
WEDNESDAY, SEPTEMBER 23, 2009

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF AUGUST 27, 2009

OPEN MIKE (10-minute agenda time, two-minute limit/person)

INTRODUCTION OF NEW EMPLOYEE

- Megan Lennon

REPORTS

- Chair – Randy Kramer
- Executive Director – John Jaschke
- Dispute Resolution Committee – Randy Kramer
- Wetlands Committee – LuAnn Tolliver
- Grants Program & Policy Committee – Louise Smallidge
- Public Relations, Outreach & Strategic Planning Committee – Brian Napstad
- RIM Reserve Planning Committee – Paul Brutlag
- Administrative Advisory Committee – Randy Kramer

COMMITTEE RECOMMENDATIONS

Southern Water Planning Committee

1. Cedar River Watershed District (CRWD) Watershed Management Plan –
DECISION ITEM
2. Lac qui Parle-Yellow Bank Watershed District (LQPYBWD) Watershed
Management Plan – **DECISION ITEM**
3. Lincoln County Local Water Management Plan Amendment –
DECISION ITEM
4. Pipestone County Local Water Management Plan Amendment –
DECISION ITEM
5. Steele County Local Water Management Plan Amendment – **DECISION ITEM**

6. Area II Minnesota River Basins Project Inc., FY10 Annual Work Plan – **DECISION ITEM**

NEW BUSINESS

1. Grants Administration Initiative – Julie Blackburn and Dave Weirens – **DECISION ITEM**
2. Authorization of the FY2010 Competitive Grants Program – Dave Weirens **DECISION ITEM**
3. Krusmark's Farmed Cervidae Shooting Preserve RIM Reserve Easement Release of RIM Easement 79-04-96-01 – Kevin Lines – **DECISION ITEM**
- 4a. Targeting BMPs to Critical Portions of the Landscape – Professor David Mulla, University of Minnesota; and Adam Birr, MDA – **INFORMATION ITEM**
- 4b. LCCMR-funded Critical Lands Project – Professor Dave Mulla, U of M; and Greg Larson, BWSR - **INFORMATION ITEM**

AGENCY REPORTS

- Minnesota Department of Agriculture – Joe Martin
- Minnesota Department of Health – John Linc Stine
- Minnesota Department of Natural Resources – Larry Kramka
- Minnesota Extension Service – Faye Sleeper
- Minnesota Pollution Control Agency – Rebecca Flood

ADVISORY COMMENTS

- Association of Minnesota Counties – Annalee Garletz
- Minnesota Association of Conservation District Employees – Felicia Brockoff
- Minnesota Association of Soil and Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Tim Koehler

UPCOMING MEETINGS

- ☐ RIM Reserve Management Planning Committee (RRMPC) Meeting – immediately following Board meeting September 23rd
- ☐ Next Board Meeting, October 28, 2009, St. Paul
- ☐ Board Retreat – TBD

NOON ADJOURN

**BOARD OF WATER AND SOIL RESOURCES
RIVERPORT INN
SUGAR LOAF ROOM
900 BRUSKI DRIVE
WINONA, MINNESOTA 55987
THURSDAY, AUGUST 27, 2009**

BOARD MEMBERS PRESENT:

Gordy Behm, Paul Brutlag, Bob Burandt, Wayne Edgerton, DNR; Quentin Fairbanks, Rebecca Flood, MPCA; Randy Kramer, Paul Langseth, Tom Loveall, Joe Martin, MDA; John Meyer, Brian Napstad, Faye Sleeper, U of M Extension; Louise Smallidge, Gene Tiedemann, LuAnn Tolliver

BOARD MEMBERS ABSENT:

John Linc Stine, MDH

STAFF PRESENT:

Julie Blackburn, Tim Fredbo, Jon Fure, Travis Germundson, Jim Haertel, John Jaschke, Al Kean, Kari Keating, Mary Kells, Jeff Nielsen, Michelle Schaefer, Wayne Zellmer

OTHERS PRESENT:

Ray Bohn, MAWD
LeAnn Buck, MASWCD
Linda Dahl, SE MN Water Resources Board JPB
Barbara Haake, MAWD/RCWD
Donna Rasmussen, Fillmore SWCD
Glen Roberson, Goodhue SWCD
Steven Sunderland, MASWCD
Tim Terrill, Winona SWCD
Ralph Tuck, Root River SWCD

Chair Kramer called the meeting to order at 8:30 a.m.

PLEDGE OF ALLEGIANCE

**** ADOPTION OF AGENDA**

09-53 Moved by Brian Napstad, seconded by Louise Smallidge, to adopt the agenda as presented. Motion passed on a voice vote.

**** MINUTES OF JUNE 24, 2009**

09-54 Moved by Louise Smallidge, seconded by Paul Brutlag, to approve the minutes of June 24, 2009, as circulated. Motion passed on a voice vote.

REPORTS

Chair's Report – Randy Kramer thanked the BWSR and LGU staff that developed and carried out the very informative and successful tour yesterday.

Executive Director's Report – John Jaschke reported on summer agency activities including Northwest MN Flood Response, International Falls wetland meetings with COE, and steps to launch the new Clean Water Fund grant program.

Dispute Resolution Committee – Travis Germundson reported that there are currently 20 pending appeals. 5 are new as of the last two weeks. Travis gave a brief description of the 5 new appeals because they were not included in the DRC Report in the board packet and provided the board with a status and resolution table as requested at the last board meeting.

Wetlands Committee – LuAnn Tolliver reported that the Wetlands Committee has not met since the last board meeting. She reported that the committee will need to meet soon to discuss the guidance documents that will need to be created for the new Wetland Conservation Act Rule. LuAnn was asked about the timeliness of the new rule and if there were any issues. She reported that there were two days between when the old rule expired and the new rule took effect and that LGU staff were instructed to avoid decisions on those two days.

Grants Program & Policy Committee – Louise Smallidge reported that the Grants Program and Policy Committee met on Tuesday evening, August 25th. She reported that the committee along with staff is working on a uniform grant application process. Next committee meeting will be on October 28, 2009 after the board meeting.

Public Relations, Outreach & Strategic Planning Committee – Brian Napstad reported that the Public Relations, Outreach & Strategic Planning Committee have not met.

RIM Reserve Planning Committee – Paul Brutlag reported that this spring the RIM/WRP held its Phase II statewide sign-up. 250 applications were received for over 20,000 acres requesting \$45 million WRP and \$30 million RIM Reserve easement dollars. 12 of 18 applications for Turtle Creek-Cedar River Watershed Restoration were selected for funding for the legislatively mandated project. Tim Fredbo talked briefly about the 127 easement applications that have been approved for funding totaling 13,060 acres with an estimated cost of \$16 million state dollars and \$24.82 million federal dollars.

Administrative Advisory Committee – Randy Kramer reported that the Administrative Advisory Committee has not met.

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee (Bob Burandt)

Carver Soil and Water Conservation District Change of Headquarters – Bob Burandt reported that the Metro Water Planning Committee met on August 4. He recommends the approval of the Carver SWCD headquarter change from Waconia to Cologne. Moved by LuAnn Tolliver, seconded by Louise Smallidge to approve the Carver Soil and Water Conservation District change of headquarters. Motion passed on a voice vote.

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09-55

Chisago County Comprehensive Local Water Management Plan

Amendment – Bob reported that the committee reviewed the Chisago County Comprehensive Local Water Management Plan Amendment and recommends approval of the amendment to the Chisago County 2006 – 2011 Comprehensive Local Water Plan. Moved by Bob Burandt, seconded by Louise Smallidge to approve the Chisago County Comprehensive Local Water Management Plan Amendment. Motion passed on a voice vote.

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09-56

Rice Creek Watershed District Watershed Management Plan Amendment

Bob reported that the committee reviewed the Rice Creek Watershed District Water Management Plan Amendment and recommends approval of the amendment to the Watershed Management Plan. Moved by Bob Burandt, seconded by Faye Sleeper to approve the Rice Creek Watershed District Watershed Management Plan Amendment. Motion passed on a voice vote.

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09-57

Shingle Creek and West Mississippi Watershed Management

Organizations' Watershed Management Plan Amendment – Bob reported that the committee reviewed the Shingle Creek and West Mississippi Watershed Management Organizations' Watershed Management Plan Amendment and recommends approval of the amendment. Moved by Bob Burandt, seconded by Louise Smallidge to approved the Shingle Creek and West Mississippi Watershed Management Organizations' Watershed Management Plan Amendment. Motion passed on a voice vote.

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09-58

Northern Water Planning Committee (Quentin Fairbanks)

Aitkin County Local Water Management Plan Final Review – Brian Napstad reported that the Northern Water Planning Committee met on August 12th and reviewed the Revised Aitkin County Local Water Management Plan and recommends approval. Moved by Brian Napstad, seconded by Quentin Fairbanks to approve the Revised Aitkin County Local Water Management Plan. Motion passed on a voice vote.

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09-59

Morrison County Priority Concerns Scoping Document – Paul Brutlag reported that the committee reviewed the Morrison County Priority Concerns Scoping Document and recommends approval. Moved by Paul Brutlag, seconded by Brian Napstad to approve the Priority Concerns Scoping Document as part of an update to their Comprehensive Local Water Management Plan. Motion passed on a voice vote.

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09-60

Otter Tail County Local Water Management Plan – Wayne Edgerton reported that the committee reviewed the Otter Tail County Local Water Management Plan and recommends approval. Moved by Wayne Edgerton, seconded by Paul Brutlag to approve the Otter Tail County Local Water Management Plan. Motion passed on a voice vote.

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09-61

Pine County Priority Concerns Scoping Document – Quentin Fairbanks reported that the committee reviewed the Pine County Priority Concerns Scoping Document and recommends approval. Moved by Quentin Fairbanks, seconded by Brian Napstad to approve the Pine County Priority Concerns Scoping Document. Motion passed on a voice vote.

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09-62

Polk County Local Water Management Plan Extension – Quentin Fairbanks reported that the committee reviewed the Polk County Local Water Management Extension and recommends approval. Moved by Quentin Fairbanks, seconded by Paul Brutlag to approve a two year extension to the Polk County Local Water Management Plan. Motion passed on a voice vote.

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09-63

Southern Water Planning Committee (Paul Langseth)

Minnesota River Basin Joint Powers Board, FY10 Annual Work Plan – Paul Langseth reported that the Southern Water planning committee met on August 25th and reviewed the Minnesota River Basin Joint Powers Board, FY10 Annual Work Plan and recommends approval. Moved by Paul Langseth, seconded by Tom Loveall to approved the Minnesota River Basin Joint Powers Board, FY10 Annual Work Plan. Motion passed on a voice vote.

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09-64

NEW BUSINESS

FY '10 Red River Valley Flood Recovery – Wayne Zellmer reported that the BWSR Grants Program and Policy Committee met on August 25th and supports the Minnesota Recovers Task Force, Natural Resources Sub-Committee and Senior Management Team funding recommendations for the \$1 million

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09-65

legislatively appropriated funds for area damaged during the spring flooding. Moved by Louise Smallidge, seconded by Gene Tiedemann to approve the Red River Valley Flood Recovery funding recommendations. Motion passed on a voice vote.

Drainage Work Group Update – Al Kean reported that the Drainage Work Group met at the end of July. Al provided some background information for new board members about the work group and why it was developed and mentioned that Tom Loveall has been appointed to the Drainage Work Group as a representative from the Board.

“Success Through Regional Collaborative Partnerships” – Jeff Nielsen introduced Donna Rasmussen, Chair of the Basin Alliance for the Lower Mississippi in MN (BALMM); Linda Dahl, Executive Director, SE MN Water Resources Board JPB; and Glen Roberson, host Manager, SE SWCD Technical Support JBP who gave a presentation on the joint efforts of local governments managing water and soil resources in SE Minnesota.

AGENCY REPORTS

Minnesota Department of Agriculture (MDA) - Joe Martin had to leave early and this was not available give a report.

Minnesota Department of Natural Resources (DNR) – Wayne Edgerton reported that there are new changes to the hunting and trapping regulations and handed out a new regulations handbook.

Minnesota Extension Service (MES) – Faye Sleeper reported that the Water Resources Center is leading the statewide water plan. They are still in the organizing phase. Maybe in the future the board will want a presentation. In October there is a large water resources conference planned. It will focus on education, outreach and implementation, and she will bring brochures to the next meeting. They are also working on a watershed specialist training program that will be a two part training to educate the new people that are expected to come in with the amendment money. Faye reported that former board member Jim Anderson has been rehired on a part-time basis.

Minnesota Pollution Control Agency (MPCA) – Rebecca Flood reported that at the end of July Commissioner Eger appointed her to be a liaison to the agricultural community. She also reported on the formation of a Clean Water Fund interagency team that has been developed to deal with the new amendment money, and will be working on developing outcomes and measures and RFP processes.

ADVISORY COMMENTS

Minnesota Association of Soil & Water Conservation Districts (MASWCD) –

Steve Sunderland (Chippewa SWCD) introduced himself as the president of MASWCD. He reported that at their board meeting they had a presentation of a forestry easement program concept and he said that they would be continuing with the idea and potentially come to the board with more information. Steve also reported on an NACD trip to Washington DC last month and about some of the significant topics that were discussed.

Minnesota Association of Watershed Districts (MAWD) – Ray Bohn congratulated BWSR on a great tour. Ray reported that MAWD's 2009 tour was in the Shell Rock River Watershed District. He reported that he has been working with Faye Sleeper to help with the training for watershed districts and he has been working with Al Kean on the drainage workgroup buffer study as well. MAWD has also been working on Watershed District levy authority and they would like to have some final authority over certain Watershed District budgets.

Natural Resources Conservation Service (NRCS) – John Nicholson was not there.

UPCOMING MEETINGS

- ☐ Next Board Meeting, September 23, 2009, St. Paul

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09-66 Moved by Paul Langseth, seconded by Louise Smallidge, to adjourn the meeting at 11:40 a.m. Motion passed on a voice vote.

Respectfully submitted,

Kari Keating
Recorder

Dispute Resolution Report
September 9, 2009
by: Travis Germundson

There are presently 16 appeals pending. All of the appeals involve WCA except File 05-24. There have been **no** new appeals filed since the last report given on August 27th.

Format note: New appeals that have been filed since last report to the Board.
~~Appeals that have been decided since last report to the Board.~~

~~File 09-16 (8-25-09). This is an appeal of a restoration order in St. Louis County. The appeal regards the placement of fill in a Type 7/8 wetland for shoreline access. No decision has been made on the appeal. The appeal has been denied and the restoration order affirmed because the appeal exceeded the time period of 30 days allowed to file an appeal.~~

~~File 09-15 (8-25-09). This is an appeal of a restoration order in Itasca County. The appeal regards compliance issues associated with an approved replacement plan. An additional 3,875 sq. ft. of wetland impacts occurred with the unauthorized of a residential driveway. A revised replacement plan has been submitted by the landowner. The appeal has been denied and the replacement plan affirmed because the appeal exceeded the time period of 30 days allowed to file an appeal.~~

~~File 09-14 (8-24-09) This is an appeal of a public road notice in Sherburne County. The appeal regards the same project and issues as File 09-11. The appeal has been denied because the appeal exceeded the time period of 30 days allowed to file an appeal.~~

File 09-13 (8-20-09) This is an appeal of an exemption decision in Otter Tail County. The appeal regard the denial of an exemption request for agricultural/drainage actives. A previous denial of the same exemption decision had been appealed (File 09-6). The appeal was remanded for further technical evaluation and a hearing, and now the current denial has been appealed. *The appeal has been granted and a copy of the record has been requested.*

File 09-12 (8-18-09) This is an appeal of a replacement order in Stearns County. The appeal regards compliance issues associated with an approved replacement plan for 9,900 square feet of wetland impact. Successful completion of plan components are unlikely to occur since the corporation that owns the property is insolvent. No decision has been made on the appeal.

~~File 09-11 (8-6-09) This is an appeal of a public road notice in Sherburne County. The appeal regards the Technical Evaluation Panel's recommendation that 12,677 square feet of wetland impacts be replaced through the BWSR's Road Replacement Program. No decision has been made on the appeal. The appeal has been denied because of failure to submit the required filing fee.~~

File 09-10 (7-9-09) This is an appeal of a banking plan application in Aitkin County. The appeal regards the LGU's denial of a banking plan application to restore 427.5 acres of wetlands through the use of exceptional natural resource value. *The appeal has been accepted and a pre-hearing conference is scheduled for October 13, 2009.*

File 09-9 (6-22-09) This is an appeal of a restoration order in Brown County. The appeal regards a no-loss request\determination for the placement of agricultural tile lines within a wetland area. The landowner requested a no-loss determination from the LGU, and then proceeded to do the work prior to obtaining a determination. Both parties mutually agreed to extend the time period for BWSR to render a final decision. No decision has been made on the appeal.

File 09-3 (2-20-09) This is an appeal of a replacement plan decision in Anoka County. The appeal regards the approval of a wetland replacement plan for 11,919 square feet of impacts associated with a residential development. The appeal has been placed in abeyance and the replacement plan decision stayed for submittal of a revised replacement plan application at the request of the petitioner.

File 09-2 (2-19-09) This is an appeal of a restoration order in Stearns County. The appeal regards the filling of approximately 6,833 square feet of a type 5 wetland with various debris materials. No decision has been made on the appeal. The appellant has granted BWSR additional time to make a decision on the appeal.

File 08-35 (12-3-08) This is an appeal of a exemption decision in Grant County. The appeal resulted from issuance of a restoration order for 32 acres of wetland impacts associated with agricultural drain tile work. The appeal has been accepted and copies of the record have been obtained. A verbal settlement agreement has been drafted.

File 08-34 (12-2-08) This is an appeal of the same agricultural exemption decision in Grant County as identified in File 08-35. The appeal has been accepted and copies of the record have been obtained. The two related appeals will be combined and processed as one decision. A verbal settlement agreement has been drafted.

File 08-9. (03/06/08) This is an appeal of a replacement order in Pine County. The appeal regards impacts to approximately 11.26 acres of wetland. The replacement order has been stayed and the appeal has been placed in abeyance pending further technical work.

File 08-4. (01/24/08) This is an appeal of no-loss and exemption decisions in Waseca County. In addition to the no-loss decision, at issue are denials of the agricultural exemption, approved development exemption, incidental wetland exemption, and claims of numerous procedural issues that were prejudicial to the applicants. Further, a Minn. Stat. § 15.99 (60-day rule) claim is pending in Appellant Court.

File 06-23. (05/19/06) This is an appeal of a replacement plan decision in Kanabec County. The LGU denied the wetland replacement plan application. A previous denial of the same replacement plan application had been appealed, the appeal was remanded for a hearing, and now the current denial has been appealed. The appeal has been placed in abeyance pending the outcome of a lawsuit between the landowner and the county. The lawsuit concerns the county's possible noncompliance with the 60-day rule. The county prevailed in district court, however the decision was appealed to the Court of Appeals where the county again prevailed. An appeal to the Minnesota Supreme Court was denied review. It is likely the appeal will soon be placed on the calendar for DRC proceedings.

File 06-17. (05/27/06) This is an appeal of a replacement plan decision in the City of Montgomery in LeSueur County. The LGU denied an after-the-fact wetland replacement plan application based on a lack of sufficient reasons why the restoration could not be completed. The appeal has been remanded for further processing at the local level.

File 06-12. (04/13/06) This is an appeal of a no-loss decision in Stearns County. It involves the same project and issues as File 06-6. After a restoration order was issued, a no-loss application was submitted by the developer and denied by the LGU. The appeal has been remanded for further technical evaluation.

File 06-6. (02/16/06) This is an appeal of a restoration order in Stearns County. At issue are numerous wetlands impacted by filling, sedimentation, reduction of hydrology and lack of Best Management Practices associated with a residential development. The appeal has been denied in part. The Restoration Order has been affirmed in part and has been stayed in part.

File 05-24. (03/04/05) This is an appeal, actually three appeals, of the Bois de Sioux Watershed District compensation to landowners related to a project. The appeal has been held in abeyance pending settlement discussions. It appears at least two of the appeals have been settled.

File 05-1. (01/13/05) This is an appeal of a replacement plan decision by the Rice Creek Watershed District. The District previously made a decision that was appealed which resulted in a remand for an expanded TEP. Now there is an appeal of the decision made under remand since the decision differed from the TEP report. At issue is a wetland delineation and the Comprehensive Wetland Protection and Management Plan that BWSR approved. After a hearing before the DRC, the board remanded the matter for a new wetland delineation and for submission on an updated, complete replacement plan application.

Draft Summary Table

Type of Decision	Total for Calendar Year 2009
Order in favor of appellant	
Order not in favor of appellant	5
Order Modified	1
Order Remanded	2
Order Place Appeal in Abeyance	1
Negotiated Settlement	

COMMITTEE RECOMMENDATIONS

Southern Water Planning Committee

1. Cedar River Watershed District (CRWD) Watershed Management Plan – ***DECISION ITEM***
2. Lac qui Parle-Yellow Bank Watershed District (LQPYBWD) Watershed Management Plan – ***DECISION ITEM***
3. Lincoln Local Water Management Plan Amendment – ***DECISION ITEM***
4. Pipestone Local Water Management Plan Amendment – ***DECISION ITEM***
5. Steele County Local Water Management Plan Amendment – ***DECISION ITEM***
6. Area II Minnesota River Basins Project Inc., FY10 Annual Work Plan – ***DECISION ITEM***

1.0 Executive Summary

The Cedar River Watershed District (CRWD) *Watershed Management Plan* (Plan) sets the vision, guidelines, and proposed tasks for managing the water resources within the boundaries of the CRWD. This Executive Summary summarizes the highlights of this first CRWD Plan, including introductory information, the CRWD vision and mission, goals, policies and implementation tasks.

1.1 Location and History

CRWD was established on April 25, 2007 in response to the Mower County Board of Commissioners petition to the State of Minnesota to address flooding and water quality issues in the watershed.

CRWD is located in southeast Minnesota, along the Iowa border, and covers approximately 434.7 square miles. Approximately 298.6 square miles are in Mower County, 69.4 square miles are in Dodge County, 59.1 square miles are in Freeborn County, and 7.6 square miles are in Steele County. Although the Cedar River watershed extends well into Iowa, only portions in Minnesota are included in the CRWD. **Figure 1-1** shows the location of the CRWD in relationship to the other watershed management authorities in Minnesota. **Table 1-1** lists the communities and townships that lie or partially lie within the CRWD.

Historically, the Sioux Indians controlled the area in CRWD until the Mendota Treaty in 1853. European settlement began in the 1850's and since that time the area has remained primarily agricultural. The largest city in the CRWD, Austin, grew as a railroad division center, a major agricultural shipping point and a center for the lumber trade. Currently, the largest employer in Austin is the Hormel Foods Corporation.

Table 1-1 Communities in Cedar River Watershed District

<u>Mower County</u>	<u>Mower County</u>	<u>Steele County</u>	<u>Dodge County</u>
Austin	Dexter Township	Blooming Prairie	Hayfield
Brownsdale	Grand Meadow Township	Blooming Prairie Township	Ashland Township
Dexter	Lansing Township	<u>Freeborn County</u>	Hayfield Township
Elkton	Lyle Township	Hayward Township	Ripley Township
Lyle	Marshall Township	London Township	Westfield Township
Mapleview	Nevada Township	Moscow Township	
Rose Creek	Red Rock Township	Newry Township	
Sargeant	Sargeant Township	Oakland Township	
Waltham	Udolpho Township	Shell Rock Township	
Adams Township	Waltham Township		
Austin Township	Windom Township		
Clayton Township			

Watershed districts are governed by a local board of managers who are appointed by the boards of the counties with land in the watershed district. In the CRWD, the board of managers has seven members; four members are appointed by the Mower County Board and one manager each is appointed by the Dodge County Board, Freeborn County Board and Steele County Board. The appointments are for staggered three-year terms.

The regularly scheduled meetings of the CRWD board of managers are held once a month, on the third Wednesday of the month at 7:00 p.m. The meetings are open to the public and are held at the JC Hormel Nature Center in the Ruby Rupner Room, located at 1304 21st Street NE in Austin.

Administration and technical services for the CRWD are provided by the Mower County Soil and Water Conservation District. The Austin Daily Herald is the legal paper for the CRWD. The board has contracted with Jones-Haugh and Smith, Inc. to be the District Engineer. The board selected Attorney Matt Benda of Peterson, Savelkoul & Benda LTD for legal council. The CRWD has a website (<http://www.cedarriverwd.org/>) that provides information about the district, press releases, agendas and minutes from managers' meetings, and annual reports.

1.2 Purpose & Scope

Like all watershed districts, the CRWD is a special purpose unit of local government that manages water resources on a watershed basis (a watershed is an area of land that drains to a given lake, river, stream or wetland). Watershed district boundaries generally follow natural watershed divides, rather than political boundaries.

Recognizing that water does not follow political boundaries, the State of Minnesota established the Watershed Act (Minnesota Statutes 103D) in 1955, which provided for the creation of watershed districts anywhere in the state and requires watershed districts to prepare watershed management plans. There are 46 watershed districts in the state (as of 2009).

As given in statute (Minnesota Statutes 103D.201), the general purposes of a watershed district are:

To conserve the natural resources of the state by land use planning, flood control, and other conservation projects by using sound scientific principles for the protection of the public health and welfare and the provident use of the natural resources.

Watershed districts may be formed for a number of specific purposes, including protection or enhancement of water quality, prevention and alleviation of flood damage, prevention and alleviation of soil erosion and sedimentation, regulation of streams, lakes and water courses for domestic, recreational and public use, and protection and regulation of groundwater uses (Minnesota Statutes 103D.201).

Minnesota statutes (103D.335 in particular) give watershed districts a number of broad authorities, including the authority to:

- Collect data
- Conduct studies and investigations
- Construct improvements
- Levy property taxes and assess properties for benefits received
- Adopt rules to regulate, conserve, and control the use of water resources
- Contract with private and public entities for the construction, maintenance, and operation of projects and other activities
- Hire staff and consultants
- Acquire property
- Incur debts, liabilities, and obligations
- Acquire, operate, construct and maintain dams, dikes, reservoirs, and water supply systems
- Enter lands for surveying and other investigations

See Minnesota Statutes 103D for additional authorities.

As required by law (Minnesota Statutes 103D.401), the CRWD Managers must adopt a watershed management plan for any or all of the purposes for which a watershed district may be established.

1.3 Plan Organization and Summary of Issues, Goals, Objectives, and Potential Solutions

The Plan sets the CRWD's water resource goals and objectives, provides data and other background information, outlines the applicable regulations, assesses watershed-wide and specific issues, and lists implementation tasks to achieve the goals. The Plan also provides information regarding the funding of the implementation program.

1.3.1 Plan Organization

The Plan is organized into six major chapters as follows:

Chapter 1	Executive Summary
Chapter 1 is the Executive Summary, which provides background information about the CRWD and summarizes the highlights of the Plan, including the Plan purpose and scope, goals, objectives, and implementation tasks.	

Chapter 2	Physical Environment Inventory
Chapter 2 provides technical information describing the surface and subsurface conditions of the CRWD. Most of Chapter 2 presents a watershed-wide inventory, including climate and precipitation, topography, soils, geology, groundwater, Minnesota Department of Natural Resources (MDNR) public waters, wetlands, surface water resource monitoring information, floodplain information, unique features and scenic areas, pollutant sources, and major watersheds. Chapter 2 also includes a number of maps, such as watershed-wide maps of land cover, MDNR public waters, impaired waters, wetlands, and watersheds. This chapter also includes a number of tables, such as precipitation information, and water quality information.	
Chapter 3	Assessment of Issues
Chapter 3 assesses the issues, challenges, and problems the CRWD faces in managing water resources on behalf of the public. Watershed-wide and specific issues are presented and discussed under a number of topic areas, including flood control, water quality, erosion and sediment control, etc.	
Chapter 4	Goals, Objectives, and Actions
Chapter 4 presents the CRWD's goals, objectives, and actions that will guide the CRWD in accomplishing its mission over the 10-year life of the Plan. The goals, objectives and actions are presented under a number of topic areas, including flood control, water quality, agricultural and urban drainage systems, erosion and sediment control, etc.	
Chapter 5	Implementation Program
Chapter 5 describes the components of the CRWD's Plan implementation program, including administrative activities, data collection and reporting, studies, and capital projects. This chapter also describes the available funding options, how projects can be initiated, the Plan review and approval process, the procedures for updating and amending the Plan, and the regulatory framework.	
Chapter 6	References
Chapter 6 lists the documents and other references used in the preparation of the Plan.	

1.3.2 Summary of Issues

The following section outlines the issues faced by the Cedar River Watershed District. These issues are discussed in greater detail in Chapter 3.0 of the Plan.

- Addressing existing flooding issues and preventing/minimizing the risk of future flooding. Impacts from flooding can include disruption of normal activities, physical damage to infrastructure, loss of life, and potential health hazards. Without controls, increased urbanization of a watershed causes an increase in average annual flood damage.

- Reducing non-point source pollution. For most water bodies, non-point source runoff, especially stormwater runoff, is a major contributor of pollutants. As urbanization increases and other land use changes occur in the watershed, nutrient and sediment inputs (i.e., loadings) from stormwater runoff can far exceed the natural inputs to the watershed's water resources.
- Implementing the action steps of TMDL studies, when completed, in cooperation with other agencies.
- Reducing sedimentation and turbidity in waterbodies within the CRWD. High levels of suspended sediment can reduce sunlight penetration and affect aquatic life, increase phosphorus concentrations, and alter channel capacity and drainage rates.
- Reducing nutrient loading to waterbodies, including nitrogen and phosphorus. Sources of nutrient loading may include increased runoff due to urbanization, agricultural practices, and failing SSTs.
- Reducing erosion within the CRWD. Erosion may be increased by construction and agricultural activities. Increased erosion and sediment loading may impact stormwater management systems (e.g., ponds, pipes, ditches), requiring more frequent maintenance, repair, and/or modification to ensure they will function as designed.
- Developing policies to guide the development and maintenance of sustainable agricultural and urban drainage systems.
- Protecting groundwater quality from the detrimental impacts of improperly operating SSTs, nonconforming feedlot operations, and chemical contamination from landfills, storage tanks, spills and other similar activities.

1.3.3 Plan Goals and Objectives

The following paragraphs summarize the goals and objectives for each of the topic areas in Chapter 4:

4.1 Flood Control:

Goal 4.1.1 - Protect human life, property, and surface water systems that could be damaged by flood events.

Goal 4.1.2 - Correct/address existing flooding problems.

Goal 4.1.3 - Prevent future flooding problems.

Objective A - Quantify and understand where and when flooding problems occur and how water is stored/drained in the watershed.

Objective B - Regulate stormwater runoff discharges and volumes on a watershed-wide basis to 1) minimize flood problems, flood damages and the future costs of building and maintaining stormwater management systems; and 2) prevent structural damages during storms up through the critical 100-year precipitation event. Protect township, county, city and state infrastructure from flooding impacts.

Objective C - Decrease the risk of flooding throughout the watershed; specifically, decrease flooding by 20% in the Cedar River through the City of Austin during the critical 100-year rainfall or snowmelt event.

Objective D - Provide leadership and assist townships, cities, and counties with coordination of intercommunity stormwater runoff planning and design.

4.2 Water Quality:

Goal 4.2.1 - Encourage and implement practices to address current water quality problems, and to maintain or improve the quality of surface waters in the CRWD.

Objective A - Develop and support the use of BMPs relating to improving the quality of surface water for all land uses and activities in the watershed.

Objective B - Eliminate or minimize the discharge of untreated stormwater to the Cedar River and its tributaries, as well as other watercourses and water bodies in the CRWD.

Objective C - Reduce the level of pollutants in surface waters of the CRWD as identified in Total Maximum Daily Load (TMDL) studies.

Objective D - Prevent or minimize contaminants from entering surface water resources in the CRWD.

Goal 4.2.2 - Improve and increase the understanding and knowledge of the quality of the surface water resources in the Cedar River watershed.

Objective A - Develop, operate, and maintain a surface water quality monitoring program in the CRWD.

Objective B - Assess and analyze data collected from the surface water monitoring program.

Goal 4.2.3 - Promote and enhance the full economic value and benefits of the Cedar River watershed.

Objective A - Support the maintenance of clean water supplies for the public, as well as agricultural uses and livestock.

Objective B - Support the maintenance of clean water for shoreland development and rural residential uses.

Objective C - Support the maintenance of clean water resources for commercial and industrial uses.

4.3 Agricultural and Urban Drainage Systems:

Goal 4.3.1 - Inventory and analyze the state of the agricultural and urban (public and private) drainage systems within the CRWD.

Objective A - Inventory and map all agricultural and urban (public and private) drainage systems in the watershed to further the CRWD's understanding of where and how water is drained throughout the watershed. Analyze/understand ongoing maintenance needed for drainage systems to correct/address existing flooding problems or to prevent future flooding problems in the watershed.

4.4 Erosion and Sediment Control:

Goal 4.4.1 - Minimize erosion and its effects on water quality.

Objective A - Support the construction of sediment ponds, basins (including re-establishment of wetlands), and other erosion and sediment control BMPs throughout the watershed.

Objective B - Develop and implement programs that protect sensitive areas from erosion.

4.5 Wetlands and Natural Resources:

Goal 4.5.1 - Maximize the water quality and quantity benefits of wetlands.

Objective A - Identify, restore, and enhance wetland areas on a prioritized basis to improve surface water quality, promote groundwater recharge, and support biodiversity in the CRWD.

4.6 Land Use:

Goal 4.6.1 - Protect water resources from impacts associated with land use and land development in the CRWD.

Objective A - Support the development and implementation of local land use plans and policies that are based on sound water and land resource principles.

Goal 4.6.2 - Promote the coordination of land use management and regulation with other land use authorities in the CRWD.

Objective A - Support and coordinate the development and implementation of land use plans, ordinances, and other official controls which protect water resources.

Goal 4.6.3 - Encourage water resource protection in the Cedar River watershed through land conservation programs.

Objective A - Coordinate the implementation of land conservation programs as a part of the land development process.

Objective B - Support and coordinate the use of conservation agricultural practices that protect and conserve water resources in the CRWD.

Objective C - Support the development of a riparian area planting program.

4.7 Recreation, Habitat, and Shoreland Management:

Goal 4.7.1 - Attain a high degree of recreational use of the surface water resources in the Cedar River watershed.

Objective A - Develop an outreach program to promote the recreational use of surface water resources in the CRWD.

Objective B - Develop a plan for managing fish, wildlife, and other recreational resources.

Objective C - Support increased opportunities for the safe and sustainable use of surface water resources in the CRWD.

4.8 Groundwater:

Goal 4.8.1 - Protect groundwater resources in the Cedar River watershed.

Objective A - Support the development and implementation of wellhead protection plans.

Objective B - Promote the locating and sealing of abandoned wells.

Objective C - Support land use practices that enhance high quality groundwater recharge.

Objective D - Support agricultural practices that protect and conserve groundwater resources in the watershed.

Goal 4.8.2 - Improve and increase the understanding and knowledge of the groundwater resources in the CRWD.

Objective A - Develop an ongoing groundwater quality and quantity monitoring program.

Objective B - Establish and maintain a comprehensive database on groundwater resources in the watershed.

Objective C - Assess and analyze data collected from the groundwater monitoring program.

Objective D - Assess groundwater supply and quality of the aquifers in the watershed on an ongoing basis.

Goal 4.8.3 - *Encourage the wise use of groundwater resources in the Cedar River watershed.*

Objective A - Provide technical assistance and comments on land development requests and permits on groundwater issues.

4.9 Administration:

Goal 4.9.1 - *Apply statutory authorities in ways that protect and enhance safety, commerce, and natural resources.*

Objective A - Develop rules to implement the goals, objectives, and actions of this plan.

Objective B - Provide training for board managers and advisory committee members to assist them in dealing with the complexities of managing a watershed district.

Objective C - Develop and maintain an active legislative program.

Objective D - Investigate and remain informed of new studies and research on emerging surface water issues, contaminants, and technologies.

Objective E - Monitor the effectiveness and efficiency of CRWD programs and services.

Goal 4.9.2 - *Develop and maintain successful interagency working relationships to effectively implement the CRWD Plan.*

Objective A - Build and maintain cooperative working partnerships with local, state, and federal government agencies.

Objective B - Develop collaborative partnerships with local school districts, universities, and non-profit organizations to implement the plan, especially education and information programs.

Objective C - Develop a "chain of authority" to identify roles and responsibilities integral to plan implementation.

4.10 Education and Public Involvement:

Goal 4.10.1 - Maximize awareness and understanding of the value of water resources by all citizens living, working, and recreating in the Cedar River watershed.

Objective A - Support and coordinate the development and dissemination of educational programs and materials on water and land related resource issues and management throughout the watershed.

Objective B - Develop a comprehensive public relations program.

Objective C - Educate the citizens of the CRWD on surface water management.

Objective D - Develop an educational program for the general public on groundwater resources and safe drinking water.

Objective E - Maintain and update the CRWD website.

Objective F - Increase interest in and support of CRWD programs and projects.

Goal 4.10.2 - Encourage active public participation in the implementation of this plan and future plan updates and amendments.

Objective A - Develop an effective notification system for activities and actions administered by the CRWD.

4.11 Funding:

Goal 4.11.1 - Achieve fair and fiscally responsible management of the affairs of the CRWD.

Objective A - Develop an annual CRWD budget and implementation program.

Objective B - Develop enhanced funding mechanisms to enable the CRWD to pursue the projects needed to improve water resources.

Objective C - Ensure the financial solvency and accountability of the CRWD and the efficient and effective use of CRWD funds.

1.3.4 Summary of Potential Solutions

Chapter 5.0 of the Plan presents the CRWD's implementation program. Significant implementation tasks are summarized in this section.

- Develop, adopt, and implement CRWD rules, in accordance with Minnesota Statutes 103D.341.

- Establish and adopt 100-year floodplain elevations for the CRWD established floodplain.
- Set/revise flow rate goals for subwatersheds within the CRWD.
- Construct, implement, and maintain flood control structures
- Develop a coordinated program to administer and implement BMPs in riparian and shoreland areas.
- Support the development of a coordinated and comprehensive program with partnering agencies for administering and implementing BMPs on agricultural and urban lands.
- Develop and implement plans to monitor water quality and quantity within the CRWD.
- Develop and implement a comprehensive education program in cooperation with other governmental units and educational institutions.
- Provide technical assistance to communities regarding surface water, groundwater, and land resources.
- Fund the implementation of this plan using the statutory tools provided to watershed districts, using grants, partnerships, and loans whenever possible and cost effective to reduce the CRWD's share of project costs.
- Implementing the action steps of TMDL studies, when completed, in cooperation with other agencies.

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, Minnesota 55155

In the Matter of Prescribing a Proposed
Watershed Management Plan for the
Cedar River Watershed District pursuant
to Minnesota Statutes 103D.405

**ORDER
PRESCRIBING
WATERSHED MANAGEMENT
PLAN**

Whereas, the Board of Managers of the Cedar River Watershed District (CRWD) filed a Draft Watershed Management Plan (Plan) dated March 2009 with the Minnesota Board of Water and Soil Resources (Board) pursuant to M.S. 103D.401, and;

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

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

FINDINGS OF FACT

1. **District Establishment.** The Board, by order, established the CRWD on April 25, 2007.
2. **Requirement to Plan.** A watershed district is required to adopt a plan as a basis for watershed district regulations and funding authority pursuant to Minnesota Statutes 103D.401, Subd. 1(a). The plan includes an executive summary, physical environment inventory, assessment of issues, goals, objectives and actions, implementation program and references, tables and figures. The district's major issues are to address flooding and water quality in the watershed.
3. **Nature of the Watershed.** The CRWD covers 435 square miles or 278,463 acres. Predominant land use includes cultivated crops 82.8% of the watershed's total land area, developed open space 6.6% of the watershed's total land area, grasslands 4.1% and pasture/forest/wetlands 3.9% of the watershed's total land area. According to the *Mower County Local Water Management Plan 2006-2015*, Mower County ranked 10th and 13th in 1999 in Minnesota for corn and soybean production, respectively. Approximately 298.6 square miles are in Mower County, 69.4 square miles are in Dodge County, 59.1 square miles are in Freeborn County, and 7.6 square miles are in Steele County. Although the Cedar River watershed extends well into Iowa, only portions in Minnesota are included in the CRWD.
4. **Local Review.** The CRWD sent a copy of the draft plan to local units of government for their review pursuant to Minnesota Statutes Section 103D.401.

5. **Department of Natural Resources Review.** In an email dated May 20, 2009 the DNR commented they were impressed with the document. A specific comment pertained to problems of erosion, head-cutting and fish passage with undersized culverts. DNR mentioned landowner issues with undersized culverts and that undersized culverts have not received permits on protected waters. The Department commented that it looked forward to continued dialogue on this issue and the overall plan.
6. **Minnesota Department of Agriculture.** In a letter dated May 18, 2009 the MDA noted the "Minnesota Conservation Guide" as a one-stop resource for agricultural and natural resource conservation practices, programs and payments and suggested the tool be included in the Goals, Objectives and Actions for Education and Public Involvement on page 4-15 of the draft plan. MDA also strongly encouraged CRWD to continually invite local farm commodity groups to participate in the development and implementation of the watershed management plan. MDA noted the Minnesota Conservation Guide and Directory of Producer Associations and Ag. Organizations are available on the MDA website.
7. **Minnesota Pollution Control Agency.** In a letter dated May 14, 2009 MPCA commented that overall the plan was clearly written and comprehensive. MPCA will make data and information available to CRWD and provide timely responses to future requests. MPCA will work with CRWD on water quality monitoring and TMDLs. MPCA commented that the priority concerns noted in Mower and Dodge County water plans are also relevant to the CRWD. These include impaired waters, stormwater management, drainage system management, animal agriculture, feedlots and manure management and groundwater protection and management. MPCA provided specific comments and clarifications on point and non-point source pollution, available water quality information, the drainage code and public and private drainage systems and TMDLs. MPCA recommended the plan include DNR's fisheries stream reaches for the main stem of the Cedar River. MPCA suggested section 3.2 could be enhanced with the relationship of the runoff hydrograph to impervious surfaces and urbanization. MPCA noted that Turtle Creek is not under the jurisdiction of CRWD but is part of the current turbidity TMDL, and that CRWD, Turtle Creek WD and Shell Rock River WD are all being considered together. MPCA supports CRWD's flow rate and TMDL implementation plan goals and suggested strengthening the SSTS section to address bacterial impairments to surface waters, and for groundwater protection. MPCA asked for a revision of section 5.7.2 to indicate MPCA is administering Section 401 of the Clean water Act.
8. **Dodge Soil and Water Conservation District.** In a letter dated March 2009 Dodge SWCD asked that reference to the "old" Dodge soil survey be removed as a new soil survey is available. The SWCD suggested listing only those feedlots in Dodge County in the CRWD. The SWCD provided a clarification on public water maps. The SWCD commented that grass waterways should not be part of impaired water and controlled rotational grazing may be okay in riparian areas.
9. **Mower County Board.** In a letter dated July 15, 2009, the Mower County Board provided an introduction and background information on the Upper Cedar River Surface water Management Plan (SWMP). The County provided considerations pertaining to placement of

new flood control structures and removal/modification of existing structures for flood control and stated it is "absolutely imperative that the affected political bodies and regulatory agencies "buy in" on the projects." The county commented that another level of review by CRWD is unnecessary on projects where DNR and MPCA requirements and review pertain. The County commented that if upstream modifications outside of protected waters were done quickly, possible downsizing of protected waters culverts could occur. The County wishes to reserve the right to review CRWD projects that affect infrastructure. The County commented it will not fund increased project costs because of CRWD requirements, it will expect the CRWD provide a release of liability for problems such as crop loss and property damage caused by CRWD projects and it is concerned about county tax base being shifted to other property taxes if water is held back and land reassessed.

10. **Board of Water and Soil Resources.** Staff has provided information and assistance as needed throughout the planning process through meeting attendance and informal discussion. Staff has reviewed agency and local government comments and CRWD responses.
11. **Publish Notice of Filing.** Legal Notice of Filing was published in the Albert Lea Tribune on June 12, 2009, the Austin Post – Bulletin on June 13, 2009, the Owatonna's Peoples Press on June 16, 2009, and the Dodge Center Star Herald on June 17, 2009. The Legal Notice of Filing was also mailed in a letter from Board staff Travis Germundson dated June 11, 2009 to several addressees including the Mower, Freeborn, Dodge, and Steele County Auditors and County Administrators, the Mower, Freeborn, Dodge, and Steele County Soil and Water Conservation Districts, and cities with land within the District.
12. **Public Hearing.** The Legal Notice of Filing was published pursuant to Minnesota Statutes Section 103D.105, Subd. 2 and 103D.401, Subd. 4 which require within 30 days of the last date of publication of the Notice of Filing of the Plan that at least one request for hearing be received by the Board before a hearing will be held. No request for a hearing and one comment letter was received during the specified period of time and no hearing was held.
13. **Southern Water Planning Committee Meeting.** On August 25, 2009, the BWSR Southern Water Planning Review Committee (Committee) met with representatives of CRWD to discuss the draft Plan. After discussion, the Committee voted to recommend approval of the Cedar River Watershed District 2009 – 2019 Watershed Management Plan to the full Board.

CONCLUSION

1. All relevant, substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Watershed Management Plan for the Cedar River Watershed District pursuant to Minnesota Statutes 103D.401.
3. The Cedar River Watershed District Watershed Management Plan attached to this Order defines water-related problems within the CRWD boundaries, possible solutions thereto, and an implementation program.

4. The attached plan is in conformance with the requirements of Minnesota Statutes 103D, BWSR guidelines for Watershed District Plan content, and is consistent with the affected county comprehensive water plan.

ORDER

The Board hereby prescribes the attached Plan as the Management Plan for the Cedar River Watershed District.

Dated at St. Paul, Minnesota this 23rd day of September 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chair

Executive Summary:

Ecosystems and water resources are managed to sustain their long-term health and integrity to enhance the well-being of the citizens within the Lac qui Parle-Yellow Bank watershed. Through the identification of water quality and quantity issues in the watersheds, the Lac qui Parle-Yellow Bank Watershed District developed goals to guide their water resources management activities. Management strategies and policies for each goal were developed based on the District's goals for resolving watershed issues and a review of existing programs. Water management strategies and District policies become the management framework for the Lac qui Parle-Yellow Bank Watershed District's 10-year master plan to achieve its goals. The Plan was developed to both continue and expand existing activities and to establish new activities. A holistic watershed management plan is needed to protect the people, water quality and the economic welfare of this District. The overall goal of the Board is to make the wisest water management decision possible for the water resources within the District. This revised overall plan is intended to be the guide for the accomplishment of this goal.

The lakes, ponds, streams, ditches and wetlands in the Lac qui Parle-Yellow Bank Watershed District are important community assets, supplying recreational and aesthetic benefits, wildlife habitat, and fishery resources as well as provide for a strong economic growth for the local residents. However, maintaining good water quality in these water resources is a challenge, particularly considering the intensive agricultural industry which makes up the vast majority of the Lac qui Parle-Yellow Bank watershed. Water quality is closely linked to land use and conditions in the surrounding watershed. Storm water runoff can carry significant amounts of sediment and phosphorus from the watershed into these water bodies, along with other pollutants.

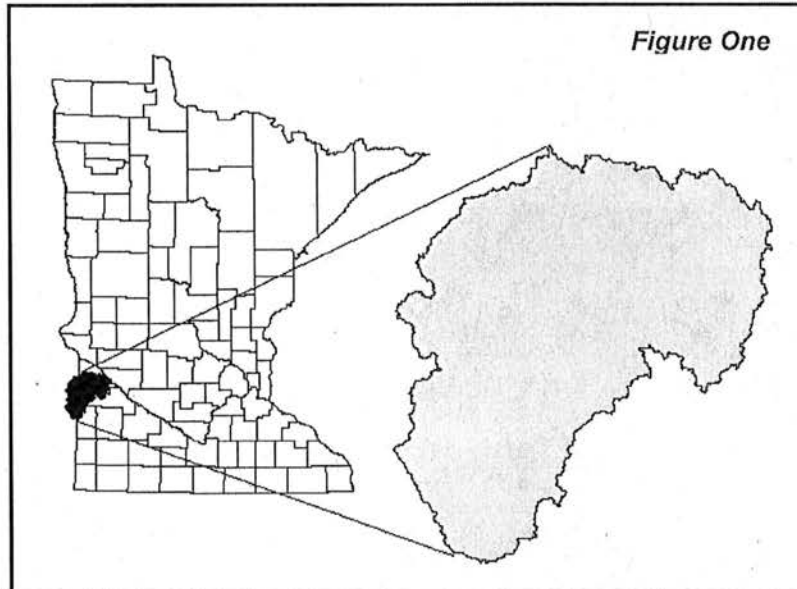
This Third Generation Plan will prioritize water resources and develop management plans for those resources by priority or as opportunity provides. This plan includes goals for maintaining or improving water quality and quantity management based on practical use, funding and implementation strategies.

Section One: District Profile

Location

The Lac qui Parle – Yellow Bank Watershed District is located in west central Minnesota, on the southwest side of the Minnesota River. As shown in *Table One* and *Figures One and Two*, the western boundary of the District is 57 miles long and is formed by the Minnesota – South Dakota border from 1 mile south of Ortonville to 3 miles south of Lake Hendricks. The northern District boundary adjoins the Upper Minnesota River Watershed District, commencing on the northeast corner of Section 4, Township 121 North, Range 45 West, thence in a general northwesterly direction to the northwest corner of Section 28, Township 121 North, Range 46 West. On the northeast, the Minnesota River forms the boundary from the Marsh Lake Dam to near the Lac qui Parle Dam. From the Lac qui Parle Dam the boundary extends almost due south to the Yellow Medicine County Line, then extends southwesterly to join the Yellow Medicine River Watershed District on the western edge of Section 36, Township 115 North, Range 43 West. These two districts share a common boundary from that point, continuing in a southwesterly direction to the South Dakota border in Section 1, Township 111 North, Range 47 West.

The watershed district boundary contains about 988 square miles of land. Approximately 74 % of the land surface is located in Lac qui Parle County, 19 % in Yellow Medicine County, and 7 % in Lincoln County. The total land area drained by the two rivers is approximately 1,708 square miles, of which 719 miles are located in South Dakota.



<i>Distribution of Watershed Area</i>				<i>Table One</i>
County	Acres within Watershed District	Square Miles within Watershed District	Percent of Watershed District within County	Percent of County within Watershed District
Lac qui Parle	470,472.5	734.9	74	100
Yellow Medicine	118,834.3	185.6	19	26
Lincoln	43,009.6	67.2	7	7
Total	632,316.5	987.7	100	
Other (Big Stone, Swift, Chippewa Counties)	1,031.1	1.6		
South Dakota	460,079.8	718.6		

History and Organizational Structure

The initial petition to establish the Lac qui Parle-Yellow Bank Watershed District was submitted to the Minnesota Water Resources Board (Board) on July 14, 1967 by the County Commissioners of Lac qui Parle, Lincoln, and Yellow Medicine Counties. At that time, the Minnesota Water Resources Board (now called Board of Water and Soil Resources, BWSR) was also considering a petition seeking the establishment of the Big Stone Lake Watershed District. Land areas in northern Lac qui Parle County, including the watershed of the Yellow Bank River within the county and land in the county that drained directly into the Minnesota River between the mouth of the Yellow Bank River and the Lac qui Parle River were included in both petitions.

In September 1968, the Board approved the Big Stone Lake petition and established the Upper Minnesota River Watershed District. Those land areas in Lac qui Parle County included in both petitions were included in the Upper Minnesota River Watershed District. This action was appealed to the District Court by the aggrieved parties. They wished to have those lands in question in Lac qui Parle County excluded from the Upper Minnesota River Watershed. In November 1969, the District Court reduced the area of the Upper Minnesota River Watershed District in Lac qui Parle County. This action was appealed by the Minnesota Water Resources Board, and the appeal was ultimately dismissed in May 1970.

After due and proper notice was given, the Board conducted a public hearing on October 8, 1970 in Madison, Minnesota on the nominating petition for the establishment of the Lac qui Parle Yellow Bank Watershed District. The Board ordered the establishment of the Lac qui Parle Yellow Bank Watershed District on April 19, 1971 and the appointment of the first district board of managers. The Board of Managers was selected from a list of nominees submitted by the County Commissioners of the effected counties.

Madison, Minnesota was designated as the official place of business. The purpose of the District was to aid local citizens who had requested help in controlling flooding in the watershed. Much cross-over flooding had occurred over farm land between sub-watersheds, and had been identified as the highest priority need for the new district to address.

The original Watershed District Plan was established, as required by law, in October 1972. This document is the second *update* of the plan since the District was established.

Mission Statement

The Lac qui Parle-Yellow Bank Watershed District mission is to:

Serve as a partner in water planning and management with the state agencies, counties, cities, and Soil and Water Conservation Districts, and assist with the management of water quality and quantity within Lac qui Parle-Yellow Bank Watershed boundaries.

Existing Programs

Education/Technical Program

Existing information and education goals provide a method to raise citizen awareness of the degraded state of the rivers and streams within the District. Education opportunities and outreach materials are provided through newsletters, promotional materials, booths and workshops.

Technical programs for the District entail pursuing funding for priority BMPs and work cooperatively with the SWCDs, WPs, and NRCS government units on practices that will improve the quantity and quality of the waters flowing throughout the District. Currently, there are several programs available for Best Management Practices (BMPs) through the MPCA Clean Water Partnership funds. These funds and available programs are subject to reassessment on a regular basis to target the impaired waters within the District.

Monitoring Program

One of the most significant aspects of the Lac qui Parle River watershed is the diversity of landscape features, soil types, and land uses. The basin can be divided into broad subregions based on logical grouping of these factors. Stream flow and water quality are influenced by these factors and there can be significant differences in the hydrologic response and water quality between sub regions. The objective of the monitoring is to evaluate effectiveness of implemented projects and their impact on water quality and quantity in the Lac qui Parle River.

The monitoring program for the District is assessed and adjusted frequently as results of current monitoring, staff and funding allow. The current proposed program entails: water quality monitoring will be conducted thirty times per year from March 2009 through September 2010 to characterize existing conditions and to determine effectiveness of best management practices installed in the watershed. The West Branch Lac qui Parle River will be monitored in Dawson at the Dawson Dam, known as Project Site 10, South Branch Lac qui Parle River will be monitored approximately 3 miles south of Dawson on County Road 23, known as Project Site 11 and Ten Mile Creek will be monitored at Project Site 7. Analysis will include Total Volatile Suspended Solids, Turbidity, Total Phosphorus, Ortho Phosphorus, Total Suspended Solids, Nitrate Nitrites, total Kjeldahl Nitrogen, and E. coli. The field measurements will include dissolved oxygen, pH, water temperature, transparency tube and visual observations. Flow will be contracted with DNR for sites 10, 11 and 7, (Site 7 will include updating the rating curve). The equipment for Site 7 will be loaned from MPCA.

Regulatory Program

The purposes of the rules and regulations are to promote public health and welfare and to minimize loss of lives and property caused by unregulated and uncontrolled water and mismanagement of the natural resources within the District. The regulations and the Board of Managers require that permits be secured from the Watershed District prior to the start of planned improvements. This is not intended to be a denial or to delay works of improvements, but is deemed necessary for the Board of Managers to be informed of planned projects and to insure orderly development of the natural resources within the District, and to control or regulate activities to promote public health and welfare.

A permit from the District does not relieve the applicant from the responsibility of obtaining any other additional permits or authorizations required from other agencies when public waters are involved. It is the intention of the Managers that no person shall be deprived or divested of any previously established beneficial use or right to natural resources by any rule or regulation of the District without due process of the law, and that all rules and regulations of the District shall be construed to said intention; and by rules and regulations to assist in the orderly use and conservation of the waters of the District. If any rule or regulation is inconsistent with the provisions of applicable state law, the provisions of such laws shall govern. A full text of the current rules and regulations as revised on July 1, 1974, and currently governing the District activities, is included as **Appendix B**.

Existing Water Management Plans and Programs

Local Water Management Plans are written to address water and land resource management issues at the local level, within a watershed context. Lac qui Parle, Yellow Medicine and Lincoln Counties all have and actively implement these Plans. The District supports the water plans and cooperates with the local water plan coordinators. In turn, the water plan coordinators require the support of the District to accomplish the plan goals for each county.

A Clean Water Partnership (CWP) Program with the MPCA has been executed throughout the watershed where impairments exist. This is a long-term commitment on the part of both the MPCA and the District to mitigate the impairments in the rivers and streams of the watershed. The District employs a CWP Project Coordinator to oversee the monitoring and BMPs these grants help to fund.

Completed Projects

The **Lazarus Creek Flood Control Project** consists of an earthen dam 62 feet in height and 1350 feet in length, with a 48-inch pipe outlet structure. It is designed as a dry dam to control runoff from a 21 square mile drainage area, and will only impound waters during significant rainfall or runoff events. The 100-year storm flow reduction is 66.2 percent, reducing the cubic feet per second from 4982 to 408. Total cost of this project is estimated at \$1.84 million and has taken over 35 years to come to fruition. In 2003 the Minnesota State Legislature appropriated \$1.4 million to the Watershed District for the project. Construction started in May of 2004 and it was completed in 2005. The project will reduce flood flows which will reduce erosion, especially Streambank, reduce the introduction of sediment and nutrients into the downstream water courses reduce economic losses of downstream farmers, townships, counties and cities. The project will also allow for the installation of downstream road retentions which were not possible under previous hydrologic conditions.

Since early 2000s, the District has been involved in an on-going **Clean Water Partnership Project** including a diagnostic study and implementation plan. BMPs for Total Maximum Daily Load (TMDL) reductions are the primary focus of this project. During the assessment phase of the project, \$262,510 was spent to monitor and pinpoint problem areas. This phase was followed by 319 implementation funding of \$298,000 and CWP continuation funding of \$280,150 for BMPs. In addition to this funding, SSTS loans of \$800,000 since 2005 have been spent and an additional \$512,000 has been made available until 2011. Through this project, Clean Water Legacy funding for additional BMPs has been received in the amount of \$210,000. Present work includes involvement in TMDL development for dissolved oxygen, fecal coliform, and turbidity impairments.

Numerous projects have been completed cooperatively through the WP, SWCD, NRCS and other state and local agencies. **Figure Three** illustrates the management practices within the past ten years within the District. These practices are summarized in **Table Two**. Throughout the District 81,055 acres are in an easement program, which comprises about 13 percent of the land area. These easements are either Conservation Reserve Program (CRP), Reinvest in Minnesota (RIM), Wetland Preservation Areas (WPA) and Wildlife Management Areas (WMA).

Best Management Practices within the Lac qui Parle - Yellow Bank Watershed Table Two			
Practice	Number	Practice	Number
Abandoned well sealing	267	Fence	1
Water and sediment control basin	140	Diversion	10
Roof runoff management	1	Drainage system modification	5
Windbreak/Shelterbelt establishment	60	Residue management - mulch	5
Erosion control	2	Cover and green manure crop	1
Terrace	51	Sediment basin	7
Septic system improvement	82	Waste storage facility	1
Grassed waterway	29	Field border	2
Conservation cover easement	1	Septage management	5
Filter strip	13	Underground outlet	3
Streambank and shoreline protection	1	Wildlife habitat management	2
Grade stabilization structure	2	Road construction practices	1
Total			649

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

**In the Matter of prescribing the
Watershed Management Plan for the
Lac qui Parle-Yellow Bank Watershed District
Pursuant to Minnesota Statutes Section 103D.405**

**ORDER
PRESCRIBING
WATERSHED MANAGEMENT
PLAN**

Whereas, the Board of Managers of the Lac qui Parle – Yellow Bank Watershed District (District) submitted a Watershed Management Plan (Plan) dated August 2009 to the Minnesota Board of Water and Soil Resources (Board) pursuant to M.S. Section 103D.405, and;

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

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

FINDINGS OF FACT

1. **District Establishment.** The District was established by the Minnesota Water Resources Board on April 19, 1971, under the authority of Minnesota Statutes Chapter 103D.
2. **Requirement to Plan.** A watershed district is required to revise their watershed management plan at least once every ten years pursuant to Minnesota Statutes Section 103D.405, Subd. 1 (a). The Plan includes an inventory of the District's physical features and water resources, describes water-related problems and solutions, describes activities and projects that the District has completed, and states objectives for current and future water resources management within the District.
3. **Nature of the Watershed.** The District is located in western Minnesota on the southwest side of the Minnesota River. The western boundary of the District is 57 miles long and is formed by the Minnesota – South Dakota border. The watershed district boundary contains about 988 square miles of land. Approximately 74 % of the land surface is located in Lac qui Parle County, 19 % in Yellow Medicine County, and 7 % in Lincoln County. The total land area drained by the two rivers is approximately 1,708 square miles, of which 719 miles are located in South Dakota. One of the most pronounced geological features in the District is the large valley containing the Minnesota River, which form the northeast boundary of the District. Another prominent feature in the District is the highland plateau known as the Coteau des Prairie. The Coteau forms a watershed boundary between the Big Sioux River of the Missouri River Basin on the west and the Minnesota River of the Mississippi River Basin on the east. The Lac qui Parle and Yellow Bank Rivers and most of their tributaries originate in this highland plateau and flow in a northeasterly direction. The topography of most of the District is nearly level to gently rolling terrain. The rolling topography becomes more pronounced, with steep slopes, along the bluffs of the Minnesota River Valley. In the southwestern part of the District, in Lincoln County, the topography is rolling with long slopes. Extensive and well developed flood plains along the rivers extend from the foot of the Coteau to the Minnesota River Valley. The land surface in these areas is nearly level. The lowest elevation in the watershed is 931 feet above sea level on the shore of Lac qui Parle Lake. The highest elevation is 2001 feet above sea level and is in South Dakota. The highest elevation in the District is located southwest of Hendricks and is approximately 1880 feet above sea level. The dramatic change in elevation within the watershed is cause of many of the flooding problems. There is a 1,070 foot drop in elevation in the first 60 miles of the drainage, and a 931 foot drop in elevation over the next 1000 miles of the drainage. Regarding priorities – an emphasis is placed on protecting and restoring the quality of surface waters and protecting ground water. Equally important is addressing flood management and drainage.

4. **Local Review.** Pursuant to Minnesota Statutes Section 103D.405, the Lac qui Parle – Yellow Bank Watershed District was required to send a copy of the revised Plan to specific local government units and state agencies for their review. On April 16, 2009, the Lac qui Parle – Yellow Bank Watershed District distributed a copy of the draft Plan to those required by Statute and to several other entities.
5. **Minnesota Department of Agriculture Review.** In a letter dated April 28, 2009, the MDA recognized the hard work that went into the development of the plan and commended the watershed district for the good job. The MDA did not have any additional comments.
6. **Minnesota Pollution Control Agency Review.** In a letter dated June 11, 2009, MPCA staff provided several additions and corrections to current MPCA programs and opportunities mentioned in the Plan. Additional information and guidance regarding impaired waters and the total maximum daily load process was provided. Also a correction regarding fecal coliform was noted and narrative was provided discussing future monitoring will test for E. coli with a revised standard.
7. **Minnesota Department of Natural Resources Review.** The DNR provided brief written comments on June 24, 2009. Comments addressed Cobb Creek and Florida Creek Watersheds; also the agency requested changing protected waters to public waters; and provided additional language addressing water use and appropriations.
8. **Board of Water and Soil Resources Review.** In a letter dated August 14, 2008, the BWSR commented on and approved the draft Lac qui Parle – Yellow Bank Watershed District Overall Plan outline. In a letter dated March 27, 2009, BWSR staff provided a follow-up comment letter on the draft plan. Numerous comments and suggestions were provided. Specific information regarding implementation activities and estimated costs were provided; additional language in the Executive Summary was suggested; expanded narrative discussing completed projects was suggested; and additional discussion of funding sources was suggested in the Plan Administration section. In a letter dated June 15, 2009, BWSR staff provided final review and comment offering a number of editorial suggestions, needed clarifications, omissions, and recommended additions. In summary the District should be commended for this plan. Much has changed over the past ten year. The plan clearly identifies water quality and quantity issues facing the watershed. Significant monitoring has been completed and the data has been collected and is being used to establish implementation goals. Finally numerous implementation successes can be pointed to by the District and its citizens.
9. **Highlights of the Plan.** Critical elements (goals) in the Plan include:
 - Goal 1 – Protect and Enhance Surface Water Quality.
 - Goal 2 – Protect Ground Water Quality.
 - Goal 3 – Ensure an Adequate Supply of Surface and Ground Water for Drinking Water, Agriculture, Commercial, Industrial, Natural Resources and Recreational Purposes, while Minimizing Flood Related Damage.
 - Goal 4 – Promote and Maximize Water-Based Recreational Activities.
 - Goal 5 – Ensure Protection of Unique Water and Natural Resources.
 - Goal 6 – Provide For Efficient and Effective Administration.

14. **Publish Notice of Filing.** The Board provided for legal notice of filing for the District Plan. Notices were published in the "Western Guard" on July 22, 2009; the "Canby News" on July 22, 2009; and the "Hendricks Pioneer" on July 22, 2009. Also, a letter containing the Legal Notice of Filing was sent from Board staff Travis Germundson dated July 16, 2009, to several addresses, including the affected county auditors, county soil and water conservation districts, cities, and the Lac qui Parle – Yellow Bank Watershed District. This notice provided an invitation to submit written comments on the Plan or submit a written request for a hearing if opposed to the Plan. Written comments or requests were to be submitted by August 21, 2009. No written comments or written requests for a hearing were received.
15. **Public Hearing.** No written request for a hearing was received, therefore, no hearing was held.
16. **Board Water Planning Review Committee Meeting.** On September 3, 2009, the Board's Southern Region Water Planning Review Committee (Committee) and staff met with representatives from the District at the BWSR Regional Office in Marshall, Minnesota to review and discuss the Plan. Those in attendance from the Board's Committee were Paul Langseth, Tom Loveall, Becky Balk and Daniel Wilson. Board staff in attendance were Southern Region Supervisor Jeff Nielsen and Board Conservationist David Sill. In attendance representing the District were Willis Beecher – Chairman, Darrel Ellefson – Manager, and Trudy Hastad – Administrator. Board staff recommended approval of the Plan. After discussion, the Committee voted to recommend approval of the Lac qui Parle – Yellow Bank Watershed District 2009 – 2019 Watershed Management Plan to the full Board.

CONCLUSIONS

1. All relevant, substantive, and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Watershed Management Plan for the Lac qui Parle – Yellow Bank Watershed District pursuant to Minnesota Statutes Chapter 103D.405.
3. The Lac qui Parle – Yellow Bank Watershed District 2009 – 2019 Watershed Management Plan attached to this Order defines water and water-related problems within the District boundaries, possible solutions thereto, and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Chapter 103D, BWSR guidelines for Watershed District Plan content, and is consistent with the affected counties' comprehensive water plans.

ORDER

The Board hereby prescribes the attached Plan as the 2009 – 2019 Watershed Management Plan for the Lac qui Parle – Yellow Bank Watershed District.

Dated at Saint Paul, Minnesota this 23rd day of September 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chair

Executive Summary

This section is an amendment to the September 1, 2004, version of the Lincoln County Water Management Plan. It addresses the following items:

- Version and purpose of the plan;
- Description of the priority concerns that will be addressed;
- A summary of the goals and actions to be taken along with the projected total cost of the implementation program for each of the priority concerns;
- A summary of the consistency of the plan with other pertinent local, state, and regional plans and controls, and where inconsistencies are noted; and
- A summary of recommended amendments to other plans and official controls.

Amendment – September, 2009:

This amendment dated September 1, 2009, is part of the third version of the Lincoln County Water Management Plan, dated September 1, 2004. Included in this amendment:

- Preface;
- Section 1-Executive Summary; and,
- Section 4-Implementation Program.

2009 – 2013: Description of Priority Concerns and Summary of Goals, Actions and Projected Total Cost:

Priority concerns; brief summary, goal, actions and project cost are listed below. In some areas, new funding sources are included in the totals.

PRIORITY CONCERN: Groundwater Protection for the Verdi Well Field.

The Verdi Well Field is the main source of water supply for: portions of 4-counties which include most of Lincoln, and portions of Lyon, Murray, and Pipestone; have availability to move this source of water to other areas; 3,500 rural customers, 31 cities/communities, and 206 rural customers using more than one million gallons per year per customer. Future expansion, starting in 2009, for the entire Lincoln-Pipestone water supply sources in Jackson, Nobles, Yellow Medicine and Lac qui Parle counties.

The goal summary of this priority concern is to protect the public water supply from potential contaminants.

Summary of actions:

- Work on feedlot issues and encourage tillage, pesticide, nutrient management plans;
- Pilot project to implement a drainage water management project (controlled drainage);
- Conduct inspections of septic systems and continue to bring into compliance.
- Cost-share to seal abandoned wells particularly in the DWSMA;
- Promote and enroll landowners in easement programs, such as CRP/CCRP, buffer strips, and increase conservation tillage practices;

- Pursue funds from the Clean Water, Land and Legacy (CWLL) funding for Drinking Water Sources;
- LPRW to be in contact with DNR with water appropriations; and
- Provide information on importance of protecting groundwater;

Approximate cost: \$200,750/year.

PRIORITY CONCERN: Surface Water Quality Deterioration focusing on MPCAs list of TMDLs and Impaired waters. TMDL-South Branch, Yellow Medicine River for Fecal Coliform. Impaired waters include various river reaches and the following Lakes: Dead Coon, Benton, Perch, Shaokatan and Hendricks. TMDLs underway: Lac qui Parle River-Yellow Bank-Bacteria, Turbidity, and Low Dissolved Oxygen; Lake Shaotakan-Excess Nutrients; Redwood River-Fecal Coliform and Turbidity; and Minnesota River-Turbidity.

Our primary focus will be on Nutrients and Bacteria in the TMDL sites and on Impaired Waters listed by MPCA.

The goal summary of this priority concern is to restore, protect and improve the deterioration of surface water quality entering Lincoln County's lakes, rivers and streams.

Summary of actions include:

- Bring into compliance septic systems and feedlots and develop nutrient management plans to help regulate nutrients and minimize pollution;
- Assist in pursuing grants through the Clean Water, Land and Legacy and Clean Water Partnerships for watershed based activities and practices for the Yellow Medicine, Lac qui Parle, Redwood and Big Sioux Watersheds with priority given to projects with a specific TMDL/impaired water;
- Educate landowners/operators on feedlot pollution reduction, manure management, SSTs, and BMPs; and,
- Educate landowners/operators in the TMDL project areas about the impaired water study and the need for implementation of conservation practices.

Approximate cost: \$531,250/year.

PRIORITY CONCERN: Erosion and Sediment Control on agricultural land primarily gully erosion and concentrated flow with several priority areas throughout Lincoln County including: TMDL-South Branch, Yellow Medicine River for Fecal Coliform. Impaired waters including various river reaches and lakes including: Dead Coon, Benton, Perch, Shaokatan and Hendricks. TMDL/s underway: Lac qui Parle River-Yellow Bank-Bacteria, Turbidity and Low Dissolved Oxygen; Lake Shaotakan-Excess Nutrients; Redwood River-Fecal Coliform and Turbidity and Minnesota River-Turbidity.

Reducing the volume of sedimentation, potential attached pollutants and nutrients reaching County lakes, streams, rivers and wetlands, will improve surface and ground water quality, through implementing Best Management Practices particularly in listed priority areas.

The goal of this priority concern is to protect and preserve Lincoln County's long-term valuable soil and water resources.

Summary of actions include:

- Reduce wind and water erosion and sediment by implementing BMPs including: WSCBs, waterways, conservation tillage, terraces, CRP/CCRP, buffers, critical area plantings, filter strips, field windbreaks, living snow fences, farmstead shelterbelts, and wildlife tree plantings;
- Replace open tile intakes with alternative tile intakes;
- Provide conserving use acre contracts to individuals planting small grain for earthwork construction from August 10-September 30;
- Provide cost-share for sealing abandoned wells;
- Participate in the various watershed technical team meetings to develop monitoring and implementation plans;
- Assist in pursuing grants/funding for implementation of BMPs through the CWLL, lean Water Partnership, Ag BMP, Watersheds and BWSR. Watersheds: Yellow Medicine, Lac qui Parle, Redwood River and the Big Sioux with priority given to projects with a specific TMDL/impaired water;
- Implement BMPs in the Yellow Medicine, Lac qui Parle, and Redwood Watershed project areas where TMDLs/impaired waters are of priority and grants already in place;
- Monitor sites in Lincoln County to evaluate progress/effects on the Redwood River;
- Increase wildlife tree plantings and habitat management areas, and restored wetlands;
- Implement the Working Lands Initiative (WLI) Program and the WRP/RIM Program;
- Assist landowners with their prescribed burning, tree and prairie management to enhance wildlife habitat; and,
- Educate landowners/operators about: cost-share and implementing BMPs; buffer programs such as CCRP, RIM WLI, and filter strips; replacement of open tile intakes with alternative tile intakes; WRP/RIM programs; and the benefits of the various tree and wildlife plantings.

Approximate cost: \$999,100 - 2,357,100/year.

PRIORITY CONCERN: Lake Management Improvement (water quality) and Recreational Opportunities targeting Lake Benton, Lake Shaokatan and Lake Hendricks.

Lincoln County has six major lakes having a total water surface area of about 6,480 acres with an average depth ranging from three to twelve feet and many smaller lakes. We will focus on three major Recreational Lakes in Lincoln County, as they represent the greatest potential for additional recreational development including Lake Benton, Lake Shaokatan and Lake Hendricks.

The goal summary of this priority concern is increase recreational opportunities of Lincoln counties lakes.

Summary of actions includes:

- Provide funding for aeration systems in county lakes;

- Monitor base flow monitoring site in Lake Benton Lake for progress of phosphorus loading and chlorophyll;
- Spot treat Lake Benton Lake for curly-leaf pondweed;
- Ensure the “presence of a more diverse plant community” in Lake Benton Lake.
- Strive to reduce blue-green algae in Lake Shaokatan; and,
- Educate lake/city residents and landowners/operators on protecting lake water quality.

Approximate cost: \$4,000/year.

PRIORITY CONCERN: Surface Water Runoff and Drainage addressing runoff volume and water quality through drainage management.

In this section, we will focus on the Wetland Conservation Act, Wetland Banking and the Lincoln County Public Drainage Ditch Systems.

The goal summary of this priority concern is to improve surface water management by decreasing runoff and flooding and maintaining the drainage systems in the county.

Summary of the actions and costs include:

- Reduce flooding by restoring wetlands and increase filter strips;
- Seek funds for establishing a list of dams and repair an existing dam every three years;
- Administer the WCA Program;
- Possibly develop a wetland banking program;
- Incorporate flood control benefits in road and bridge projects;
- Enroll landowners in the CCRP/one-rod buffers;
- Direct property owners to restore 16½ foot permanent grass buffers along open ditches where required; and,
- Educate landowners/operators on buffers and WCA.

Approximate cost: \$120,000 - \$195,000/year.

Education and outreach are a part of each of the priority concerns.

With the available funding for Water Management Implementation, we will address issues that are doable with the funds we receive. Other implementation items are accomplished through other funding sources.

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of Reviewing the Local Water Management Plan Amendment
for **Lincoln County** (Minnesota Statutes, Section 103B.314,
Subdivision 6)

ORDER
APPROVING
LOCAL WATER
MANAGEMENT PLAN
AMENDMENT

Whereas, on September 23, 2004, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Lincoln County 2004 – 2014 Comprehensive Local Water Plan Update (Plan), which contained a 2004 – 2009 five-year implementation section; and

Whereas, this Board Order stipulated that Lincoln County was required to update the implementation section by August 31, 2009; and

Whereas, the Lincoln County Board of Commissioners submitted the Lincoln County Plan 2009 Amendment to the Board on June 8, 2009; and

Whereas, this 2009 Amendment contains the updated five-year implementation section as ordered by the Board; and

Whereas, the Board has completed its review of the 2009 Amendment.

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

FINDINGS OF FACT

1. On November 4, 2008, the Board received a resolution from Lincoln County stating its intent to amend its current Plan by providing for the required update of the five-year implementation section, pursuant to M.S. Section 103B.314, Subd. 6.
2. On December 23, 2008 Board staff provided information on the amendment process to Lincoln County.
3. On February 26, 2009, Lincoln County provided proper notice to local units of government and state agencies of the county's intent to amend its five-year implementation section and invited all recipients to participate in the amendment process.
4. On March 5, 2009, Lincoln County convened its water plan task force to initiate the five-year implementation section update. Several additional meetings were conducted.
5. Lincoln County received written comments from the Minnesota Department of Agriculture, the Minnesota Pollution Control Agency, the Minnesota Department of Natural Resources, the Minnesota Department of Health, and the Minnesota Board of Water and Soil Resources in April and May, 2009.
6. No other state agency or local government unit provided written comments to Lincoln County.

7. The final document developed by Lincoln County, which includes the revised five-year implementation section August 2009 – August 2014 is entitled the 2009 Amendment.
8. On June 4, 2009, after providing for proper public notice, Lincoln County conducted a public hearing on the proposed 2009 Amendment. No additional comments were submitted at the hearing.
9. On June 8, 2009, the BWSR received the Lincoln County 2009 Amendment, a record of the public hearing, and copies of all written comments pertaining to the 2009 Amendment, pursuant to M.S. Section 103B.314, Subd. 6.
10. On September 3, 2009, the Board's regional Water Planning Committee (Committee) reviewed the Lincoln County 2009 Amendment, pursuant to 103B.301 and guidelines established by the Board.
11. Board regional staff provided its recommendation of approval to the Committee.
12. The Committee voted to recommend approval to the full Board at its next scheduled meeting.
13. This 2009 Amendment will be in effect until **August 25, 2014.**

CONCLUSIONS

1. All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Water Plan Amendment of Lincoln County pursuant to Minnesota Statutes, 103B.314, Subd. 6.
2. The Lincoln County 2009 Amendment attached to this Order states goals, objectives, and actions the county will address in the five-year implementation section August 2009 – August 2014. The 2009 Amendment, as well as the previously approved Lincoln County 2004 – 2014 Comprehensive Local Water Plan Update, is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached 2009 Amendment of the Lincoln County Water Management Plan for August 25, 2009 – August 25, 2014. Lincoln County will be required to provide for a complete update of its Water Management Plan prior to August 25, 2014.

Dated at St. Paul, Minnesota, this **23rd day of September 2009.**

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chair

**Pipestone County Local Water Management
2005 – 2009
Executive Summary**

The original Pipestone County Comprehensive Local Water Plan was approved in 1991. A plan update was completed in 1995, and another in 2005 at which time the County also updated its County Comprehensive plan and joined the County Local Water Management plan. Thus creating one uniform and comprehensive plan, with these plans combined the county is able to incorporate and implement water quality based land use decisions. The current plan covers a ten year period 2005 – 2014 with a five year (2009) update of goal objectives and actions. This executive summary is included to provide an overview of the accomplishments that have been achieved over the past five years.

The Pipestone County Commissioners have delegated the water plan implementation to the Pipestone Soil and Water Conservation District who meet monthly to oversee accomplishments, review budgets, and provide direction on implementation. In addition the County also utilizes the Planning Commission to provide input and direction on land use related issues. The Pipestone Soil and Water Conservation District Board of Supervisors include: Anna May Fritz (Chair), Le Roy Stensgaard, Ian Cunningham, Cal Spronk, and Ed Loll. Pipestone County Planning Commission members include: Curt Johnson (Chair), Mike Moeller, Tom Nelson, Leon Hanenburg, Arvin Pater, Jamie Sumption, John Ruiter, and Wally Slinger.

A resolution was passed on March 24, 2009 by the Pipestone County Board of Commissioners to authorize the update of the Comprehensive local water plan. Public comments were accepted until May 15, 2009 from State agencies, local governments and general public. Plan updates were discussed during the July 9, 2009 Soil and Water Conservation District board of supervisor meeting and at the Pipestone County Planning Commission meeting held on July 13, 2009. Update recommendations were incorporated in a draft update by the Conservation and Zoning office staff. A copy of the plan was then submitted for State Agency, Local Government and general public review and notice of a final public hearing to be held on August 10, 2009 was published.

The following is a summary of the previous five years of water plan related accomplishments.

Third Generation Water Plan Accomplishments 2005 - 2009

- **Citizen Participation and Intergovernmental Cooperation**

A County and SWCD website was developed to provide the public with reports, program information, form and applications, and links to other pertinent sites.

Water plan implementation actions are overseen by both the Soil and Water Conservation District Board of Supervisors and Pipestone County Planning Commission.

Pipestone Creek and Rock River TMDL's both had an advisory committee which provided input and assisted in the development of the implementation plan. Each watersheds advisory committee consisted of approximately 12 members which represented various organizations.

- **Economic Development**

Assisted and supported development of the Casey Jones Trail and City of Pipestone walk study.

- **Natural Resources**

Staff obtained and maintain subsurface sewage treatment systems (SSTS) inspector license to oversee proper installation of systems.

County SSTS ordinance was updated to require system upgrades on land transfers.

County Septic Loan Program: Pipestone County designated an initial \$200,000 to the Conservation and Zoning Office to create a revolving County Loan Program for SSTS upgrades. Funds are loaned at a rate of 3% interest over 7 years as a property tax assessment. Presently approximately \$160,000 has been loaned on 23 upgrades.

Staff assisted and overseen the design and installation of the City of Hatfield's central sewer upgrade.

Annually approximately 40 individual subsurface sewage treatment systems (SSTS) designs are reviewed and installations inspected to confirm compliance with 7080 rules.

SWCD staff administered the Agriculture Best Management Practices (BMP) Loan Program to assist in BMP implementation, a total of \$1,749,136.00 have been loaned.

Total Maximum Daily Load's TMDL's:

Pipestone Creek TMDL, study and implementation plans were completed and approved. Conservation and Zoning staff coordinated the process, with the assistance from MPCA and DNR. A clean water legacy and 319 grant application was submitted by not approved for funding.

Rock River TMDL, study and implementation plans have also been completed and approved. Staff participated in watershed meetings and provided input throughout the planning process. An implementation grant has been submitted.

Des Moines TMDL, study is approved and implementation plan has just been completed. Staff participated in planning meeting and provided needed data for the study.

Redwood TMDL, the study is just in the beginning stages and implementation planning will follow. SWCD supervisors and staff will participate in planning meeting and provide input as needed. Implementation project will be done jointly with surrounding counties and the RCRCA. BMP projects completed in Pipestone County in the Redwood Rider in the last five years include 14 sediment control basins (638's), 1 watering pond, and 9 SSTS low interest loan totaling \$70,000. Funding for SSTS upgrades was obtained by the Redwood Rivers Control Association through MPCA grant funds.

The County purchased a building for the County Recycling Program, \$75,000. The Building is utilized for monthly collections of electronics, household appliances, florescent bulbs, lead batteries, and empty pesticide containers. Staff also held a Household Hazardous Waste Collection for the collection and disposal of unwanted materials; these collections are done jointly with Lyon and Nobles mobile collection units. Annually estimated material collected amounts are 300 household appliances, 3500 florescent bulbs, and 84,000 lbs of electronics, 50 lead acid batteries, and collection of HHW from 300 households. Annual disposal costs paid are \$20,000.

Feedlot level 3 compliance inspections have been conducted on nearly all 614 county feedlots. Annually staff conducts inspections on approximately 10% (60 sites) for re-registration and 7020 compliance. Once sites are identified as having runoff concerns staff assist producers with the design of runoff control structures, and the cost-share application process when eligible.

Feedlot Runoff control practices are installed annually on approximately 5 feedlot sites. Engineering and cost-share assistance is provided. Annually approximately \$500,000 is spent on total practice installation. Water plan funds are also utilized to provide incentives when other funding sources are not available, \$5,000 has been provided towards one runoff control structure.

Wellhead protection plans have been approved for the Lincoln Pipestone Rural Water Holland and North Holland, City of Ruthton, and City of Edgerton wellfields. Staff attend relevant meeting and assisted with implementation measures when requested.

Well Sealing Program: Annually \$4,000 is designated towards the cost-sharing of sealing abandoned wells. Cost-share is paid at a rate of 50% not to exceed \$250. Annually approximately 30 wells are sealed.

- **Land Use Planning**

A comprehensive Geographic Information System (GIS) was created within the County. GIS projects are created by the Conservation and Zoning office and then published for other county departments use. A County wide parcel map has been created, along with other various GIS layers; these layers are maintained and utilized with all county departments. In 2007 a high resolution aerial flight of the county was completed for a cost of \$50,000. With this imagery staffs is able to accurately measure, design, plan, and complete other tasks without having to spend the time in the field. The County's Soil Survey was updated, and published on web soil survey, Pipestone County, \$150,000

- **Public Investments**

Conservation and zoning office staff completed the BWSR ditch study and serve as the local ditch contact.

- **Public Awareness**

Bi-annual newsletters are published and distributed to county residents to promote existing programs and financial resources, annually, \$1,500.

A contract is maintained with the local radio station to air several 30 second public service announcements per day promoting Best Management Practices, annually \$1,850

Ecology Bus utilized to provide environmental education to county schools, annually \$4,000.

K-12 conservation related education programs are coordinated with area teachers.

Producer nutrient management training and manure economic classes held for county feedlot owners.

County Conservation Tour held to provide producers and government official's knowledge of today's farming practices and examples of best management practices which have been installed. This year's focus was on dead animal composting.

Distributed free water sampling and manure sample kits to county residents. A prepaid account with Stearns DHI lab is utilized. Annually 50 kits dispersed at an average cost of \$30 per kit, \$1,500 annually, Pipestone Conservation and Zoning.

Information booth staffed at County Fair and home shows promoting conservation, recycling and BMP's.

Water Plan Expenditure Summary 2005 - 2009

NRBG	Grant	Match	Total
Water Plan	\$100,375	\$9,590	\$109,965
Feedlot	\$256,348	\$185,658	\$442,006
SSTS	\$32,885		\$32,885
WCA	\$50,000	\$50,000	\$100,000
Shoreland	\$14,895	\$14,895	\$29,790
Total NRBG	\$454,503	\$260,143	\$714,646
County Expenditures			
Pictometry Flight and Software	\$50,000		
County SSTS Loan Program	\$200,000		
Recycling Building Purchase	\$75,000		

Ongoing Programs

Pipestone County continues to administer several programs that are vital to achieving the goals set forth in the Water Plan, including those related to feedlots, floodplain and shoreland management, Subsurface Sewage Treatment Systems (SSTS), solid waste, Wetland Conservation Act (WCA), state-cost share, Environmental Quality Incentive Program (EQIP), Reinvest in Minnesota (RIM), conservation reserve program (CRP) and county zoning requirements. The continued funding of these programs has been identified as a high priority in the Five-Year Implementation Plan.

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of Reviewing the Local Water Management Plan Amendment
for **Pipestone County** (Minnesota Statutes, Section 103B.314,
Subdivision 6)

ORDER
APPROVING
LOCAL WATER
MANAGEMENT PLAN
AMENDMENT

Whereas, on August 25, 2004, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Pipestone County 2004 – 2014 Comprehensive Local Water Plan Update (Plan), which contained a 2004 – 2009 five-year implementation section; and

Whereas, this Board Order stipulated that Pipestone County was required to update the implementation section by August 25, 2009; and

Whereas, the Pipestone County Board of Commissioners submitted the Pipestone County Plan 2009 Amendment to the Board on August 14, 2009; and

Whereas, this 2009 Amendment contains the updated five-year implementation section as ordered by the Board; and

Whereas, the Board has completed its review of the 2009 Amendment.

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

FINDINGS OF FACT

1. On March 24, 2009, the Board received a resolution from Pipestone County stating its intent to amend its current Plan by providing for the required update of the five-year implementation section, pursuant to M.S. Section 103B.314, Subd. 6.
2. On March 11, 2009 Board staff provided information on the amendment process to Pipestone County.
3. On March 31, 2009, Pipestone County provided proper notice to local units of government and state agencies of the county's intent to amend its five-year implementation section and invited all recipients to participate in the amendment process.
4. On July 9, 2009, Pipestone County convened its water plan task force to initiate the five-year implementation section update. Several additional meetings were conducted.
5. Pipestone County received written comments from the Minnesota Department of Agriculture, the Minnesota Pollution Control Agency, and the Minnesota Board of Water and Soil Resources in May and August, 2009.
6. No other state agency or local government unit provided written comments to Pipestone County.

7. The final document developed by Pipestone County, which includes the revised five-year implementation section August 2009 – August 2014 is entitled the 2009 Amendment.
8. On August 10, 2009, after providing for proper public notice, Pipestone County conducted a public hearing on the proposed 2009 Amendment. Minnesota Board of Water and Soil Resources staff provided written comment regarding additions to the Executive Summary, and suggested additions and clarifications to the Implementation Section. No additional comments were submitted at the hearing.
9. On August 14, 2009, the BWSR received the Pipestone County 2009 Amendment, a record of the public hearing, and copies of all written comments pertaining to the 2009 Amendment, pursuant to M.S. Section 103B.314, Subd. 6.
10. On September 3, 2009, the Board's regional Water Planning Committee (Committee) reviewed the Pipestone County 2009 Amendment, pursuant to 103B.301 and guidelines established by the Board.
11. Board regional staff provided its recommendation of approval to the Committee.
12. The Committee voted to recommend approval to the full Board at its next scheduled meeting.
13. This 2009 Amendment will be in effect until **August 25, 2014.**

CONCLUSIONS

1. All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Water Plan Amendment of Pipestone County pursuant to Minnesota Statutes, 103B.314, Subd. 6.
2. The Pipestone County 2009 Amendment attached to this Order states goals, objectives, and actions the county will address in the five-year implementation section August 2009 – August 2014. The 2009 Amendment, as well as the previously approved Pipestone County 2004 – 2014 Comprehensive Local Water Plan Update, is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached 2009 Amendment of the Pipestone County Water Management Plan for August 25, 2009 – August 25, 2014. Pipestone County will be required to provide for a complete update of its Water Management Plan prior to August 25, 2014.

Dated at St. Paul, Minnesota, this **23rd day of September 2009.**

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chair

Steele County Local Water Management Plan Participation in the Wetland Preservation Areas Program

Background

Parts of Minnesota that are high priority regions for preservation, enhancement, restoration, and establishment of wetlands include all of the counties that have lost 50 percent or more of their presettlement wetland base. More than 80 percent of the presettlement wetlands in Steele County have been drained or filled.

The Wetland Conservation Act requires counties to designate high priority wetland areas in the local water plan in order for the county to be able to participate in the Wetland Preservation Areas (WPA) program. County participation in the WPA program would allow property owners in high priority areas to be eligible for a tax exemption on existing wetlands or restored wetlands on their land.

There has been some interest from landowners in Steele County over the last few years to enroll wetland areas into the WPA program. Participation in the WPA would provide an additional layer of long-term protection for wetlands and would also, in most cases, provide the benefit of increasing the upland buffer area.

Steele County did not include wetland preservation and restoration as one of the five priority concerns in its most recent 2007-2016 water plan update. However, during the most recent water plan update process wetland protection was listed as an issue that ranked just behind the top five priority concerns.

Proposed Amendment to the Local Water Management Plan

Description of Priority Concerns

Wetland restoration and loss of natural vegetation and habitat ranked just behind the top five priority concerns in the plan. Although the plan will not specifically address these concerns with goals and actions, Steele County has determined that all remaining presettlement wetlands or restored presettlement wetlands within Steele County should be designated as high priority wetland preservation areas for the purpose of making the county eligible to participate in the Wetland Preservation Areas (WPA) program. In addition to the requirements of Minnesota Rule 8420, the county will use the following guidelines when administering the WPA program:

1. Eligible wetlands will be greater than one acre in size
2. The wetland buffer area will be a minimum of 50 feet
3. Three priority areas in the county will be the Straight River Marsh area, the proposed Ripley Ditch Watershed area, and the floodplain/riparian wetland areas along the Straight River and Maple Creek

The Steele County Environmental Services department and the SWCD office will administer and coordinate the program.

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, MN 55155

In the Matter of Reviewing the Local Water Management Plan Amendment
for Steele County (Minnesota Statutes, Chapter 103B.314 Subd. 6)

ORDER
APPROVING
LOCAL
WATER MANAGEMENT
PLAN AMENDMENT

Whereas, the Steele County Board of Commissioners submitted a Local Water Management Plan Amendment (Plan Amendment) to the Board on May 7, 2009 pursuant to M.S. Section 103B.314, Subd. 6 and

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

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

FINDINGS OF FACT

1. On May 11, 2009, the Minnesota Board of Water and Soil Resources received a resolution from Steele County to amend the current water plan to allow the County to participate in the Wetland Preservation Area Program.
2. On May 11, 2009, the Minnesota Board of Water and Soil Resources received a petition from Steele County, including proposed language for public review and comment, communicating their intent to amend the Steele County local water management plan and conduct a public hearing.
3. On July 14, 2009, Steele County conducted a public hearing pursuant to M.S. Section 103B.314 Subd. 6.
4. On August 25, 2009, the Board's southern region water planning review committee (Committee) reviewed the recommendation of the state review agencies regarding final approval of the Steele County Plan Amendment. Recommendations of the state review agencies were:
 - a. Minnesota Department of Agriculture: no recommendation received;
 - b. Minnesota Department of Health: no recommendation received;
 - c. Minnesota Pollution Control Agency: no recommendation received;
 - d. Minnesota Environmental Quality Board: no recommendation received;
 - e. Minnesota Board of Water and Soil Resources regional staff: recommends approval;
 - f. Board Southern Region Water Planning Review Committee: recommends approval;
5. This amendment will be in effect until December 31, 2016.

CONCLUSIONS

1. All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Water Plan Amendment of Steele County pursuant to Minnesota Statutes, 103B.314, Subd. 6.
2. The Steele County Plan Amendment and Petition attached to this Order states the County intent and language to participate in the Wetland Preservation Area Program. The attached Plan Amendment is in conformance with the requirements of M.S. Section 103B.314, Subd. 6.

ORDER

The Board hereby approves the attached amendment of the Steele County Local Water Management Plan.

Dated at St. Paul, Minnesota, this 23rd day of September, 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chair



Board Resolution # _____

Area II Minnesota River Basins Project Inc. Work Plan and Grant

WHEREAS, the Area II Minnesota River Basins Project Inc. (Area II) is eligible to receive a \$130,000 FY 2010 grant from the MN Board of Water and Soil Resources (BWSR). This grant is available for administrative and implementation efforts of Area II within their nine county project area. This grant is available with a 25% local match requirement; and

WHEREAS, Area II has developed an annual work plan to cover activities for FY 2010 and FY 2011; and

WHEREAS, Area II has secured their 25 percent match requirement.

THEREFORE BE IT RESOLVED, the BWSR hereby approves the Area II FY2010 and 2011 annual work plan; and

BE IT FURTHER RESOLVED, the Board of Water and Soil Resources enter into a grant agreement with the Area II Minnesota River Basins Project Inc. for these funds.

Date: _____

Randy Kramer, Chair
Board of Water and Soil Resources

NEW BUSINESS

1. Grants Administration Initiative – Julie Blackburn and Dave Weirens –
DECISION ITEM
2. Authorization of the FY2010 Competitive Grants Program – Dave Weirens
DECISION ITEM
3. Krusmark's Farmed Cervidae Shooting Preserve RIM Reserve Easement
Release of RIM Easement 79-04-96-01 – Kevin Lines – **DECISION ITEM**
- 4a. Targeting BMPs to Critical Portions of the Landscape – Professor David
Mulla, University of Minnesota; and Adam Birr, MDA – **INFORMATION ITEM**
- 4b. LCCMR-funded Critical Lands Project – Professor Dave Mulla, U of M; and
Greg Larson, BWSR - **INFORMATION ITEM**

GRANTS ADMINISTRATION INITIATIVE

Overall Purpose

In FY 2009 BWSR administered 18 different grant programs, most of which have evolved their own unique sets of administrative policies or rules. These grant programs required the processing of approximately 1600 separate grant allocations.

The purpose of this initiative is to improve and increase the administrative efficiency of BWSR grant programs for state and local governments. Grant processing efficiency is measured by the amount of staff time required to complete the tasks associated with application, allocation, distribution, and reporting.

This project will address grant administration processes to account for the following workload drivers:

- Continued General Fund support for BWSR Grant Programs (NRBG; SWCD General Services, etc.);
- A significant increase in grant program funding through the Clean Water Amendment funds;
- An increased diversity of grant programs;
- An increased diversity of potential grantees;
- An increased number of individual annual grant allocations; and
- Increased scrutiny and expectations by the Legislature to minimize administrative costs while providing detailed data on program/project outcome/results data.

In addition, Washington State has successfully implemented a streamlined grant application and management process that would appear to work well for us. The Washington model also incorporates a "legislative need" function that should assist our task of demonstrating local funding needs to the Legislature. A goal of this initiative is to "borrow" ideas and concepts from the Washington State process.

Other granting models (i.e. LCCMR) will also be examined to ensure that all appropriate options are considered as part of this grant programs redesign initiative.

Scope

- All grant programs, both competitive and noncompetitive;
- All administrative processes are included, or will be directly affected. (See BWSR Grant Making Processes, below.)
- Allocation formulas or methods of determining grant amounts are not included.

Staff/Team Roles

The Program and Grants Team will provide oversight and overall direction to completing the work of this initiative. Additional responsibilities of the Program and Grants Team is to develop and implement a communication plan on this process for internal and external clientele, and to quantify the reduced burden that is a key benefit of this initiative.

Staff teams will be formed to develop each of the products, as appropriate, which will report to the Program and Grants Team. The existing process of recommendation being forwarded to the Senior Management Team, then to the Board Grants Program and Policy Committee, and then to the BWSR Board for final approval will be used.

Major Milestones (projected dates)

Competitive Grants Process (FY 10)

- a) Board Grants Program & Policy Committee requested to approve initiative on August 25, 2009.
- b) BWSR approval of initiative requested on September 23, 2009.
- c) RFP announced October 15, 2009.
- d) Board Grants Program & Policy Committee requested to approve funding recommendation on January 20 or 21, 2010.
- e) BWSR requested to approve funding recommendation on January 27, 2010.

Non-Competitive Grants Process (FY 11)

- a) Board Grants Program & Policy Committee requested to approve initiative on April 28, 2010.
- b) BWSR approval of initiative requested on May 26, 2010.
- c) Board Grants Program & Policy Committee requested to approve funding recommendation May 22, 2010.
- d) BWSR requested to approve funding recommendation on June 23, 2010.

BWSR Grant Making Processes

This listing of specific processes or tasks identifies the activities required to implement BWSR grant programs. These steps generally apply to all BWSR grant programs and are necessary to ensure compliance with statute, rule, Board policy, management practices, etc.

1. **Programs & Policies Development.**
The development of goals, scope, and objectives; criteria and policies, to successfully accomplish the legislative intent.
2. **Application & RFP Development.**
The creation of a practical document and method for LGUs to quantify their interest of participation in the grant program.
3. **IT Integration into eLINK.**
The incorporation of the RFP, application, workplan, and reporting data and functions, into a functioning electronic format. This may require outside contracting for software design. Requires testing by Central Office, field staff, and LGUs.
4. **BWSR Authorization of Program.**
Grant Program with policies and criteria reviewed by staff committees and BWSR Committees. Approval and authorization of Board is obtained.

5. Staff and LGU Training.
Practical state-wide training sessions are conducted to promote, inform, and guide state and local staffs in grant program goals, criteria, and objectives. This may include eLINK training and guidance.
6. Application Reviews and Rankings.
Grant applications are received, compiled, evaluated, scored, and ranked.
7. BWSR Staff and Committee Reviews.
Staff funding recommendations are prepared, evaluated, and refined through staff committee reviews. Staff forward funding recommendations to BWSR Grants Program & Policy Committee, before Board consideration.
8. BWSR Allocation Approvals.
The Board is requested to approve allocations and authorize staff to enter into grant agreements with LGUs.
9. Grant Agreement Development and Encumbrances.
Staff development of grant agreements and encumbrance of funds into MAPS. Grant agreement submitted to LGU for local authorization. Tracking of grant agreement initialized. Grantee eligibility checked.
10. Oversight of LGUs' Workplan Development and Approvals.
BWSR staff work with LGUs to develop, enter, and approve their local workplans in eLINK.
11. Grant Agreements Processing and Executions.
Grant Agreements are processed in the Central Office and payments transferred to LGU. Grantee eligibility certified.
12. BWSR staff Implementation Oversight.
BWSR staff work with grantee during program implementation to guide and direct LGUs during grant program implementation.
13. BWSR Report Development and Reviews.
BWSR staff guide and consult LGUs in preparing reports to show accomplishments and a proper accounting of expenditures.
14. IT Reporting Compilations/Summaries/Mapping.
BWSR IT staff compile grant program data into summaries and maps of outcomes and measurements.
15. BWSR staff Close-Outs/Audits.
BWSR staff conduct on-site grant program closeouts to ensure proper state and local administration of grant funds according to statute, rule, and policies.

Grants Administration Initiative

WHEREAS, in FY 2009 the Minnesota Board of Water and Soil Resources (BWSR) administered 18 different grant programs and 1600 separate grant allocations and seeks to improve and increase the administrative efficiency of grant programs for state and local governments, and;

WHEREAS, in addition to BWSR general fund programs such as the Natural Resources Block Grant and SWCD General Services Grants, the BWSR has received an increased number of annual grant allocations and a significant increase in grant program funding through the Clean Water Amendment funds, and;

WHEREAS, BWSR grant programs are increasingly diverse in their purpose and awarded to increasingly diverse potential grantees, while also subject to greater expectations to minimize administrative costs and provide detailed project outcome data, and;

WHEREAS, the BWSR has evaluated the Washington State process as a model for the dual purpose of streamlining grant administration and providing a "front-load" project list for legislative requests, and;

WHEREAS, the BWSR Grants Program and Policy Committee approved the Grants Allocation Initiative Workplan on August 25, 2009 with the following milestones:

Competitive Grants Process (FY 10)

- a) Board Grants Program & Policy Committee requested to approve initiative on August 25, 2009.
- b) BWSR approval of initiative requested on September 23, 2009.
- c) RFP announced October 15, 2009.
- d) Board Grants Program & Policy Committee requested to approve funding recommendation in January 2010.
- e) BWSR requested to approve funding recommendation on January 27, 2010.

Non-Competitive Grants Process (FY 11)

- a) Board Grants Program & Policy Committee requested to approve initiative in April 2010.
- b) BWSR approval of initiative requested on May 26, 2010.
- c) Board Grants Program & Policy Committee requested to approve funding recommendation in May 2010.
- d) BWSR requested to approve funding recommendation on June 23, 2010.

NOW THEREFORE BE IT RESOLVED, the Board hereby adopts the Grants Allocation Initiative milestones that includes the proposed schedule and grant making processes.

Randy Kramer, Chair
Board of Water and Soil Resources

Date: _____

State Fiscal Year 2010 Clean Water and General Fund Competitive Grant Funds

Clean Water Fund: HF 1231 Section 6 Budget		FY 2010				
Working Fund Titles (subject to revision)	Fund Description	MAPS Funding Codes	Total Appropriation	BWSR Admin (MAPS C12/C08)	MCC	Targeted Appropriations
1) Clean Water Corridor Easements	Purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, except wetlands. Buffers must be at least 50 ft where possible and no more than 100 ft. May be used for restoration of riparian buffers and stream bank restoration	C01	\$ 3,250,000	\$ 163,000	\$ -	\$ 3,087,000
2) Runoff Reduction Grants	Structural & vegetative practices to reduce stormwater runoff, retain water on the land and infiltration practices. Grants to WDs and WMOs	C03	\$ 2,800,000	\$ 140,000	\$ 200,000	\$ -
3) Clean Water Assistance Grants	Non-point source reduction and restoration grants to WDs, WMOs SWCDs and Counties to keep water on the land, and to protect, enhance and restore water quality in lakes rivers and streams and to protect groundwater and drinking water.	C04	\$ 3,000,000	\$ 150,000	\$ 200,000	\$ -
4) Metropolitan Landscape Project Grant	Metropolitan landscape restoration project for water quality and improvement projects. Grant to Anoka County as Fiscal Agent.	C05	\$ 400,000	\$ -		\$ 400,000
5) Drinking Water Protection Easements	Permanent conservation easements on Wellhead Protection Areas	C02	\$ 1,000,000	\$ -	\$ -	\$ 1,000,000
6) Feedlot Water Quality Management Grants	Feedlot Water Quality Management Grants-Under 300 animal units in riparian areas	C06	\$ 2,000,000	\$ -		\$ -
7) Shoreland Improvement Grants	Grants to implement streambank, stream channel and shoreline protection and restoration grants for water quality	C07	\$ 1,500,000	\$ -	\$ 100,000	
8) Conservation Drainage Advancement Grants	Conservation Drainage program in consultation with the DWG	C07	\$ 330,000	\$ -		\$ 130,000
9) Hennepin County Stream Stabilization Grants	Grant for riparian restoration and stream bank stabilization in the 10 primary stream systems in Hennepin County. County will work with WDs and WMOs to identify and prioritize projects. To the extent possible, county shall employ youth through MCC and Tree Trust. Must be matched by non-state sources, including in-kind contributions.	C07	\$ 500,000	\$ -	\$ -	\$ 500,000
10) BWSR Oversight	State oversight, support and accountability reporting	C08	\$ 275,000	\$ 275,000		
11) Targeted Technical Resources Grants	Targeted non-point restoration technical assistance and engineering	C09	\$ 1,250,000	\$ 88,000		\$ 1,162,000
12) SSTS Program Enhancement Grants	Grants to Counties to implement SSTS programs including inventories, enforcement, databases and systems to insure SSTS maintenance reporting programs. Counties must abide by MS 115.55 Sec 2.	C10	\$ 870,000	\$ -		
13) SSTS Base Program Enhancement	Grants to counties through the NRBG.	C10	\$ 730,000	\$ -		\$ 730,000
14) Imminent Health Threat Abatement	Grants to address imminent health threat and failing SSTS systems	C11	\$ 800,000	\$ -		
			\$ 18,705,000	\$ 816,000	\$ 500,000	\$ 7,009,000
Legend						
Easements						
Other Targeted Funds						

General Fund Omnibus Appropriation Budget		FY 2010				
Working Fund Titles (subject to revision)	Fund Description	MAPS Funding Codes	Total Appropriation	BWSR Admin (MAPS C12)	MCC	Targeted Appropriations
15) Native Buffer Cost-Share	Grants for cost-sharing up to 75% to establish and maintain diverse native vegetation by planting vegetation or sowing seed that originates from as close to the project site as possible and preferably of the local ecotype region, while protecting existing native prairies from genetic contamination.	CSV	\$ 900,000	\$ -	\$ -	\$ -
16) Feedlot Water Quality Grants	Feedlot Water Quality Improvement Grants-Under 300 animal units where there are impaired waters.	FDL	\$ 500,000	\$ -	\$ -	
17) Cooperative Weed Management	Focused on natural lands (public or private land with a dominance of native vegetation) or lands enrolled in state and/or federal conservation programs. Other priority areas can also be addressed.	CSM	\$ 200,000	\$ -	\$ -	\$ 100,000
18) Drainage Records Modernization	Grants to Drainage Authorities to modernize drainage records	DA3	\$ 200,000		\$ -	\$ 200,000
Totals Omnibus Appropriation			\$ 1,800,000	\$ -	\$ -	\$ 300,000
Total of CWF & Omnibus Appropriations			\$ 20,505,000	\$ 816,000	\$ 500,000	\$ 7,309,000

Working Fund Titles (subject to revision)	FY08-09 CWL Carry-Over Funds Budget	MAPS Funding Codes	Carry Funds	BWSR Admin (MAPS C12)	MCC	Targeted Appropriations
19) Non-Point Restoration: AWR	Phase 2 funds have been allocated. The remaining funds are slated for Phase 3 implementation grants, which will be awarded in FY10.	CW1	\$ 761,644	\$ -	\$ -	\$ 761,644
20) Non-Point Technical	CWL funds slated for water plan implementation through the NRBG and NE Wetland Mitigation Strategy.	CW2	\$ 195,910.23	\$ -	\$ -	\$ 195,910.23
21) ISTA	FY08 SSTS funds that have been returned or carried over.	CW4	\$ 2,230.00	\$ -	\$ -	\$ -
22) Feedlot Water Quality Management Grants	Carryover feedlot grant funds.	CW8	\$ 10,833.00	\$ -	\$ -	\$ -
Totals			\$ 970,617.23		\$ -	\$ 957,554.23

Working Fund Titles (subject to revision)	FY10-11 MPCA Interagency Transfer Budget	MAPS Funding Codes	Total Appropriation	BWSR Admin (MAPS C12)	MCC	Targeted Appropriations
23) County SSTS Educational Stipend	SSTS funds from MPCA that will be apart of the 2010 NRBG		\$ 100,500	\$ -	\$ -	\$ 100,500
24) SSTS Inventory	SSTS Inventory funds that will be paired with BWSR funds (FUND C10) for competitive grants.		\$ 350,000	\$ -	\$ -	\$ -
Totals			\$ 450,500	\$ -	\$ -	\$ 100,500

Total Budget: CWF, General Fund, CWL Carryover, and MPCA Interagency Transfers			\$ 21,926,117	\$ 816,000	\$ 500,000	\$ 8,367,054
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**FY 2010 CLEAN WATER FUND AND COMPETITIVE GRANTS
PROGRAM: POLICY AND REQUEST FOR PROPOSALS**

WHEREAS, Governor Pawlenty signed the legislation creating the Clean Water Fund (CWF) into law on May 22nd, 2009; and,

WHEREAS, the Laws of Minnesota 2009, Chapter 172, Section 6, appropriated CWF to the BWSR; and,

WHEREAS, the MPCA, through interagency transfer, will provide \$450,000 in subsurface sewage treatment system general fund grants to BWSR; and,

WHEREAS, FY 2008 and 2009 Clean Water Legacy carry-over funds are available to be incorporated into the FY 2010 Competitive Grant Program; and,

WHEREAS, the Laws of Minnesota 2009, Chapter 37, Section 5, appropriated funds to BWSR for Feedlot Water Quality Grants, Cooperative Weed Management Programs, and Maintaining Riparian Vegetation Buffers; and,

WHEREAS, the Board has authority under Minn. Stat. 103B.3369 to make grants to cities, townships, counties, soil and water conservation districts, watershed districts, joint powers organizations, and other special purpose districts or authorities with jurisdiction in water and related land resources management when a proposed project or activity implements a county water plan, a watershed management plan, or county groundwater plan; and,

WHEREAS, the BWSR previously endorsed an inter-agency granting strategy, with representation from, the MN Department of Agriculture, the Department of Natural Resources, the Pollution Control Agency, the Department of Health, and the Board of Water and Soil Resources with the goal of coordinating non-point restoration, protection and enhancement strategies and programs funded by the CWF and traditional sources.

NOW THEREFORE BE IT RESOLVED, the BWSR hereby:

1. Authorizes staff to finalize, distribute and promote an RFP for the Clean Water Fund and Competitive Grants Program consistent with the provisions of M.S. 103B.3369; and,
2. Adopts the attached Clean Water Fund and Competitive Grants Implementation Timeline; and,
3. Adopts the attached FY '10 Clean Water Fund Grants Implementation Policy; and,
4. Adopts the following project proposal evaluation criteria:
 - The relationship of the proposed implementation activities to specific TMDL Implementation Plans or Comprehensive Local Water Management Plans.
 - The measurable results and estimated effect of the implementation activities on pollutant reduction and the relationship of the project to the TMDL load allocation or water quality trend.
 - The multi-benefits of proposed projects.
 - The level of non-state matching funds or in-kind cash value contributions.
 - Measures taken to evaluate the effectiveness of the project.

- The “readiness to proceed” for the conservation practices or project elements that can be accomplished during the first year after allocations are received.
- The level of project partner’s coordination, cooperation, and community support for the project.
- Projects proven to be successful in prior or similar circumstances.
- The level of project partners’ project management expertise and experience.
- Projects or activities identified as priority actions with drinking water protection plans, including groundwater plans, wellhead protection plans and source water protections plans.
- All applicants must have an approved TMDL implementation plan, or a current watershed management plan, county comprehensive local water management plan, metro groundwater plan, surface water intake plan, well head protection plan, that has been state approved and locally adopted.

Date: _____

Randy Kramer, Chair
 Board of Water and Soil Resources

Attachments: Clean Water Fund and Competitive Grants Implementation Timeline
 FY '10 Clean Water Fund Grants Implementation Policy

FY '10 Clean Water Fund Grants Policy

1.0 Purpose

The Clean Water Fund was established to implement part of Article XI, Section 15, of the Minnesota Constitution, with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams in addition to protecting groundwater and drinking water sources from degradation. The purpose of this policy is to provide clear expectations for implementation of funds appropriated to BWSR associated with Clean Water Fund (CWF) grants.

BWSR will use grant agreements as contracts for assurance of deliverables and compliance with appropriate statutes, rules and established policies. Willful or negligent disregard of relevant statutes, rules and policies may lead to imposition of financial penalties on the grant recipient.

2.0 Eligible Activities

Policy. The primary purpose of activities funded with grants associated with the Clean Water Fund is the control or prevention of chemical or nutrient runoff, soil erosion, sedimentation, runoff volume or materials that affect human or aquatic system health. Eligible projects can consist of structural practices, technical assistance or non-structural measures and best management practices. Local government units (LGUs) are eligible to receive grant funds if they are working under a current state approved, locally adopted water management plan. All activities must be consistent with an approved TMDL implementation plan, or a current watershed management plan, county comprehensive local water management plan, metro groundwater plan, surface water intake plan or well head protection plan that has been state approved and locally adopted.

1. All structural practices must be designed and maintained for a minimum effective life of ten years,
2. Operation and maintenance for the life of the structural practice is included with the design standards, and
3. An inspection schedule and procedure shall be included as a component of maintaining the effectiveness of the practice.

3.0 Incentive Payments

Policy. Incentives using CWF dollars may be used to encourage landowners to install structural practices or to adopt land management practices that improve or protect water quality. Incentive payments should be reasonable and justifiable, supported by LGU policy, consistent with prevailing local conditions, and must be associated with established practices.

4.0 Financial Assistance for Structural Practices

Policy. Consistent with MS 114D.20, Subd 6 (3), priority consideration shall be given to projects that: "most effectively leverage other sources of restoration funding, including federal, state, local, and private sources of funds." An overall 25% local match is required for CWF grants. Additional funds

that can be secured toward project activities will be considered as a ranking criterion. In order to encourage long-term operation and maintenance of structural practices, matching cash or in-kind cash value provided by the landowner, land occupier, or other source at a rate acceptable to the LGU may be used to match CWF grants for practice installation.

5.0 Local Administration/Reporting of Grant Outcomes

Policy. There are required local reporting requirements identified in the CWF appropriation including web publishing. Up to 5% of the CWF grant may be used for local grant administration and reporting costs.

6.0 Technical and Engineering Components of Projects

Policy. In order to develop, install and inspect projects, technical and engineering (TE) expertise is required. With the emphasis of the CWF shifting to an outcome-based analysis, comparisons of project outcomes to total project costs is relevant. The total cost of TE components of CWF projects is included in the total project cost.

7.0 Grant Administration

Policy. LGUs have both the authority and responsibility to approve expenditure of funds within their own organization.

1. The LGU administering the grant must approve or deny expenditure of funds. The action taken must be documented in the LGUs meeting minutes.
2. Individual member organizations of Joint Powers Boards or project partners may make agreements with the primary grant recipient to approve implementation of conservation practices at the member level. The details of the agreement should be reached before administration of the CWF grant begins.
3. Grant reporting, fiscal management, and administration, is the responsibility of the grant recipient organization.
4. Contracts to provide financial assistance to landowners or other local governments are expected to be developed or modified from existing documents to meet CWF requirements. BWSR recommends all contracts be reviewed by the LGU's legal counsel.

8.0 Technical Expertise

Policy. LGUs have the responsibility to ensure that the designated staff for a project has the appropriate technical expertise, skills, and training.

1. BWSR reserves the right to review the qualifications of all persons providing technical assistance to the project.
2. Successful grant applicants will be required to complete a work plan, including an element that describes how the LGU will ensure that the technical staff has the appropriate skills, training or credentials.

3. BWSR staff will review and approve the workplan. If necessary, workplan adjustments may be made prior to final workplan approval.

9.0 Structural Practice Construction and Sign-Off

1. The LGU shall verify that the practice was properly installed and completed according to the plans and specifications, including technically approved modifications, prior to authorization for payment.

10.0 Post Construction and Follow Up Activities

Policy. It is necessary to follow up on practices once they have been installed by conducting periodic site inspections, therefore, an operation and maintenance plan tailored to fit the conservation practice and the site where it is located shall be developed. The operation and maintenance plan should be as detailed as necessary to identify all of the maintenance activities that are likely to be needed and specify how to accomplish them. The plan should be prepared and reviewed with the land owner or occupier before installation of the conservation practices begins.

LGUs shall assure that the operation and maintenance plan is being followed and that the practices have not been altered or removed.

11.0 Project Close Out and Reporting Requirements

BWSR staff are authorized to develop grant agreements, including requirements and processes for fiscal closeouts, and project outcomes reporting.

12.0 BWSR Program Close-out Procedures

Policy. BWSR staff will review at least 10% of CWF grant agreements in detail for compliance with contractual requirements on an annual basis.

1. Elements described in the project workplan will be reviewed in the program close-out.
2. Project files for CWF expenditures including landowner contact information, contracts, bills and invoices, inspection schedule, O&M information, design plans, and miscellaneous communication must be retained by the LGU pursuant to MS 138.17 and consistent with ongoing record retention schedules.

Clean Water Fund (CWF) and Competitive Grants Implementation Time-Line:

- **September 23, 2009:** BWSR authorizes the FY '10 CWF and Competitive Grants Program
- **September 29-30, 2009:** BWSR staff briefed on roll-out of Program at Field Staff Meeting
- **October 2009:** Outreach meetings with LGUs
- **October 15, 2009:** Grant application period opens
- **October 15, 2009:** TMDL implementation plans needed to be approved by MPCA for new TMDLs. A current watershed management plan, county comprehensive local water management plan, metro groundwater plan, surface water intake plan or well head protection plan must be state approved and locally adopted.
- **November 1, 2009:** BWSR Academy with additional outreach on CWF and Competitive Grants Program
- **December 1, 2009:** Grant application period closes
- **December 2009:** Interagency team planning meeting to process applications
- **January 7, 2010:** Applications scored and ranked by Interagency Team (comprised of MDA, MPCA, DNR, and BWSR staff) using evaluation criteria adopted by the Board. Funding recommendation forwarded to SMT.
- **January 14, 2010:** SMT forwards funding recommendation to GP & PC
- **January 20 or 21, 2010:** GP & PC forwards funding recommendation to Board s
- **January 27, 2010:** Board requested to approve funding recommendation
- **February 2010:** Grant agreements issued to successful applicants
- **April 30, 2010:** Project work plans due to BWSR

Board Resolution # _____

Krusmark's Farmed Cervidae Shooting Preserve
RIM Reserve Easement Release

WHEREAS William D. Krusmark and Jean M. Krusmark, husband and wife, purchased approximately 130 acres of land in Wabasha County located in Section 21, Twp. 110N, Range 12W, in June, 1996;

WHEREAS William and Jean Krusmark enrolled 39.1 acres of eligible land in to a perpetual RIM Reserve conservation easement (ID number 79-04-96-01) in Wabasha county located in Section 21, Twp. 110N, Range 12W which was recorded on March 18, 1998;

WHEREAS the State of Minnesota paid \$26,015.19 for this perpetual RIM Reserve easement;

WHEREAS The Wabasha Soil and Water Conservation District (SWCD) administers the Reinvest In Minnesota (RIM) Reserve Program in Wabasha county on behalf of the Minnesota Board of Water and Soil Resources (BWSR) and the State of Minnesota;

WHEREAS William Krusmark contacted the Wabasha SWCD in September 2005 about the possibility of allowing private hunts of deer and elk on his RIM Reserve easement and erecting a perimeter fence that would follow a portion of the easement boundary along his east property line;

WHEREAS the Wabasha SWCD staff advised William Krusmark that it would be allowable to erect a perimeter fence as long as the fence did not cross the easement parcel and the deer and elk were not allowed to graze on the easement parcel;

WHEREAS William and Jean Krusmark are licensed by the Minnesota Board of Animal Health as a farmed cervidae operation under Minnesota Statutes, Sections 17.452, 35.153 and 35.155 with premises/license numbers MN38044 and MN41833;

WHEREAS a portion of the RIM Reserve easement (33.9 acres) is currently contained within the confines of a larger perimeter fenced area (approximately 70 acres) now used for the commercial hunting that occurs on the operation known as *Buck Ridge Whitetail and Preserve*;

WHEREAS commercial big-game shooting preserves are not regulated in Minnesota other than by the Minnesota Board of Animal Health, which issues permits to raise farmed cervidae;

WHEREAS farmed cervidae are considered agricultural livestock by Minnesota Statute Section 17.452;

WHEREAS to legally operate *Buck Ridge Whitetail and Preserve*, William and Jean Krusmark need a conditional use permit (CUP) from Wabasha County which is subject to a public process that will require a rezoning decision for this property from an A-3 Ag Low Density to A-1 Ag Protection district;

WHEREAS Wabasha County Planning and Zoning requires notification of landowners near the proposed rezoning area which triggered an adjacent landowner to contact BWSR staff regarding the legality of a commercial big game shooting preserve located on the RIM Reserve easement;

WHEREAS the RIM Reserve easement does not allow the grazing of livestock and MS 17.452 considers farmed cervidae livestock;

WHEREAS the Krusmark's release farmed cervidae for the purposes of a commercial big game shooting preserve inside the enclosed fenced area, which includes approximately 33.9 acres of the RIM Reserve easement;

WHEREAS farmed cervidae are released for a period of one to three days before harvesting during which time the farmed cervidae have access to the RIM Reserve easement within the larger fenced area on the Krusmark property;

WHEREAS the BWSR has previously denied requests from landowners and SWCDs on the basis that farmed cervidae are livestock, and when released onto the RIM Reserve easement constitutes grazing, which is prohibited unless specifically authorized as part of a conservation management plan;

WHEREAS the Krusmark's were told by the Wabasha SWCD staff that this activity would be allowable and they subsequently invested significant resources in building the perimeter fence which contains 33.9 acres of the RIM Reserve easement;

WHEREAS the RIM Reserve Management Planning Committee (RRMPC) is unanimously recommending to the BWSR that they authorize staff, along with the Attorney General's Office, to negotiate with the Krusmark's a release of the RIM Reserve easement contingent upon:

1) a recorded permanent conservation deed restriction on the easement acres which would prevent future development or annual row-cropping agriculture activities on those acres formerly located in the RIM Reserve easement; and,

2) repayment from the Krusmark's to the State of Minnesota in the amount of \$26,015.19 which equals the original RIM Reserve easement payment to the Krusmark's; and

3) approval of the terms and conditions of the deed restriction described in (1) above by the Chair of the BWSR and the Chair of the RRMPC, and receipt of funds noted in (2) above;

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Water and Soil Resources authorizes staff, in consultation with the Attorney General's Office, to implement the above-described actions to terminate RIM Reserve easement ID number 79-04-96-01 as recommended by the RRMPC, on behalf of the BWSR.

Randy Kramer, Chair
Minnesota Board of Water and Soil Resources

Date

FOR YOUR INFORMATION

August 27, 2009

- ☐ Updated BWSR Board Member Listing
- ☐ Updated BWSR Staff Listing
- ☐ BWSR "Snapshots"

MINNESOTA BOARD OF WATER AND SOIL RESOURCES
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August 2009

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BWSR Snapshots

August 2009

Red River Valley Restoration Initiative

A Huge Success

By Pete Waller

January 2009, the Red River Valley Restoration Initiative was authorized by the Board. Up to \$3 million was available until June 1st to secure riparian, perpetual easements in the Red River Valley watershed for specific projects.

Those specific projects are:

- Springbrook Coulee, Two Rivers Watershed District & Kittson SWCD;
- South Branch of the Buffalo River, Buffalo-Red River Watershed District & Wilkin SWCD;
- Grand Marais Creek Outlet Restoration, Red Lake Watershed District & West Polk SWCD; and
- Lower Wild Rice River Corridor, Wild Rice Watershed District & Norman SWCD (partial funding based on unused funds from above projects).

The first three projects had 47 of the possible 51 landowners sign-up for RIM. The other four landowners are cooperating with the projects, with the land rights being obtained by other means. Nearly 1,500 acres will have an easement buffering approximately 22 miles of locally prioritized rivers. The result is reduced flood damages, improved water quality and increased habitat.

The work and cooperation of the local staff should be commended.

The Lower Wild Rice River Corridor project is huge and not developed enough to take advantage of this opportunity.

The Greater Blue Earth River Basin Alliance (GBERBA)

By Chris Hughes

The Greater Blue Earth River Basin Alliance (GBERBA) was formed during the summer of 2003. Two local units of government, The Blue Earth River Basin Initiative and the South central County

Comprehensive Water Planning Project, joined forces to form the Alliance. This Alliance brought together the educational, regulatory, inventory, monitoring, planning and land & water treatment capabilities of local government within the Grater Blue Earth River Basin watershed. The Alliance is an Joint Powers Board made up of nine County Commissioners, nine Soil and Water Conservation District (SWCD) Supervisors. The staff of nine SWCD's and Counties meet as a technical committee to recommend funding projects, policy discussions, and coordinate implementation. The nine counties are Blue Earth, Faribault, Lesueur, Martin, Watonwan, Jackson, Cottonwood, Waseca, and Freeborn. The Greater Blue Earth River Watershed crosses into Iowa and includes portions of Emmet, Kossuth and Winnebago counties. The Alliance seeks to work with partners throughout the basin including Iowa.

GBERBA has received Clean Water Legacy funding totaling \$1,433,845. These funds have been used as loans for agricultural BMP's, upgrading non-compliant SSTS's, and to hire a Nutrient Management Specialist, Urban Outreach (Stormwater) Specialist and Conservation Agronomist. The funds along with landowner and other agency contributions have led to the installation of:

- 1 Diversion - 634 feet
- 2 Grade Stabilizations Structures
- 20 Grassed waterways - 26 acres
- 1 Pond
- 4 Streambank and Shoreline Protection Projects - 1,150 feet
- 2 Terraces - .8 acres
- 9 Water and Sediment Control Basins
- 46 Alternative Tile Intakes

GBERBA continues to grow with leadership in both the technical and policy boards. The GBERBA recently applied for 319 funding to keep local staff, provide additional technical staffing assistance and implement BMP's within the Greater Blue Earth. GBERBA will play an important role in the future to address the water quality problems of the Greater Blue Earth River identified in comprehensive local water plans and TMDL Implementation Plans.

Linking Local Water Management Plans and TMDLs

By Marcey Westrick

With the passing of the Clean Water Legacy Act and now the Constitutional Amendment, Total Maximum Daily Load (TMDL) studies are becoming a familiar component of water resources management in Minnesota. Recently, the Minnesota Pollution Control Agency has rolled out plans to conduct TMDLs on a watershed scale. While some may see these efforts as duplicative of the local watershed planning efforts which have long been under way, the two separate programs can compliment one another and do share the common goals of:

1. Using the best science available
2. Utilizing citizen and stakeholder involvement
3. Producing cleaner water bodies

It is important to connect local water management programs and TMDL efforts because each informs the other. Local water plans, which guide local operations, are based on an analytical framework resulting in consensus actions that address a multitude of issues. These local plans can and should provide a basis of information for TMDL studies and their implementation plans. TMDL studies, although having the singular focus of achieving state water quality standards, are intensively data driven and can provide useful diagnostic and analytical information that may not have been previously available.

Local water plans are currently being implemented across the state. Building the findings from TMDLs efforts into local water plans is the best means to achieve desired results. By incorporating new information from TMDLs into the next regularly scheduled local water plan update, the need for frequent revisiting of local plans can be minimized, allowing local governments to concentrate on implementing measures to improve water quality.

FOR YOUR INFORMATION

(September 23, 2009)

- ❑ Updated Board Member Listing
- ❑ Updated Board Member Map
- ❑ "BWSR Snapshots" September 2009
- ❑ Thank you card from State Envirothon winner

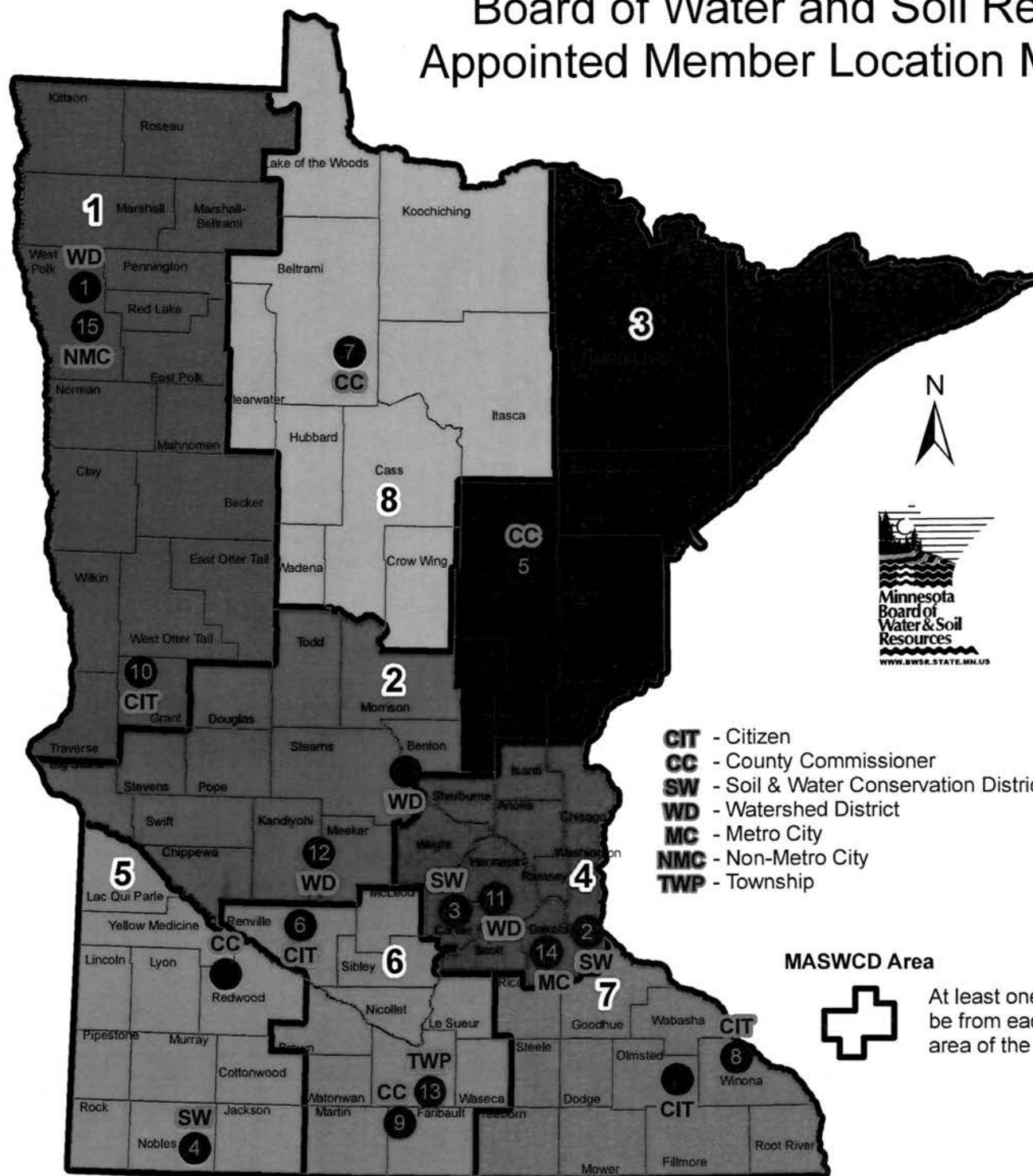
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Paul Langseth 35505 280 th St., Worthington, MN 56187	SWCD paul.langseth@gmail.com	01-04-10	507-360-5844 Office 507-376-5686 Home
Louise Smallidge 10992 Point Douglas, Hastings, MN 55033	SWCD Choregirl2@juno.com	01-02-12	651-459-5600 Home
Gordon Behm 13851 Diamond Shores Road, Atwater, MN 56209	Watershed gbehm@frontiernet.net	01-03-11	320-974-8242 Home 320-979-0737 Cell
Gene Tiedemann 13099 310 th Ave., SW, Euclid, MN 56722	Watershed gtiedemann@rrv.net	01-04-10	218-289-3511 Office 218-281-6723 Home
LuAnn Tolliver 14801 Wychewood Road, Minnetonka, MN 55345	Watershed mltolly@aol.com	01-02-12	952-938-6749 Home 952-221-9796 Office
Sandra Hooker 14418 618 th Avenue, Mapleton, MN 56065	Townships Sandy.hooker@Gmail.com	01-02-12	507-869-3114 Home 507-381-6793 Cell
Christy Jo Fogarty 18946 Excalibur Trail, Farmington, MN 55024	Metro City cfogarty@charter.net	01-07-13	651-460-8057 Home 612-867-8875 Work
Keith Mykleseth 532 Summit Avenue, Crookston, MN 56716	Non-Metro City kmykleseth@tng.org	01-03-11	218-281-1801 Home 218-637-2146 Work 218-289-1093 Cell

State Agency Members:

Joe Martin Freeman Office Bldg., 625 Robert St. N., St. Paul, MN 55155 Joe.Martin@state.mn.us	Department of Agriculture	651-201-6551 Office 651-297-5522 Fax
John Linc Stine P.O. Box 64975, St. Paul, MN 55164-0975 john.stine@health.state.mn.us	Department of Health	651-201-5063 Office 651-201-4572 Fax
Larry Kramka 500 Lafayette Road, St. Paul, MN 55155 Larry.Kramka@state.mn.us	Department of Natural Resources	651-259-5033 Office 651-296-4799 Fax
Faye Sleeper Room 173 McNeal Hall, 1985 Buford Avenue, St. Paul, MN 55108 fsleeper@umn.edu	U of M/Water Resources Center	612-624-3738 Office 612-625-1263 Fax
Rebecca Flood 520 Lafayette Road, St. Paul, MN 55155 Rebecca.Flood@state.mn.us	Pollution Control Agency	651-757-2022 Office 651-296-7923 Fax

Board of Water and Soil Resources Appointed Member Location Map (2009)



Board Members

ID, Member, Yr. Appt. Ends

- 1, Gene Tiedmann, 2010
- 2, Louise Smallidge, 2012
- 3, Robert Burandt, 2013
- 4, Paul Langseth, 2010
- 5, Brian Napstad, 2010
- 6, Randy Kramer, Chair, 2011
- 7, Quentin Fairbanks, 2011
- 8, John Meyer, 2013
- 9, Tom Loveall, 2013
- 10, Paul Brutlag, 2012
- 11, LuAnn Tolliver, 2012
- 12, Gordon Behm, 2011
- 13, Sandra Hooker, 2012
- 14, Christy Jo Fogarty, 2013
- 15, Keith Mykleseth, 2011

Agency Seats

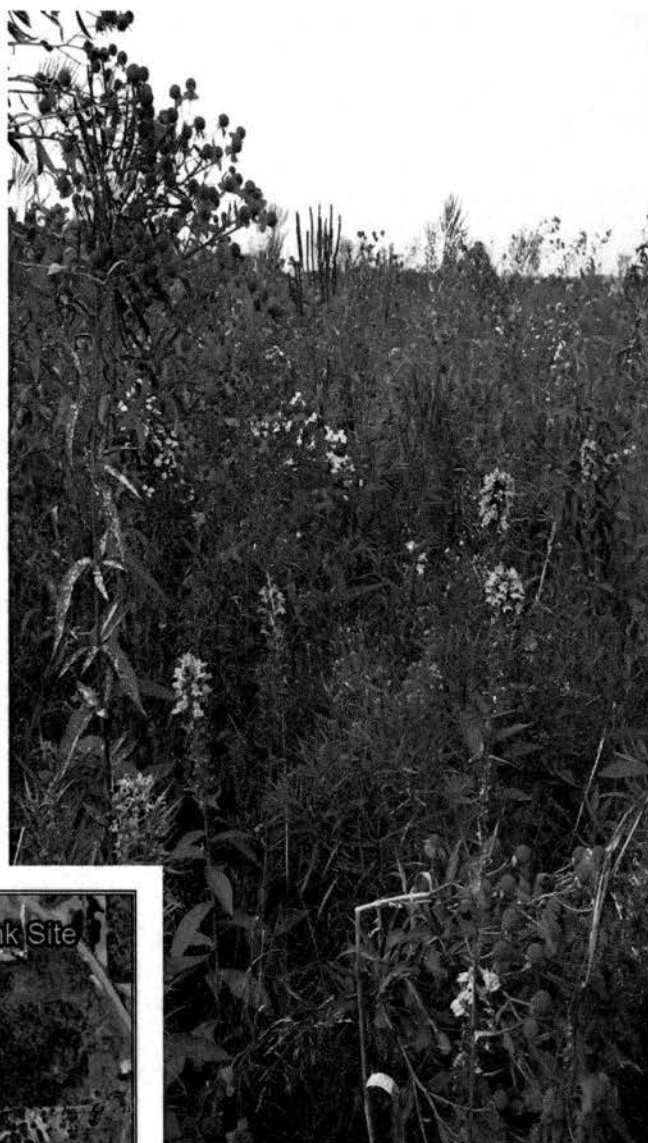
- 16, Joe Martin, MDA
- 17, John Linc Stine, MDH
- 18, Larry Kramka, DNR
- 19, Faye Sleeper, UME
- 20, Rebecca Flood, MPCA

Metro
By Jim Haertel

Wetland impacts and road construction go hand in hand. Within the Metro Region this is especially true. The Metro Region has seen a large increase in road construction and maintenance projects over the last two years, from improving bridges to maintaining existing roads. Because of this, BWSR has had a need to develop wetland banking sites within the Metro Region.

There are two large wetland restoration sites that are in different stages: Janet Johnson Wildlife Management Area located in the City of North Branch in Chisago County and Steve Strolberg wetland restoration located by the City of Cokato in Wright County.

The Janet Johnson site is over 430 acres. BWSR has coordinated with DNR in the planning of the restoration and the site will be designated a Wildlife Management Area this fall. BWSR has restored over 300 acres of drained sod fields to a variety of plant communities ranging from tamarack restoration to scrub shrub restoration to sedge meadow restoration. There is also over 100 acres of upland which is being restored to oak savanna. Below is a picture of the Janet Johnson site and a picture of the sedge meadow restoration.



Vegetation restoration with the Janet Johnson Wildlife Management Area.

Location of the Janet Johnson Wildlife Management Area wetland restoration.



The Steve Strolberg site in Wright County is approximately 160 acres of drained wetlands and highly erodible uplands. An extensive tile drainage system will be removed and result in wetlands being restored throughout the site. The picture below is of the proposed project. Construction will begin this fall and seeding is planned for this fall also.

Proposed wetland restoration for the Steve Strolberg site in Wright County.

**Strolberg Wetland Bank, Wright County
Monitoring Plan Map**



Drummer Wetland Bank, Blue Earth County by Jeremy Maul

The Drummer Wetland Bank project is a recently approved private wetland bank. The site was historically a 36 acre deep marsh that was drained in the early 1900's by a single line of a county tile system. The drainage system allowed the former lake bed to be used as cropland in most years, but in wetter years the areas maintained enough hydrology to be a wet meadow. The area continued to be used as cropland with a portion of the basin being enrolled in CRP for 10 years. A portion of the basin was purchased in 2006 by Mr. Mike Drummer with a goal of establishing a wetland bank.

Unfortunately, parcel boundaries divided the basin into two portions so the original application for this project was limited to a proposed series of excavations and small dikes to intercept the water table and hold back some of the water flowing into the basin. Although the cropping history of the site may have qualified for some credit, the Technical Evaluation Panel (TEP) recommended denial of the application citing the Wetland Conservation Act's emphasis for consideration of long term viability and overall goal to encourage restoration projects. The TEP did encourage Mr. Drummer to continue to work with the neighboring landowner and resubmit a plan to restore the entire basin.

With the help of a Blue Earth County Commissioner who facilitated some discussions with the other landowner, Mr. Drummer was able to purchase the remainder of the basin and submitted a new proposal to restore the entire basin, which was approved in late July and construction has already started with completion this fall. The costs of engineering and construction for this project are born entirely by Mr. Drummer, from which he should yield about 49 wetland credits. Based upon historical credit sales from neighboring counties this bank account could generate up to \$20K.

This restoration represents a significant gain in wetland function for the area and due to the complicated landownership situation may not have been possible through other wetland programs, but the financial incentive brought about by wetland banking helped to get this project realized.

Technical Services Section
Grass Lake Restoration, Kandiyohi County
Al Kean, Chief Engineer, and
Tom Wenzel, Sr. Water Resources Engineer

Grass Lake is a 1,200-acre shallow basin located in Kandiyohi County adjacent to the city of Willmar. The lake was drained many years ago by County Ditch 23A, Branch 3, other private lateral ditches and subsurface tile for agricultural use and urban development. CD 23A is the outlet for runoff from approximately 3,200 acres within the city of Willmar. The 4,500-acre Peach Creek watershed northeast of Willmar outlets to CD 23A through Grass Lake, which also has an adjacent watershed of 3,100 acres. CD 23A outlets to the Lake Wakanda chain of lakes and then to the South Fork Crow River, both of which are impaired waters.

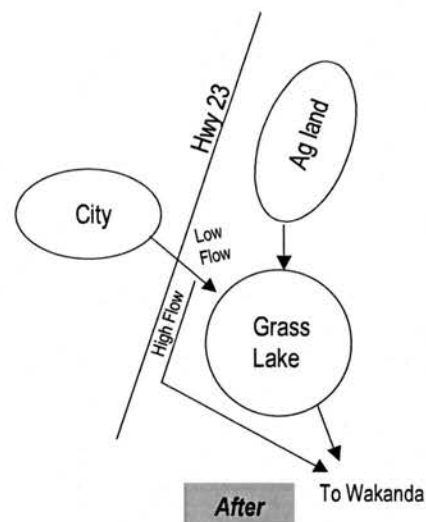
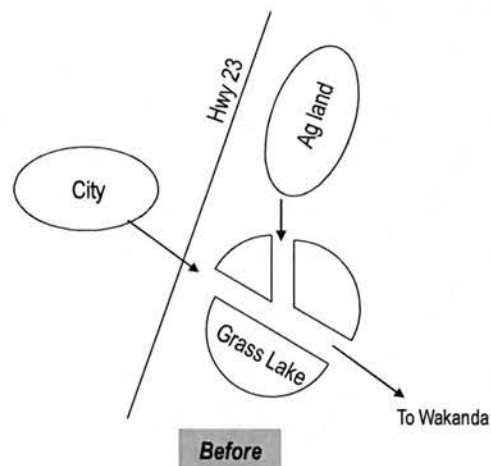
A challenging key characteristic of Grass Lake and its outlet is the flatness of the grade on the drainage system and an existing outlet control structure on Lake Wakanda that backs water up CD 23A all the way to Willmar. Floodplain management in Willmar is, therefore, affected by Lake Wakanda and Grass Lake.

Incremental restoration of Grass Lake began in 1989 via the Reinvest in Minnesota Reserve (RIM) Program. Between 1989 and 2000, 11 of 18 landowners within the basin enrolled lands in RIM perpetual conservation easements. Two subbasins within Grass Lake have been partially restored to date. North American Wetland Conservation Act grants assisted these efforts. BWSR received bonding appropriations of \$2.2M in 2006 and \$0.8M in 2008 to assist Kandiyohi County, the City of Willmar and other partners to pursue further restoration of Grass Lake. Two RIM/WRP easements are currently in process for additional land rights needed to restore Grass Lake. Land rights from several additional landowners are still needed and are being pursued.

A technical team involving Kandiyohi County, City of Willmar, Kandiyohi County SWCD, BWSR and Barr Engineering, Inc. has been coordinating to evaluate numerous scenarios to enable the restoration of Grass Lake. BWSR assisted the county to contract with Barr Engineering for preliminary design analyses. A final draft report for a proposed plan was completed by Barr in August 2009. The report includes the results of extensive hydraulic modeling to address the critical site constraints, as well as water quality analyses of the proposed plan. The proposed plan would direct all of Peach Creek and most of Branch 3 into a restored Grass Lake. A pump station would pump "first flush" runoff from Willmar into a 7-acre treatment pond which outlets into Grass Lake, and a higher flow pump would

supplement temporary storage of runoff from Willmar and treatment in Grass Lake. A high-flow diversion channel would direct some high flow around Grass Lake to address floodplain management constraints. Peak flows downstream and flood levels on Lake Wakanda would be reduced.

The project plan is being coordinated with the Minnesota Pollution Control Agency in anticipation of a TMDL for the Lake Wakanda chain of lakes and South Fork Crow River and future MS4 (Municipal Separate Storm Sewer Systems) requirements for the City of Willmar. Floodplain management effects of Grass Lake restoration is a key consideration for Willmar. Prediction of the water quality effects of a restored Grass Lake is a key consideration for both the city and the MPCA. The potential for release of phosphorus from lakebed sediments after restoration is an element of these considerations that could require additional design and operation elements. However, restoration of Grass Lake is considered a key opportunity for improvement of water quality downstream.





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Dear Mary Jo Fleming,

Your funding has contributed to experiences and memories that have benefitted us as not only students, but as future leaders in the environment.

Thank you for your time and contributions. We owe part of our success to you.

Manie Maezger

*You really brightened
my day!*



DATE: August 17, 2009

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

FROM: John Jaschke, Executive Director 

SUBJECT: August 26-27, 2009 Board Tour Details and Meeting Notice

The Board of Water and Soil Resources (BWSR) will tour Winona, Fillmore, and Houston Counties on Wednesday, August 26, 2009. See the attached tour itinerary.

The Southern Water Planning Committee is meeting on Tuesday at the Mower SWCD Office in Austin from 2:30 p.m. – 5:00 p.m.

The Grants Program & Policy Committee will meet on Tuesday evening at the Holiday Inn Express (conference room) in Winona, from 7:00 p.m. – 9:00 p.m.

Tuesday, August 25, 2009

A 24-passenger mini-coach bus will depart from the BWSR office in St. Paul on Tuesday, August 25, 2009, about 2:30 p.m. If you are interested in riding on the mini-coach bus to/from Winona, please contact Mary Jo Anderson (651-297-4290 or mary.jo.anderson@state.mn.us) as soon as possible to reserve a seat on the bus. If you would like to meet the mini-coach bus en route to Winona, and be picked up at a location outside of St. Paul, please let Mary Jo Anderson know ASAP, so accommodations can be made.

We will arrive at the Holiday Inn Express in Winona, about 4:30 p.m. on Tuesday.
<http://www.ichotelsgroup.com/h/d/ex/1/en/hotel/wnoes/transportation?start=1>

There are no evening plans for Tuesday night. The Green Mill Restaurant is across the parking lot from the Holiday Inn Express, a few other restaurants are within walking distance from the hotel, or there are various restaurants in close proximity to the Holiday Inn Express.

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
701 Minnesota Avenue Suite 234 Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	1601 Minnesota Drive Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	1004 Frontier Trail Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	2300 Silver Creek Road N.E. Rochester, MN 55906 phone (507) 281-7797 fax (507) 285-7144	520 Lafayette Road N. Saint Paul, MN 55155 phone (651) 296-3767 fax (651) 297-5615

Sleeping rooms have been reserved at the Holiday Inn Express for Tuesday and Wednesday evenings, August 25 and 26. See the attached room reservation list. The rooms have been direct billed (you do not pay for the room unless noted on the rooming list). Please let Mary Jo Anderson know ASAP if you will not need a sleeping room.

Wednesday, August 26, 2009

The Holiday Inn Express has a breakfast buffet (included with your room reservation) in the lobby area of the hotel, served from 6:00 a.m. – 9:00 a.m.

Registration, welcome, introductions, and an overview of the day will be held at the Holiday Inn Express (in the lobby area), 1405 Homer Road, in Winona at 8:00 a.m. A coach bus will promptly depart from the Holiday Inn Express at 8:30 a.m.

The tour will consist of a few stops that we will be walking a short distance (five to ten minutes), wear your comfortable walking shoes! The tour will be held rain or shine, dress accordingly.

If you will not be present for the Wednesday coach bus tour, or if you do not need a room reservation on Tuesday or Wednesday evening at the Holiday Inn Express, please contact Mary Jo Anderson immediately, as we need to know the number of people attending. If you have special food needs, or require a vegetarian meal, please contact Mary Jo Anderson as soon as possible.

The narrated coach bus will travel through Winona County, going north on Hwy. 61. We will see flood mitigation and emergency response efforts, and federal/state funded restoration projects. We will Leave Winona County via Hwy. 43 into the City of Rushford. We will arrive in Rushford about 11:30 a.m., for a well sealing demonstration and hear about efforts to address water quality issues in Rushford; have lunch at the Creamery Restaurant <http://www.the-creamery.com/> at noon, and a forum with local officials and Fillmore SWCD staff.

We will board the coach bus and depart from Rushford at 2:00 p.m., leaving Fillmore County on Hwy. 16 and begin the tour through Houston County to observe small watershed flood repair projects and see large projects built with local/state/federal engineering partnership. We will arrive at Wildcat Landing in Brownsville at 5:00 p.m., board an excursion boat to experience the mighty Mississippi River, have a boxed dinner on the boat, and hear about the benefits of the Mississippi Pool #8 draw down project, observe the USACoE island construction and dredging and see where the Root River watershed outlets into the Mississippi River. We will arrive back at Wildcat Landing about 8:00 p.m. We will board the coach bus departing Houston County and arrive back at the Holiday Inn Express in Winona about 9:00 p.m.

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
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Thursday, August 27, 2009

The Board of Water and Soil Resources (BWSR) will meet on Thursday, August 27, 2009, beginning at 8:30 a.m. The meeting will be held at the Riverport Inn, "Sugar Loaf Room" in Winona. <http://www.riverportinn.com/findus.htm>. The Riverport Inn is about four blocks north of the Holiday Inn Express. If you are riding the mini-coach bus to/from Winona, the mini-coach will provide transportation to the Riverport Inn.

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. **Carver Soil and Water Conservation District Change of Headquarters** – The Carver Soil and Water Conservation District Board of Supervisors filed a resolution with the Board to change the location of their office headquarters, effective October 1, 2009. The current office location is in Waconia and the new office location is approximately 7 miles south in Cologne. Pursuant with statute, BWSR must act on the change of office location. The Metro Water Planning Committee voted unanimously to recommend the headquarters change of location be approved per the attached draft resolution. See attachments. **DECISION ITEM**
2. **Chisago County Comprehensive Local Water Management Plan Amendment** - The current Chisago County Local Water Management Plan was adopted in 2006. The purpose of the amendment to the plan is to add a task supporting the construction of community wastewater treatment systems in the unsewered Rural Village Centers through staff assistance to the communities in researching grant opportunities, as well as technical assistance on potential systems design and capacity as requested. Deficiencies with the existing individual septic systems in these areas were identified through implementation of a separate objective in the plan. The Metro Water Planning Committee met on August 4, 2009 and reviewed the contents of the plan amendment along with comments that were made. The Committee recommends approval of the plan amendment by the full Board. See attachments. **DECISION ITEM**
3. **Rice Creek Watershed District Watershed Management Plan Amendment** - The Rice Creek Watershed District plan amendment creates a water management district (WMD), pursuant to MS 103D.729. The amendment consists of establishment of the WMD, the identification of projects eligible for the funding, total estimated cost, area for inclusion, methods for determining charges, and the duration of the Water Management District. The purpose of the WMD is finance water quality restoration and enhancement projects for Bald Eagle Lake identified in the Bald Eagle Lake Management Plan and the draft Bald Eagle Lake TMDL

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Implementation Plan. The Metro Water Planning Committee met on August 4, 2009 and reviewed the contents of the amendment along with comments that were made. The Committee recommends approval of the plan amendment by the full Board. See attachments. **DECISION ITEM**

4. **Shingle Creek and West Mississippi Watershed Management Organizations' Watershed Management Plan Amendment** – An Amendment to the Watershed Management Plan was filed with the Board on January 30, 2009. The main component of the Amendment adds one new streambank restoration project to the Capital Improvement Program (CIP) in 2010 identified as the "Shingle Creek Restoration, Regent to Nobles Avenues" at an estimated cost of \$750,000. No comments were received during the review process that resulted in substantial revisions to the draft Amendment. The frequency of proposed amendments from these WMOs to consistently review the implementation section to maintain a current plan has resulted in a competitive edge for grant acquisition. The attached draft Order contains a summary of the Plan changes, the reviewing agencies' comments, and highlights of the Amendment. The Metro Water Planning Committee voted unanimously to recommend the Amendment be approved per the attached draft Order. See attachments. **DECISION ITEM**

Northern Water Planning Committee

1. **Aitkin County Local Water Management Plan Final Review** - Aitkin County submitted their Revised Local Water Management Plan for final state review and comment. The Northern Water Planning Committee (Committee) met August 12th after the state agencies comment period ended. The Committee recommends approval. The Findings of Fact, Conclusions and Order are attached. **DECISION ITEM**
2. **Morrison County Priority Concerns Scoping Document** – Morrison County submitted the Priority Concerns Scoping Document for state review and comment as part of updating their Comprehensive Local Water Management Plan. The Northern Water Planning Committee (Committee) approved the document and recommends approval of the Priority Concerns Scoping Document. The state's expectations of the final plan must be sent to Morrison County. **DECISION ITEM**
3. **Otter Tail County Local Water Management Plan** - The Otter Tail County Local Water Management Plan has been completed using the Priority Concerns Scoping Document (PCSD) which BWSR acted on August 28, 2008. The PCSD guided the development of the issues where the county will focus implementation. The final plan was drafted, the required public hearing was held and the plan was submitted for state review. The Northern Water Planning Committee reviewed and recommends approval by the full Board. **DECISION ITEM**

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
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4. **Pine County Priority Concerns Scoping Document** - On March 4, 2008, the Pine County Board adopted a resolution to update the Pine Local Water Management Plan. The expiration date of the current plan is August 28, 2010. On August 12, 2009 Pine County SWCD staff presented their Priority Concerns Document to the BWSR Northern Water Planning Committee. The Committee reviewed the Priority Concerns Scoping Document and recommends approval by the full BWSR Board.

DECISION ITEM

5. **Polk County Local Water Management Plan (LWMP) Extension** - The effective end date of the Polk County CLWP is December 31, 2009. Polk County passed a resolution requesting a two-year extension of their county water plan on July 28, 2009. The reasons for this request is based on the continued relevance of the priority concerns stated in their present LWMP and the passage of a constitutional amendment which will provide a potential long-term funding source for projects and programs that directly relate to the county's priority concerns. With the newness of this funding source and the uncertainty of the process to pursue these funds the county feels that it would be better informed on how to update their LWMP to pursue these new funding sources if this two-year extension is granted. The Board Conservationist and the Northern Water Planning committee recommend approval of the extension and BWSR staff will continue working with the coordinators to insure the plan is completed in a timely fashion. **DECISION ITEM**

Southern Water Planning Committee

1. **Minnesota River Basin Joint Powers Board, FY10 Annual Work Plan** - This plan is for BWSR oversight of administrative funding related to the efforts of the Minnesota River Basin Joint Powers Board (MRB). Administrative funding for MRB, via state general funds, has been appropriated in the amount of \$90,000 each of the next two years from the 2009 legislative session. The overall budget objectives are included in the plan. Staff recommends approval of this plan and execution of the administrative grant agreement for FY2010. See attachments. **DECISION ITEM**

NEW BUSINESS

1. **FY '10 Red River Valley Flood Recovery** - The 2009 Legislature appropriated \$1M to BWSR for erosion, sediment, and water quality control cost-share for projects damaged by the spring flooding of 2009. The Grants Program & Policy Committee is scheduled to forward their funding recommendation to the Board following their August 25th meeting. **DECISION ITEM**
2. **Drainage Work Group Update** - Al Kean will provide background and a current update regarding the most recent meeting on July 29, 2009. **INFORMATION ITEM**

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
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3. **"Success Through Regional Collaborative Partnerships"**– During the tour on August 26th, you will witness the flood recovery efforts first hand. It is obvious that without partnerships, this work would not be completed as efficiently as it has. The southeast region has relied on its partnerships to be successful in other aspects as well.

The southeastern counties have succeeded in many ways as a result of collaborating with each other and fostering strong partnerships. There are three primary groups in the southeast that work together to brainstorm ideas, write and administer multi-county grants, and manage staff while ignoring county boundaries. They are the Basin Alliance for the Lower Mississippi in MN (BALMM) chaired by Donna Rasmussen; SE MN Water Resources Board JPB, with Linda Dahl as the Executive Director; and the SE SWCD Technical Support JPB – host Manager, Glen Roberson.

These three groups are comprised of County Commissioners, SWCD Supervisors, SWCD staff, Watershed Groups (Cannon, Whitewater, and Zumbro Rivers), and State Agency Representatives from BWSR, MDA, MPCA, MDH, UME, and DNR. Donna Rasmussen, Linda Dahl, and Glen Roberson will explain their organization's role and how it has impacted the southeast region's ability to succeed.

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 noon. I look forward to seeing you in Winona!

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
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8:00 a.m.

Holiday Inn Express in Winona

Registration, introductions

Welcome by John Jaschke/Randy Kramer

Overview of SE Flood Conservation Recovery/Tour/Materials

Mary Kells, BWSR SE Flood Response Coordinator

8:30 a.m.

Board Coach Bus, Depart from Holiday Inn Express

Site #1 - Gunderson Addition (*off the bus*)

- Flood occurrence/assessment of damage/hazard mitigation (buy-out) –
Eric Johnson, Winona County Planning Dept
- MN Task Force Common Community Application
Debris Removal/Work Force Development Work
Pat Bailey/Jill Johnson/Steve Runkel
- NRCS EWP/BWSR C-S Flood Repair Project –
Sue Glende, NRCS District Conservationist
Daryl Buck, Winona SWCD Technician
- City of Goodview annexation/extended utilities
Dan Matejka, City Administrator

Board Coach Bus

Emergency warning systems for flash flooding: Increasing readiness for future floods and reducing impacts of hazards.

Dr. Toby Dogwiler, Associate Professor of Geoscience and Director, SE MN Water Resources Center, Winona State University

10:00 a.m.

Site #2 – Farmers Community Park (Green Lodge) *Break (off the bus)*

- Understanding the August 2007 flood event and importance of floodplain management
Bill Huber, DNR Area Hydrologist
- Farmers Parks FEMA/State Funded Restoration and Partners
Carolyn Dingfelder, Farmers Park Board Chair
- MN Conservation Corp Flood Recovery Work
Len Price, Executive Director MCC and Dustin Looman, Assistant District Manager

Board Coach Bus

Site #3 – Muesel Structure Repair (*off the bus*)

- Damage assessments of conservation practices and new flood damaged sites. MCC inventory, site assessments, typical repairs.
Daryl Buck, Winona SWCD Technician
Structure repair (EQIP/State Cost-Share)
Dan Gunderson, Soil Conservation Tech, NRCS
- Increased Technical Need and SE BWSR/SWCD/NRCS Engineering Partnership
Al Kean, BWSR Chief Engineer
John Nicholson, Assistant State Conservationist, NRCS

On Bus In Route:

Lewiston top of 3 watersheds (Whitewater, Garvin Brook and Rush-Pine Creek) Reference Winona SWCD Website "Community Involvement in Watershed" Tim Terrill, District Manager
Review numbers of sites on list, funded, completed, etc.

Site #4 – Zephyr/Edgewood/Heyer – SE Flood RIM Site (*Stop on Bus*)

- Money Creek SE RIM Riparian Corridor
Daryl Buck, Winona SWCD Technician
Marlow Mielke, Winona SWCD Conservation Specialist
- Locally driven BWSR SE Flood Relief RIM Program
Mary Kells, BWSR

On Bus In Route:

Rush/Pine Watershed Management Activities
Michelle Schaefer, BWSR Board Conservationist

Depart Winona County via Hwy 43 into City of Rushford

Fillmore SWCD Well Sealing C-S Development
Rick Grooters, Fillmore SWCD Resource Conservation Technician,

11:30 a.m.

Well Decommissioning Demonstration Project (*off the bus*)

- Jeff Copely, City of Rushford Maintenance Supervisor
- Dan Nubbe, Mineral Well Sealing

Noon – 2:00 p.m.

Lunch and Forum – at the Creamery Restaurant

- Flood Response and Recovery in City of Rushford
Windy Block, City Administrator
- Fillmore SWCD/NRCS Flood Recovery/Protection
Rich Grooters, District Resource Conservation Technician
Bob Joachim, NRCS District Conservationist
Root River TMDL Development/Partnerships
Shaina Keseley, MPCA TMDL Coordinator
Joe Magee, District TMDL/Water Planner

Questions/Discussion

2:00 p.m.

Board Coach Bus, Depart for Tour of Houston County via Hwy 16
Ralph Tuck, Root River SWCD Manager
Watershed management approaches
Flood repair and protection

Site #5 – Oak Forest Lane NRCS EWP/BWSR Project (off the bus)

- Assessment/EWP/County-SWCD sponsored Projects
Gary Larson, NRCS District Conservationist
Ralph Tuck, RRSWCD Manager
- BWSR Engineered/NRCS EWP Oversight
Al Kean/Terry Ragan, BWSR Engineering Section

Site #6 – Bush Valley watershed implementation/repairs (Stop on bus)
Ralph Tuck, RRSWCD Manager or Ron Meiners, Soil
Conservationist

Site #7 – Barry EWP/State C-S Project Protecting House (Stop on bus)
Gary Larson, NRCS Caledonia

Site #8 – City of Hokah (off the bus)

- Slope Failure-State C-S Project under construction
Terry Ragan, BWSR Engineer Lewiston
- City Park Streambank/Debris Restoration
Hokah City park and partnerships

Board Coach Bus

5:00 – 8:00 p.m.

Arrive Wildcat Landing, Brownsville
Board Cruise Boat

Catered Boxed Dinner

Mississippi Explorer Cruises - Captain Eric Dykman

We will experience a guided tour of the Mighty Mississippi to observe island construction projects, management of channels and sediment, and water level management for habitat restoration in Pool 8. We will also observe the Root River delta connecting the purpose of the many watershed implementation efforts being addressed by partners, including the SE Flood Conservation Recovery activities you saw on the tour.

Resource Tour Guides:

Tim Schlagenhaft, MN DNR, Lake City

Jim Nissen, USFW Refuge Manager, LaCrosse

Paul Machajewski, Corps of Engineers, Channels and Harbor

8:15 p.m.

Board Coach Bus, Depart for Winona

9:00 p.m.

Arrive at Holiday Inn Express, Winona

8/14/09

**Holiday Inn Express
1128 Homer Road
Winona, MN 55987
507-474-1700**

Sleeping Rooms

Tuesday, August 25

1. Mary Jo Anderson
2. Gordy Behm
3. Julie Blackburn
4. Ray Bohn ***
5. Bob Burandt
6. Paul Brutlag
7. Wayne Edgerton ***
8. Bill Eisele
9. Quentin Fairbanks
10. Rebecca Flood ***
11. Tim Fredbo
12. Jon Fure
13. Travis Germundson
14. Jim Haertel
15. Jeff Hrubes
16. John Jaschke
17. Al Kean
18. Kari Keating
19. Mary Kells
20. Randy Kramer
21. Paul Langseth
22. Joe Martin ***
23. Brian Napstad
24. Jeff Nielsen
25. Faye Sleeper ***
26. Louise Smallidge
27. Steve Sunderlund ***
28. Gene Tiedemann
29. LuAnn Tolliver
30. Wayne Zellmer
31. Dave Weirens
32. Marcey Westrick

Wednesday, August 26

1. Mary Jo Anderson
2. Gordy Behm
3. Julie Blackburn
4. Ray Bohn ***
5. Bob Burandt
6. Paul Brutlag
7. Wayne Edgerton ***
8. Bill Eisele
9. Quentin Fairbanks
10. Rebecca Flood ***
11. Tim Fredbo
12. Jon Fure
13. Travis Germundson
14. Jim Haertel
15. Jeff Hrubes
16. John Jaschke
17. Al Kean
18. Kari Keating
19. Mary Kells
20. Randy Kramer
21. Paul Langseth
22. Joe Martin ***
23. Brian Napstad
24. Jeff Nielsen
25. Faye Sleeper ***
26. Louise Smallidge
27. Steve Sunderlund ***
28. Gene Tiedemann
29. LuAnn Tolliver
30. Wayne Zellmer
31. LeAnn Buck ***
32. Dorothy Erickson
33. Len Price ***
34. Tom Loveall

***** will pay for room, not on direct billing**

BOARD OF WATER AND SOIL RESOURCES
RIVERPORT INN
SUGAR LOAF ROOM
900 BRUSKI DRIVE
WINONA, MINNESOTA 55987
THURSDAY, AUGUST 27, 2009

PRELIMINARY AGENDA

8:30 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF JUNE 24, 2009

OPEN MIKE (10-minute agenda time, two-minute limit/person)

REPORTS

- Chair – Randy Kramer
- Executive Director – John Jaschke
- Dispute Resolution Committee – Randy Kramer
- Wetlands Committee – LuAnn Tolliver
- Grants Program & Policy Committee – Louise Smallidge
- Public Relations, Outreach & Strategic Planning Committee – Brian Napstad
- RIM Reserve Planning Committee – Paul Brutlag
- Administrative Advisory Committee – Randy Kramer

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. Carver Soil and Water Conservation District Change of Headquarters –
DECISION ITEM
2. Chisago County Comprehensive Local Water Management Plan Amendment –
DECISION ITEM
3. Rice Creek Watershed District Watershed Management Plan Amendment –
DECISION ITEM
4. Shingle Creek and West Mississippi Watershed Management Organizations' Watershed Management Plan Amendment – ***DECISION ITEM***

Northern Water Planning Committee

1. Aitkin County Local Water Management Plan Final Review – **DECISION ITEM**
2. Morrison County Priority Concerns Scoping Document - **DECISION ITEM**
3. Otter Tail County Local Water Management Plan – **DECISION ITEM**
4. Pine County Priority Concerns Scoping Document – **DECISION ITEM**
5. Polk County Local Water Management Plan (LWMP) Extension – **DECISION ITEM**

Southern Water Planning Committee

1. Minnesota River Basin Joint Powers Board, FY10 Annual Work Plan – **DECISION ITEM**

NEW BUSINESS

1. FY '10 Red River Valley Flood Recovery – Wayne Zellmer – **DECISION ITEM**
2. Drainage Work Group Update – Al Kean – **INFORMATION ITEM**
3. "Success Through Regional Collaborative Partnerships" – Jeff Nielsen and Donna Rasmussen, Chair of the Basin Alliance for the Lower Mississippi in MN (BALMM); Linda Dahl, Executive Director, SE MN Water Resources Board JPB; and Glen Roberson, host Manager, SE SWCD Technical Support JPB - **INFORMATION ITEM**

AGENCY REPORTS

- Minnesota Department of Agriculture – Joe Martin
- Minnesota Department of Health – John Linc Stine
- Minnesota Department of Natural Resources – Wayne Edgerton
- Minnesota Extension Service – Faye Sleeper
- Minnesota Pollution Control Agency – Rebecca Flood

ADVISORY COMMENTS

- Association of Minnesota Counties – Annalee Garletz
- Minnesota Association of Conservation District Employees – Felicia Brockoff
- Minnesota Association of Soil and Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Tim Koehler

UPCOMING MEETINGS

- Next Board Meeting, September 23, 2009, St. Paul

NOON**ADJOURN**

DRAFT DRAFT DRAFT

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
ST. PAUL, MINNESOTA 55155
WEDNESDAY, JUNE 24, 2009**

BOARD MEMBERS PRESENT:

Gordy Behm, Paul Brutlag, Bob Burandt, Wayne Edgerton, DNR; Quentin Fairbanks, Rebecca Flood, MPCA; Randy Kramer, Paul Langseth, Linda Bruemmer, MDH; Tom Loveall, Brian Napstad, Faye Sleeper, U of M Extension; Louise Smallidge, Gene Tiedemann, LuAnn Tolliver

BOARD MEMBERS ABSENT:

Joe Martin, MDA
John Meyer

STAFF PRESENT:

Mary Jo Anderson, Travis Germundson, Jim Haertel, Ryan Hughes, John Jaschke, Al Kean, Julie Klocker, Les Lemm, Kevin Lines, Jeremy Maul, Michelle Schaefer, Ron Shelito, Sarma Straminius, Dave Weirens, Tom Wenzel, Marcey Westrick, Wayne Zellmer

OTHERS PRESENT:

Sandy Hooker, MAT
Lance Yohe, RRBC

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Chair Kramer called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

09-39 **ADOPTION OF AGENDA** – Chair Kramer stated that a few adjustments will be made in the order of the agenda. New Business item #1, Proposed Wetland Conservation Rule will be agenda item #6; item #2, Appeal Fee Schedule will be agenda item #7; and agenda item #7, FY10 Clean Water Fund Program Targeted Non-Point Restoration Technical Assistance and Engineering Project Funding Authorization will be moved to item #1. Moved by Louise Smallidge, seconded by Paul Langseth, to approve the agenda as amended. Motion passed on a voice vote.

09-40 **MINUTES OF MAY 27, 2009** – Moved by Paul Langseth, seconded by Louise Smallidge, to approve the minutes of May 27, 2009, as circulated. Motion passed on a voice vote.

REPORTS

Chair's Report – Randy Kramer reported that he attended the Environmental Quality Board (EQB) meeting on June 18. The EQB adopted Phase 2 of the shoreland ordinance. There has been lots of discussion on this issue, not without controversy. The next EQB meeting is scheduled for September; full board meetings are now held quarterly; with commissioners meeting monthly. Chair Kramer reported that Bob Patton is now the half-time EQB Executive Director; he continues working half-time with the Department of Agriculture.

Chair Kramer asked that Board Members submit their expense reports immediately as they are due by the end of month. Chair Kramer asked Mary Jo Anderson to also send Board Members a reminder notice tomorrow via e-mail.

Executive Director's Report – John Jaschke commented on articles in the "BWSR Snapshots". John briefly explained that the Legislature passed new language this session regarding conducting meetings electronically, effective August 1, 2009.

John reported that he met individually with new board members Tom Loveall and John Meyer for orientation purposes. John attended the MAT Legislative and Research Policy Committee meeting on June 8th. John will attend the MAWD Summer Tour on June 26 in Albert Lea. John will attend the Minnesota Ag Water Resources Coalition meeting in Mankato on June 25th. John reported that he has been communicating with the Red River Basin Commission; the Board will take action on the regional flood solutions grant today. John reported that special federal EQIP funding for ring dikes is available in the Red River Valley, and will continue to pursue other funding. John reported that Julie Klocker will attend a Legislative Forum Conference on June 25-27, in

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Winnipeg; Julie will speak on dedicated funding for water quality. John reported that the WCA/Swampbuster Fact Sheet is now in place for producers, the next step is to develop an MOU for federal and state identification and mitigation of wetlands, and possibly incorporate into WCA rules. Board members will receive a copy of the fact sheet.

Dispute Resolution Committee – Travis Germundson reported that there are currently 17 appeals. A new restoration order appeal was received from Brown County. Travis reported that the City of Woodbury has directed their attorney to file an appeal with the Court of Appeals to contest the Board's May 27, 2009 decision on the Order for the Enlargement of the Valley Branch Watershed District and enlargement and increase in the number of managers of the South Washington Watershed District within an area previously managed by the Lower St. Croix WMO (which has been dissolved).

LuAnn Tolliver stated that the Wetlands Committee requests that a status and resolution column be included in Travis' DRC report. Travis will provide that.

Wetlands Committee – LuAnn Tolliver reported that the Wetlands Committee met on May 22, June 18 and June 23; items to be considered later today on the agenda.

Grants Program & Policy Committee – Louise Smallidge reported that the Grants Program and Policy Committee met on June 18; there are 12 items to be considered later today on the agenda.

Public Relations, Outreach & Strategic Planning Committee – Brian Napstad reported that the Public Relations, Outreach & Strategic Planning Committee has not met; the Strategic Plan was the Committee's last main project. Staff are meeting to review the scope and charter of the Committee, additional oversight efforts will be included; the Committee will schedule a meeting as needed.

RIM Reserve Planning Committee – Paul Brutlag reported that due to the state and federal agencies' partnership, Minnesota has received the most WRP funds. Kevin Lines reported that 233 eligible applications were received, just under 19,000 acres requested; \$58M in requests. \$1.3M of carryover from Phase 1, with 750 acres to complete. Kevin stated that there is \$12.7M RIM available statewide to allocate to 115 applications; 13,000 total in easement acres. Kevin recognized the partnership with BWSR and NRCS; looking at leveraging WRP funds. Kevin recognized the efforts of NRCS staff Tim Koehler, Mark Oja, Myron Taylor, and John Corrigan. Kevin recognized BWSR staff Tom Wenzel and Tim Fredbo on their efforts, and the tremendous amount of work at the local delivery system. Chair Kramer thanked staff for their efforts.

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Administrative Advisory Committee – Randy Kramer stated that the Administrative Advisory Committee did not meet this month.

COMMITTEE RECOMMENDATIONS
Southern Water Planning Committee

Waseca County Local Water Management Plan Update – Paul Langseth reported that the Southern Water Planning Committee reviewed the Waseca County Local Water Management Plan Update and recommends approval of the Plan for 2009-2018.

**
09-41 Moved by Paul Langseth, seconded by Brian Napstad, to approve the Waseca County Local Water Management Plan Update. Motion passed on a voice vote.

NEW BUSINESS

FY10 Clean Water Fund Program Targeted Non-Point Restoration Technical

Assistance and Engineering Project Funding Authorization – Julie Klocker reported that the Clean Water Fund appropriation was made for targeted non-point restoration technical assistance and engineering and Federal Section 319 funds could be applied for a local match through the MPCA review process. Julie stated that an urgency exists as applications need to be submitted to MPCA by July 15. Julie reported that the Grant Program & Policy Committee met on June 18th and made the following recommendation: 1) that up to \$1,250,000 from the Clean Water Fund targeted non-point restoration technical assistance and engineering appropriations be designated to leverage the currently available Federal Section 319 Funds; and 2) staff to coordinate with MPCA and communicate to local government project sponsors that said funds are available for up to 20% of the total project costs for the technical assistance and engineering portion of Section 319 implementation grant applications that are approved for funding; and 3) staff to participate in the Federal Section 319 project evaluation, selection and validation process and enter into grant agreements with the local government unit project sponsors or partners for the non-point restoration technical assistance and engineering components of the selected projects. Moved by Louise Smallidge, seconded by Paul Langseth, to approve the FY10 Clean Water Fund Program Targeted Non-Point Restoration Technical Assistance and Engineering Project Funding Authorization. Discussion followed. Motion passed on a voice vote.

**
09-42

FY 2010 SWCD Base Grant Allocations

State Cost-Share Base Grants - Wayne explained that the Grants Program and Policy Committee recommends approval of the State Cost-Share Base Grants to be allocated according to Alternative #1 and that performance increases be suspended for FY11 due to such limited funding. The Committee also recommends allowing SWCDs, with Board Conservationists approval, to use all or part of their allocation for technical assistance

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when: 1) Federal funds will be leveraged and the couldn't do the project otherwise; or 2) Funds are used on a project(s) that is State Cost-Share Program or EQIP eligible and their 2008 Financial Report indicates less than an 18-month fund balance.

- **
09-43 Moved by Louise Smallidge, seconded by Quentin Fairbanks, to approve the State Cost-Share Base Grants (Alternative #1); authorizing staff to allocate \$1,145,743 to eligible SWCDs as presented. Motion passed on a voice vote.

General Services Grants - Wayne explained that the Grants Program and Policy Committee recommends approval of the General Services Grants (Alternative #1).

- **
09-44 Moved by Louise Smallidge, seconded by Paul Langseth, to approve the General Services Grants (Alternative #1); authorizing staff to allocate \$2,086,078 to SWCDs as presented. Motion passed on a voice vote.

Easement Services Grants - Wayne explained that the Grants Program and Policy

- **
09-45 Committee recommends approval of the Easement Services Grants. Moved by Louise Smallidge, seconded by Quentin Fairbanks, to approve the Easement Services Grants; authorizing staff to allocate \$344,993 to SWCDs as presented. Motion passed on a voice vote.

Non-Point Engineering Assistance (NPEA) Base Grants - Wayne explained that the Non-Point Engineering Assistance (NPEA) Base Grants are allocated annually to the NPEA (TSA) Joint Powers Boards for the purpose of providing technical assistance to landowners to apply conservation practices. The Legislature appropriated \$1.06M for FY10. The Grants Program & Policy Committee recommends approval of the FY10

- **
09-46 NPEA Base Grants. Moved by Louise Smallidge, seconded by Rebecca Flood, to approve the Non-Point Engineering Assistance Base Grants; authorizing staff to allocate \$1,060,000 to JPBs as presented. Motion passed on a voice vote.

FY 2010 Natural Resources Block Grant (NRBG) Allocations – Wayne Zellmer explained that the NRBG are administered by BWSR, providing assistance to local governments to implement the State natural resource programs of Comprehensive Local Water Management, the Wetland Conservation Act, the DNR Shoreland Management, the MPCA County Feedlot, and the MPCA Subsurface Sewage Treatment Systems. Wayne reported that the Grants Program & Policy Committee recommends approval of the following FY10 Natural Resources Block Grants:

Local Water Management (LWM)	\$1,559,817
Wetland Conservation Act (WCA)	\$2,171,973
DNR Shoreland Management	\$ 429,926
MPCA County Feedlot	\$1,839,857
MPCA SSTS	\$ 863,997

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**
09-47 Moved by Louise Smallidge, seconded by Bob Burandt, to approve the NRBG allocations; authorizing staff to allocate the appropriate individual grant amounts to counties meeting the NRBG Program requirements as determined by BWSR, MPCA, and DNR staff, as presented. Discussion followed. Brian Napstad questioned the WCA formula noting the time required for wetland banking applications, and the need to examine the formula so it compensates all of the activities within WCA. John Jaschke stated that the Grants Program & Policy Committee will look at the formula and allocation, and make sure it is up-to-date. Motion passed on a voice vote.

FY 2010 Farm Bill Assistance Grants – Wayne Zellmer explained that the Farm Bill Assistance Grant Program is administered by BWSR, providing grants to SWCDs for hiring staff to accelerate implementation of the Federal Farm Bill as well as other state and local conservation projects that involve grasslands and wetlands. Wayne reported that the Grants Program & Policy Committee recommends approval of the FY10 Farm Bill Assistance Grant. Moved by Louise Smallidge, seconded by Paul Langseth, to approve the FY10 Farm Bill Assistance Grant and authorize staff to allocate \$710,000 according to the Board's policies. Discussion followed. Motion passed on a voice vote.

**
09-48

Chair Kramer called for a break in the meeting at 10:35 a.m. The meeting reconvened at 10:50 a.m.

Red River Basin Commission - Regional Flood Solutions Grant – John Jaschke explained that the 2009 Legislature appropriated \$500,000 to the Red River Basin Commission for planning and flood response issues in conjunction with an equal appropriation from North Dakota. John introduced Lance Yohe, Executive Director of the RRBC. John reported that the Grants Program & Policy Committee recommends approval of the work plan; and authorizes staff to:

1. Develop agreements with the RRBC related to Minnesota 2009 legislative appropriation and coordinate such agreements and related work with the North Dakota State Water Commission, and
2. Oversee implementation of the workplan for Phase I in conjunction with the North Dakota State Water Commission, and
3. Authorize, in conjunction with the North Dakota State Water Commission, RRBC efforts to:
 - a. develop and conduct a survey of flood damage and prevention needs, opportunities, obstacles and ideas, and
 - b. develop, as needed, a Request for Proposals (RFP) for consulting services for evaluation of the survey results and potential follow-up, and

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- c. conduct or contract for analysis of past plans, assessments and recommendations, and
 - d. develop an RFP for Phase II and related tasks toward completion of the project, and
4. Authorize expenditures for Phase I up to \$200K and the remainder for Phase II activities in conjunction with the North Dakota State Water Commission.
 5. Report progress on the project to the Board at least every six months.

Lance explained the expenditures for Phase I (what should be done) up to \$200K and the remainder for Phase II (how to make it happen) activities in conjunction with the North Dakota State Water Commission. Moved by Quentin Fairbanks, seconded by Paul Brutlag, to approve the Grants Program & Policy Committee's recommendation. John stated that the Legislation requires a report back to the legislature. BWSR will allocate money and require a progress report at least every six months. Motion passed on a voice vote.

**

09-49

Proposed Wetland Conservation Rule – Dave Weirens distributed a WCA permanent rulemaking chronology. Les Lemm provided comments from the public hearings that were held in April and May; and the proposed changes. Dave distributed and explained the response to the ALJ report. Dave reported that the Wetlands Committee met on June 23, 2009, and recommends adoption of the rule. Dave explained the series of steps to be followed regarding the WCA final rule; BWSR's targeted date of July 27, 2009, to submit notice of adoption of rule amendments to the State Register. The amended rule to be published in the State Register August 2009, the rules are effective five days after publishing. Moved by LuAnn Tolliver, seconded by Paul Brutlag, to approve the Wetlands Committee recommendation to adopt the WCA rules as published in the State Register with changes noted; and to authorize staff to proceed with the final steps to complete the rulemaking process.

**

09-50

LuAnn thanked staff for keeping the lines of communication open, and for the excellent job of moving the process along. She thanked the Wetlands Committee for their flexibility in meetings. Discussion followed. Quentin Fairbanks commented on the wetland issues in International Falls. John Jaschke stated that he and the District Engineer from the USACOE will be going to International Falls to discuss the wetland issues. Brian Napstad thanked staff for their efforts in reordering the WCA rule. Dave commended Les Lemm for all his great work. Les credited the staff rule team for their role in the effort of reorganizing this huge undertaking. Chair Kramer noted that no one signed-up to provide testimony at today's Board meeting. Motion passed on a voice vote. Chair Kramer thanked staff and the Wetlands Committee, and LuAnn Tolliver for her diligence and leadership in chairing the Wetlands Committee.

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Appeals Fees Schedule – Dave Weirens explained that BWSR is required by law to establish a fee schedule to defray the administrative costs of appeals made to the Board. This is non-refundable fee. Dave reported that the Wetland Committee recommends approval of the following: 1) Increase the administrative filing fee for appeals to \$500; 2) require this fee for appeals filed after August 1, 2009; and 3) review the fee and protocols for reimbursing the prevailing party within two years. Moved by LuAnn Tolliver, seconded by Louise Smallidge, to approve Wetlands Committee recommendation of the fee schedule as presented. Discussion followed. Quentin asked about a waiver process for fees. John Jaschke stated that in the new proposed rule there is the ability to extend the appeal process which might help with the waiver issue. Brian Napstad questioned the protocols for reimbursement. LuAnn Tolliver stated that the Wetlands Committee reviews the protocols. Motion passed on a voice vote.

**
09-51

Paul Brutlag commented on the budgetary burden for LGUs for ag exemption enforcement issues which is related to the NRBG formula discussed earlier.

AGENCY REPORTS

Minnesota Department of Health (MDH) – Linda Bruemmer reported that MDH is working with BWSR staff to develop new language and review data for implementing and prioritizing RIM easement lands for wellhead protection.

Minnesota Department of Natural Resources (DNR) – Wayne Edgerton distributed a factsheet on Minnesota's "Working Lands for Wildlife Initiative" and also a map showing the targeted counties in the State for Board Members' information. Wayne stated that Tabor Hoek is working half time with BWSR and DNR on this effort. Wayne stated that DNR is working on the ash borer infestation.

Minnesota Extension Service – Faye Sleeper explained that the Water Resources Center received Clean Water funding, but needs to know how to get the funding into the University. Co-Director Deb Swackhamer, has established teams and a large stakeholder component to get this effort more formalized, contact Deb or Faye with questions on this effort.

Minnesota Pollution Control Agency (MPCA) – Rebecca Flood reported that MPCA is in the process of rulemaking for Air and Water; there will be changes in discharge fees. MPCA is in the process of developing revisions on non-degradation rules. Rebecca reported that MPCA will be placing on public notice feedlot applications beginning in July. MPCA is beginning interagency meetings on Clean Water Funding, teams are looking at proposals and outcomes as the funding comes through agencies to LGUs.

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John stated that there has been a pilot program for construction site stormwater permit funding for LGUs to interface with landowners; due to budget reductions MPCA will not be able to continue that program.

UPCOMING MEETINGS

- ❑ August Board Meeting and Tour – August 26-27, 2009, Winona
John stated that Mary Jo Anderson is in the process of planning logistics and information will be provided to Board Members as plans are finalized.
Accommodations have been made at the Holiday Inn Express in Winona.
- ❑ Southern Water Planning Committee – August 25, 2009 @ 5:00 p.m., in Austin
- ❑ Grants Program & Policy Committee – August 25, 2009 @ 7:00 p.m. in Winona

** Moved by Louise Smallidge, seconded by Quentin Fairbanks, to adjourn the meeting at
09-52 12:30 p.m. Motion passed on a voice vote.

Respectfully submitted,

Mary Jo Anderson
Recorder

Dispute Resolution Report
August 14, 2009
by: Travis Germundson

There are presently 17 appeals pending. All of the appeals involve WCA except File 05-24. There have been 2 new appeals filed since the last report dated June 24th.

Format note: New appeals that have been filed since last report to the Board.
~~Appeals that have been decided since last report to the Board.~~

File 09-11 (8-6-09) This is an appeal of a public road notice in Sherburne County. The appeal regards the Technical Evaluation Panel's recommendation that 12,677 square feet of wetland impacts be replaced through the BWSR's Road Replacement Program. No decision has been made on the appeal.

File 09-10 (7-9-09) This is an appeal of a banking plan application in Aitkin County. The appeal regards the LGU's denial of a banking plan application to restore 427.5 acres of wetlands through the use of exceptional natural resource value. The appeal has been accepted and the record has been requested from the LGU.

File 09-9 (6-22-09) This is an appeal of a restoration order in Brown County. The appeal regards a no-loss request/determination for the placement of agricultural tile lines within a wetland area. The landowner requested a no-loss determination from the LGU, and then proceeded to do the work prior to obtaining a determination. Both parties mutually agreed to extend the time period for BWSR to render a final decision. No decision has been made on the appeal.

~~File 09-8 (5-11-09) This is an appeal of a restoration order in Chisago County. The appeal regards the filling of approximately 3,000 square feet of a type 2/6 wetland for a private access road. The appeal has been denied and the restoration order affirmed.~~

~~File 09-7 (5-11-09) This is an appeal of a replacement order in Stearns County. The appeal disputes a number of facts regarding compliance with an approved replacement plan for 9,900 square feet of wetland impacts associated with residential development. No decision has been made on the appeal. The replacement order was affirmed in part and modified to reduce the required wetland replacement ratio from 4:1 to 2:1.~~

File 09-6 (5-06-09) This is an appeal of a exemption decision in Otter Tail County. The appeal regards the denial of an exemption request for agricultural/drainage activities that resulted from issuance of a Restoration Order (File 09-1). The appeal has been remanded for further technical evaluation.

File 09-5 (4-24-09) This is an appeal of a wetland bank application decision in Lake of the Woods County. The appeal regards the denial of a wetland bank application to restore a type 1/2 wetland. . The appeal has been remanded for further technical evaluation.

File 09-3 (2-20-09) This is an appeal of a replacement plan decision in Anoka County. The appeal regards the approval of a wetland replacement plan for 11,919 square feet of impacts associated with a residential development. The appeal has been placed in abeyance and the replacement plan decision stayed for submittal of a revised replacement plan application at the request of the petitioner.

File 09-2 (2-19-09) This is an appeal of a restoration order in Stearns County. The appeal regards the filling of approximately 6,833 square feet of a type 5 wetland with various debris materials. No decision has been made on the appeal. The appellant has granted BWSR additional time to make a decision on the appeal.

File 08-35 (12-3-08) This is an appeal of a exemption decision in Grant County. The appeal resulted from issuance of a restoration order for 32 acres of wetland impacts associated with agricultural drain tile work. The appeal has been accepted and copies of the record have been obtained. A verbal settlement agreement has been drafted.

File 08-34 (12-2-08) This is an appeal of the same agricultural exemption decision in Grant County as identified in File 08-35. The appeal has been accepted and copies of the record have been obtained. The two related appeals will be combined and processed as one decision. A verbal settlement agreement has been drafted.

File 08-9. (03/06/08) This is an appeal of a replacement order in Pine County. The appeal regards impacts to approximately 11.26 acres of wetland. The replacement order has been stayed and the appeal has been placed in abeyance pending further technical work.

File 08-4. (01/24/08) This is an appeal of no-loss and exemption decisions in Waseca County. In addition to the no-loss decision, at issue are denials of the agricultural exemption, approved development exemption, incidental wetland exemption, and claims of numerous procedural issues that were prejudicial to the applicants. Further, a Minn. Stat. § 15.99 (60-day rule) claim is pending in Appellant Court. The appeal has been remanded for further technical work at the local level.

File 06-23. (05/19/06) This is an appeal of a replacement plan decision in Kanabec County. The LGU denied the wetland replacement plan application. A previous denial of

the same replacement plan application had been appealed, the appeal was remanded for a hearing, and now the current denial has been appealed. The appeal has been placed in abeyance pending the outcome of a lawsuit between the landowner and the county. The lawsuit concerns the county's possible noncompliance with the 60-day rule. The county prevailed in district court, however the decision was appealed to the Court of Appeals where the county again prevailed. An appeal to the Minnesota Supreme Court was denied review. It is likely the appeal will soon be placed on the calendar for DRC proceedings.

File 06-17. (05/27/06) This is an appeal of a replacement plan decision in the City of Montgomery in LeSueur County. The LGU denied an after-the-fact wetland replacement plan application based on a lack of sufficient reasons why the restoration could not be completed. The appeal has been remanded for further processing at the local level.

File 06-12. (04/13/06) This is an appeal of a no-loss decision in Stearns County. It involves the same project and issues as File 06-6. After a restoration order was issued, a no-loss application was submitted by the developer and denied by the LGU. The appeal has been remanded for further technical evaluation.

File 06-6. (02/16/06) This is an appeal of a restoration order in Stearns County. At issue are numerous wetlands impacted by filling, sedimentation, reduction of hydrology and lack of Best Management Practices associated with a residential development. The appeal has been denied in part. The Restoration Order has been affirmed in part and has been stayed in part.

File 05-24. (03/04/05) This is an appeal, actually three appeals, of the Bois de Sioux Watershed District compensation to landowners related to a project. The appeal has been held in abeyance pending settlement discussions. It appears at least two of the appeals have been settled.

File 05-1. (01/13/05) This is an appeal of a replacement plan decision by the Rice Creek Watershed District. The District previously made a decision that was appealed which resulted in a remand for an expanded TEP. Now there is an appeal of the decision made under remand since the decision differed from the TEP report. At issue is a wetland delineation and the Comprehensive Wetland Protection and Management Plan that BWSR approved. After a hearing before the DRC, the board remanded the matter for a new wetland delineation and for submission on an updated, complete replacement plan application.

Draft Summary Table

Type of Decision	Total for Calendar Year 2009
Order in favor of appellant	
Order not in favor of appellant	1
Order Modified	1
Order Remanded	2
Order Place Appeal in Abeyance	1
Negotiated Settlement	

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. Carver Soil and Water Conservation District Change of Headquarters -
DECISION ITEM
2. Chisago County Comprehensive Local Water Management Plan
Amendment – ***DECISION ITEM***
3. Rice Creek Watershed District Watershed Management Plan
Amendment –
DECISION ITEM
4. Shingle Creek and West Mississippi Watershed Management
Organizations' Watershed Management Plan Amendment –
DECISION ITEM

RESOLUTION FOR CHANGE OF HEADQUARTERS

Be it resolved by the Carver Soil and Water Conservation District supervisors that the headquarters of the district be changed from 219 East Frontage Road, Waconia MN to 11360 Hwy 212, Cologne, Minnesota. The effective date of this change shall be October 1, 2009.

State of Minnesota
County of Carver

I, Ted Beise, Chairman of the Soil and Water Conservation District, do hereby certify that the above resolution relating to the change of the location of the principal office of the supervisors of the Carver Soil and Water Conservation District was adopted by the said district supervisors at a regular meeting thereof held on July 16, 2009, that I have compared it with the original resolution as set forth in the minutes of the said meeting, and that said copy is a true and correct copy of and transcript from said original and the whole thereof. I further certify that said meeting of the Board was duly called and held, that a quorum of the members of said Board was present thereat, and that said resolution was duly adopted thereat by a majority vote of the members present.

Signed: , Chairman

Carver Soil and Water Conservation District

Dated: July 16, 2009 _____

DRAFT

Minnesota Board of Water and Soil Resources Resolution No. _____

RESOLUTION ACCEPTING CHANGE IN OFFICE LOCATION FOR CARVER SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, the Carver Soil and Water Conservation District Board of Supervisors adopted a resolution dated July 16, 2009, to change the office headquarters from 219 East Frontage Road, Waconia, MN to 11360 Highway 212, Cologne, MN, effective October 1, 2009, and;

WHEREAS, the Board of Water and Soil Resources must act on the change of office location pursuant to Minn. Stat. § 103C.221;

NOW THEREFORE BE IT RESOLVED BY THE MINNESOTA BOARD OF WATER AND SOIL RESOURCES:

The Board of Water and Soil Resources hereby approves the change in office location of the Carver Soil and Water Conservation District from 219 East Frontage Road, Waconia, MN to 11360 Highway 212, Cologne, MN, effective October 1, 2009.

Dated at Winona, Minnesota this 27th day of August, 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Randy Kramer, Chair

June 29, 2009

Chisago County Local Water Management Plan Amendment

Goal 1: Ground and surface water is safe and available for human consumption, recreational use and wildlife habitat.

Objective E: Obligations of the Chisago County Individual Sewage Treatment System pilot program are fulfilled (Priority Concern).

Task 3:

Chisago County supports the construction of community wastewater treatment systems in the unsewered Rural Village Centers as defined in the Chisago County Comprehensive Plan: Almelund, Sunrise, Palmdale, Rush Point and Stark.

Support will be provided through staff assistance to the community in researching grant opportunities, as well as technical assistance on potential systems design and capacity as requested. Providing a community wastewater treatment system in these communities is a priority for the County.

Partners: Chisago County, MPCA, townships

Funding: \$5,000 yearly Chisago County staff in-kind contribution

Timeframe: 2009 - 2014

DRAFT

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of Reviewing the Local Water Management Plan Amendment
for **Chisago County** (Minnesota Statutes, Section 103B.314,
Subdivision 6)

ORDER
APPROVING
LOCAL WATER
MANAGEMENT PLAN
AMENDMENT

Whereas, on September 27, 2006, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Chisago County 2006 – 2011 Comprehensive Local Water Plan Update (Plan); and

Whereas, the Chisago County Board of Commissioners submitted a Comprehensive Local Water Plan Amendment (Amendment) to the Board on June 29, 2009; and

Whereas, the Board has completed its review of the Amendment.

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

FINDINGS OF FACT

1. On April 28, 2009 the Board received a petition from Chisago County stating its intent to amend its current Plan, pursuant to M.S. Section 103B.314, Subd. 6.
2. On May 26, 2009, Chisago County provided proper notice to local units of government and state agencies of the county's intent to amend its current Plan and invited all recipients to participate in the amendment process.
3. Chisago County received written comments from the Board of Water and Soil Resources on May 26, 2009.
4. No other state agency or local government unit provided written comments to Chisago County.
5. On June 17, 2009, after providing for proper public notice, Chisago County conducted a public hearing on the proposed Amendment. No additional comments were submitted at the hearing.
6. On June 29, 2009 the BWSR received the Amendment, a record of the public hearing, and copies of all written comments pertaining to the Amendment, pursuant to M.S. Section 103B.314, Subd. 6.
7. On August 4, 2009, the Board's regional Water Planning Committee (Committee) reviewed the Amendment, pursuant to 103B.301 and guidelines established by the Board.
 - a. Board regional staff provided its recommendation of approval to the Committee.
 - b. The Committee voted to recommend approval to the full Board at its next scheduled meeting.

8. This Amendment will be in effect until September 27, 2011.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Comprehensive Water Plan Amendment of Chisago County pursuant to Minnesota Statutes, 103B.314, Subd. 6.
3. The Amendment attached to this Order is in conformance with the requirements of M.S. Section 103B.301.

ORDER

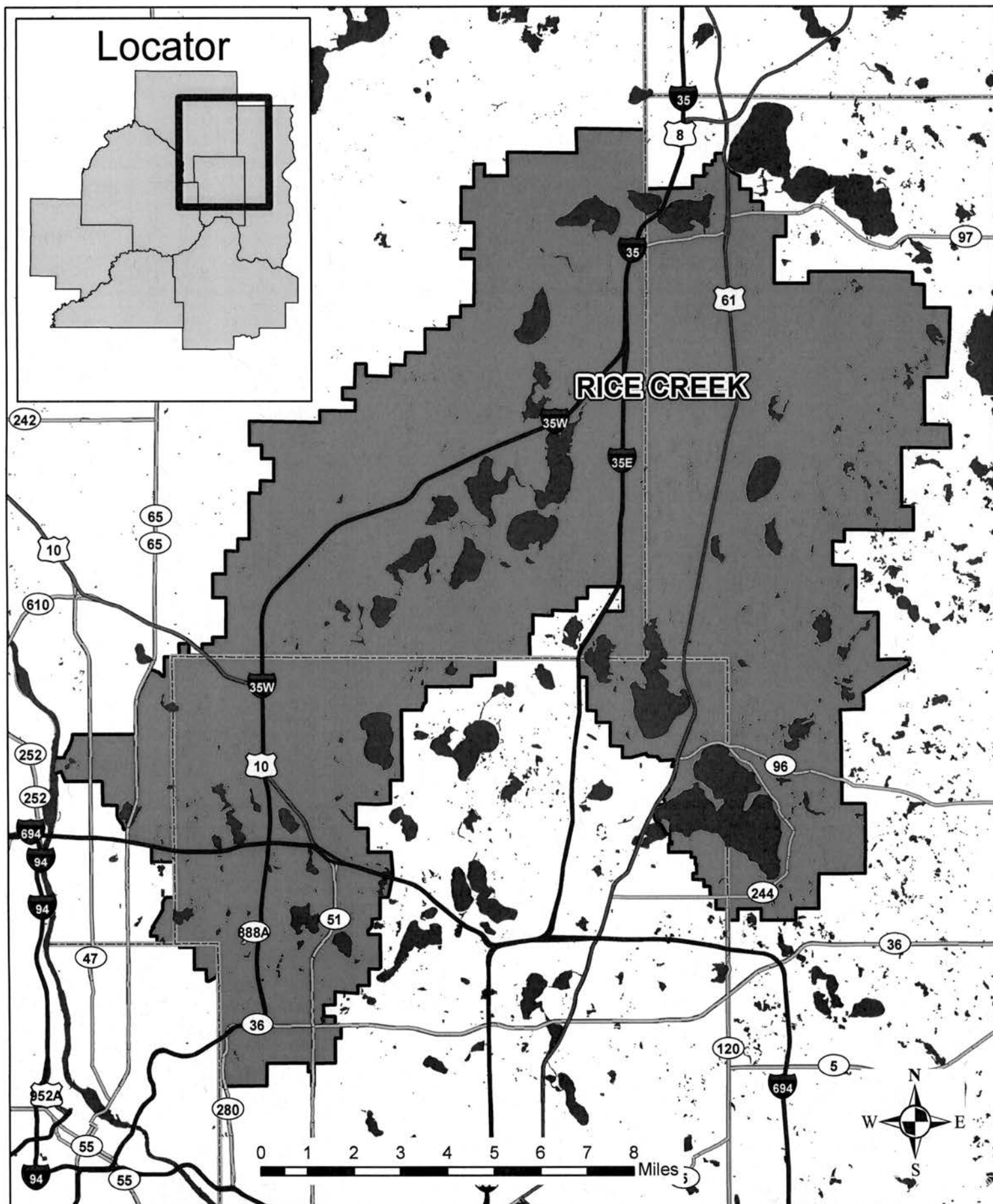
The Board hereby approves the attached Amendment, dated June 29, 2009 to the Chisago County 2006 – 2011 Comprehensive Local Water Plan.

Dated at Winona, Minnesota, this 27th day of August, 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chair

Rice Creek Watershed District



DRAFT

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of the review of the
Amendment to the Watershed Management
Plan for the Rice Creek Watershed District,
pursuant to Minnesota Statutes Section
103B.231, Subdivision 11.

**ORDER
APPROVING
AMENDMENT TO
WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Managers of the Rice Creek Watershed District (District) submitted a Watershed Management Plan Amendment (Amendment) dated April 22, 2009, to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 11, and;

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

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

FINDINGS OF FACT

1. **Watershed District Establishment.** The District was established in 1972 by the Minnesota Water Resources Board. The District Board consists of two representatives each from Anoka and Ramsey counties and one representative from Washington County.
2. **Authority to Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251. The current District watershed management plan was approved by Board Order on October 22, 1997. The watershed management plan may be amended according to Minnesota Statutes Section 103B.231, Subd. 11.
3. **Nature of the Watershed.** The District encompasses approximately 201 square miles of urban and rural land in Anoka, Hennepin, Ramsey and Washington counties in Minnesota. Portions of the district can be found in the following municipalities: Arden Hills, Birchwood Village, Blaine, Centerville, Circle Pines, Columbia Heights, Columbus, Dellwood, Falcon Heights, Forest Lake, Fridley, Grant, Hugo, Lauderdale, Lexington, Lino Lakes, Mahtomedi, May Township, Mounds View, New Brighton, Roseville, Scandia, Shoreview, Spring Lake Park, Saint Anthony, White Bear Lake, White Bear Township, and Willernie. Land in the District is relatively flat, particularly

in the north-central portion where the Rice Creek Chain of Lakes is the dominant feature. The southern portion of the watershed is primarily urban in nature. Rice Creek is the principal stream of the watershed.

4. **Amendment Development and Review.** The Amendment consists of the establishment of the Bald Eagle Lake Water Management District to address long-term water quality goals and implement the Bald Eagle Lake Management Plan and Total Maximum Daily Load Implementation Plan. The Bald Eagle Lake Association requested the District undertake this plan amendment for the purpose of raising funds to support water quality restoration and enhancement projects for Bald Eagle Lake.

The District circulated a copy of the draft Amendment to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7. The 60-day review draft of the Amendment was submitted to the Board, other state agencies, Metropolitan Council, and local governments on January 15th, 2009. A public hearing was held on April 16th, 2009 with over fifty residents attending. The 45-day review draft was submitted on April 23rd, 2009. The final draft of the Amendment was received by the Board on April 25th, 2008.

5. **Metropolitan Council Review.** The Council determined that the amendment is consistent with the Council's policy plan.
6. **Department of Agriculture Review.** The MDA did not comment on the Amendment.
7. **Department of Health Review.** The MDH did not comment on the Amendment.
8. **Department of Natural Resources Review.** The DNR did not comment on the Amendment.
9. **Pollution Control Agency Review.** The MPCA did not comment on the Amendment.
10. **Local Review.** The City of Hugo Council approved a motion indicating support for the citizen-initiated effort leading to the proposed amendment.
11. **Board Review.** Board staff found the amendment to be consistent with statute and rule and commended the District for its coordination with local partners.
12. **Highlights of the Plan Amendment.** The critical elements of the Amendment are the establishment of the Water Management District, the identification of projects eligible for the funding, total estimated cost, area for inclusion, methods for determining charges, and the duration of the Water Management District.
13. **Metro Water Planning Committee Meeting.** The Board's Metro Water Planning Committee met on August 4, 2009 to review and discuss the Amendment. Those in attendance from the Board's Committee were Rebecca Flood, Louise Smallidge, Faye Sleeper, LuAnn Tolliver and Robert Burandt as chair. Board staff in attendance were Metro Region Supervisor Jim Haertel and Board Conservationist Melissa Lewis. Board

staff recommended approval of the Amendment. After discussion, the Committee unanimously voted to recommend approval of the Amendment to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving an Amendment to the Watershed Management Plan for the Rice Creek Watershed District pursuant to Minnesota Statutes Section 103B.231, Subd. 11.
3. The attached Amendment is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

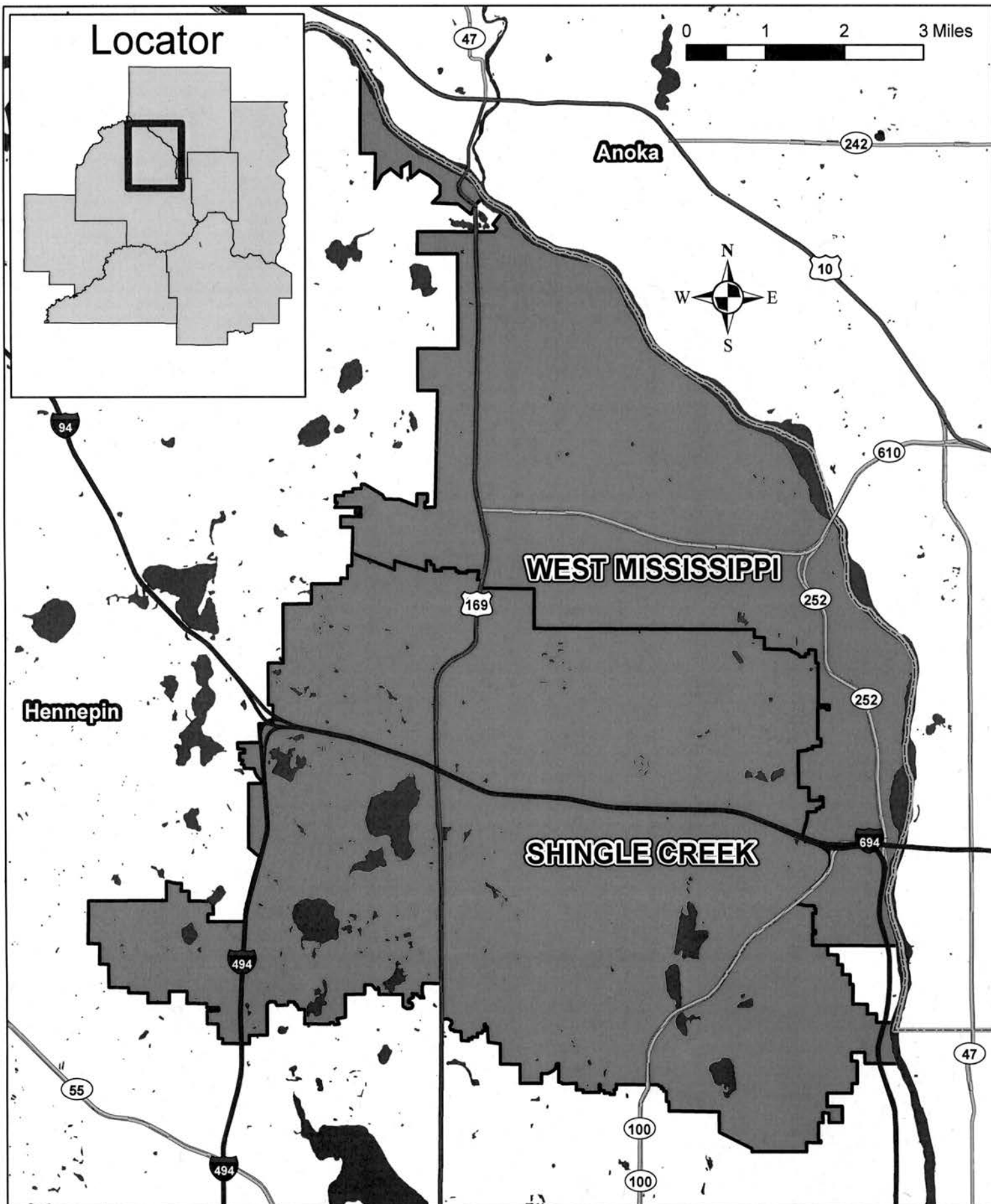
The Board hereby approves the attached Amendment, dated April 22nd 2009, to the Rice Creek Watershed District Watershed Management Plan.

Dated at Winona, Minnesota this 27th day of August, 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chair

Shingle Creek & West Mississippi Watershed Management Organizations



Minnesota Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, Minnesota 55155

In the Matter of the review of the
Amendment to the Watershed Management
Plan for the **Shingle Creek and West
Mississippi Watershed Management
Organizations**, pursuant to Minnesota
Statutes Section 103B.231, Subdivision 11.

**ORDER
APPROVING
AMENDMENT TO
WATERSHED
MANAGEMENT PLAN**

Whereas, the Boards of Commissioners of the Shingle Creek and West Mississippi Watershed Management Organizations (Commissions) submitted a Watershed Management Plan Amendment (Amendment) dated July 2009, to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 11, and;

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

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

FINDINGS OF FACT

1. **WMO Establishment.** Joint Powers Agreements established the Shingle Creek and West Mississippi Watershed Management Organizations (Commissions) in 1984. Each Commission is comprised of one member appointed from each community by their respective city council. The first Watershed Management Plan was published in April 1990. During the development process of the Second Generation Plan, both Commissions agreed upon merging the plan preparation, operating policies, and administration for efficiency purposes, but will remain separate, politically distinct Watershed Management Organizations. Four out of the five member cities of West Mississippi Watershed Management Commission are also members of Shingle Creek Watershed Management Commission; Champlin is a member of West Mississippi only. The second generation watershed management plan was approved by the Board in April 2004. The attached amendment will be incorporated into the joint Watershed Management Plan once approved and adopted.
2. **Authority to Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251. The watershed management plan may be amended according to Minnesota Statutes Section 103B.231, Subd. 11.
3. **Nature of the Watershed.** The Shingle Creek and West Mississippi Watershed Management Organizations are located exclusively in Hennepin County in the northwest

portion of the Minneapolis – St. Paul seven county metropolitan area. They are bound by the Mississippi River to the north and east, on the southeast by the Mississippi WMO, on the south by the Bassett Creek WMO, and on the west by the Elm Creek WMO. Both watersheds encompass all or part of the following ten municipalities: Brooklyn Center, Brooklyn Park, Champlin, Crystal, Maple Grove, Minneapolis, New Hope, Osseo, Plymouth, and Robbinsdale. The Shingle Creek and West Mississippi watersheds cover 44.5 square miles and 23 square miles respectively. There are fourteen lakes in the Shingle Creek watershed, and none in West Mississippi. Combined the watersheds have approximately 20.5 miles of stream. Predominantly both watersheds are fully developed, with the remaining land being currently developed.

4. **Amendment Development and Review.** The draft Amendment was submitted to the Board, other state agencies, and local governments for the required 60-day review on January 30, 2009. The main component of the Amendment adds one new streambank restoration project to the Capital Improvement Program (CIP) in 2010 identified as the "Shingle Creek Restoration, Regent to Nobles Avenues" at an estimated cost of \$750,000. Projected costs are strictly for project planning and a feasibility study. The Commissions received 60-day review comment letters from the Board, Met Council, MPCA, and the City of Brooklyn Park. The Commissions held a public hearing on May 14, 2009. No new suggested changes were offered or adopted during the meeting. On May 26, 2009, all review agencies had received the revised draft Amendment for the required 45-day review period. The Commissioners received a comment letter from the Board only. The final draft Amendment was submitted to the Board on July 23, 2009.
5. **Metropolitan Council Review.** The Met Council was supportive of the amendment stating it is consistent with the Council's *Water Resources Management Policy Plan*.
6. **Department of Agriculture Review.** The MDA did not comment on the Amendment.
7. **Department of Health Review.** The MDH did not comment on the Amendment.
8. **Department of Natural Resources Review.** The DNR did not comment on the Amendment.
9. **Pollution Control Agency Review.** The MPCA stated they support the direction the Commissions are taking with the Amendment.
10. **Local Review.** The Commissions circulated a copy of the draft Amendment to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7. Brooklyn Center stated that their city supports the \$500,000 maximum annual levy guideline and requested project revisions be made to comply with the guideline for 2010. The Commissions responded that the actual cost of the project will depend on the selected design developed in the feasibility study, then the Commissions will be able to better evaluate the impact to the maximum levy guideline. The city commented that the area north of Regent Avenue was recently improved warranting no further investment by the watershed to reconstruct or revise any recent improvements. The Commissions noted that the "visioning process" now underway for the Regent to Noble Avenue corridor is

still in its early stages with no specific project details at this time, which a future feasibility study will help identify. The city also supports enhancing the corridor and buffer to Shingle Creek including a possible regional trail. As such the city expects the existing mature trees to remain intact, which can be discussed throughout the project planning stages. The Commissions stated that if this project moves forward the feasibility study and preliminary and final designs will be completed jointly by the cities of Brooklyn Park and Brooklyn Center via a cooperative agreement.

11. **Board Review.** Board staff had no concerns regarding the Amendment. Board staff commended the Commissions for their systematic approach to maintaining a current watershed management plan.
12. **Highlights of the Plan Amendment.** The main goal of the major plan amendment is to add one capital project for 2010 to the Watershed Management Plan. This amendment reflects the Commissions' willingness to regularly review their implementation program and to quickly react to project opportunities that arise.
13. **Metro Water Planning Committee Meeting.** The Board's Metro Water Planning Committee met on August 4, 2009, to review and discuss the Amendment. Those in attendance from the Board's Committee were Rebecca Flood, Faye Sleeper, Louise Smallidge, LuAnn Tolliver, and Robert Burandt as chair. Board staff in attendance were Metro Region Supervisor Jim Haertel and Board Conservationists Brad Wozney and Melissa Lewis. Board staff recommended approval of the Amendment. After discussion, the Committee unanimously voted to recommend approval of the Amendment to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving an Amendment to the Watershed Management Plan for the Shingle Creek and West Mississippi Watershed Management Organizations pursuant to Minnesota Statutes Section 103B.231, Subd. 11.
3. The Shingle Creek and West Mississippi Watershed Management Organizations' Amendment attached to this Order defines the need and purpose of the Plan changes and the methods of financing.
4. The attached Amendment is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Amendment, dated July 2009, to the Shingle Creek and West Mississippi Watershed Management Organizations' Watershed Management Plan.

Dated at Winona, Minnesota this 27th day of August, 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chair

Northern Water Planning Committee

1. Aitkin County Local Water Management Plan Final Review –
DECISION ITEM
2. Morrison County Priority Concerns Scoping Document - ***DECISION ITEM***
3. Otter Tail County Local Water Management Plan – ***DECISION ITEM***
4. Pine County Priority Concerns Scoping Document – ***DECISION ITEM***
5. Polk County Local Water Management Plan (LWMP) Extension –
DECISION ITEM

DATE: August 3, 2009

TO: BWSR North Region Water Plan Review Subcommittee

FROM: Dan Steward, BWSR Board Conservationist

SUBJECT: Review of Aitkin County Final Local Water Management Plan (LWMP)

On July 3, 2008, BWSR and other state review agencies received the Priority Concerns Scoping Document (PCSD) from Aitkin County. The North Region Review Subcommittee (Committee) met August 13, 2008, to discuss state review comments, the content of the PCSD, and recommendations for the final plan. The current Aitkin County Local Water Management Plan was due to expire in July 2007. The county received an extension that expired July 1, 2009. Aitkin County is one of three counties that are working with BWSR on a Clean Water Legacy project to define a water quality protection strategy for unimpaired lakes. The results of the protection strategy project have been included in the updated Aitkin County Water Plan.

BWSR's August 28, 2008, letter pursuant to M.S. section 103B.313, subdivision 5, communicated the State's official comments pertaining to the priority concerns chosen by Aitkin County. BWSR commended Aitkin County for the process used to select the concerns and did not require any changes to the PCSD.

Aitkin County's five priority concerns are:

1. Surface Water Management
2. Land Use and Development
3. Groundwater Quality
4. Fish and Wildlife Habitat
5. Education

Aitkin County held the required public hearing on August 11, 2008, as part of a regular County Board meeting. The final draft of the updated Aitkin County Water Plan was submitted on July 7, 2009, for review by state agencies. Agency comments are due to Ron Shelito by August 3, 2009.

The duration of the LWP is from August 2009 to August 2014.

The following agencies provided these comments:

- On August 3, 2009, the Minnesota Department of Natural Resources in its comments stated that the Plan does not violate any statutory or rule requirements administered by the DNR, and recommended BWSR approve the Plan as submitted.
- On August 3, 2009, the Minnesota Department of Agriculture in its comments stated that the Plan does not violate any statutory or rule requirements administered by the MDA, and recommended BWSR approve the Plan as submitted.

Steve Hughes, Aitkin County Water Planner, and Aitkin SWCD Manager and other representatives from the county will attend the review meeting in Wadena , and make a presentation on the update.

Cass, Aitkin and Crow Wing Counties have been working on a cooperative Clean Water Legacy project with BWSR to help define a water quality protection strategy as part of their water plan updates. Each of the three counties is focusing on lakes over 1,000 acres.

The two phased project includes, assessment of existing lake water quality data along with trend determination, watershed assessment, and identifying an action plan through a meeting with local and state technical and lake association input. Aitkin County has 6 lakes greater than 1,000 acres that are unimpaired. Phase 1 and 2 reports for each of the six lakes have been included in the Update. The county will meet with lake association representatives to review and select implementation options specific to each lake. To my knowledge this is the first water plan to include water quality and watershed assessments for their large unimpaired lakes.

I have reviewed the final plan for consistency with the requirements of M. S. 103B.314. The state agency review period is complete. The County is still working on elements of the Plan related to the Clean Water Legacy part n of the update. I am ready to recommend approval of the Plan, and will do so at the review committee meeting in Wadena.

Section I. EXECUTIVE SUMMARY

Aitkin County's first Generation Water Plan was adopted in July of 1990. The second Generation Water Plan made significant changes and improvements and was adopted in 1995. The third Generation Water Plan started out as a minor revision and evolved into a near total re-write. The fourth generation plan has been expanded to include the great strides forward in technology and data that has occurred since 2002. This is the first plan to use the Priority Concerns Scoping Document (PCSD) as a tool to gather input at the front end of the process. In this plan the PCSD directly follows the Executive Summary. Three counties (Cass, Crow Wing and Aitkin) contracted with RMB to obtain additional information on large lakes and their watersheds in the 3 counties. In Aitkin County we selected six lakes for intensive study. The lakes are: 1.Mille Lacs 2.Hill Lake 3.Rice Lake 4.Farm Island Lake 5.Cedar and 6.Gun Lake. This section follows the Priority Concerns Scoping Document. Ideally, we could complete such a detailed section for all of the lakes in Aitkin County. This may be too large of a task but we will move in that direction with several lakes and hope to expand that effort in cooperation with lake associations. This plan will be in effect from July 2009 until July 2014 (estimated dates).

The Aitkin County Water Planning Task Force mission statement is: *"It is the mission of the Aitkin County Water Planning Task Force to promote responsible stewardship of water and land resources through education, incentives, and collaboration with individuals, groups and government entities."*

The Internet contains large quantities of water quality data, aerial photographs, and research results. Some of the applicable Internet sites will be referenced as part of this document. Where possible maps, charts and tables will replace or accompany written descriptions. This will be a concise, easy to understand and user-friendly Water Plan.

The Water Planning Task Force has been a success in Aitkin County. Task Force involvement and interest remains high and is a key factor in our continued success. This plan is intended to be flexible and to be modified by the Task Force Membership as needs and opportunities are identified.

The Water Planning Task Force prepared a Priority Concerns Scoping Document and identified five priority concerns.

- 1.Surface Water Management**
- 2. Land Use and Development**
- 3. Ground Water Quality**
- 4. Fish and Wildlife Habitat**
- 5. Education**

We conduct regular monthly meetings and enjoy input from a good cross-section of citizens. This plan's emphasis will continue to be efforts that make a tangible, measurable difference in land and water use issues in Aitkin County. Incentive versus regulation, voluntary rather than mandatory,

these projects do the most for the effort and dollars expended. We are developing a Conservation Easement Program that will protect high value properties that are currently being compromised by rapidly increasing lakeshore values and development. We help fund and support the County's Shoreland Management Ordinance and the one to one contacts with lakeshore property owners. Native vegetation saved, soils kept in place and education of shoreland stewards are benefits of these personal contacts.

We have compiled a partial list of Water Planning Accomplishments for the years 1990 through 2009:

1. Education
 - a. Assisted 40 Lake Associations w/170 informational newsletters
 - b. Sent county-wide mailings (16000 recipients) three separate years
 - c. Participated in contractor and real estate agent training
 - d. Radio and newspaper articles
 - e. Best management practices guidebooks
 - f. User's Guide to Shoreland Management
2. Implementation
 - a. Created Green Shores buffer program
 - b. Maintained a 25 member Water plan Task Force
 - c. Working with four schools to implement Riverwatch
 - d. Established baseline water quality data on 36 lakes
 - e. Averaged 250 contacts per year re: individual shoreland management
 - f. Fiscal agent and staffing of the Big Sandy Watershed CWP
 - g. Promotion of Forest Stewardship Planning
 - h. Promote and assist with shoreline re-vegetation
 - i. Sampling of lake bottom sediments for phosphorus recycling
 - j. Encourage and fund ISTS upgrade program
 - k. Fund the sealing of abandoned wells
 - l. Monitor water levels (lakes and groundwater)
 - m. Initiate a Conservation Easement program
 - n. Assisting Mille Lacs Watershed project
 - o. Received and administered several implementation grants
3. Ordinances
 - a. Assist landowners with feedlot registration and information
 - b. Shoreland ordinance updates
 - c. Wetland Conservation Act support and assistance
 - d. Participate in the Comprehensive Land Use Plan
4. Coordination
 - e. Work with Federal, State and County agencies
 - f. Geographic Information System
5. Conservation Easements
 - a. Completed a 90 acre permanent conservation easement that includes all the private land surrounding two natural environment lakes
 - b. Completed a 220 acre conservation easement that protects hundreds of feet of a stream that goes directly to Mille Lacs

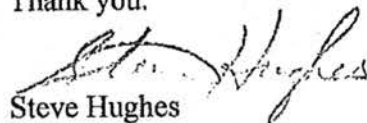
c, Completed a 7 acre easement protecting a bluff and the outlet of the Prairie River at Big Sandy Lake

Prioritized activities for the next five years:

- Continue a strong LCWP Task Force and expand roles
- Increase public education/property owners/shoreland
- Implement the plan
- Continue funding projects
- Enforcement of Shoreland Ordinance (Zoning/Attorney)
- Maintain autonomy and a strong task force with diverse interests
- Education
- On the ground projects that make a measurable improvement
- Support, encourage and promote those groups, activities and agencies that share our goals

To sum up this plan, the focus will be on implementation goals for the next several years. Data will be presented in maps, charts and tables with accompanying narrative as required. We move forward with clearly defined and attainable goals.

Thank you.


Steve Hughes
Water Plan Coordinator

GUIDE TO AGENCY and ORGANIZATION ABBREVIATIONS

FSA	FARM SERVICE AGENCY
NRCS	NATURAL RESOURCE CONSERVATION SERVICE
SWCD	SOIL AND WATER CONSERVATION DISTRICT
DNR	DEPARTMENT OF NATURAL RESOURCES FISHERIES, WATERS, FORESTRY
ACL	AITKIN COUNTY LAND DEPARTMENT
ACPZ	AITKIN COUNTY PLANNING AND ZONING
MN EXT	MINNESOTA EXTENSION SERVICE
MHB	MISSISSIPPI HEADWATERS BOARD
US F&WS	UNITED STATES FISH & WILDLIFE SERVICE
ACOE	UNITED STATES ARMY CORPS OF ENGINEERS
BWSR	MN BOARD OF WATER AND SOIL RESOURCES
LSOHC	LESSARD SAMS OUTDOOR HERITAGE COUNCIL
MPCA	MINNESOTA POLLUTION CONTROL AGENCY
CWL	CLEAN WATER LEGACY

A PARTIAL LIST OF USEFUL WEBSITES

www.bwsr.state.mn.us
www.dnr.state.mn.us
www.ardc.org
www.mhbriverwatch.dst.mn.us
www.crh.noaa.gov
www.riverwatch.noaa.gov

www.pca.state.mn.us
www.co.aitkin.mn.us
www.usace.army.mil
mn.usgs.gov
www.aitkinswcd.com

Section II. AITKIN COUNTY WATER PLANNING PRIORITY CONCERNS SCOPING DOCUMENT JUNE 2008

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of Reviewing the Local Water Management Plan Update
for Aitkin County (Minnesota Statutes, Section 103B.311,
Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER
APPROVING
LOCAL
WATER MANAGEMENT
PLAN UPDATE

Whereas, the Aitkin County Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board on July 9, 2009, pursuant to M.S. Section 103B.315, Subd. 5, and

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

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

FINDINGS OF FACT

- 1) On July 3, 2008, the Minnesota Board of Water and Soil Resources received a Priority Concerns Scoping Document from Aitkin County, pursuant to M.S. Section 103B.312.
- 2) On August 13, 2008, the BWSR North Region Water Plan Review Committee met with representatives of Aitkin County to review the Priority Concerns Scoping Document.
- 3) On August 28, 2008, the Board of Water and Soil Resources approved official comments on the Aitkin County Priority Concerns Scoping Document, which were mailed to the county on August 28, 2008.
- 4) The priority concerns, in no particular order of importance, the local water management plan addresses include:
 - Surface Water Management
 - Land Use and Development
 - Groundwater Quality
 - Fish and Wildlife Habitat
 - Education
- 5) On July 7, 2009, the BWSR received the **Aitkin** County Plan Update, for final State review pursuant to M.S. Section 103B.315, Subd. 5.
- 6) On August 12, 2009, the North Region Water Plan Review Committee of the board reviewed the recommendations of the state review agencies regarding final approval of the Aitkin County Plan Update. Recommendations of the state review agencies were:

- A) Minnesota Pollution Control Agency: recommended approval;
- B) Minnesota Department of Agriculture: recommended approval;
- C) Minnesota Department of Health: recommended approval;
- D) Minnesota Department of Natural Resources: recommended approval;
- E) Minnesota Board of Water and Soil Resources staff: recommended approval;
- F) Board Water Plan Review Committee recommended approval.

7) This update will be in effect for a five year period until August 27, 2014.

CONCLUSIONS

1. All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Local Water Management Plan Update of Aitkin County pursuant to Minnesota Statutes, 103B.315, Subd. 5.
2. The Aitkin County Plan Update attached to this Order states water and water-related problems within the county; possible solutions; general goals, objectives, and actions of the county; and an implementation program. The attached Plan Update is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached update of the Aitkin County Local Water Management Plan – August 7, 2009 to August 27, 2014.

Dated at Winona, Minnesota, this twenty-seventh day of August 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chair



DATE: August 3, 2009

TO: BWSR Northern Plan Review Committee

FROM: Dan Steward, Board Conservationist

SUBJECT: Review of the Morrison County Priority Concerns Scoping Document (PCSD)

The original Morrison County Local Water Management Plan (LWMP) was approved in 1990. The first update to the original plan was completed in 1995. The current or third generation water plan would have expired May 28, 2008. Morrison County is developing their updated Plan under a BWSR extension that extends the Plan to May 28, 2010.

Since the county began development of their original water plan in 1989, the county has delegated implementation of the LWMP to the Morrison County Planning and Zoning Department. In April 2009, due to funding and staff constraints, Morrison County contracted with the Soil and Water Conservation District to update the water plan.

On October 23, 2007, the Morrison County Board of Commissioners passed a resolution to update the LWMP.

On June 29, 2009, Morrison County submitted their Priority Concerns Scoping Document (PCSD) to the Board of Water and Soil Resources for review. The attached Morrison County PCSD identifies the following priority concerns, and proposes the update be focused on these three water management issues.

1. Protect the Quality and Manage the Quantity of Groundwater Resources
2. Protect the Quality and Manage the Quantity of Surface Water Resources
3. Promote and Implement Sound Land Use Practices that Reduce the Impacts on all Water Resources

The County used the following process to develop the PCSD:

- On March 2, 2009, the county sent out written notice to interested parties of the intent to update. Parties were also asked to submit water related conflicts, problems or opportunities, and were asked to fill out a survey. 26 surveys were returned.
- On April 16, 2009 a meeting with BWSR board conservationist Dan Steward was held.

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701 Minnesota Avenue Suite 234 Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	1601 Minnesota Drive Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	1004 Frontier Trail Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	2300 Silver Creek Road N.E. Rochester, MN 55906 phone (507) 281-7797 fax (507) 285-7144	520 Lafayette Road N. Saint Paul, MN 55155 phone (651) 296-3767 fax (651) 297-5615

- On May 17, 2009, a citizen input survey was published in the Morrison County Record and the Morrison County website. 49 citizen surveys were returned.
- On May 20, 2009 a radio spot was conducted regarding the counties intent to update the water plan, and promoting the citizen survey.
- The Morrison County Water Plan Task Force met on May 5, May 27, and June 10, to discuss the input received from the public, and the priority concerns.

The following priority concerns were submitted by the state review agencies:

- BWSR: Groundwater Quality Protection, Lake water quality protection, Inventory of water quality priorities adjacent to the Mississippi River.
- MPCA: Feedlot runoff, Sediment and stormwater erosion, Impaired waters, Irrigation practices, and Surface water quality.
- DNR: Floodwaters, Impaired waters, Groundwater data collection, Local coordination, Watershed land use, Irrigation practices, and Surface water quality.
- MDA: Surface and groundwater protection from agricultural chemical use.

On June 29, 2009 the PCSD was sent to the required state agencies for review. Agencies were asked to send comments to Ron Shelito by July 29, 2009; the following agency comments were received:

MPCA: The MPCA in its comments on the PCSD concurred with the priority concerns selected by the county. The MPCA offered two comments, one related to their Environmental Data Access System, and the other regarding the five impaired waters in the county. The MPCA appreciated the opportunity to serve on the technical committee, and noted that the task force has put much thought and effort into the PCSD, and has shown a commitment to move the plan ahead.

MDA: The MDA in its comments on the PCSD concurred with the priority concerns selected by the county.

After reviewing the PCSD submitted by Morrison County along with the comments provided by the review agencies, I conclude that the guidance requirements have been met. Any other agency comments that are received by the committee meeting will be discussed at the meeting. The SWCD is to be commended for agreeing to update the water plan on short notice, and building a good public input process to provide the task force with input. I recommend the committee approve the PCSD for Morrison County.

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1601 Minnesota Drive, Brainerd, MN 56401

August 27, 2009

Morrison County Commissioners
C/O Helen McLennan, Morrison Soil and Water Conservation District
16776 Heron Road
Little Falls, MN 56345

RE: Official Comments Pertaining to the State Review of the Morrison County Priority Concerns Scoping Document

Dear Morrison County Commissioners:

Pursuant to M.S. section 103B.313, subdivision 5, this letter communicates the State's official comments pertaining to the priority concerns Morrison County has chosen to address in the update of their Comprehensive Local Water Management Plan. The Board of Water and Soil Resources, along with the state review agencies, were sent the Morrison County Priority Concerns Scoping Document (PCSD) on June 29, 2009, and asked comments be sent by July 29, 2009, to Ron Shelito, BWSR Regional Supervisor.

Several water resources concerns were submitted to the Morrison County Water Plan Task Force. Many of these concerns had similar themes which allowed the Task Force to arrange them into the following priority concerns that will be addressed in the Water Plan Revision.

1. Protect the Quality and Manage the Quantity of Groundwater Resources
2. Protect the Quality and Manage the Quantity of Surface Water Resources
3. Promote and Implement Sound Land Use Practices that Reduce the Impacts on all Water Resources

The Minnesota Department of Agriculture concurred with the priority concerns identified. The MPCA also concurred with the priority concerns identified.

On August 12, 2009, the Northern Regional Water Resources Subcommittee (hereinafter referred to as the subcommittee) met with the Morrison County/SWCD representatives to discuss local water management activities within Morrison County, the process used to gather public input, the content of the PCSD, the state review agency comments and recommendations for the content of the final plan.

Based on the subcommittee's recommendations, the Board of Water and Soil Resources commends

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Morrison County for the process used to select the concerns. The priority concerns to be addressed in the plan were deemed to be appropriate, and do not require any changes to the PCSD as submitted. BWSR encourages Morrison County to continue to take advantage of opportunities to play the coordination role that is often key to improved local water management.

Sincerely,

Randy Kramer, Chair
Board of Water and Soil Resources

cc: Dan Steward, BWSR
Ron Shelito, BWSR
Wayne Edgerton, DNR
Lisa Thorvig, PCA
John Wells, EQB
Becky Balk, MDA
Beth Kluthe, MDH

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Otter Tail County

Local Water Management Plan



***August 31, 2009 –
August 31, 2019***



Prepared by Bayerl Water Resources, with mapping by Otter Tail County GIS Department and BWSR and technical assistance from the LWMP task force

I. Executive Summary

The priority concerns of the residents of Otter Tail County have been well documented through a survey process and two public meetings conducted for that purpose. Each of these concerns will be addressed at length in this plan, with emphasis on surface and groundwater resources. These two resources were identified by survey as the most threatened. The Priority Concerns Scoping Document can be found, in its entirety, in the Appendix of this plan.

A. Background

Otter Tail County is located in west-central Minnesota amid the sandy glacial outwash plain with gently rolling hills. Along the northwestern and southeastern edges lie steeper hills and bluffs. The majority of the county's 1,048 lakes are formed in the sandy areas. The Pelican and Otter Tail Rivers flow to the west in the Red River Watershed, then north to Hudson Bay. The Leaf River starts north of Henning and flows to the Red Eye River and out the eastern edge to the Upper Mississippi River, while the Pomme de Terre and Chippewa Rivers headwater in the southwest corner and flow to the Minnesota River. Both the Upper Mississippi and the Minnesota Rivers end up in the Gulf of Mexico. The continental divide runs along the major basin boundaries. The City of Fergus Falls is the county seat. The population in Otter Tail County between 1990 and 2000 has increased by 12.7%. The number of households has risen 16.2%, from 19,510 in 1990 to 22,671 in 2000. A greater than 40% increase in population is predicted throughout the county. Development is occurring mainly around the lakes and greater than 50% growth is predicted in Perham, Pelican Rapids, Otter Tail and New York Mills.

Agriculture, in the form of cultivated land is the dominant land use within the county. In the past twenty years, cultivated land has decreased and grasslands have doubled. The county acreage includes 12% water and 4.7% wetlands classification.

Otter Tail County's Local Water Management Plan (LWMP) is implemented by the Soil and Water Conservation Districts. Due to the size of the county, it is split into the East and West Otter Tail SWCD. Currently, the administration of the LWMP is the responsibility of East Otter Tail Office Manager, with support from the West Otter Tail District Manager. The original LWMP was formally adopted on October 10, 1990. The responsible government unit for implementation of the original plan was the Land and Resource Management Department. Two plan revisions have been implemented since then. This third revision will be implemented by August 31, 2009.

B. Plan Purpose

The purpose of this LWMP is to identify existing and potential problems and opportunities for protection, management and development of water resources and related land resources in Otter Tail County. Pursuant to the requirements of Minn. Stat. 103B.311subd., the five requirements of this plan are as follows:

1. The plan must cover the entire county.
2. The plan must address problems in the context of watershed units and groundwater systems.
3. The plan must be based upon principals of sound hydrologic management of water, effective environmental protection, and efficient management.
4. The plan must be consistent with local water management plans prepared by counties and watershed management organizations wholly or partially within a single watershed unit or ground water system.

5. The plan will be effective for a ten year period until August 31, 2019; with the Goals, Objectives & Action Items amended by August 31, 2014.

Changing development patterns and economic growth will eventually create more pressure on natural resources and impact agricultural, water resources and recreational needs of Otter Tail County residents.

C. Description of Priority Concerns

Following a series of two public participation meetings in Otter Tail County, priority concerns were established. These meetings were facilitated with both a survey of perceived threatened resources and problems within the county and an active participation process to address these problems. From this process, Development Pressure was identified as the over-reaching issue for Otter Tail County. Based on this premise, the following priority concerns were identified:

1. Surface Water Quality Issues
 - a. Water Quality Issues
 - i. Total Maximum Daily Load Allocations, Shallow, smaller lakes, Sensitive bay, Need for shoreland specialist to work with lakeshore properties
 - b. Regulatory Issues
 - i. Lake re-classification, Alternative shoreland rules, Agricultural rules, Support state-wide process, Agriculture advisory task force
2. Groundwater Issues:
 - a. Quality Issues:
 - i. Fertilizer application, Reductions in CRP acres
 - b. Quantity Issues:
 - i. Pumping to other watersheds, Ethanol plants, Increased demand for irrigation water

These issues will be the focus in the establishment of goals, objectives and strategies for implementation.

D. Consistency of plan with other pertinent local, state, and regional plans

Numerous plans were considered in the completion of this document. Major basin plans include the Minnesota Red River Basin Water Quality Plan, Upper Mississippi Basin Plan and the Minnesota River Basin Plan. Watershed District Plans include the Buffalo-Red and Bois de Sioux. Watershed joint-powers and associations with plans include the Otter Tail River, the Pomme de Terre River, and the Chippewa River Watersheds. Wellhead protection plans from the cities of Perham and Parkers Prairie were reviewed for appropriate strategies; as well as plans from the Pelican Group of Lakes Improvement District, Long Range Planning Task Force report and recommendations, "Building Local Partnerships for Managing Water Resources in Otter Tail County", and US Fish and Wildlife Service Comprehensive Conservation Plan and Environmental Assessment. These plans were reviewed for compatibility and collaboration. Otter Tail County Local Water Management Plan update has utilized appropriate action items to support these plans, and is consistent with the data and goals presented therein.

E. Recommendations to Other Plans and Official Controls

The Otter Tail County Local Water Management task force supports the statewide revision of the Shoreland Regulations. It was the feeling of the general public, supported by the task force, that the existing regulations do not adequately preserve the sensitive shorelines that are still undeveloped.

B. Goals, Objectives and Actions addressing Priority Concerns

The Otter Tail County Local Water Management Task Force has hosted four public input meetings to find out citizen concerns. These meetings resulted in the Priority Concerns Scoping Document, and the development of the following priority issues:

DEVELOPMENT PRESSURES

- **Surface Water Issues**
 - Surface Water Quality
 - Regulatory Issues
- **Groundwater Issues**
 - Groundwater Quality
 - Groundwater Quantity

The development of the **goals** and **objectives** within this chapter defines broad directions that county residents who participated in the public forum of the Local Water Management planning process wish to pursue to protect their resources. **Action** items describe specific measures that the county will implement, with assistance from appropriate state and federal agencies, to achieve the goals and objectives. Goals may have one or more objectives.



The goals, objectives and action items listed provide the guidance for day-to-day operations of Otter Tail County Soil and Water Conservation Districts, Land and Resource Management, Local Water Management Task Force and State and Local Government Units. This document will provide assistance in annual budgeting and in grant writing decisions.

CHAPTER DEFINITIONS: Abbreviations used throughout this chapter are defined as follows:

BMP	= Best Management Practices	LWMP	= Local Water Management Plan
BWSR	= Board of Water and Soil Resources	MDA	= Minnesota Department of Agriculture
COLA	= Otter Tail County Coalition of Lake Associations	MDH	= Minnesota Department of Health
CRP	= Conservation Reserve Program	MW	= Minnesota Waters
DNR	= Minnesota Department of Natural Resources	MPCA	= Minnesota Pollution Control Agency
DU	= Ducks Unlimited	NRCS	= Natural Resource Conservation Service
EOTSWCD	= East Otter Tail Soil and Water Conservation District	RIM	= Reinvest in Minnesota
EQIP	= Environmental Quality Incentives Program	PF	= Pheasants Forever
FFA	= Future Farmers of America	SS	= Shoreland Specialist
GIS	= Otter Tail County Geographic Information Systems Department	SSTS	= Sub-surface Sewage Treatment System
LA	= Lake Associations	SWCD	= Soil and Water Conservation District
LID	= Lake Improvement District	USFWS	= United States Fish and Wildlife Service
LRM	= Otter Tail County Land and Resource Management Department	WOTSWCD	= West Otter Tail Soil and Water Conservation District
		WHIP	= Wildlife Habitat Incentive Program
		WLI	= Working Lands Initiative
		WRP	= Wetland Reserve Program

OTTER TAIL COUNTY OVERALL PRIORITY: DEVELOPMENT PRESSURES

Surface Water Priority Issues:

Water Quality Goal: *Otter Tail County will maintain or improve the quality of the surface waters within their boundaries.*

Water Quality Objectives:

1. Total Maximum Daily Load Allocations: *Address current impaired waters within Otter Tail County.*

Action

- a) *Participate in the development of TMDLs as determined by the 303(d) listing of impaired waters (Otter Tail River from Rice Lake to Mud Lake for dissolved oxygen and West Spirit Lake for Total Phosphorus). Provide BMP information to the Chippewa and Pomme de Terre watershed projects for implementation practices on impairments downstream of Otter Tail County. The Otter Tail County Board, SWCD and/or LWMP will attend meetings and provide input in the writing of TMDLs.*

Timeline: 10 years

Agency (Who): MPCA, DNR, LWMP, SWCDs, Otter Tail County, Chippewa and Pomme de Terre Watershed Projects

Cost: Agency and staff time

- b) *Develop and implement a method to determine the existence of additional impaired waters.*

Timeline: 2010, then on-going

Agency (Who): SWCDs, BWSR, SS, COLA and MPCA

Cost: \$2,500 per year plus staff time

- c) *Work with the MPCA on the development of a TMDL for Nutrient/Eutrophication and Biological Indicators (Total Phosphorus) for West Spirit Lake.*

Timeline: 2010

Agency (Who): SWCDs, SS, DNR, BWSR and MPCA

Cost: Staff time

- d) *Review monitoring assessments by Chippewa and Pomme de Terre watershed organizations to determine effectiveness of BMPs.*

Timeline: 2 years

Agency (Who): LRM, COLA, and DNR

Cost: Staff time

- e) *Pursue Surface Water Assessment grants and investigate the feasibility of high school students completing surface water monitoring.*

Timeline: 2010, on-going

Agency (Who): MPCA, COLA, SWCDs, SS, High School Teachers

Cost: \$6,000 to \$8,000 start-up per site. Target 4 to 6 sites. \$24,000 to \$42,000

2. Lake Association Support: Support lake associations and the Otter Tail County COLA to protect and preserve the lakes and lakeshed environment.

Action

- a) *Continue to support Shoreland Specialist position at EOTSWCD to provide the lake associations with an advocate and advisory contact.*

Timeline: On-going

Agency (Who): SWCDs, BWSR, Otter Tail County Board, LWMP

Cost: \$465,382 (avg. \$46,538 per year)

- b) *Continue annual workshops through the Otter Tail COLA, teaching lakeshore property owners lakescaping BMPs.*

Timeline: 10 years

Agency (Who): SS, BWSR, COLA

Cost: \$250 per year plus staff and volunteer time

- c) *Provide mailings to smaller lakes in Otter Tail County to promote pro-active development and land use within their lakesheds. Notify lake associations of training available through MN Waters.*

Timeline: 2009 then re-assess

Agency (Who): LRM, COLA, BWSR, SS

Cost: \$500 per year printing and mailing costs

- d) *Work with Otter Tail COLA and MPCA to add 5-10 lakes per year to their monitoring program. Ensure all data is entered into MPCA STORET system. Fund monitoring on smaller lakes as available.*

Timeline: 10 years

Agency (Who): COLA, BWSR, SS, MPCA, LA

Cost: Up to \$2,000 per year

- e) *Continue connection with stakeholders such as BWSR, MDA, MDH, MPCA, DNR, LIDs, and Watershed Districts; completing studies in Otter Tail County and list available data sources on Otter Tail County's website.*

Timeline: On-going

Agency (Who): GIS and DNR

Cost: Staff time

- f) *Set-up and participate in existing environmental education programs for youth such as the envirothon, conservation days, lake management curriculum, ag-in-the-classroom, conservation camps for kids (pheasants forever), prairie wetlands center programs, FFA, 4-H.*

Timeline: On-going

Agency (Who): LWMP task force, PF, area high schools, and extension

Cost: Staff and volunteer time

- g) *Pursue funding sources for display media to be made available to area restaurants encouraging Best Management Practices for city, lakes, agriculture and residential property. Identify need for phosphorus free fertilizer and present facts to property owners.*

Timeline: Every two years

Agency (Who): COLA, BWSR, SS, LWMP

Cost: Up to \$400 every 2 years

- h) *Work with Otter Tail County Lake Associations on completion and implementation of Lake Management Plans.*

Timeline: On-going

Agency (Who): SS, LWMP, MPCA, DNR, BWSR, GIS, SWCD, LRM

Cost: Staff time

- i) *Update information brochure listing agencies and organizations responsible for available information with person, phone number, and web page.*

Timeline: 2014

Agency (Who): COLA and LWMP task force

Cost: Volunteer time plus \$200 printing costs

- j) *Support the completion of aquatic vegetation mapping on priority lakes in Otter Tail County (52 lakes completed to date). Re-assess for changes after completion.*

Timeline: On-going

Agency (Who): DNR, LRM, SS, GIS

Cost: \$15,000 per year

- k) *Maintain Local Water Management Update on county web site.*

Timeline: 2009

Agency (Who): GIS, LRM

Cost: Staff time

- l) *Hold annual water plan meeting with presentation of accomplishments and work plan for upcoming year.*

Timeline: Annually

Agency (Who): EOTSWCD

Cost: Staff time

3. Stormwater/Drainage Management: Offer education and incentive programs aimed at mitigating the effects of overland runoff on the surface waters of Otter Tail County, utilizing available regulations if necessary.

Action

- a) *Coordinate with the Bois de Sioux Watershed District to increase water storage through water retention structures and non-structures, and other temporary and permanent structures in the Mustinka and Bois de Sioux watershed.*
Timeline: On-going
Agency (Who): WOTSWCD
Cost: Staff time
- b) *Coordinate with the Buffalo-Red River Watershed District to increase water storage through water retention structures and other temporary and permanent structures within the watershed.*
Timeline: On-going
Agency (Who): WOTSWCD
Cost: Staff time
- c) *Support DNR and local government efforts in establishing and/or maintaining lake levels at appropriate elevations, creating outlets and discharge conditions with regard to water quality and quantity issues pursuant to MN Rules 6115.0221.*
Timeline: On-going
Agency (Who): DNR, Lake Associations, LIDs, COLA, LRM, LWMP
Cost: Staff time
- d) *Provide incentive funding for high priority buffer strips where appropriate along water courses and basins.*
Timeline: On-going
Agency (Who): SWCD, BWSR, NRCS, DNR, PF
Cost: Up to \$25,000 per year
- e) *Enforce existing lakeshore buffer regulations on new developments. Provide buffer incentives for existing lakeshore owners through DNR Shoreland Initiative Grant.*
Timeline: On-going
Agency (Who): LRM, DNR and WOTSWCD
Cost: Staff time and up to \$20,000
- f) *Enforce existing required buffer area between rivers / streams / lakes and Ag fields and existing requirement for vegetation on steep slopes and bluffs.*
Timeline: On-going
Agency (Who): LRM and DNR
Cost: Staff time
- g) *Reward existing BMPs through the Conservation Security Program in eligible watersheds as funding allows.*
Timeline: On-going
Agency (Who): SWCD, NRCS, BWSR
Cost: Staff time

- h) *Pursue funding for perpetual easements on developments around sensitive areas.*

Timeline: On-going

Agency (Who): SWCD, BWSR, NRCS

Cost: Staff time

- i) *Support 20 no-till farming practices / year through cost-share incentives such as EQIP.*

Timeline: On-going

Agency (Who): NRCS

Cost: Staff time

- j) *Map the county ditch system and scan old documents into digital data.*

Timeline: 5 years

Agency (Who): LRM, GIS, BWSR

Cost: \$20,000 for scanning

- k) *Support adoption of an annual assessment maintenance fund for each county ditch.*

Timeline: 2009

Agency (Who): LWMP, COLA, GIS, County Auditor, LRM

Cost: Staff time

4. Wetlands/Wildlife Habitat: *Identify and protect wetland and wildlife habitat areas located within Otter Tail County.*

Action

- a) *Enhance existing and new wetland restoration and buffers programs such as CRP, WHIP, WLI, RIMWR and USFWS. Promote wetlands within the shoreland and groundwater recharge areas.*

Timeline: On-going

Agency (Who): WOTSWCD, NRCS, BWSR

Cost: \$50,000 per year

- b) *Restore 1000 - 2000 acres of wetland and wildlife habitat annually.*

Timeline: On-going

Agency (Who): East and West Otter Tail SWCD

Cost: Staff time

Regulatory Issues Goal: Develop regulations, education and incentives to ensure orderly development with minimal impacts to sensitive areas to preserve Otter Tail County's natural resources.

Regulatory Issues Objectives:

- 1. Sensitive areas: Develop a model to identify areas sensitive to intensive development throughout Otter Tail County.**

Action

- a) *Explore available sensitivity models being utilized by other counties and work with LRM, Eagle Lake Township and Dead Lake to determine feasibility of use as a lake districting pilot project, for potential use in county-wide land use planning.*

Timeline: 2009 - 2013

Agency (Who): LRM, GIS, Eagle Lake Township, Dead Lake Association, BWSR

Cost: Staff time / GIS / \$50,000

- b) *Develop Lake Districting county-wide to protect sensitive areas from degradation due to overdevelopment.*

Timeline: 2009 and on-going

Agency (Who): LRM, DNR, Lake Associations

Cost: \$10,000

- c) *Request DNR re-classification of 203 lakes in Otter Tail County. Adopt and implement re-classification of lakes 150 acres or less in size from General or Recreational Development to Natural Environment Shoreline.*

Timeline: 2009

Agency (Who): LRM, DNR

Cost: Staff time

- d) *Participate in and support state-wide process of shoreland rulemaking and support adoption of new rules when approved by the State.*

Timeline: 2009-2010

Agency (Who): LRM, COLA, and DNR

Cost: Staff time

- e) *Educate the decision makers of Otter Tail County by pursuing funding to bring training to the decision makers locally.*

Timeline: 2009-2010

Agency (Who): LRM, COLA, SWCDs, County Board, Planning Advisory Commission, Board of Adjustment

Cost: \$3,000 to \$5,000

2. Agriculture: Support the Agriculture Advisory Task Force and their recommendations to the Otter Tail County Board regarding regulation of agriculture practices.

Action

- a) *Actively participate as a member of the Ag Advisory Task Force. Support the recommendation of the need for a long-range county comprehensive plan and investigate the obstacles preventing it from happening.*
Timeline: 2010-2012
Agency (Who): LRM, COLA, SWCD
Cost: Staff time
- b) *Support county delegation for feedlots by informing the County Board of the program, and the feasibility of one designated feedlot officer and technical support staff to complete inventory through MPCA feedlot program, and administer the program.*
Timeline: 2009-2012
Agency (Who): SWCD, BWSR, LWMP, Ag Advisory Task Force
Cost: \$120,000
- c) *Support the adoption of the agriculture rules included in the new State Shoreland Rules.*
Timeline: 2010-2011
Agency (Who): LRM, DNR, Otter Tail County Board, SWCD
Cost: Staff time

3. Sub-surface Sewage Treatment: Promote county-wide Sub-surface Sewage Treatment System compliance through systematic inspection, education and regulation.

Action

- a) *Continue systematic Sub-surface Sewage Treatment System (SSTS) inspection around the shorelines of Otter Tail County Lakes. Target lakes identified in Section II:*
Timeline: On-going
Agency (Who): LRM and LWMP task force
Cost: \$15,000 - \$20,000 annually
- b) *Support the county adoption of the new SSTS rules in 2010, requiring system certification every three years.*
Timeline: 2010 - 2011
Agency (Who): LWMP task force and LRM
Cost: Staff / volunteer time
- c) *Utilize Extension products to develop maintenance fact sheet to be issued with 800-plus compliance letters on SSTS.*
Timeline: Annually
Agency (Who): LRM and Extension
Cost: \$500 per year

- d) *Facilitate land-owners meetings to encourage cluster systems with maintenance agreements in sensitive areas, moving the disposal site away from inadequate soils.*

Timeline: On-going

Agency (Who): LRM

Cost: Staff time

- e) *Continue low interest loan program for failing septic systems. Prioritize sensitive areas such as high water table, wellhead protection area, excessively sandy or heavy soils.*

Timeline: On-going

Agency (Who): East and West Otter Tail SWCD

Cost: Staff time

Groundwater Priority Issues:

Groundwater Quality Goal: *Otter Tail County will protect the existing groundwater quality for drinking water purposes.*

Groundwater Quality Objectives:

- 1. Sourcewater Protection:** *Otter Tail County will participate in the preservation of the quality of the drinking water supply resources.*

Action

- a) *Participate on wellhead/source water protection teams during the development and implementation of Wellhead Protection Plans.*

Timeline: On-going

Agency (Who): SWCD, MDH, LRM

Cost: Staff time

- b) *Identify Wellhead Protection Areas on a County GIS map layer.*

Timeline: 2009, update annually

Agency (Who): GIS Department

Cost: Staff time

- c) *Conduct four Nitrate testing clinics (Otter Tail, New York Mills, Fergus Falls, and Perham) per year through MDA and cooperative efforts with lake associations and communities.*

Timeline: On-going

Agency (Who): EOTSWCD and MDA

Cost: Staff time with equipment provided by MDA

- d) *As part of the Nitrate testing clinics, distribute handouts to inform landowners of potential causes of contamination from arsenic, whether artificial or natural and available testing for groundwater.*

Timeline: On-going

Agency (Who): EOTSWCD

Cost: Staff time

- e) *Encourage the DNR to work with the local unit of government to incorporate conservation practices with irrigation permits within sensitive groundwater areas.*

Timeline: On-going
Agency (Who): SWCD
Cost: Staff time

- f) *Coordinate groundwater monitoring results throughout the county and request MDH presentation of information every two years to the LWMP task force and county board per the sand plain agreement with MDH.*

Timeline: On-going
Agency (Who): EOTSWCD, MDA and MDH
Cost: Staff time

- g) *Cost-share up to 75% toward sealing of abandoned wells. Prioritize wellhead protection, groundwater recharge, and other sensitive areas for funding.*

Timeline: On-going
Agency (Who): SWCD, BWSR, MDH
Cost: \$2,000 - \$3,000 per year

- h) *Continue low interest loan program for failing SSTS. Prioritize sensitive areas such as high water table, wellhead protection area, excessively sandy or heavy soils.*

Timeline: On-going
Agency (Who): SWCD, BWSR
Cost: Staff time

- i) *Promote education of the general public on chemical/fertilizer use and BMPs through EOTSWCD, WOTSWCD and Extension newsletters, and articles in the local newspapers.*

Timeline: Annually
Agency (Who): WOTSWCD and Extension
Cost: Staff time

- j) *Develop and implement 20 Nutrient Management Plans annually to prevent over-application of livestock and commercial fertilizer.*

Timeline: On-going
Agency (Who): NRCS
Cost: Staff time

Groundwater Quantity Goal: Otter Tail County will work to maintain the existing adequate volumes of groundwater for the use of the constituents.

Groundwater Quality Objectives:

1. Preservation of Aquifer volume: Preserve the adequacy of the groundwater volume through education, incentive and regulation.

- a) Address the Otter Tail County Commissioners and the East and West Otter Tail SWCD Boards resolutions to prevent movement of groundwater from within the boundaries of the county to other major watersheds.

Timeline: On-going
Agency (Who): SWCD
Cost: Staff time

- b) Investigate and comment on future proposed ethanol plants for volume of surface and/or groundwater needed and the capacity of the aquifer or surface water system.

Timeline: On-going
Agency (Who): DNR, SWCD
Cost: Staff time

- c) Work with irrigators within the county on utilizing BMPs to reduce the irrigation needs.

Timeline: On-going
Agency (Who): SWCD and MDA
Cost: Staff time

- d) Develop a program to educate the public and support the sustainability of the aquifer resources in Otter Tail County.

Timeline: On-going
Agency (Who): SWCD, DNR
Cost: Staff time

Otter Tail County Local Water Management Implementation Schedule

Priority Issues

Surface Water Priority Issues					
Water Quality Goal: Otter Tail County will maintain or improve the quality of the surface waters within their boundaries.					
Objective 1: Total Maximum Daily Load Allocations: Address current impaired waters within Otter Tail County.					
	Action	Priority Subwatershed	Proposed Time Frame	Coordinating Agencies *Lead Agency	Estimated Cost
a)	Participate in the development of TMDLs as determined by the 303(d) listing of impaired waters (Otter Tail River from Rice Lake to Mud Lake for dissolved oxygen and West Spirit Lake for Total Phosphorus). Provide BMP information to the Chippewa and Pomme de Terre watershed projects for implementation practices on impairments downstream of Otter Tail County. The Otter Tail County Board, SWCD and/or LWMP will attend meetings and provide input in the writing of TMDLs.	Otter Tail River, Chippewa River, Pomme de Terre River	2009 - 2019	*MPCA, DNR, LWMP, SWCDs, Otter Tail County, Chippewa and Pomme de Terre Watershed Projects	Agency and Staff time
b)	Develop and implement a method to determine the existence of additional impaired waters.	All	2010 - 2019	*SWCDs, BWSR, SS, COLA, MPCA	\$25,000
c)	Work with the MPCA on the development of a TMDL for Nutrient/Eutrophication and Biological Indicators (Total Phosphorus) for West Spirit Lake.	Otter Tail River	2010	*MPCA, SWCDs, SS, BWSR	Staff time
d)	Review monitoring assessments by Chippewa and Pomme de Terre watershed organizations to determine effectiveness of BMPs.	Chippewa and Pomme de Terre River	2010 - 2012	*LRM, COLA, DNR	Staff time
e)	Pursue Surface Water Assessment grants and investigate the feasibility of high school students completing surface water monitoring.	Otter Tail River	2010 - 2019	*SWCDs, MPCA, COLA, SS, HS teachers	\$42,000
Objective 2: Lake Association Support: Support lake associations and the Otter Tail County COLA to protect and preserve the lakes and lakeshed environment.					
a)	Continue to support Shoreland Specialist position at EOTSWCD to provide the lake associations with an advocate and advisory contact.	All	2009 - 2019	*SWCD, BWSR, LWMP, Otter Tail County Board	\$465,382
b)	Continue annual workshops through the Otter Tail COLA, teaching lakeshore property owners lakescaping BMPs.	All	2009 - 2019	*COLA, SS, BWSR	\$2,500
c)	Provide mailings to smaller lakes in Otter Tail County to promote pro-active development and land use within their lakesheds. Notify lake associations of training available through MN Waters.	All	2009 - 2019	*COLA, LRM, BWSR, SS	\$5,000
d)	Work with Otter Tail COLA and MPCA to add 5-10 lakes per year to their monitoring program. Ensure all data is entered into MPCA STORET system. Fund monitoring on smaller lakes as available.	All	2009 - 2019	*SS, COLA, LA, BWSR, MPCA	\$20,000
e)	Continue connection with stakeholders such as BWSR, MDA, MDH, MPCA, DNR, LIDs, and Watershed Districts; completing studies in Otter Tail County and list available data sources on Otter Tail County's website.	All	2009 - 2019	*GIS, DNR	Staff time
f)	Set-up and participate in existing environmental education programs for youth such as the envirothon, conservation days, lake management curriculum, ag-in-the-classroom, conservation camps for kids (pheasants forever), prairie wetlands center programs, FFA, 4-H.	All	2009 - 2019	*LWMP task force, area high schools, extension, PF	Staff and Volunteer time

Otter Tail County Local Water Management Implementation Schedule

Priority Issues

	Action	Priority Subwatershed	Proposed Time Frame	Coordinating Agencies *Lead Agency	Estimated Cost
g)	Pursue funding sources for display media to be made available to area restaurants encouraging Best Management Practices for city, lakes, agriculture and residential property. Identify need for phosphorus free fertilizer and present facts to property owners.	All	2009 - 2019 even years	*COLA, BWSR, SS, LWMP	\$2,000
h)	Work with Otter Tail County Lake Associations on completion and implementation of Lake Management Plans.	All	2009 - 2019	*SS, LWMP, MPCA, DNR, BWSR, GIS, SWCD, LRM	Staff time
i)	Update information brochure listing agencies and organizations responsible for available information with person, phone number, and web page.	All	2014	*COLA, LWMP task force	\$200
j)	Support the completion of aquatic vegetation mapping on priority lakes in Otter Tail County (52 lakes completed to date). Re-assess for changes after completion.	All	2009 - 2019	*LRM, DNR, SS, GIS	\$150,000
k)	Maintain Local Water Management Update on county web site.	All	2009 - 2019	*GIS, LRM	Staff time
l)	Hold annual water plan meeting with presentation of accomplishments and work plan for upcoming year.	All	2009 - 2019	*EOTSWCD	staff time
Objective 3: Stormwater / Drainage Management: Offer education and incentive programs aimed at mitigating the effects of overland runoff on the surface waters of Otter Tail County, utilizing available regulations if necessary.					
a)	Coordinate with the Bois de Sioux Watershed District to increase water storage through water retention structures and non-structures, and other temporary and permanent structures in the Mustinka and Bois de Sioux watershed.	Bois de Sioux, Mustinka	2009 - 2019	*WOTSWCD	Staff time
b)	Coordinate with the Buffalo-Red River Watershed District to increase water storage through water retention structures and other temporary and permanent structures within the watershed.	Buffalo-Red	2009 - 2019	*WOTSWCD	Staff time
c)	Support DNR and local government efforts in establishing and/or maintaining lake levels at appropriate elevations, creating outlets and discharge conditions with regard to water quality and quantity issues pursuant to MN Rules 6115.0221.	All	2009 - 2019	*DNR, LA, LIDs, COLA, LRM, LWMP	Staff time
d)	Provide incentive funding for high priority buffer strips where appropriate along water courses and basins.	All	2009 - 2019	*SWCD, BWSR, NRCS, DNR, PF	\$250,000
e)	Enforce existing lakeshore buffer regulations on new developments. Provide buffer incentives for existing lakeshore owners through DNR Shoreland Initiative Grant.	All	2009 - 2019	*LRM, DNR, WOTSWCD	\$20,000
f)	Enforce existing required buffer area between rivers / streams / lakes and Ag fields and existing requirement for vegetation on steep slopes and bluffs.	All	2009 - 2019	*LRM, DNR	Staff time
g)	Reward existing BMPs through the Conservation Security Program in eligible watersheds as funding allows.	All	2009 - 2019	*SWCD, NRCS, BWSR	Staff time
h)	Pursue funding for perpetual easements on developments around sensitive areas.	All	2009 - 2019	*SWCD, NRCS, BWSR	Staff time
i)	Support 20 no-till farming practices / year through cost-share incentives such as EQIP.	All	2009 - 2019	*NRCS	Staff time

Otter Tail County Local Water Management Implementation Schedule

Priority Issues

	Action	Priority Subwatershed	Proposed Time Frame	Coordinating Agencies *Lead Agency	Estimated Cost
j)	Map the county ditch system and scan old documents into digital data.	All	2009 - 2014	*LRM, BWSR, GIS	\$20,000
k)	Support adoption of an annual assessment maintenance fund for each county ditch.	All	2009 - 2019	*LRM, LWMP, COLA, GIS, County Auditor	Staff time
Objective 4: Wetlands / Wildlife Habitat: Identify and protect wetland and wildlife habitat areas located within Otter Tail County.					
a)	Enhance existing and new wetland restoration and buffers programs such as CRP, WHIP, WLI, RIMWR and USFWS. Promote wetlands within the shoreland and groundwater recharge areas.	All	2009 - 2019	*WOTSWCD, NRCS, BWSR	\$500,000
b)	Restore 1000 - 2000 acres of wetland and wildlife habitat annually.	All	2009 - 2019	*East and West Otter Tail SWCD	Staff time
Regulatory Issues Goals: Develop regulations, education and incentives to ensure orderly development with minimal impacts to sensitive areas to preserve Otter Tail County's natural resources.					
Objective 1: Sensitive Areas: Develop a model to identify areas sensitive to intensive development throughout Otter Tail County.					
a)	Explore available sensitivity models being utilized by other counties and work with LRM, Eagle Lake Township and Dead Lake to determine feasibility of use as a lake districting pilot project, for potential use in county-wide land use planning.	Otter Tail River	2009 - 2013	*LRM, GIS, Eagle Lake Township, Dead Lake Association, BWSR	\$50,000
b)	Develop Lake Districting county-wide to protect sensitive areas from degradation due to overdevelopment.	All	2009 - 2019	*LRM, DNR, LA	\$10,000
c)	Request DNR re-classification of 203 lakes in Otter Tail County. Adopt and implement re-classification of lakes 150 acres or less in size from General or Recreational Development to Natural Environment Shoreline.	All	2009	*LRM, DNR	Staff time
d)	Participate in and support state-wide process of shoreland rulemaking and support adoption of new rules when approved by the State.	All	2009 - 2010	*LRM, COLA, DNR	Staff time
e)	Educate the decision makers of Otter Tail County by pursuing funding to bring training to the decision makers locally.	All	2009 - 2010	*LRM, COLA, SWCDs, County Board, Planning Advisory Commission, Boards of Adjustment	\$5,000
Objective 2: Agriculture: Support the Agriculture Advisory Task Force and their recommendations to the Otter Tail County Board regarding regulation of agricultural practices.					
a)	Actively participate as a member of the Ag Advisory Task Force. Support the recommendation of the need for a long-range county comprehensive plan and investigate the obstacles preventing it from happening.	All	2010 - 2012	*LRM, COLA, SWCDs	staff time

Otter Tail County Local Water Management Implementation Schedule

Priority Issues

	Action	Priority Subwatershed	Proposed Time Frame	Coordinating Agencies *Lead Agency	Estimated Cost
b)	Support county delegation for feedlots by informing the County Board of the program, and the feasibility of one designated feedlot officer and technical support staff to complete inventory through MPCA feedlot program, and administer the program.	All	2009 - 2012	*SWCD, BWSR, MPCA, LWMP, Ag, Advisory Task Force	\$120,000
c)	Support the adoption of the agriculture rules included in the new State Shoreland Rules.	All	2010 - 2011	*LRM, DNR, SWCD, Otter Tail County Board	staff time
Objective 3: Sub-Surface Sewage Treatment: Promote county-wide Sub-Surface Sewage Treatment System compliance through systematic inspection, education and regulation.					
a)	Continue systematic Sub-surface Sewage Treatment System (SSTS) inspection around the shorelines of Otter Tail County Lakes. Target lakes identified in Section II:	All	2009 - 2019	*LRM, LWMP Task Force	\$200,000
b)	Support the county adoption of the new SSTS rules in 2010, requiring system certification every three years.	All	2010 - 2011	*LRM, LWMP Task Force	Staff time
c)	Utilize Extension products to develop maintenance fact sheet to be issued with 800-plus compliance letters on SSTS.	All	2009 - 2019	*LRM, Extension	\$5,000
d)	Facilitate land-owners meetings to encourage cluster systems with maintenance agreements in sensitive areas, moving the disposal site away from inadequate soils.	All	2009 - 2019	*LRM	Staff time
e)	Continue low interest loan program for failing septic systems. Prioritize sensitive areas such as high water table, wellhead protection area, excessively sandy or heavy soils.	All	2009 - 2019	*East and West Otter Tail SWCD	Staff time
Groundwater Priority Issues:					
Groundwater Quality Goal: Otter Tail County will protect the existing groundwater quality for drinking water purposes.					
Objective 1: Sourcewater Protection: Otter Tail County will participate in the preservation of the quality of the drinking water supply resources.					
a)	Participate on wellhead/source water protection teams during the development and implementation of Wellhead Protection Plans.	All	2009 - 2019	*SWCD, MDH, LRM	Staff time
b)	Identify Wellhead Protection Areas on a County GIS map layer.	All	2009 - 2019	*GIS	Staff time
c)	Conduct four Nitrate testing clinics (Otter Tail, New York Mills, Fergus Falls, and Perham) per year through MDA and cooperative efforts with lake associations and communities.	Otter Tail River All	2009 - 2019	*EOTSWCD, MDA	Staff time
d)	As part of the Nitrate testing clinics, distribute handouts to inform landowners of potential causes of contamination from arsenic, whether artificial or natural and available testing for groundwater.	All	2009 - 2019	*EOTSWCD, MDA	Staff time
e)	Encourage the DNR to work with the local unit of government to incorporate conservation practices with irrigation permits within sensitive groundwater areas.	All	2009 - 2019	*SWCD	Staff time

DATE: August 5, 2009
TO: BWSR Northern Region Planning Subcommittee
FROM: Ryan Hughes, BWSR Board Conservationist
SUBJECT: Review of Pine County Priority Concerns Scoping Document (PCSD)

The expiration date of the current Pine County Local Water Plan (LWP) is August 28, 2010. On March 4, 2008 the Pine County Board of Commissioners adopted a resolution to commit to revise and update the Pine County LWP pursuant to M.S. 103B.301. Pine County has actively sought input for their PCSD since July 24, 2008.

Priority Concerns Input Process

Pine County advertised and held three public meetings in July and August of 2008 to obtain public input.

- The first meeting was held at Sturgeon Lake City Hall July 24th. The input received at the meeting primarily focused on water quality issues related to septic systems. Other issues discussed at the meeting included aquatic invasive species and surface water monitoring.
- The second meeting was held at the Askov Community Center August 2nd. The input focused on surface water monitoring and invasive species. Additional concerns were groundwater pollution and alternative power using wind and water.
- The third meeting was held at the Pine County Courthouse August 21st. The input received primarily focused on surface water management. Issues discussed included groundwater contamination, septic systems and stormwater management. Other concerns were related to wetlands and flooding. Many concerns discussed at this meeting were related to specific problems in the County.

In an effort to obtain additional citizen input Pine County SWCD developed a survey that was distributed to cities, townships and lake associations. The survey was also published in the *Pine County Waters* newsletter which is mailed to all property owners in Pine County (approximately 23,500). In addition, the survey was made available at the Pine County SWCD booth at the Pine County Fair. Based on the results included in the PCSD, 30 people responded to the survey. The responses to the public input process are summarized in the PCSD.

Priority Concerns Selection

Based on the input received through the public input process the Pine County Water Plan Working Group selected the following two priority concerns:

1. Water Quality
 - a. Improving Impaired Waters
 - b. Maintaining Unimpaired Waters
2. Natural Resources Conservation, Utilization and Education

The Working Group discussed all priority concerns received thru the input process. Most, if not all, of the priority concerns received could either be included in the selected priority concerns or were decided to be the responsibilities of other regulatory agencies.

Agency Comments

Pine County distributed the PCSD to the appropriate state agencies for review on June 3, 2009. The BWSR Regional Supervisor requested comments from review agencies in a June 30, 2009 email and provided a comment form. The comments received are summarized as follows:

MN Pollution Control Agency

The agency concurs with the priority concerns selected.

MN Department of Natural Resources

The agency provided contact information for the scenic easements program. The agency requested the consideration of following in the final plan:

- Information on mapped sites of biodiversity significance.
- Land conversion by watershed and relationship to water quality.
- Digital mapping initiatives.
- Shoreland and floodplain management.

MN Department of Agriculture

The agency deferred to the priority concerns input submitted November 6, 2008. This input encouraged the participation of the local farm and commodity group representatives, discussed manure management and surface and groundwater impacts from agriculture chemical use.

Board Conservationist's Recommendation

The process followed by Pine County provided for ample opportunity by citizens and regulatory agencies to submit water resources related management input. The Pine County PCSD satisfies the requirements of M.S. 103B.312 and M.S. 103B.313 Subd.1-4, therefore I recommend the BWSR Northern Region Planning Subcommittee approve the Pine County PCSD as submitted and forward this document to the full board for approval.



August 27, 2009

Pine County Board of Commissioners
C/O Jill Carlier Pine Soil and Water Conservation District
260 Morris Ave N.
Hinkley, Mn 55037

RE: Official Comments Pertaining to the State Review of the Pine County Priority Concerns Scoping Document

Dear Pine County Commissioners:

Pursuant to M.S. section 103B.313, subdivision 5, this letter communicates the State's official comments pertaining to the priority concerns Pine County has chosen to address in the update of their Comprehensive Local Water Management Plan. The Board of Water and Soil Resources, along with the state review agencies, were sent the Pine County Priority Concerns Scoping Document PCSD on June 3, 2009 and asked to forward comments to Ron Shelito, BWSR Regional Supervisor by July 5, 2009.

Several water resources concerns were submitted to the Pine County Water Planning Advisory Committee. These comments and concerns were arranged into the following priority concerns that will be addressed in the Water Plan Revision.

1. Water Quality
 - a. Improving impaired waters
 - b. Maintaining unimpaired waters
2. Natural Resource Conservation, Utilization and Education

The Minnesota Pollution Control Agency concurs with the priority concerns selected.

The Minnesota Department of Natural Resources requested the consideration of the following in the final plan:

- Information on mapped sites of biodiversity significance.
- Land conversion by watershed and relationship to water quality.
- Digital mapping initiatives.
- Shoreland and floodplain management.

The Minnesota Department of Agriculture encouraged the participation of the local farm and commodity group representatives in the water planning process, encouraged the water plan to

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
701 Minnesota Avenue Suite 234 Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	1601 Minnesota Drive Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	1004 Frontier Trail Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	2300 Silver Creek Road N.E. Rochester, MN 55906 phone (507) 281-7797 fax (507) 285-7144	520 Lafayette Road N. Saint Paul, MN 55155 phone (651) 296-3767 fax (651) 297-5615

address ISTS and manure management issues, and asked for a review of available monitoring data regarding pesticides in ground water.

Based on the BWSR North Region Water Plan Committee's review, the BWSR deems the priority concerns selected to be appropriate and does not require any changes to the PCSD as submitted. The committee did note that erosion effects on water quality could be emphasized more clearly in the final plan. BWSR encourages Pine County and SWCD to continue to take advantage of opportunities to play the coordination role that is often a key to improved local water management.

Sincerely,

Randy Kramer, Chair
Board of water and Soil Resources

C: Ryan Hughes, BWSR
Wayne Edgerton, DNR
John Wells, EQB
Rebecca Flood, MPCA
Becky Balk, MDA
Beth Kluthe, MDH
Mike Peloquin, DNR

<i>Bemidji</i>	<i>Brainerd</i>	<i>Duluth</i>	<i>Fergus Falls</i>	<i>Marshall</i>	<i>New Ulm</i>	<i>Rochester</i>	<i>Saint Paul</i>
701 Minnesota Avenue Suite 234 Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	1601 Minnesota Drive Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	1004 Frontier Trail Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	2300 Silver Creek Road N.E. Rochester, MN 55906 phone (507) 281-7797 fax (507) 285-7144	520 Lafayette Road N. Saint Paul, MN 55155 phone (651) 296-3767 fax (651) 297-5615

RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

The following resolution (2009-7-48) was offered by Commissioner Affeldt:

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

WHEREAS, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a local water management plan, and

WHEREAS, the Act requires that a county update and revise their local water management plan on a periodic basis within 10 years, and

WHEREAS, the Act encourages that a county coordinate its planning with contiguous counties and solicit input from local governmental units and state review agencies, and

WHEREAS, the Act requires that plans and official controls of other local governmental units be consistent with the local water management plan, and

WHEREAS, Polk County has a current state approved and locally adopted (July 12, 2005) Comprehensive Local Water Management Plan which is due to expire on December 31, 2009, and

WHEREAS, The priority concerns stated in the Polk County Local Water Management Plan are still priority for the County, and

WHEREAS, With the passage of a constitutional amendment which provides a potential funding source for many of Polk County's priority concern for the next twenty five years, and

WHEREAS, with the relevance of the existing concerns and the newness of these potential new funding sources Polk County would like to delay the scheduled update so it can better format the updated plan in a manner to better align it with these funding sources.

NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Commissioners request an extension, in accordance with the BWSR Local Water Management Plan Update Guidance, for a period of two years. This extension would allow adequate time to be spent on each of the phases of the update process.

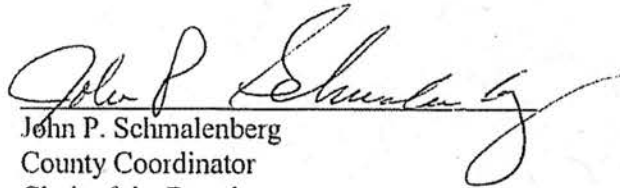
BE IT FURTHER RESOLVED that Polk County will not order or commence any project during the period of the extension pursuant to M.S. 103B.331 subd. 3 and 4.

Commissioner Bunes seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: Bunes, Strandell, Montague, Affeldt. NAYS: None.

STATE OF MINNESOTA)
) ss
COUNTY OF POLK)

I, John P. Schmalenberg, County Coordinator to and Clerk of the Polk County Board of Commissioners do hereby certify that I have compared the foregoing resolution with the original resolution filed in my office on the 28th day of July, 2009 and that the same is a true and correct copy of the whole thereof.

WITNESS my hand and Official Seal of Polk County at Crookston, Minnesota this 28th day of July 2009.


John P. Schmalenberg
County Coordinator
Clerk of the Board

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of Extending the Local Water Management Plan Update
For Polk County (Minnesota Statutes, Section 103B.311,
Subdivision 4, authorizing BWSR to grant extensions.)

ORDER EXTENDING
LOCAL WATER
MANAGEMENT PLAN

Whereas, Polk County has a state approved Local Water Management Plan (LWMP) that is effective until December 31, 2009, pursuant to M.S. Section 103B.301, and

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

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

FINDINGS OF FACT

1. On July 28, 2009, Polk County Board of Commissioners passed a resolution requesting an extension of their Local Water Management Plan from December 31, 2009 to December 31, 2011.
2. Board of Water and Soil Resources staff has reviewed the justification for this extension request and finds it in the best interest of the State of Minnesota and the County of Polk to grant this extension request.
3. On August 12, 2009, Board of Water and Soil Resources Northern Water Planning Committee reviewed and recommended approval of the extension request by Polk County.

CONCLUSIONS

All relevant requirements of law and rule have been fulfilled. The Board of Water and Soil Resources has proper jurisdiction in the matter of extending the Local Water Management Plan of Polk County pursuant to M.S. Section 103B.311, Subd. 4.

ORDER

The Board of Water and Soil resources hereby approves the extension of the Polk County Local Water Management Plan until December 31, 2011. Dated at Winona, Minnesota, this 27th day of August 2009.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Randy Kramer, Chairperson
August 27, 2009

Southern Water Planning Committee

1. Minnesota River Basin Joint Powers Board, FY10 Annual Work Plan –
DECISION ITEM



Minnesota River Board

Plan of Work

July 1, 2009 - June 30, 2010 (FY10)*

*some aspects of the work plan extend beyond FY10

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MRB Approved on 7-27-09
Submitted by *Shannon Fisher*
Shannon Fisher, Exec. Dir.

Minnesota River Board Basics

In 1992, the Minnesota River Citizen's Advisory Committee (MRCAC) was formed. In 1994, the MRCAC released the report, *Working Together: A Plan to Restore the Minnesota River*. The report detailed ten recommendations (listed below) that the participants believed would improve Minnesota River health.

- restore floodplains and riparian areas,
- restore wetlands,
- manage drainage ditches and storm sewers as tributaries,
- improve land management practices,
- monitor water quality throughout the Minnesota River Basin,
- establish a "Minnesota River Commission" to oversee the clean-up effort,
- establish local joint powers agreements,
- improve technical assistance to local governments,
- engage the general public, and
- enforce existing laws

As a result of the MRCAC recommendations and increasing Minnesota River awareness, the Minnesota River Basin Joint Powers Board (formally changed names to the Minnesota River Board in 2009 and hereafter referred to as MRB) was forged in 1996 (*Minnesota Statute 103F.378*). The MRB was founded on

- the desire to collaborate and leverage in a judiciously appropriate manner and
- the desire to assume a leadership role and be more pro-active in the coordination of basin-wide water quality improvement efforts at all levels.

Mission and Vision

The MRB is founded on and conducts its business based on the principles and objectives outlined in our Mission and Vision statements.

MRB Mission Statement

"To provide leadership, build partnerships, and support efforts to improve and protect water quality in the Minnesota River Basin"

MRB Vision Statement

"Conservation and restoration of Minnesota River resources and our way of life can only be achieved by a cooperative effort between citizens and all levels of government and business."

Organizational Structure

The MRB partnership structure (Figure 1) has been in place since 2003 and remains a desirable and productive organizational profile. The internal structure of the Minnesota River Board itself should be evaluated, possibly for greater inclusion of basin partners. The relationship between the Water Resources Center (WRC) and the MRB has been very good and has been highlighted by legislators during MRB negotiations. The WRC has facilitated stability and progress for both entities. Significant dedication to re-establishing relations and partnerships with the watershed programs needs to and will occur over the next few years.

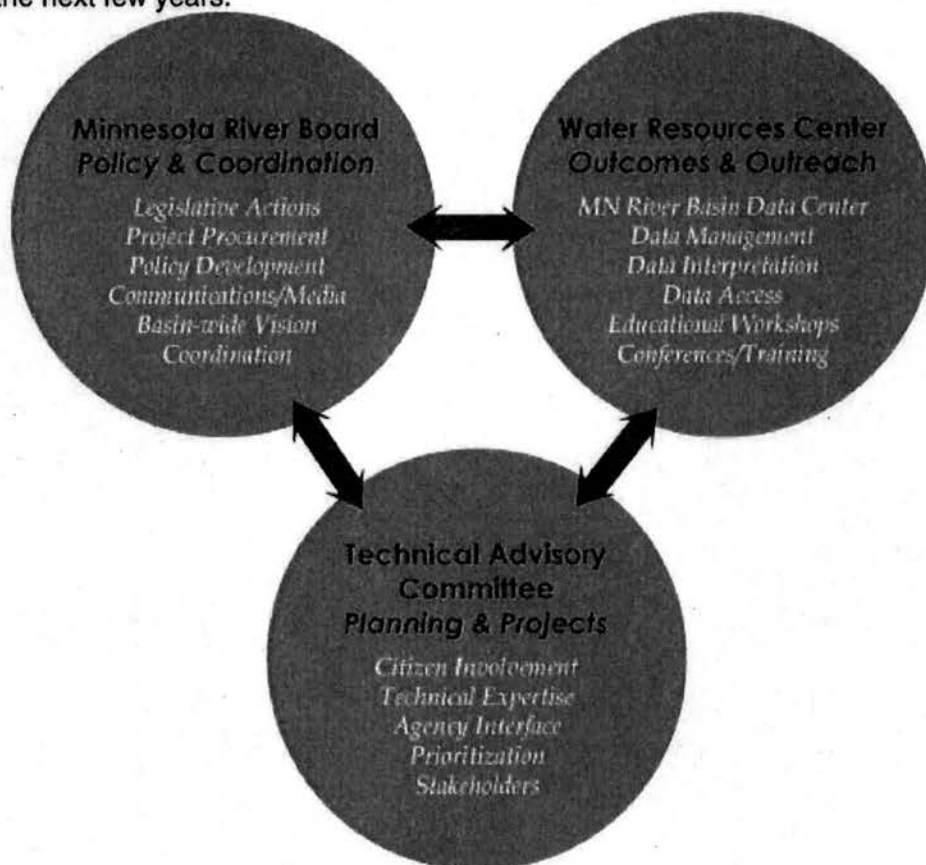


Figure 1. MRB Organizational Structure

Staff and Contact Information

Shannon J. Fisher, Executive Director
Susie D.G. Carlin, Program Director
Karnell W. Johnson, Office Administrator

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Membership

The MRB is a joint powers board charged with coordinating efforts to improve water quality in the 38-county Minnesota River Basin and providing reporting for and assistance to 12 major watersheds (Figure 2). Upon acceptance of the joint powers agreement, each county with dues paid in full shall have one county commissioner as its delegate to the board and one county commissioner as an alternate. A technical and citizen advisory committee was established to advise the board and consisted of a technical representative from each participating county in the basin and citizens who are not county employees, but who have an interest in agriculture, conservation, sporting activities, and other relevant areas as determined by the board. This committee has not been active and should be revitalized, as input from these basin stakeholders is critical for the positive advancement of the board's mission. For counties wishing to return to the board, a new policy detailing re-admission procedures was approved in January of 2008. Contact the MRB staff for more information.

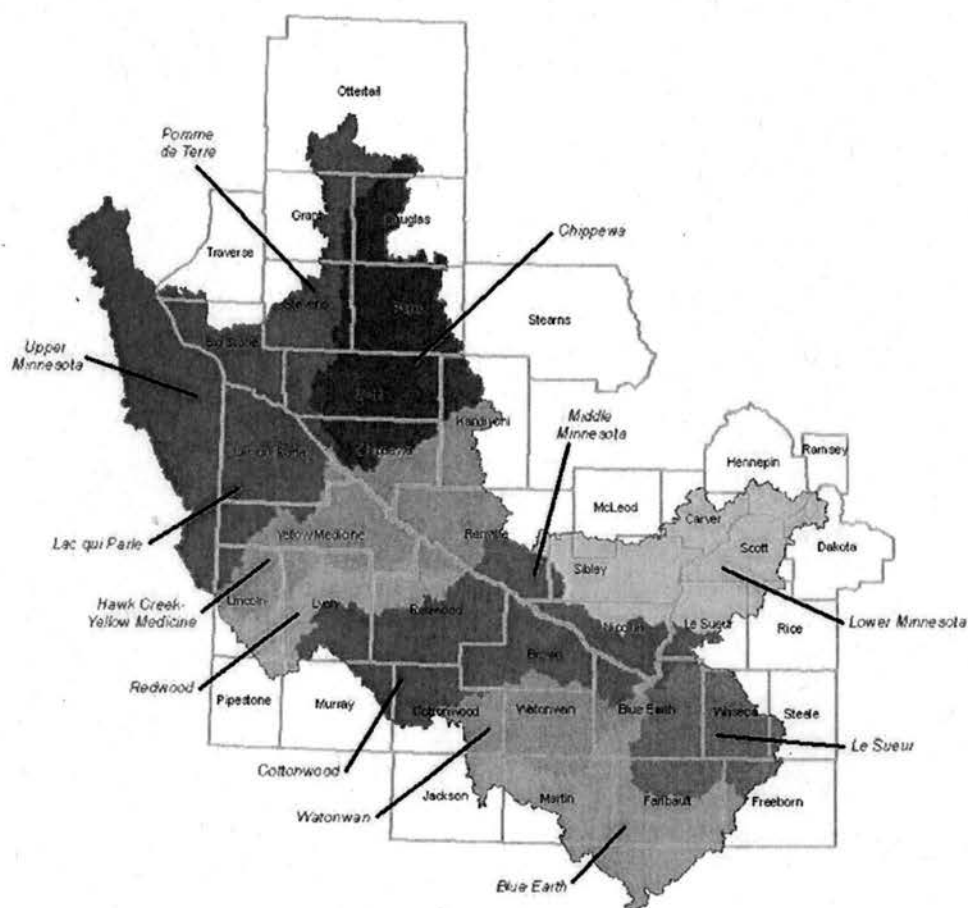


Figure 2. Figure denotes the Minnesota River basin made up of 12 major watersheds and 38 counties associated with the Minnesota River Basin Joint Powers Board.

FY10 Plan of Work

In 2006, the MRB completed a "Procedures Guide and Strategic Plan (2006-2010)" to guide our work (<http://www.minnesotariver.org>) and in FY08 produced the first work plan under the renewed legislative funding scenario. As a result of these plans, a substantive review of our statutory obligations and an ongoing assessment of what the MRB could and should be for the Minnesota River and our partners have been completed. As a result of these conversations, the FY09 work plan included a directive to update the statutory language that guides the MRB duties and processes. Bills were introduced in the 2009 session and subsequently passed both houses of the legislature and was signed by the governor.

The 2009 statutory update clarified the roles the MRB plays, including a renewed focus on multi-major watershed projects, a de-emphasis on provision of local implementation project management (as those duties are best managed by local watershed project and conservation district staff). In addition, the new language calls for new directives to establish a technical advisory committee that will have more imperative duties – building a stronger partnership with the board and establishing a progressive relationship between local policy makers and technical staff. The re-establishment of this technical committee has long been desired by the MRB and progress is being made.

In FY09, the MRB staff focused much of its attention on the implementation of the Conservation Innovation Grant we secured to bring water quality credit trading to Minnesota. The initiative, now known as Conservation Marketplace of Minnesota (CMM) is progressing and will continue to be a major work area over the upcoming year. Many goals of the FY09 work plan were completed; however, due to government changes, budgetary downturns, and increasing demands from some of our programs, not all aspects were achieved. A few goals from the FY09 plan are being carried forward into the FY10 plan, as they were not accomplished to satisfaction and we desire to keep working on them. In the following FY09 summary section (Section 1), we address our progress, shortcomings, and items to be carried forward to the FY10 work plan.

The FY10 Work Plan (Section 2) is structured using a set of goal statements that are then followed by a series of actions and products that will serve as progress measures. Certain aspects of the FY10 plan will include some carry-over portions of goals from previous work plans that are viewed as still critical for the MRB to complete. The targeted completion dates for each item are noted in parentheses (month/year). The FY10 work plan will include fewer focus areas; however, the areas that have been identified are heavy work load and intensive management projects. Section 3 overviews the budget for FY10 and highlights the anticipated expenditures and income.

The culmination of the FY10 work plan will be the generation of a new strategic plan for the MRB. The CMM project will be our greatest work load effort during the upcoming year. Other focal points for the MRB in FY10 will include:

- 1) Status report on groundwater knowledge in the basin
- 2) Evaluation of re-determination of ditch benefits in the basin
- 3) Re-evaluation of the MRB structure to meet future needs
- 4) Continued development of an information exchange and support network between basin policy makers and technical professionals.

SECTION 1 – PROGRESS REPORT FOR FY09 WORK PLAN

GOAL 1. Efficiently complete MRB administrative duties on schedule and be accountable for expenditures of public funds.

- A) Prepare, obtain MRB and BWSR approval for, and implement FY09 Work Plan and budget. (9/08)
- B) Evaluate and implement, if approved by the MRB, a plan to dissolve the existing Assistant Director Position and hire an administrative assistant (0.5 FTE; 9/08)
- C) Finalize a calendar of events for FY09 and future years that establishes the upcoming calendar year's meeting times and locations, officer nominations and installments, budget preparation, staff reviews, award nominations, annual meetings, etc.... (10/08)
- D) Provide a progress report to BWSR by February 1, 2009. (2/09)
- E) Complete Executive Committee planning sessions in September of 2008 and April of 2009. (4/09)
- F) Complete an annual internal audit. (5/09)
- G) Conduct performance reviews as scheduled for the staff (6/09).
- H) Continue to visit and communicate with county boards, water planners, SWCD representatives, and other water-quality related partners in the Minnesota River basin. (6/09)
- I) Strive to bring non-member counties back to the MRB, with an objective of securing at least 1. (6/09)
- J) Hold 6 full board meetings (bi-monthly), one of which will serve as the annual meeting, and two of which will be in partnership with basin organizations. (6/09)
- K) Provide an Annual Report to BWSR and basin legislators by June 30, 2009. (6/09)
- L) Write at least two grant and/or contract applications to bring external funds into the MRB to support our financial foundation and bring needed projects to the basin and provide significant cash and in-kind contributions to the projects. (6/09)

Goal 1 Progress: Progress measures A, B, E, G, H, and J were completed as scheduled and as detailed in the sections above. For item J, partner meetings were held in Mankato (July 2008; in conjunction with Blue Earth County and Blue Earth SWCD) and Savage (May 2009; in partnership with Scott County and other metro water management entities). Progress measure C has largely been completed and will be a work-in-progress for likely years to come, as the MRB evolves and new items are added. We consider this goal completed for work plan purposes. Progress measure D was not accomplished on time again this year. The Executive Director takes full responsibility for the delay in submitting our annual progress report to BWSR – which this report represents (submitted in May 2009). Item F is "in progress" and a committee is being set up at the May 2009 meeting to complete the audit. Item I was a priority to the MRB this past year; however, non-member counties are not demonstrating any interest at this point in returning and the additional financial burden, even though limited, has been an issue during hard economic times. This progress measure went into the "red" this past year, as Watonwan County withdrew from the MRB starting in FY10. Progress Measure K is intended to be completed at the end of the fiscal year, at which time a short summary report of progress from this past year and highlights of the FY10 Work Plan will be sent. For Progress Measure L, the MRB has pursued additional funding opportunities through ongoing EPA STAR grant applications in association with the current CMM grant, LCCMR funding through a joint application with partners in Kandiyohi County to work on Shallow Lakes Conservation Planning, and extensive discussion with various basin stakeholders about how to tap sales tax amendment funding for Minnesota River projects.

GOAL 2. Reconvene the technical and citizen advisory board to the MRB.*

**Completion of this goal will likely extend into FY10*

- A) Establish and utilize a budget to defray the costs of participant travel to an initial advisory board meeting, to include county water planners, SWCD representatives, watershed organizations, and nongovernmental organizations. (9/08)
- B) Utilize the collective experience of the basin citizens and technical staff to better develop a suite of services that the MRB can package for the basin. (12/08)
- C) Establish a committee structure and process of technical representatives and citizen representatives whose input is critically important to the future work of the MRB. (1/09)
- D) Develop a plan on which to formally gather input from and to provide services to the advisory group. (1/09)
- E) Establish a meeting schedule and format based on input from the advisory committee. (1/09)
- F) Establish a platform based on policy, education, and service, not implementation. (4/09)

Goal 2 Progress: Progress Measures A, B, and F have largely been accomplished. We have established a budget on which to help support and sustain an advisory committee. Through various conversations and a meeting of stakeholders on March 6, 2009, a set of clarifications about MRB duties and a platform on which to base our work on policy, education, and service, not implementation were included in a bill during the 2009 legislative session – at the time of this report's preparation, the bill had passed both houses and was awaiting final approval by the governor. Progress Measures C, D, and E have been delayed, but progress is being made. There was more resistance and long-standing tensions between the MRB and the technical professionals in the basin than anticipated. These tensions have slowed the process of reconvening the technical and citizen advisory board. In addition, clarifications on the technical committee were included in the same bill mentioned above, and we were waiting for that to pass before having a meeting. The basin-wide technical professional meeting has been tentatively scheduled for fall 2009 – venue and speakers have not yet been confirmed. At this meeting, we anticipate significant closure on measures C, D, and E.

GOAL 3. Resolve the real and perceived MRB identity problem.

- A) Establish a committee to take another look at important questions surrounding the MRB identity, including further definition of our role(s), services that we could/should offer, and what sets the MRB apart from other watershed organizations. (9/08)
- B) Provide recommendations to the MRB regarding the results of Goal 3A. (9/08)
- C) Develop a proposed statutory revision based on the recommendations from Goal 3B and with input from the advisory committee. (11/08)
- D) Request assistance from and work with basin legislative leaders to submit bills to make suggested modifications on Minnesota Statute 103F.378 in the 2009 legislative session (in conjunction with Goal 9 as appropriate). (11/08)

Goal 3 Progress: All progress measures in this Goal were completed on schedule and the result was a passed bill that clarifies the roles of the MRB, formally changes the name to the Minnesota River Board, and established better guidance on project goals, missions, and advisory committee participation. SF0275 was presented to the governor for signing on 5/5/09.

GOAL 4. Develop and implement a visibility plan.

- A) Convene a committee to discuss visibility options and to develop a set of recommendations to the MRB regarding the visibility plan. (9/08)
- B) Develop a brochure that highlights the MRB mission, programs, services, and strategic objectives. (11/08)
- C) Develop a high quality display for use at county fairs, basin events, etc... (11/08)
- D) Begin implementation of visibility plan components. (12/08)
- E) Reformat the MRB website into a more user friendly and easily updated venue that can serve as a "go to" place for a variety of information. (12/08)

Goal 4 Progress: *This goal is a carry-over from the FY08 work plan and was again set as a low priority for FY09. It was determined that a committee was not needed and staff would handle these matters, thus Progress Measure A was not completed and no formal visibility plan was developed and Measure D was also not implemented. We have increased efforts to put forth press releases, participate in radio interviews, and attend more meetings and conferences – these have increased our visibility. The other Progress Measures (B, C, and E) have proceeded slowly, as we tried to utilize students for these efforts. We delayed intentionally as well to see what the legislation would catalyze regarding any changes in MRB mission and duties. We are still working on completion of these outreach tools prior to the end of June 2009.*

GOAL 5. Facilitate a process to improve and increase the level of communication within the MRB and between the MRB and our partners.

- A) Implement bi-monthly MRB newsletters (2-4 pages), including features written by delegates, county staff, watershed professionals, and others. (10/08)
- B) Begin to profile delegates/watershed professionals in each newsletter. (9/08)
- C) Include condensed articles on major Minnesota River issues, similar to Envision 2020 reports. (9/08)
- D) Develop and utilize a set of committees to draw on the expertise and input of delegates and our partners into the mainstream workings of the MRB. (11/08)
- E) Enhance communications in conjunction with other media/outreach such as the Minnesota River Watershed Alliance, local newspapers, etc... (12/08)

Goal 5 Progress: *None of the progress measures in this goal have been fully implemented due to time constraints. The CMM grant consumed more time than anticipated and it was decided that this piece of the FY09 work plan would have to be placed on hold. Director Fisher completed more than a dozen interviews for written publications this year and completed two radio addresses with KTOE radio in Mankato – both of which were geared to improve communication. We continue to provide assistance to the Minnesota River Watershed Alliance as needed and are working with the Water Resources Center and MN State University, Mankato to obtain additional grant support from the McKnight Foundation to maintain the communications role that the Alliance is playing. We do not have a clear vision or strategy to implement this piece and will see additional assistance on this next year.*

GOAL 6. Elevate MRB involvement in continuing education and outreach.

- A) Gather information as part of Goal 2 to determine what educational needs are truly warranted. (10/08)
- B) Prepare a fact sheet for distribution to our various partners that highlights our programming options, available services (including funding assistance), and upcoming events. (11/08)
- C) Increase activity with and visibility to the Minnesota River Watershed Alliance, watershed organizations, private partners, and county staff. (4/09)
- D) Complete at least one major and one minor workshop in the basin, preferably based on needs identified from the technical advisory committee. (6/09)

Goal 6 Progress: *Of all the goals for FY09, progress was potentially the most significant with Goal 6. Progress Measures A and B were completed informally, rather than in conjunction with Goal 2 or in the form of formal fact sheets. Substantive efforts were made to request topic ideas and bring forth assistance requests to enhance education and outreach in the basin, including several RFPs for financial support to educational initiatives. As a result, the MRB supported several training opportunities, including a series of conservation drainage workshops, a 5-day geomorphic assessment training, the Agro-ecology Summit, kids fishing clinics, conservation implementation training, Clean Water Legacy Funding Work Session, the Shallow Lakes Forum, and the upcoming Technical Professional meeting. Based on attendance at these programs, the MRB estimates more than 1,200 basin members (ranging from citizens to technical staff to elected officials) participated in one or more programs. As a result, we estimate that more than 16,000 hours of educational time was collectively garnered. This effort, assuming funding allows, will CERTAINLY be a part of the FY10 work plan.*

GOAL 7. Serve as a "voice" and "resource" for the Minnesota River Basin.*

**Completion of this goal will likely extend into FY10 and be ongoing*

- A) Provide services as requested to support the various watershed and water quality interests in the Minnesota River basin, allowing the voice of 38 counties to be heard on issues in local areas, St. Paul, across the region, and beyond. (6/09)
- B) Provide assistance to agencies, counties, watersheds, etc.... in the dissemination of information regarding policy changes, funding opportunities, and staffing/project service options. (6/09)
- C) Provide *pro bono* grant preparation assistance/consulting services as requested, with a target of at least 2 collaborations that benefit MRB members and/or local partners. (6/09)
- D) Provide a minimum of 2 presentations on behalf of the MRB and our partners as requested. (6/09)
- E) Continue to provide assistance as needed to existing partnerships, such as BNC septic initiative, the BMP Challenge, and the Crystal Lake Clean Water Partnership. (6/09)
- F) Serve as a resource for program information, legislative updates, etc.... (6/09)
- G) Serve in a lobbyist capacity for approved MRB topics/legislation. (6/09)

Goal 7 Progress: *At the request of basin stakeholders, the MRB provided a venue, funding for, and coordination of a basin-wide conversation on sales tax amendment funding (March 6, 2009) – which also turned out to be a great opportunity to meet with and hear the concerns of many throughout the basin regarding the MRB mission and roles. The comments we received played an important role in shaping the statutory changes and the development of the FY10 work plan. As requested, we have served a role writing support letters, providing services, and advocating on behalf of the basin – including funding efforts for LiDar data collection, ongoing integrated watershed management efforts from the Corp of Engineers, local support requests, among others. Therefore, we believe that Progress Measure A has been met. Measures B and C have also been met. There were fewer than expected requests for assistance, but see Goal A*

GOAL 7 Progress Continued

progress. Progress Measure D was readily accomplished, as Director Fisher and Program Director Carlin both participated in county board meetings to provide information on the MRB, presented at the Coalition for Clean Minnesota River annual meeting, and provide information as requested at GBERBA meetings, a meeting of the watershed coordinators, and at various agency functions. Measures E, F, and G were also met as needed. The MRB, as is noted in the statute changes, focused on large basin-wide issues this past year, including lobbying for additional research funding, data collections, and collaborations.

GOAL 8. Evaluate progress measures identified in FY08 and develop a progress report for the Minnesota River Basin in FY09 that covers all the major watersheds.

- A) In partnership with BWSR and water quality professionals from the Minnesota River Basin, evaluate the FY08 Progress Report Measures submitted to BWSR and the basin legislators, including ongoing collection of additional input received from agency, watershed, county, SWCD, private partner, and citizen representatives. (9/08)
- B) Finalize the measures to be used and refine the data collection and reporting strategy, to include, but not be limited to, funding acquired, projects implemented, potential water quality improvements, future needs, and partner perceptions. (11/08)
- C) Complete and submit a full Minnesota River Water Quality and Watershed Improvement Progress Report using the measures described above, to the legislature, governor, basin stakeholders, and other interested parties. (4/09)
- D) Include in this report a summary of the county water plan updates and priorities and in conjunction with the progress report, include recommendations for measures of success on which to gauge water plans. (4/09)
- E) Use the information garnered during this effort to assist MPCA, US Corp of Engineers, and others develop an updated Minnesota River Management Plan as opportunities arise. (6/09)

Goal 8 Progress: *Progress with Goal 8 is ongoing, but it has been slower than desired. Several meetings and discussions have been held with BWSR staff, MPCA representatives, local officials, and technical professionals. Most of the data needed to complete the progress report have been secured; however, some aspects of the desired data are very hard to obtain. Therefore, measures A and B are partially completed and Measures C and D are still pending, but completion is anticipated prior to the end of June 2009. Measure E potential has yet to be determined, as the progress report needs to be finished first.*

GOAL 9. Evaluate MRB membership structure and watershed funding and implement recommendations.

- A) Form a committee to evaluate and consider revisions to the current MRB membership process and structure, to include a full consideration of the addition of watershed, citizen, and technical representatives as delegates to the MRB. (9/08)
- B) Evaluate watershed-based funding scenarios, including a per household fee for water quality and watershed improvements. (11/08)
- C) Work with legislators and watershed staff on future watershed-based management legislation. (11/08)
- D) Utilize the information here to prepare draft bill language for the formation of a modified watershed management unit in the Minnesota River Basin in conjunction with Goal 3. (11/08)

Goal 9 Progress: Progress Measure A was discussed at length by the statutory review committee that we established early in FY09. The decision at that time was to move ahead with a statute language change request that did NOT include any changes to the current voting board structure, a measure that was subsequently supported by the full MRB. Along those same lines, Progress Measure B was deemed no longer a priority for discussion, as the MRB desires to see how the sales tax amendment funding rolls out and what kind of impacts it will have. Given the economic downturn, it was not a good time to spend time reviewing additional levy authority or taxation potentials. Measure C was completed to an extent. We made ourselves available for review of documents and participation in discussions regarding watershed board establishment and structure, however, the political environments did not support any movement on such measures this year – thus Progress Measure D was not completed as there was not opportunity to work on it.

GOAL 10. Recognize the contributions of professionals, citizens, and students in the Minnesota River Basin.

- A) Re-evaluate an awards/incentive program for junior and senior high students from the basin participating in sanctioned science fair programs. (9/08)
- B) Modify nominations process to allow staff to nominate after deadlines pass if no nominations are brought forward. (9/08)
- C) Develop and implement an undergraduate scholarship program for students in the basin studying water quality issues. (10/08)
- D) Award two deserving participants from the basin with the "Confluence" and "Tributary" awards. (6/09)

Goal 10 Progress: All Progress Measures in Goal 10 were completed. Awards and Recognition at the Senior and Junior High Regional Science Fairs were provided to numerous well deserving students working in water quality, watershed, and water-related research areas. Progress Measure B was also completed and the staff will now nominate in the absence of nominations from the delegates. Program Coordinator Carlin developed and implemented an undergraduate scholarship and research program, thus fulfilling Progress Measure C. The recipients of these awards will be announced at the July 27, 2009 meeting. Progress Measure D was also completed, with recognitions going out to Kylene Olson (Chippewa River Watershed Project) and to Bob Brush and Jim Putnam (Lura Lake Association). These awards have been very well received and will be continued in FY10.

GOAL 11. Effectively manage the first year of the Conservation Innovation Grant from the NRCS for Water Quality Credit Trading

- A) Provide support services for the \$999,997 CIG grant to develop and implement a water quality credit trading program here in the Middle and Lower Minnesota River Watersheds, the Greater Blue Earth River Basin, and to provide administrative support for the Sauk River Watershed.
- B) Provide significant administrative services and work with various partners to enhance market-driven water quality improvement via land use modifications.
- C) Contract technical services with appropriate entities based on work plan requirements.

Goal 11 Progress: All progress measures for the Conservation Innovation Grant have been completed to the satisfaction of the granting agency (NRCS) and the various partners. A majority of Program Director Carlin's time has been reallocated to this project. MRB Office Manager Karnell Johnson has been provided the needed administrative support and thus far it is going well.

SECTION 2 – FY10 GOALS AND PROGRESS MEASURES

(GOALS ARE NOT IN PRIORITY ORDER) For each goal statement listed below, a set of progress measures and/or tasks are also noted. For each task, an approximate timeline and the staff member responsible for making sure the task/progress measure is completed is noted as an acronym. The acronyms are as follows: Executive Director (E), Program Director (P), Office Manager (O), and Contractual Services (C).

GOAL 1. Effectively manage the second year of the Conservation Innovation Grant, now known under the project name Conservation Marketplace of Minnesota (CMM).

- A) Provide administrative support services (accounting, contracting, invoicing, match tracking, and financial reporting) for the CMM project team. (6/10 - O)
- B) Coordinate and facilitate the National CMM Advisory Team, including setting up meetings, assisting with travel, establishing and clarifying duties, and working with partners to establish and distribute agendas. (6/10 - P)
- C) Coordinate and facilitate the Policy Committee(s) for project areas within the Minnesota River Basin, including setting up meetings, assisting with travel, establishing and clarifying duties, securing policy that works for all areas of the Minnesota River Basin, and working with partners to establish and distribute agendas. (6/10 - E)
- D) Coordinate and facilitate the Technical Committee(s) for project areas within the Minnesota River Basin, including setting up meetings, assisting with travel, clarifying duties, and working with partners to establish and distribute agendas. (6/10 - P)
- E) Provide support to the Greater Blue Earth River Basin Alliance in associated with the CIG by hiring and providing HR services, work space and transportation for an employee that will work on the CMM project by transferring CMM funds to the Water Resources Center to cover the costs of the employee (8/09 - E)
- F) Serve as the overall project advocate and liaison between the MRB and the project partners, including provision of update on project issues and progress to the Executive Director and assisting with project tasks as requested from project partners. (6/10 - P)

GOAL 2. Efficiently complete MRB administrative duties on schedule and be accountable for expenditures of public funds.

- A) Prepare, obtain MRB and BWSR approval for, and implement FY10 Work Plan and budget. (approval by 8/09, completion by 6/10 - E)
- B) Provide a progress report to BWSR by February 1, 2010. (2/10 - E)
- C) Complete Executive Committee planning sessions in 10/09 and 4/10. (4/10 - E)
- D) Complete an annual internal audit. (5/10 - O)
- E) Conduct performance reviews as scheduled for the staff (6/10 - E).
- F) Strive to bring non-member counties back to the MRB, with an objective of securing at least 1. (6/10 - E)
- G) Hold 6 full board meetings (bi-monthly), one of which will serve as the annual meeting, and two of which will be in partnership with basin organizations. (6/10 - P/O/E)
- H) Write at least two grant and/or contract applications to bring external funds into the MRB to support our financial foundation and bring needed projects to the basin and provide significant cash and in-kind contributions to the projects. (6/10 - E)

GOAL 3. Reconvene the technical and citizen advisory committee and work with this committee to develop a process of communications and input.

- A) Facilitate completion of a start-up meeting for the Minnesota River Basin Tech/Citizen advisory committee and utilize funding to defray the costs. (10/09 - E)
- B) Work with basin stakeholders to determine a committee structure and process of technical representatives and citizen representatives whose input is critically important to the future work of the MRB. (12/09 - E)
- C) Develop a plan on which to formally gather input from and to provide services to the advisory group, including a formal process of communications and meeting schedule. (2/10 - E)

GOAL 4. Facilitate improved and increased communications between the MRB and our partners and among basin stakeholders.

- A) Collaborate with the Minnesota River Watershed Alliance and various projects of the MRB and Water Resources Center to implement a MRB newsletter (2-4 pages), including features written by and/or regarding delegates, county staff, watershed professionals, and others. (10/09 - P/C/E)
- B) Include condensed articles on major Minnesota River issues, similar to Envision 2020 reports. (start by 11/09 and then ongoing after that - C)
- C) Monthly website update that feature the products from 4A and 4B, along with event notices and other items of interest. (6/10 - C)
- D) Contract with communications staff at the Water Resources Center for assistance on completing this task. (10/09 - E)
- E) Support ongoing enhancements of communications efforts in conjunction with MPCA, local media outlets, provision of press releases, etc....(6/10 - E/C)

GOAL 5. Promote and complete a program of continuing education, outreach, and partnership to enhance and encourage ongoing interest and work in Minnesota River Basin improvement efforts.

- A) Utilize the expertise of the Technical Committee to identify the educational needs of the basin and work with the technical committee to prioritize programming dollar expenditures. (11/09 - E)
- B) Based on input from 5A, put out an RFP for workshop, continuing education, and/or conference opportunities. (11/09 - E)
- C) Complete at least one major and one minor workshop in the basin based on selection criteria and needs identified from the technical/citizen advisory committee. (6/10 - E/P)
- D) Bring back the Minnesota River Research Forum series in association with the Water Resources Center and other basin partners. (4/10 - E).

GOAL 6. Serve as an ongoing legislative and funding resource for the basin.

- A) Work with the advisory group and delegates to identify legislative issues that the MRB could provide support and advocacy for during the 2010 session. (11/09 - E)
- B) Provide services as requested to support the various watershed and water quality interests in the Minnesota River basin, allowing the voice of 38 counties to be heard on issues in local areas, St. Paul, across the region, and beyond. (6/10 - E/P)
- C) Provide assistance to agencies, counties, watersheds, etc.... in the dissemination of information regarding policy changes, funding opportunities, and staffing/project service options. (6/10 - E/P)
- D) Provide grant preparation assistance as requested, with a target of at least 2 collaborations that benefit multiple major watersheds and/or local partners. (6/10 - E)
- E) Provide a minimum of 2 presentations on behalf of the MRB and our partners as requested. (6/10 - E/P)

GOAL 7. Complete a substantive outreach effort to deliver the Minnesota River Progress Report results (developed as part of the FY09 BWSR grant) to basin communities, water quality improvement stakeholders, legislators, and agencies.

- A) Deliver the report for review by legislators, agency staff, conservation professionals, MRB delegates, the basin technical team, and others and establish a series of meetings to discuss the product and mechanisms for improvement (10/09 - E/C)
- B) Formally deliver and present the Biennial Progress Report developed during FY08 and FY09 to the MRB delegates and partners at the November Board Meeting (11/09 - E/C)
- C) In conjunction with other progress reports, trend assessments, and basin planning efforts, advance a series of town hall meetings across the basin to deliver a message of basin water quality progress, continued challenges, and community involvement. (6/10 - E/C)

GOAL 8. Based on Goal 7 feedback, develop a framework on which to build the next iteration of the Minnesota River Progress Report that will be completed in FY11.

- A) Gather input as part of the Goal 7 information meetings and determine if appropriate measures were utilized for the progress report, giving consideration to new measures that should be included for future reports, deletion of measures with limited or difficult to understand data, and determining which measures provide the most valuable information (5/10 - E/C)
- B) Develop a plan on which to base the FY11 biennial progress report. (6/10 - C)

GOAL 9. Become an involved member in the ongoing discussion of Basin Watershed Organization legislation, including an evaluation of the MRB membership structure.

- A) Join, as opportunities arise, in forums, committees, legislative hearings, and work groups to continue providing input into basin and watershed management legislation and policy modification proposals. (1/10 - E)
- B) As part of 9A, complete a work session on watershed based management options with the executive committee and other interested parties, including legislative sponsors, watershed representatives, and others to provide input into future proposals. (11/09 - E)
- C) Utilize the information gathered in 9A and 9B to determine the MRB position on such matters and then provide support or opposition as requested by the delegates (1/10 - E)
- D) Evaluate the current MRB structure to determine if any changes at this time would be appropriate. (1/10 - E)

GOAL 10. Recognize the contributions of professionals, citizens, and students in the Minnesota River Basin.

- A) Provide an awards/incentive program for junior and senior high students from the basin participating in sanctioned science fair programs. (5/10 - P)
- B) Provide an undergraduate scholarship and an undergraduate research award for two students studying in the basin that are focused on water quality issues. (5/10 - P)
- C) Award two deserving participants from the basin with the "Confluence" and "Tributary" awards. (6/10 - E)
- D) Institute a delegate, watershed, and project spotlight section in future watershed communications associated with Goals 4 and 5 above. (6/10 - P/C)

GOAL 11. Evaluate the potential of bringing the Blue Thumb program into areas across the Minnesota River basin by working with the Rice Creek Watershed and delivering information to our partners.

- A) Establish contact with and meet with the Rice Creek Watershed District staff to learn more about the Blue Thumb Program. (10/09 - P)
- B) Identify appropriate venues and develop information materials for the dissemination of information regarding the Blue Thumb program among Minnesota River Basin stakeholders. (12/09 - P)
- C) Work with at least one basin entity to establish partnership in the Blue Thumb program and/or determine how the Blue Thumb program could be applied in our basin (4/10 - P)

GOAL 12. Status evaluations of priority issues to county delegates and basin citizens.

- A) Prepare and implement a plan to survey counties in the basin regarding the status of re-determination of benefits on county ditch systems. (11/09 - E/C)
- B) Present the findings of Measure 12A to the MRB and then determine a course of action and implement such action. (6/10 - E)
- C) Prepare and implement a plan to survey Minnesota River basin citizens and stakeholders regarding groundwater concerns, monitoring status, and research needs - including a summary of known contaminants, research, and management strategies for aquifers under the MRB territory. (6/10 - E/P/C).

Proposed MRB FY10 Budget

Line Items (details listed below budget)	Funding Source Used for Line Item Expense				Totals
	State of MN	County Income	2008 CIG	External	
FY10 Income					
State of Minnesota - BWSR Grant	\$90,000				
County Dues Collection – FY10		\$42,748			
MCIT Insurance Refund (estimated)		\$1,252			
CIG Indirect Cost Recovery (estimated)		\$21,657			
CIG (CMM) Contract Allowance			\$102,348		
2006 CIG with AgFlex (estimated)				\$11,995	
Mt Simon Monitoring (estimated)				\$6,450	
Totals	\$90,000	\$65,657	\$102,348	\$18,445	\$276,450
FY 10 Estimated Expenses					
0.50 FTE Executive Director		\$26,552	\$11,855	\$3,800	\$42,207
0.49 FTE Administrative Assistant			\$15,512		\$15,512
0.94 FTE Program Director	\$35,580		\$3,687		\$39,267
Student Worker(s)	\$3,300	\$3,300			\$6,600
Fringe Benefits (All Staff)	\$10,680	\$9,049	\$6,880	\$1,320	\$27,929
Contractual Services for CMM			\$40,800		\$40,800
MCIT Insurance		\$2,550			\$2,550
MRB Meeting Expenses		\$1,200			\$1,200
Communications/Reporting	\$12,200	\$6,800			\$19,000
Travel	\$6,450	\$3,800		\$5,842	\$16,092
Printing	\$2,000	\$2,000			\$4,000
Awards/Student Incentives Program	\$2,000			\$700	\$2,700
Supplies/Equipment			\$19,380	\$200	\$19,580
Legal Retainer		\$1,200	\$1,200		\$2,400
Tech/Citizen Advisory Committee	\$2,400	\$1,000			\$3,400
MSU Contract Indirect Costs (8%)	\$5,390	\$3,916	\$3,034	\$873	\$13,213
Outreach/Programming	\$10,000	\$4,290		\$5,710	\$20,000
Total Expenditures	\$90,000	\$65,657	\$102,348	\$18,445	\$276,450

Income Details

- State of MN: the MN legislature, via BWSR, provided the MRB with 90% of our previous biennium's allocation, this \$90,000 to aid in reporting progress in the MN River Basin.
- County Income: Dues collected from member counties in 2009 for use during the FY10 fiscal year. Dues were held stable for FY10 and no increase will be proposed for FY11.
- MCIT Insurance Refund: The estimated value of our dividend check from MCIT Insurance.
- CIG (CMM) Contract Allowance: Income to cover expenditures associated with the Conservation Marketplace of Minnesota project (2008 Conservation Innovation Grant) as outlined in Phase 1 of the grant agreement with the National Fish and Wildlife Foundation.
- 2006 CIG with AgFlex: Estimated final income associated with the contract for services established back in 2006 with AgFlex.
- Mt. Simon Monitoring: Payment for services rendered to Mt Simon Permit Holders and the MN Department of Natural Resources to facilitate, mediate, and provide data management to an aquifer monitoring initiative.

Expenditure Details

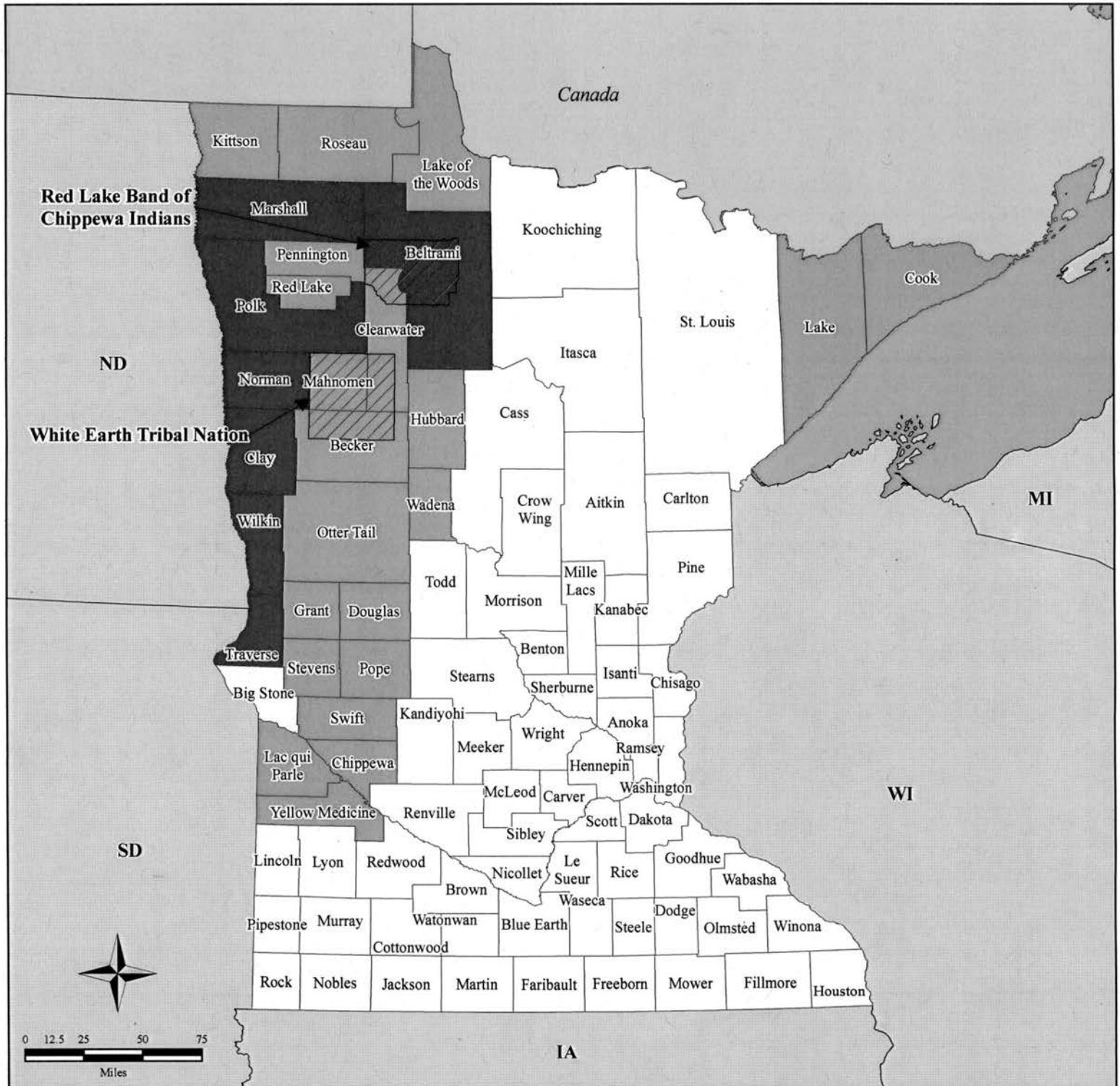
- Executive Director: 50% of the Executive Director's annual salary, spread out based on where work will be completed.
- Administrative Assistant: Funds a 49% FTE Office Manager to facilitate the CMM, Mt. Simon, and day-to-day administration of funds, grants, and accounting and meeting logistic needs.
- Program Director: Being tied to State Funding, this position will be funded based on the appropriation from the state of Minnesota, with some supplemental funding used from the CIG/CMM, therefore, 94% of the position will be funded for this fiscal year.
- Student Worker(s): Funding for a 16 hour per week student worker to assist with various MRB duties during the academic year and full time for 6 weeks from mid-May through the end of June 2010.
- Fringe Benefits: Estimated Health Insurance, Required Leave, FICA, etc.... for all MRB staff and students listed above
- Contractual Services for CMM: Services as allowed in the CIG agreement for technical services to be contracted out as needed, including legal services (included under legal retainer below), web site development, model evaluation, and technical planning provided by various potential partners.
- MCIT Insurance: Estimated Annual Insurance Payment
- MRB Meeting Expenses: Base expenses for 6 MRB business meetings and 2 executive committee planning sessions, including primarily room rental and refreshments. Tours, speaker fees, per diem and other travel costs, etc... are budgeted for in Programming and Travel below.
- Communications/Reporting: Additional funding has been allocated here to help ensure that MRB communications efforts and completion of required reporting are secured. Postage (\$1,000), cellular phone and data services (\$1,140), web site expenses (\$2,400), newsletter/press release/weekly updates preparation (\$7,230), Reporting Assistance for data management and report prep (\$7,230).
- Travel: Designated Vehicle for MRB (7/09 – 6/10; \$10,800), Staff Lodging and Travel to Conferences, including registration fees, (\$1,500); executive committee per diem (\$3,000), Misc. Staff, Delegate, and Guest Expenses, such as personal mileage (\$792)
- Printing: Preparation of various reports, newsletters, stationary needs, in-house copy needs (\$4,000)
- Awards Program: "Tributary" and "Confluence" Awards (\$200), MRB Scholarship (\$1,000), Science Fair Awards (\$500), Undergraduate Student Research Award (\$1,000)
- Supplies/Equipment: Various office supplies, software upgrades, chairs, etc... as needed, primarily in support of the CIG/CMM in conjunction with project partners and basin stakeholders.
- Legal Retainer: \$200/month retainer fee for Rinke Noonan, split between county and grant funds.
- Tech/Citizen Advisory Committee: Provide meeting facilities and refreshments for designated advisory committee meetings, potentially including travel allowances and per diem for formal representatives as funds allow. Some funds may also be used to offset costs of committee representatives to attend MRB meetings as formal liaisons.
- MSU Indirect Costs: Approximately \$165,000 of this budget will need to be contracted with the Water Resources Center at MN State University, Mankato to cover 100% of staff salary and fringe plus large portions of Communications/Reporting, Travel, and Printing. An 8% indirects rate will apply based on our agreement with MSU, Mankato from 2008.
- Outreach/Programming: Funds for Workshop, trainings, and conferences on grants/funding opportunities, ongoing research, program updates, annual meeting events, etc..., including a Minnesota River Research Forum (\$20,000)

NEW BUSINESS

1. FY '10 Red River Valley Flood Recovery – **DECISION ITEM**
2. Drainage Work Group Update – **INFORMATION ITEM**
3. "Success Through Regional Collaborative Partnerships" – Jeff Nielsen and Donna Rasmussen, Chair of the Basin Alliance for the Lower Mississippi in MN (BALMM); Linda Dahl, Executive Director, SE MN Water Resources Board JPB; and Glen Roberson, host Manager, SE SWCD Technical Support JPB - **INFORMATION ITEM**

FEMA-1830-DR, Minnesota

Disaster Declaration as of 05/06/2009



Location Map



Legend

Designated Counties

- No Designation
- Public Assistance
- Individual Assistance and Public Assistance
- Indian Reservation

*All counties are eligible
for Hazard Mitigation*



FEMA

*ITS Mapping & Analysis Center
Washington, DC*

05/06/09 -- 2:45 PM EDT

*Source: Disaster Federal Registry Notice
Amendment No. 5 - 05/06/2009*

SPRING FLOOD OF 2009 BWSR COST SHARE SUMMARY RESPONSE

BACKGROUND

The 2009 Legislature appropriated \$1 M to BWSR for erosion, sediment, and water quality control cost share for projects damaged by the spring flooding of 2009. This appropriation is made available to LGUs via applications made through the MN Recovers Task Force.

CURRENTLY

The MN Recovers Task Force application period closed July 9. Nine applications are eligible for BWSR funding requesting \$2,448,300.

Application	Applicant	Amount Requested	Primary Project Types
1830-4,5,6,7	East Polk	\$201,000	Gullying, Sedimentation
1830-8,9	Red Lake	\$ 75,000	Streambank/Shoreland
1830-10	Norman	\$426,000	Gullying, Stream bank
1830-19	Clay	\$846,300	Streambank, Sedimentation
1830-3	Red Board	\$900,000	Ring Dikes
Totals		\$2,448,300	

ALLOCATION STRATEGY

The MN Recovers Task Force, Natural Resources Sub-Committee is proposing to allocate \$250,000 towards ring dike construction for application (Red Board) 1830-3. The remaining \$750,000 is available to leverage federal funding for the other eight applications, pending ECP, EQIP, and EWP program eligibility determinations). A federal contribution, similar to the SE MN flood response, is anticipated. Board Conservationists have field-verified these applications.

The Task Force is anticipating that some additional funding (\$250 – \$300K) may become available to BWSR later this fall to be considered for funding additional requests. This funding is expected from unused appropriations to DEED and the Depts. of Education and HS.

The MN Recovers Task Force, Natural Resources Sub-Committee and Senior Management Team is forwarding their allocation recommendation as listed in the "Grant Amount" column in the following table, to the Grants Program & Policy Committee. The Grants Program & Policy Committee is scheduled to forward their funding recommendation to the Board following their August 25 Meeting.

**Minnesota Recovers Task Force, Natural Resources Sub-Committee
And Senior Management Team Funding Recommendation Summary**

Application	Applicant	Amount Requested	Land-Owner Contribution	Federal Contribution	Other Contribution	Grant Amount
1830-4,5,6,7	East Polk ¹	\$201,000	\$20,100	\$32,500	\$18,200	\$130,200
1830-8,9	Red Lake	\$ 75,000	\$ 7,500	\$ 0		\$ 67,500
1830-10	Norman ²	\$426,000	\$36,600	\$169,500	?	\$172,500
1830-19	Clay ³	\$846,300	\$84,630	\$380,715	\$1,155	\$379,800
1830-3	Red Board	\$900,000	\$125,000		\$625,000 ⁴	\$250,000
Totals		\$2,448,300	\$273,830	\$582,715	\$644,355	\$1,000,000

Notes: ¹ East Polk SWCD's other contributor is the Sand Hill River Watershed District
-Fed contribution is an estimate of 50% for those who qualify (not all projects are eligible for any Fed programs)

- A Land-Owner contribution of 10% is generally assumed.

² Norman SWCD also had an application for a ring dike which is omitted. This is because of the ring dike grant going to the RRWMB of which the Wild Rice WD is a member. The Wild Rice WD may be a contributor to the projects in Norman SWCD but is yet to be determined.

³ The Wild Rice & Buffalo Red River WDs may be contributors to the projects in Clay SWCD but that is yet to be determined (could further reduce the landowner contribution and should not be limited to the \$1,155 listed). Clay SWCD's application had 6 projects requesting \$44,935 within the 'Agricultural Assistance' category of the MN Recovery Application. Project types consisted of grain within bin damage, portions of alfalfa fields flooded out, fence damage, and 15 calves lost. These were not included as these are not sedimentation/soil erosion/water quality related but may be funded by DEED.

⁴ This amount includes funding from DNR, WDs, and the Red Board.

Board Resolution # _____

FY '10 RED RIVER VALLEY FLOOD RECOVERY

WHEREAS, a Presidential Declaration of a Major Disaster FEMA-1830, was authorized in response to flooding and storms that occurred on or after March 16, 2009, and;

WHEREAS, the 2009 Legislature in S.F. 2113, Art. 1, Sec.4, Subd. 3, appropriated \$1 M for erosion, sediment, and water quality control cost-share for projects in the area included in DR-1830 damaged by the storms and floods; and,

WHEREAS, the 2009 Legislature in S.F. 2113, Art. 1, Sec.4, Subd. 5, authorized the Board to waive the provisions of MN Statutes, Sections 103B.3369 and 103C.501, and MN Rules, Chapter 8400, in the area included in DR-1830 on land damaged by the disaster; and,

WHEREAS, the Board has made these funds available to Local Governmental Units through the MN Recovers Task Force; and,

WHEREAS, the applicants below have requested and represent that they are duly qualified to receive these funds.

NOW THEREFORE, the Board hereby authorizes staff to: 1) allocate funds to these Local Governmental Units for the projects and activities as described in their respective MN Recovers Task Force Request for Assistance application, as follows:

<u>Applicant</u>	<u>Amount</u>
East Polk SWCD	\$
Red Lake SWCD	\$
Norman SWCD	\$
Clay SWCD	\$
Red River Watershed Mgmt. Bd.	\$
Total	\$

- 2) develop grant agreements to accomplish said projects and activities while pursuing federal funds to supplement or substitute for these allocations.

Randy Kramer, Chair
Board of Water and Soil Resources

Date: _____

**Drainage Work Group Update
BWSR Board Meeting, 8-27-09
Al Kean, Chief Engineer**

Drainage Work Group (DWG) Genesis, Membership and Purpose:

- Outgrowth of Public Drainage Ditch Buffer Study, February 2006 (<http://www.bwsr.state.mn.us/aboutbwsr/publications/bufferstudyweb.pdf>)
- Broad stakeholder group (<http://www.bwsr.state.mn.us/drainage/DWG.html>)
- Focused on enhancing common understanding of current knowledge and trends regarding drainage management and promoting policies with consensus support

2007 DWG Consensus Recommendations:

- Numerous recommendations for clarifying MN drainage law (MN Statutes, Chapter 103E) and promoting drainage records modernization
- Focused on required and optional buffer strip establishment, inspection and maintenance
- Included recommendation for guidelines and state cost-share for drainage records modernization
- Adopted by Legislature in 2007

Summary of July 29, 2009 DWG Meeting:

- *Status of 2008 DWG Consensus Recommendations for clarifications of drainage law and drainage records modernization cost-share:* Legislative bills got hung up in committee, primarily due to cost-share funding recommendation and focus on state budget deficit and Clean Water Amendment. Pursue again next legislative session.
- *2009 Legislative directives and appropriations involving DWG:* Discussed study of riparian buffer areas and identified members for steering committee. Discussed new Clean Water Fund \$ appropriated to BWSR for a conservation drainage program, including consultation by DWG. Discussed \$100K per year general funding to BWSR for drainage records modernization.
- *Section 319 Project: Drainage Systems Management Education and Stakeholder Feedback Workshops:* Mark Dittrich, MDA, presented overview of current project and DWG discussed. Three stakeholder groupings planned, with 3 workshops each statewide.
- *LCCMR Project: MN Drainage Law Analysis and Evaluation:* Louis Smith, Smith Partners PLLP, presented an overview of the project and DWG discussed. Steering committee members were identified to help define several typical scenarios to evaluate and provide periodic review and perspective. Louis provided a draft work plan.
- *LCCMR Project: Intensified Tile Drainage Evaluation:* Shawn Schottler, Science Museum of MN, St. Croix Watershed Research Station and Rick Moore, MN State University, Mankato, Water Resources Center, provided background on fingerprinting sources of sediment in Lake Pepin and an overview of the project. DWG discussed and asked for access to the presentations, copies of which have been put on the BWSR web site under DRAINAGE. (http://www.bwsr.state.mn.us/drainage/tile_evaluation-Schottler7-29-09.pdf) (http://www.bwsr.state.mn.us/drainage/tile_evaluation-Rick_Moore7-29-09.pdf)

BWSR SE FLOOD RECOVERY TOUR
AUGUST 26, 2009



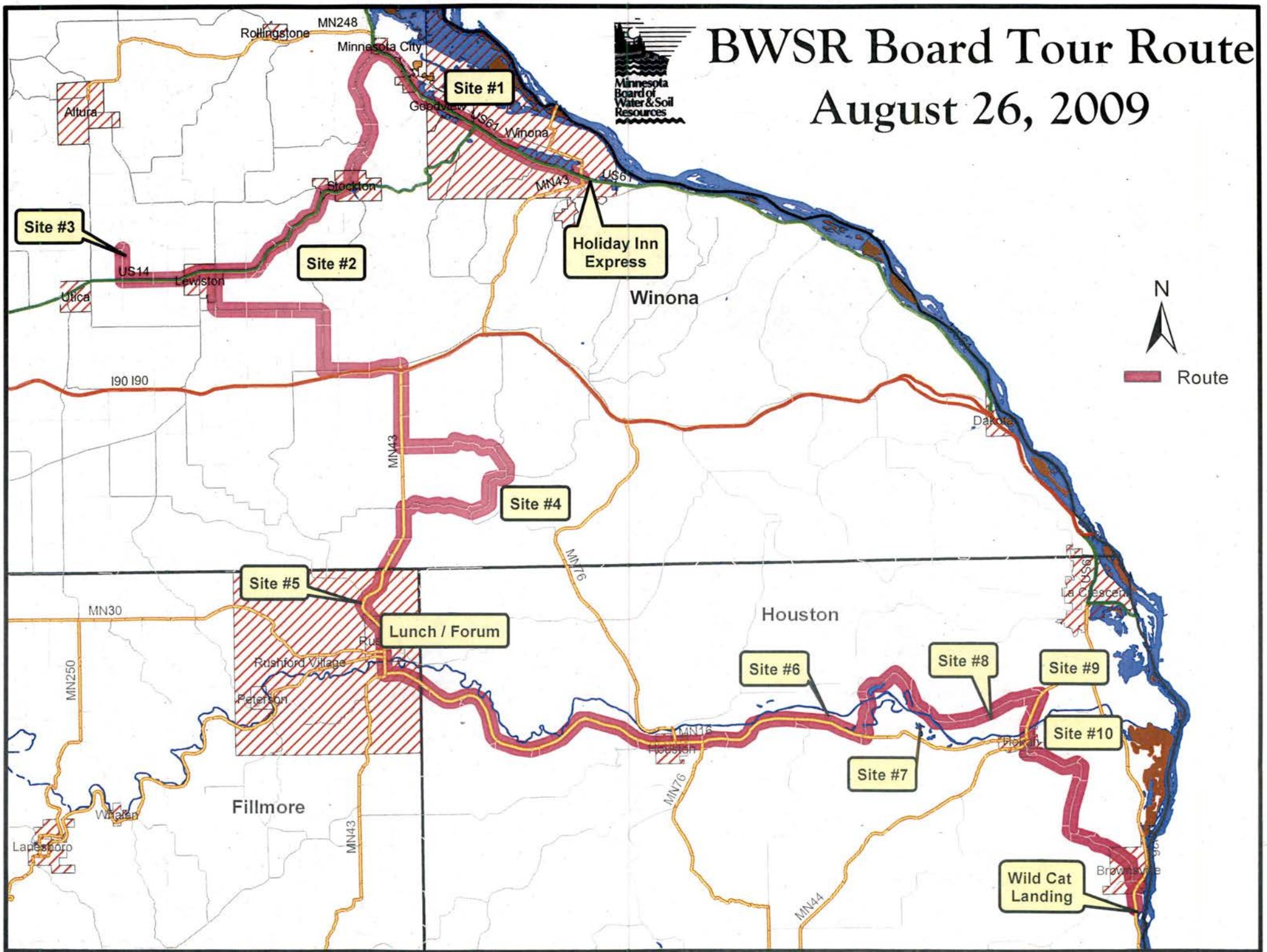
Bemidji Brainerd Duluth Fergus Falls Marshall New Ulm Rochester Saint Paul

Helping Minnesota's local governments manage and
conserve their irreplaceable water and soil resources.

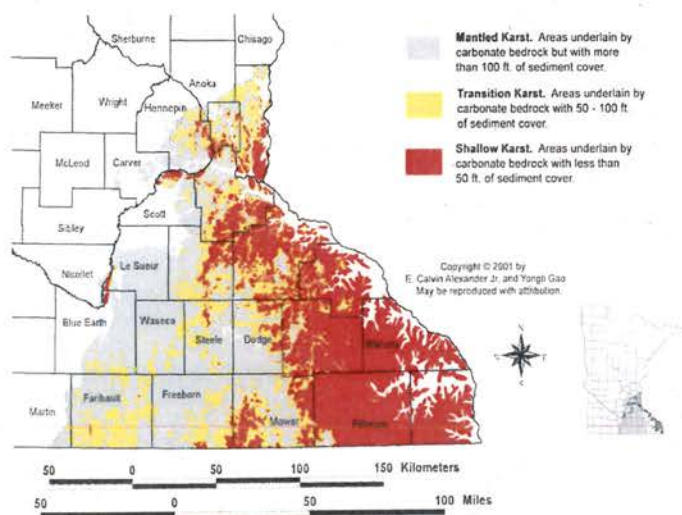


BWSR Board Tour Route

August 26, 2009

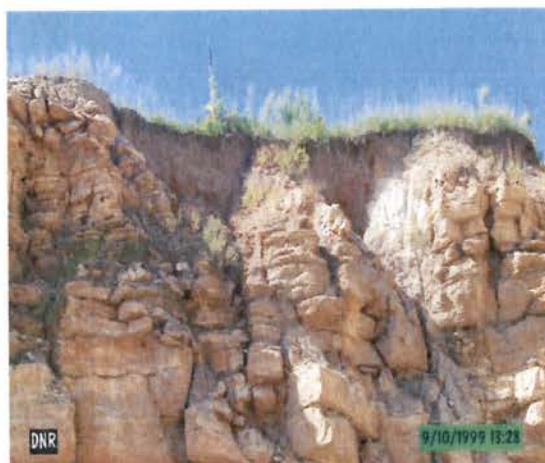


Minnesota Karst Lands



Karst Landscape

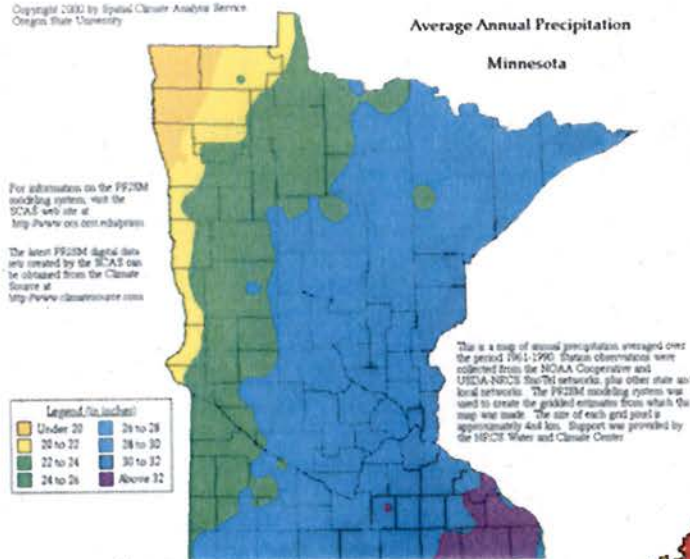
- Shallow soils over fractured bedrock with large solution cavities
- Groundwater contamination concern



Basin Characteristics

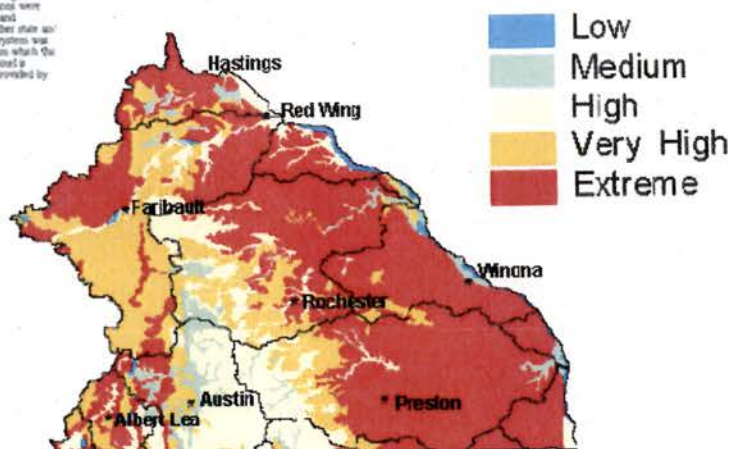
- Highest Annual Precipitation in the state – Above 32"

Copyright 2000 by Spatial Climate Analysis Service
Oregon State University



- Steep Slopes – >49%
- Highly Erodible Soils

Water Erosion Potential



Winona County Flood RIM



**20 Easements:
366.1 acres**



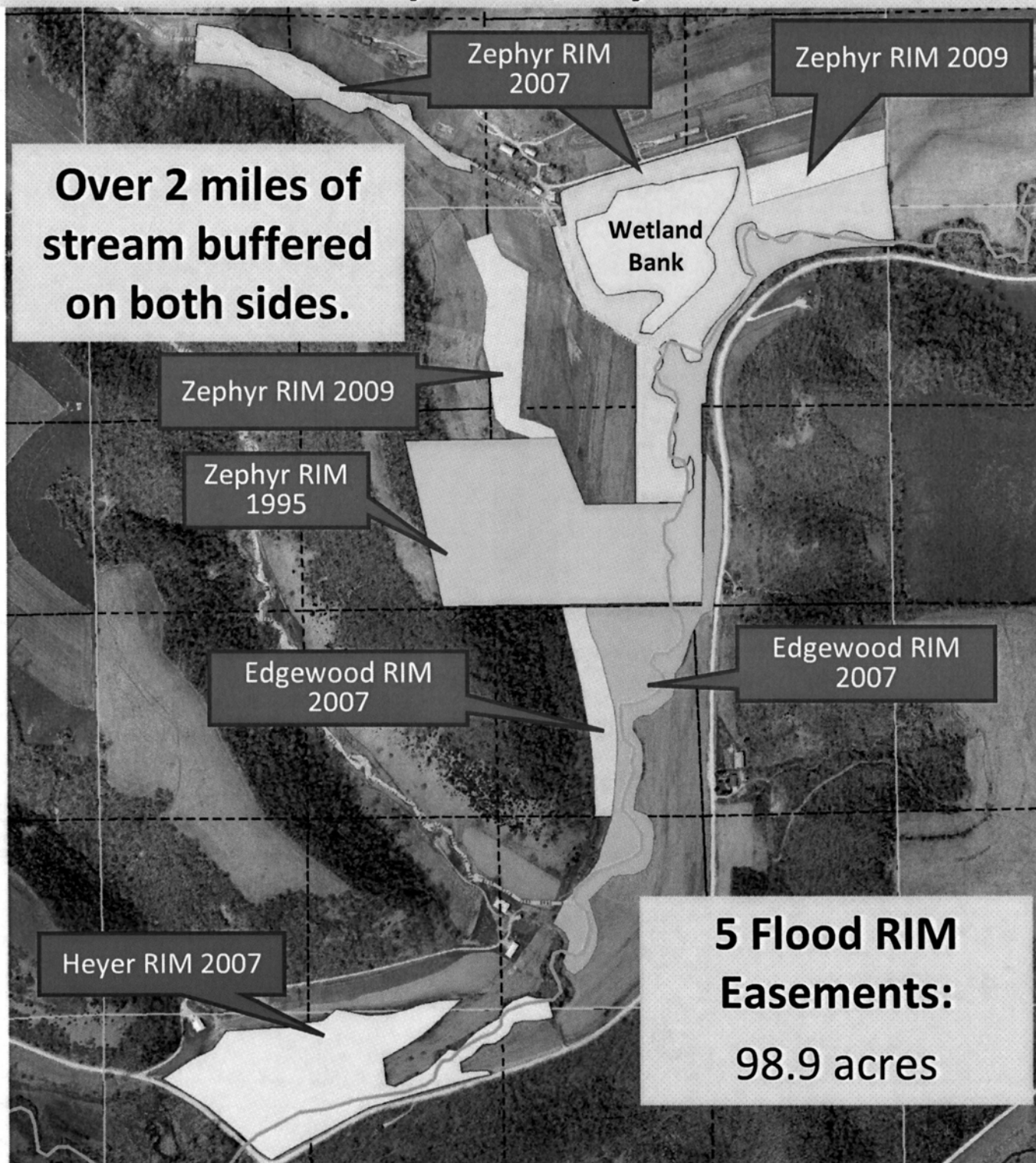
**Easement Payments:
\$997,955**

**Cost-Share
Payments:
\$183,050**



Money Creek RIM Corridor:

**Zephyr Valley Community Coop./Edgewood
Properties/Heyer**





- Rush – Pine Watershed = 87,090 Acres
- Part of the 1,062,279 acre Root River Watershed which is listed on the 303d Impaired Waters list for turbidity
- Exceeded the 10% probability of occurrence level 4 times in the past 66 years; 1950, 1966, 1978, and 2007.

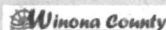
Main Goals:

- 1) Reduce Soil Erosion and Sedimentation - “Keep Water Where it Lands”
 - Encourage low till cropping systems (30% residue or more)
 - Encourage the use of hay in rotation
 - Intensively manage grazing of livestock near streams or exclude from stream.
 - Install grade stabilizing structures (small ponds), terraces, and sediment control basins to slow and hold back sediment and water flow
- 2) Improve Water Quality and Restore/Enhance Aquatic Habitat
 - Managing land use within floodplain to allow meandering streams
 - Stream bank stabilization – filter strips, shoreline protection (non-rock where feasible)
 - Improve recreational opportunities by creating clean water habitat which can lead to increased tourism and boost the region’s economy

Winona County Flood Monitoring and Modeling Network



Toby Dogwiler
Southeastern Minnesota Water Resources Center
Department of Geoscience
Winona State University



Rapid-Onset Flooding

- Contributing Factors
 - Soil moisture at capacity
 - Status of vegetation
 - Storm geography
 - Storm duration
 - Meteorological context
 - E-T
 - Solar radiation
 - Wind
 - Recent precipitation
 - →→ **Initiate overland runoff**

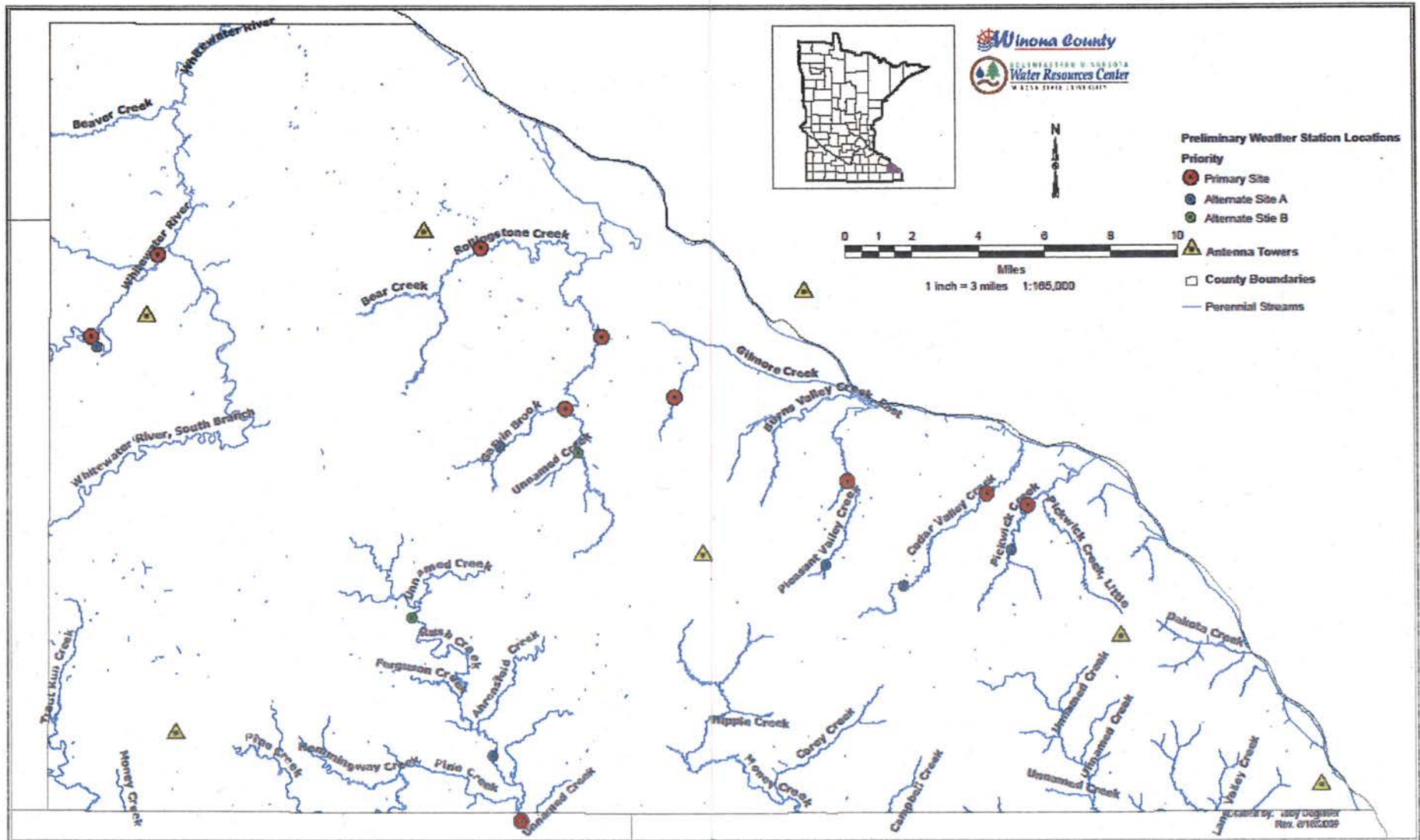
Monitoring and Modeling Goals

- Provide Near-Real Time Data
 - Build Awareness
- Provide Better Understanding of Possible Scenarios
 - Understand scope and extent of what can happen
- Inform Emergency Management Decisions
- Educate Public about the System

Monitoring Network Details

- 18 Stations
 - 10 Stream
 - 8 Ridge Top (co-located with radio towers)
- Data transmitted to central location (and redundant backup) in near-real time
- Automated monitoring and triggered alarms
- Data publicly accessible through web site

Winona County Flood Monitoring and Modeling Project



GUNDERSON SUBDIVISION NO. 1

WINONA COUNTY, MINNESOTA

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT HERBERT D. GUNDERSON AND HEIDE-LORE B. GUNDERSON, HUSBAND AND WIFE, GOODWIN SCATTUM AND ARDIS SCATTUM, HUSBAND AND WIFE, WINONA NATIONAL AND SAVINGS BANK, A CORPORATION UNDER THE LAWS OF THE UNITED STATES, DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE FOLLOWING DESCRIBED LAND TO WIT:

THAT PART OF THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 11, TOWNSHIP 107 NORTH, RANGE 6 WEST, WINONA COUNTY, MINNESOTA, AND THAT PART OF LOT 6, CONAUGHTY SUBDIVISION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11; THENCE NORTH $0^{\circ}34'15''$ EAST, ASSUMED BEARING, ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11, A DISTANCE OF 600.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH $0^{\circ}34'15''$ EAST ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11, A DISTANCE OF 307.48 FEET TO THE CENTER OF GARVIN BROOK; THENCE NORTH $43^{\circ}32'45''$ EAST ALONG THE CENTER OF GARVIN BROOK A DISTANCE OF 174.34 FEET; THENCE NORTH $65^{\circ}17'30''$ EAST ALONG THE CENTER OF THE TOWNSHIP ROAD, A DISTANCE OF 296.90 FEET; THENCE SOUTH $77^{\circ}32'30''$ EAST A DISTANCE OF 90.00 FEET; THENCE SOUTH $83^{\circ}32'45''$ EAST, A DISTANCE OF 606.79 FEET; THENCE NORTH $19^{\circ}00'45''$ WEST, A DISTANCE OF 89.00 FEET; THENCE NORTH $14^{\circ}07'15''$ EAST, A DISTANCE OF 103.50 FEET; THENCE NORTH $31^{\circ}32'15''$ EAST, A DISTANCE OF 45.00 FEET; THENCE NORTH $83^{\circ}10'45''$ EAST, A DISTANCE OF 208.71 FEET; THENCE NORTH $66^{\circ}28'45''$ EAST, A DISTANCE OF 104.12 FEET TO THE EAST LINE OF THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11; THENCE SOUTH $0^{\circ}11'30''$ WEST ALONG THE EAST LINE OF THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11, A DISTANCE OF 11.88 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE TOWNSHIP ROAD; THENCE SOUTH $80^{\circ}11'30''$ WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF THE TOWNSHIP ROAD A DISTANCE OF 189.04 FEET; THENCE SOUTH $51^{\circ}23'30''$ WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF THE TOWNSHIP ROAD A DISTANCE OF 80.50 FEET; THENCE SOUTH $22^{\circ}24'30''$ WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF THE TOWNSHIP ROAD A DISTANCE OF 91.30 FEET; THENCE SOUTH $8^{\circ}18'30''$ WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF THE TOWNSHIP ROAD A DISTANCE OF 271.19 FEET; THENCE SOUTH $24^{\circ}59'30''$ EAST ALONG THE WESTERLY RIGHT OF WAY LINE OF THE TOWNSHIP ROAD A DISTANCE OF 32.85 FEET; THENCE SOUTHERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF THE TOWNSHIP ROAD A DISTANCE OF 63.61 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF $72^{\circ}53'30''$; THE CHORD OF SAID CURVE HAS A BEARING OF SOUTH $17^{\circ}29'15''$ WEST; THENCE SOUTH $80^{\circ}11'30''$ WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF THE TOWNSHIP ROAD A DISTANCE OF 127.54 FEET; THENCE SOUTH $37^{\circ}54''$ WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF COUNTY STATE AID HIGHWAY NO. 23, A DISTANCE OF 839.37 FEET; THENCE NORTH $52^{\circ}06''$ WEST, A DISTANCE OF 60.00 FEET; THENCE NORTHERLY AND WESTERLY 120.54 FEET ALONG A CURVE THAT IS NOT TANGENT TO THE LAST DESCRIBED LINE, SAID CURVE IS CONCAVE TO THE WEST HAVING A RADIUS OF 34.00 FEET AND A CENTRAL ANGLE OF $127^{\circ}54''$; THE CHORD OF SAID CURVE HAS A BEARING OF NORTH $26^{\circ}03''$ WEST; TO A POINT ON THE NORTH LINE OF LOT 6 OF CONAUGHTY SUBDIVISION; THENCE WEST ALONG THE NORTH LINE OF LOT 6 OF CONAUGHTY SUBDIVISION A DISTANCE OF 576.40 FEET TO THE POINT OF BEGINNING.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS GUNDERSON SUBDIVISION NO. 1, AND DO HEREBY DONATE AND DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE STREET AS SHOWN ON THE PLAT, EASEMENTS FOR DRAINAGE AND EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES ARE RESERVED OVER, UNDER AND ALONG THE STRIPS SO DESIGNATED.

IN WITNESS WHEREOF WE HAVE HEREONTO SET OUR HANDS THIS 18th DAY OF July, 1974.

Herbert D. Gunderson
HERBERT D. GUNDERSON
Heide-Lore B. Gunderson
HEIDE-LORE B. GUNDERSON

Goodwin Scattum
GOODWIN SCATTUM
Ardis Scattum
ARDIS SCATTUM

WINONA NATIONAL AND SAVINGS BANK
John A. Gernes
JOHN A. GERNES, PRESIDENT
Herbert A. Hassinger
HERBERT A. HASSINGER, VICE PRESIDENT

STATE OF MINNESOTA) SS
COUNTY OF WINONA)

ON THIS 18th DAY OF July, 1974, BEFORE ME A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED HERBERT D. GUNDERSON AND HEIDE-LORE B. GUNDERSON, HUSBAND AND WIFE, GOODWIN SCATTUM AND ARDIS SCATTUM, HUSBAND AND WIFE, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

STATE OF MINNESOTA) SS
COUNTY OF WINONA)

ON THIS 18th DAY OF July, 1974, BEFORE ME A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED JOHN A. GERNES AND HERBERT A. HASSINGER, TO ME PERSONALLY KNOWN WHO BY ME EACH DULY SWORN DID SAY THAT THEY ARE RESPECTIVELY PRESIDENT AND VICE PRESIDENT OF WINONA NATIONAL AND SAVINGS BANK, THE CORPORATION NAMED IN THE FOREGOING INSTRUMENT, THAT THE CORPORATE SEAL AFFIXED TO SAID INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION AND THAT SAID INSTRUMENT WAS SIGNED AND SEALED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS AND SAID JOHN A. GERNES AND HERBERT A. HASSINGER ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION.

K. L. Dvorak
NOTARY PUBLIC, WINONA COUNTY, MINNESOTA
MY COMMISSION EXPIRES 10th October 1975

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE PROPERTY DESCRIBED ON THIS PLAT AS GUNDERSON SUBDIVISION NO. 1, THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY, THAT ALL DISTANCES ARE CORRECTLY SHOWN ON THE PLAT IN FEET AND DECIMALS OF A FOOT, THAT ALL MONUMENTS HAVE BEEN CORRECTLY PLACED IN THE GROUND AS SHOWN ON THE PLAT, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND THAT THERE ARE NO WETLANDS OR PUBLIC HIGHWAYS TO BE DESIGNATED ON SAID PLAT OTHER THAN AS SHOWN THEREON.

Michael P. Khandanlou LAND SURVEYOR, MINNESOTA REG. NO. 12744

SUBSCRIBED AND SWORN TO BEFORE ME THE 18th DAY OF July, 1974.

Paul H. Hach
NOTARY PUBLIC, WINONA COUNTY, MINNESOTA
MY COMMISSION EXPIRES 1st June 1975

APPROVED BY THE WINONA COUNTY PLANNING COMMISSION THIS 18th DAY OF July, 1974.

SIGNED: *John A. Gernes* CHAIRMAN ATTEST: *Herbert A. Hassinger* SECRETARY

APPROVED BY WINONA COUNTY, MINNESOTA, THIS 18th DAY OF July, 1974.

SIGNED: *John A. Gernes* CHAIRMAN, BOARD OF COUNTY COMMISSIONERS ATTEST: *Ardis Scattum* COUNTY AUDITOR

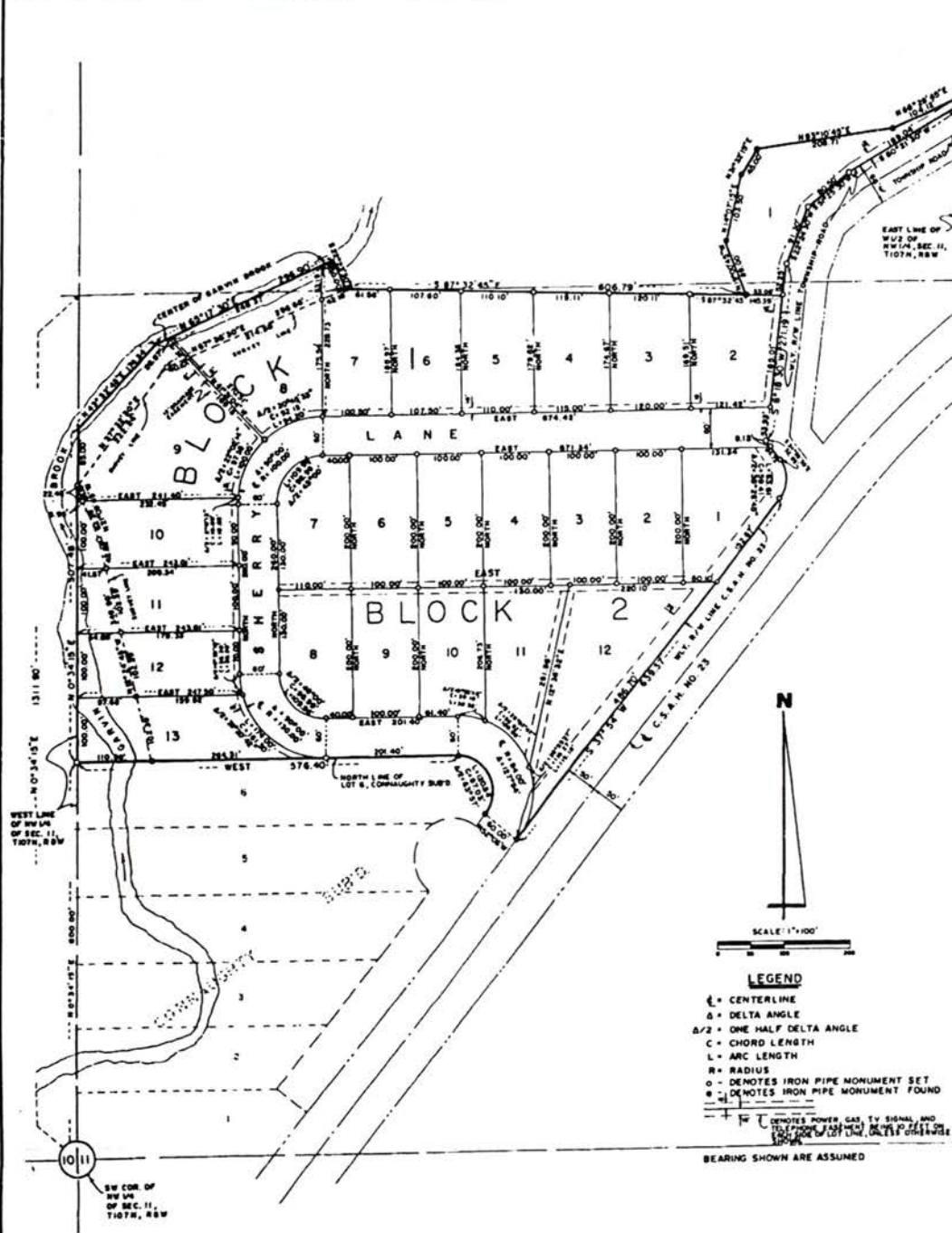
APPROVED BY THE ROLLINGSTONE TOWNSHIP BOARD OF SUPERVISORS THIS 17th DAY OF July, 1974.

SIGNED: *Harold K. Vetter* CHAIRMAN

NO DELINQUENT TAXES AND TRANSFER ENTERED. July 18, 1974 DATE *Ardis Scattum* COUNTY AUDITOR

I HEREBY CERTIFY THAT THE HEREIN PLAT WAS FILED IN THIS OFFICE FOR RECORD ON the 18th DAY OF July, 1974, AT 4:20 O'CLOCK P.M. AND WAS DULY MICROFILMED AS DOCUMENT NO. 12744.

Robert S. Smith
REGISTER OF DEEDS



CONNAUGHTY SUBDIVISION

WINONA COUNTY, MINNESOTA

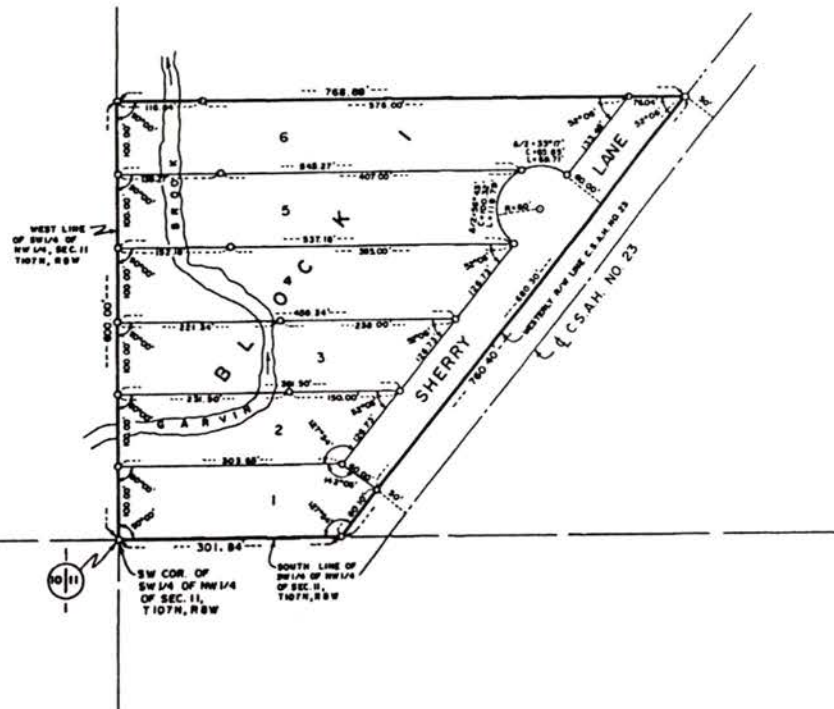
JULY, 1973

N

SCALE: 1" = 100'

LEGEND

- ℄ • CENTERLINE
- L • ARC LENGTH
- C • CHORD LENGTH
- Δ • DELTA ANGLE
- Δ/2 • ONE HALF DELTA ANGLE
- R • RADIUS
- • DENOTES IRON MONUMENT



DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT ROGER H. CONNAUGHTY AND SHARON L. CONNAUGHTY, HUSBAND AND WIFE, DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE FOLLOWING DESCRIBED LAND TO WIT:

THAT PART OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (SW 1/4 OF NW 1/4) OF SECTION 11, TOWNSHIP 107 NORTH RANGE 8 WEST OF THE FIFTH PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 11, A DISTANCE OF 600.00 FEET; THENCE AT A DEFLECTION ANGLE TO THE RIGHT OF 90°00' A DISTANCE OF 768.88 FEET TO THE WESTERLY RIGHT OF WAY LINE OF COUNTY STATE AID HIGHWAY NO. 23; THENCE AT A DEFLECTION ANGLE TO THE RIGHT OF 127°54' AND SOUTHWESTERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF COUNTY STATE AID HIGHWAY NO. 23 A DISTANCE OF 960.40 FEET TO THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 11, TOWNSHIP 107 NORTH, RANGE 8 WEST; THENCE AT A DEFLECTION ANGLE TO THE RIGHT OF 57°06' AND WESTERLY ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11 A DISTANCE OF 301.84 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11 AND THE POINT OF BEGINNING.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS CONNAUGHTY SUBDIVISION AND DO HEREBY DONATE AND DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE THE STREET AS SHOWN ON THE PLAT.

IN WITNESS WHEREOF WE HAVE HEREONTO SET OUR HANDS THIS 22nd DAY OF August, 1973.

Sharon L. Connaughty
WITNESS

Richard H. Connaughty
WITNESS

Roger H. Connaughty
ROGER H. CONNAUGHTY

Sharon L. Connaughty
SHARON L. CONNAUGHTY

STATE OF MINNESOTA) ss
COUNTY OF WINONA) ss

ON THIS 22nd DAY OF August, 1973, BEFORE ME A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED ROGER H. CONNAUGHTY AND SHARON L. CONNAUGHTY, HUSBAND AND WIFE, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

Richard H. Connaughty
NOTARY PUBLIC, WINONA COUNTY, MINNESOTA
MY COMMISSION EXPIRES: 4-27-75

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE PROPERTY DESCRIBED ON THIS PLAT AS CONNAUGHTY SUBDIVISION, THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY, THAT ALL DISTANCES ARE CORRECTLY SHOWN ON THE PLAT IN FEET AND DECIMALS OF A FOOT, THAT ALL MONUMENTS HAVE BEEN CORRECTLY PLACED IN THE GROUND AS SHOWN ON THE PLAT, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND THAT THERE ARE NO WETLANDS OR PUBLIC HIGHWAYS TO BE DESIGNATED ON SAID PLAT OTHER THAN AS SHOWN THEREON.

James A. Hines
LAND SURVEYOR, MINNESOTA REG. NO. 5122

SUBSCRIBED AND SWORN TO BEFORE ME THE 22nd DAY OF August, 1973.

Paul H. Baker
NOTARY PUBLIC, WINONA COUNTY, MINNESOTA
MY COMMISSION EXPIRES: 3-26-74

APPROVED BY THE WINONA COUNTY PLANNING COMMISSION THIS 22nd DAY OF August, 1973.

SIGNED: *Carl A. Hedlund* CHAIRMAN

ATTEST: *Wendy J. Taylor* SECRETARY

APPROVED BY WINONA COUNTY, MINNESOTA, THIS 22nd DAY OF August, 1973.

SIGNED: *James J. Bergquist*
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

ATTEST: *Alan J. Hiegl*
COUNTY AUDITOR

APPROVED BY THE ROLLINGSTONE TOWNSHIP BOARD OF SUPERVISORS THIS 22nd DAY OF August, 1973

SIGNED: *Harold V. Hult* CHAIRMAN

TAXES ON THE WITHIN DESCRIBED LANDS FOR THE YEAR 19... ARE PAID.

COUNTY AUDITOR

TAXES ON THE WITHIN DESCRIBED LANDS FOR THE YEARS PRIOR TO 1973. ARE PAID.

Alan J. Hiegl
COUNTY AUDITOR

I HEREBY CERTIFY THAT THE HEREIN PLAT WAS FILED IN THIS OFFICE FOR RECORD ON THE 22nd DAY OF August, 1973, AT 9:20 O'CLOCK, A.M. AND WAS MICROFILMED AS DOCUMENT NO. 43735.

Rollin A. Galt
REGISTER OF DEEDS

BWSR SE MN RIM Flood Relief Program - 2007

COUNTY	ACRES ENROLLED	EASEMENT COSTS	PRACTICE COST	TOTAL COSTS
Fillmore	151	\$268,942	\$48,240	\$318,142
RR-Houston	277	\$611,644	\$33,850	\$645,494
Olmsted	7	\$20,207	\$3,200	\$23,407
Winona	314	\$799,557	\$153,300	\$952,857
TOTAL	749	\$1,700,350	\$238,550	\$1,938,900

BWSR SE Flood Recovery

Summary Report

August 2009

BWSR SE MN RIM Flood Relief Program - 2009

COUNTY	ACRES ENROLLED	EASEMENT COSTS	PRACTICE COST	TOTAL COSTS
Dodge	13	\$48,901	\$15,290	\$64,191
Fillmore	28	\$69,561	\$13,750	\$83,311
RR-Houston	348	\$874,367	\$55,500	\$929,867
Olmsted	28	\$117,605	\$13,800	\$131,405
Wabasha	130	\$333,452	\$38,330	\$371,782
Winona	71	\$257,354	\$35,750	\$293,104
TOTAL	618	\$1,701,241	\$172,420	\$1,873,661

Key Flood Response Funding Sources: Erosion/Sediment Control

State:

Sep. 2007 Special Session funding to BWSR
- \$3M Cost-Share and \$1M RIM (20%
Technical and Admin limit for Cost-Share)
\$1.1M Regular RIM FY 08, \$1.8M Regular
RIM FY 09, \$1.9M transfer from DEED to
BWSR in FY 08, \$725K supplemental
funding to BWSR for FY 09 and FY 10

BWSR STATE COST-SHARE FLOOD RELIEF PROGRAM (FY08 & FY09)

Grant Agreements To SWCDS and Status (August 2009)

COUNTY	Total Grants Allocated	T & A Funds Allocated	T & A Funds Spent	Project Funds Allocated	Project Funds Encumbered	Project Funds Spent
Dodge	\$123,333	\$17,333	\$5,401	\$106,000	\$103,750	\$27,006
Fillmore	\$395,416	\$69,083	\$38,583	\$326,333	\$325,567	\$176,476
Olmsted	\$168,750	\$33,750	\$10,141	\$135,000	\$91,767	\$40,563
Steele	\$50,000	\$10,000	\$0	\$40,000	\$0	\$0
Root River	\$1,716,593	\$262,404	\$88,989	\$1,454,189	\$875,028	\$579,555
Wabasha	\$50,000	\$10,000	\$0	\$40,000	\$0	\$0
Winona	\$1,557,908	\$260,514	\$81,398	\$1,297,394	\$820,378	\$438,518
Grand Totals	\$4,062,000	\$663,084	\$224,512	\$3,398,916	\$2,216,490	\$1,262,118

BWSR SE Flood C-S E-Link Reporting and Project Status - August 2009

	Dodge		Fillmore		Olmsted		Root River		Winona		TOTALS	
Practices (BMPs)	#BMP's Entered	#BMP's Installed	#BMP's Entered	#BMP's Installed	#BMP's Entered	#BMP's Installed	#BMP's Entered	#BMP's Installed	#BMP's Entered	#BMP's Installed	#BMP's Entered	#BMP's Installed
Abandoned Well Sealing - 100			4	2							4	2
Access Road - 560			3	3	1	1					4	4
Critical Area Planting - 342			4	4			56	38	43	29	103	71
Dam, Floodwater Retarding - 402							6	1			6	1
Diversion - 362							4	4	3	0	7	4
Filter Strip - 393									2	2	2	2
Grade Stabilization Structure - 410			12	9	6	3	41	28	32	15	91	55
Grassed Waterway - 412	2	0	8	3	10	8	11	3	19	9	50	23
Heavy Use Area Protection - 561			3	3							3	3
Lined Waterway or Outlet - 468	2	0									2	0
Obstruction Removal - 500			4	3							4	3
Pond Maintenance - 164M			4	4			59	46			63	50
Sediment Basin - 350					1	1			1	0	2	1
Sinkhole Treatment - 571			1	1					1	0	2	1
Stream Channel Stabilization - 584									1	1	1	1
Streambank & Shoreline Protection	4	2	5	3			1	1	7	3	17	9
Terrace 600			7	5	27	26			1	0	35	31
Waste Management System - 312											0	0
Water & Sediment Control Basin - 638					3	2	2	2			5	4
Well Sealing - 643M			3	3					2	1	5	4
Underground Outlet - 620									1	0	1	0
Pond - 378									1	0	1	0
Totals	8	2	58	43	48	41	180	123	112	60	406	269

Steele and Wabasha SWCD each have one large Streambank Stabilization Project in the design phase.

USDA NRCS Funding Allocated To SE Flood Counties

Emergency Watershed Protection Program (EWP)	Amount
2007 Exigency Funds	\$973,915
2007 Non-Exigency Funds	\$106,716
2007 Non-Exigency T&A Funds	\$10,509
Total 2007 EWP Funds	\$1,091,140
2008 Non-Exigency Funds	\$505,000
2008 Non-Exigency T&A Funds	\$46,000
Total 2008 EWP Funds	\$551,000
Total EWP Funds For SE Flood Recovery	\$1,642,140

Environmental Quality Incentive Program (EQIP)	Amount
Total 2008 Dollars For Planned and/or Applied Flood Related F	\$1,694,748
Total 2009 Dollars Obligated For Planned Flood Control Practi	\$1,399,128
Total EQIP Funding For SE Flood Recovery	\$3,093,876

USDA Farm Service Agency Emergency Conservation Program (ECP)	
Estimated Funds Allocated In 2008 To SE Flood Recovery	\$1,188,000

WRECKAGE, RECOVERY'It's nice to say goodbye to this flood'

08/15/2009

By Matthew Stolle

mstolle@postbulletin.com

MINNESOTA CITY - Two years after flood waters tore a path of devastation across southeastern Minnesota, residents here will gather Wednesday and celebrate a sign of normalcy restored: They will dedicate a new bridge.

The old Minnesota City bridge over Garvin Brook was taken out by the flood and residents had to live without a bridge for 20 months. So the 235 residents of this city were in a better position than most to appreciate a new \$2.2 million span, which was completed this spring.

"It's a big deal for us to get it back. If you can't go across your bridge, you have to find a different path. It adds up after awhile," said Susan Althoff, a life-long resident of Minnesota City. Althoff also served on the Garvin Brook Disaster Relief Fund, a group that formed to help rebuild cities damaged by the flood.

Not every city affected by the flood will mark the event's second anniversary with an official event or remembrance. But for many whose lives were upended and traumatized by it, it's likely that the memories remain fresh and raw.

When flood waters raged through the area on Aug. 19, 2007, they turned some cities into zones of desolation. Stockton was evacuated, and Rushford sat underwater for a couple of days. Seven people died in the region's flooding.

Early estimates were that as many as 4,500 houses were damaged in the six-county area. Then-President Bush declared six counties in southeastern Minnesota federal disaster areas, and Gov. Tim Pawlenty called the Legislature into special session to pass a \$160 million aid package.

The Minnesota City bridge celebration will include music and a mini-parade of sorts, with a truck, school bus and antique car driving across the new span. Some hope it will also signify something else: A turning of the page. A moving on. A sense that the flood and its aftermath have now been relegated to the past.

The Garvin Brook relief group has worked hard to help restore hard-hit communities like Minnesota City and Stockton, but Althoff acknowledges that the flood often evokes feelings of weariness.

"It's very, very nice to have that bridge back and, hopefully, to say, 'goodbye to this flood,'" Althoff said.

In Minnesota City, life has pretty much returned to normal. Except for some work yet to be done on the creek bank, "most of it's done," Minnesota City Mayor Donald O'Neil said.

Yet knowing the fickleness of nature, this 22-year mayor can't help sound a note of caution.

"It could happen again. Put it that way," O'Neil said.

Rushford levee could need more repairs

08/15/2009

By Laura Gossman Horihan

lhoriha@postbulletin.com

RUSHFORD - Two years after Rush Creek spilled over its banks and soaked the city of Rushford, repairs to the city's flood-damaged levees are nearing completion.

While the U.S. Army Corps of Engineers has funded the \$1.5 million repair project, recertifying the levy is the next hurdle for city officials.

The levees protecting Rushford many need a makeover to meet Federal Emergency Management Agency standards.

Rushford City Administrator Windy Block said the Minnesota Department of Natural Resources has awarded the city a \$282,000 grant so it can do a recertification study.

According to a preliminary study done by a private engineer from called USR Corp., the levees are allowing water to seep underneath them.

"Is this a big enough problem that it will keep the levee from being re-certified?" Block said. "That's what we need to know now."

Block believes more repairs will be needed to make the levee certifiable.

He said he doesn't know how much the additional repairs will cost, but it's a burden the city will have to bear.

He said one option is to dig trenches behind the levee, fill the trenches with layers of different-sized rocks and then lay sod over it.

It could be a month before the engineering firm comes up with a solution, Block said.

The city has until August 2011 to prove to the FEMA that its levees meet federal standards. The levees are provisionally certified until then.

If the levees aren't re-certified, Block said some parts of Rushford that weren't in the flood plain before will be moved to that category.

He said the city hopes monitoring stations will be added to both the Rush Creek and Root River, so in the event of another flood people will be warned.

"The 2007 event was a 500- to 600-year flood and we'll never be able to protect the city from that kind of flood," Block said.

Once repaired, he said the levees suppose to protect the city from a 100-year flood.

He said the community is continuing to rebuild, but it won't be celebrating the second anniversary.

"In some respects, the flood has been an extreme hardship," Block said.

"It's been on the nerves and psyche of many people, but we also recognize that it has allowed us to improve many things in our community."

For more information, go to Postbulletin.com/weblinks.

City of Rushford

<http://rushford.govoffice.com/>

Counties aim for better flood preparation

08/15/2009

By Laura Gossman Horihan

lhorihan@postbulletin.com

RUSHFORD - As the second anniversary of the August 2007 floods approaches, emergency management officials in both Fillmore and Winona counties are trying to better prepare the public for future disasters.

Fillmore County Emergency Management coordinator Debra Teske knows there's not a lot people can do to prevent a 300- to 500-year flood like the one that rushed through Rushford, Stockton, Elba and Minnesota City, but they can be prepared.

Most fear tornadoes more than they fear floods, but Winona County emergency coordinator Bob Bilder said more people in southeastern Minnesota have been killed by flash floods than tornadoes.

"We have these flood events about every 10 to 15 years," Bilder said. "We need to get past the 'it can't happen here' thinking, because yes, it can happen here."

Response teams formed

Since the flood, several Community Emergency Response Teams have been formed, and Fillmore County now has 30 people trained to help if another emergency arises.

Teske said the county hopes to double the number of people involved in the program within the next year.

"We learned that we really needed a group of people available to back up EMTs and firefighters," Teske said. "Emergency workers quickly became overwhelmed during the August flood. We needed someone fresh."

Teske said she also hopes to improve the warning systems in Rushford, Peterson and Whalan.

Whalan, which sits along the Root River, has no warning system for flooding, so Teske has applied for a grant to assist the small city.

More warning sirens

Meanwhile, Winona County has already received a grant from the National Oceanic and Atmospheric Administration to install 10 outdoor warning sirens to be placed in rural areas such as Elba and Stockton, Bilder said. The flood sirens would have a distinctive tone, rising up and down quickly.

Bilder is still hoping to receive a grant from the Federal Emergency Management Agency for a flood monitor model that could be run by Winona State University students.

The model would monitor streams throughout southeastern Minnesota and could give emergency managers a better idea of when to begin evacuating.

When Bilder evacuated cities in Winona County during the floods of 2007 he acted on gut feelings, not scientific data.

"That's not good decision-making," Bilder said.

He said he's currently working on a Code Red notification system, which is similar to a 911 call, but in reverse.

When there's a flash flood, the system calls all of the registered phone numbers in a certain watershed or community with a recorded message. The system aims to eliminate human intervention, so that if gut feelings are wrong, warnings will still be given in a timely manner.

"We need to prepare on multiple levels," Bilder said. "We don't want to rely totally on sirens or weather radios. We want one or two back-up options if the others fail."

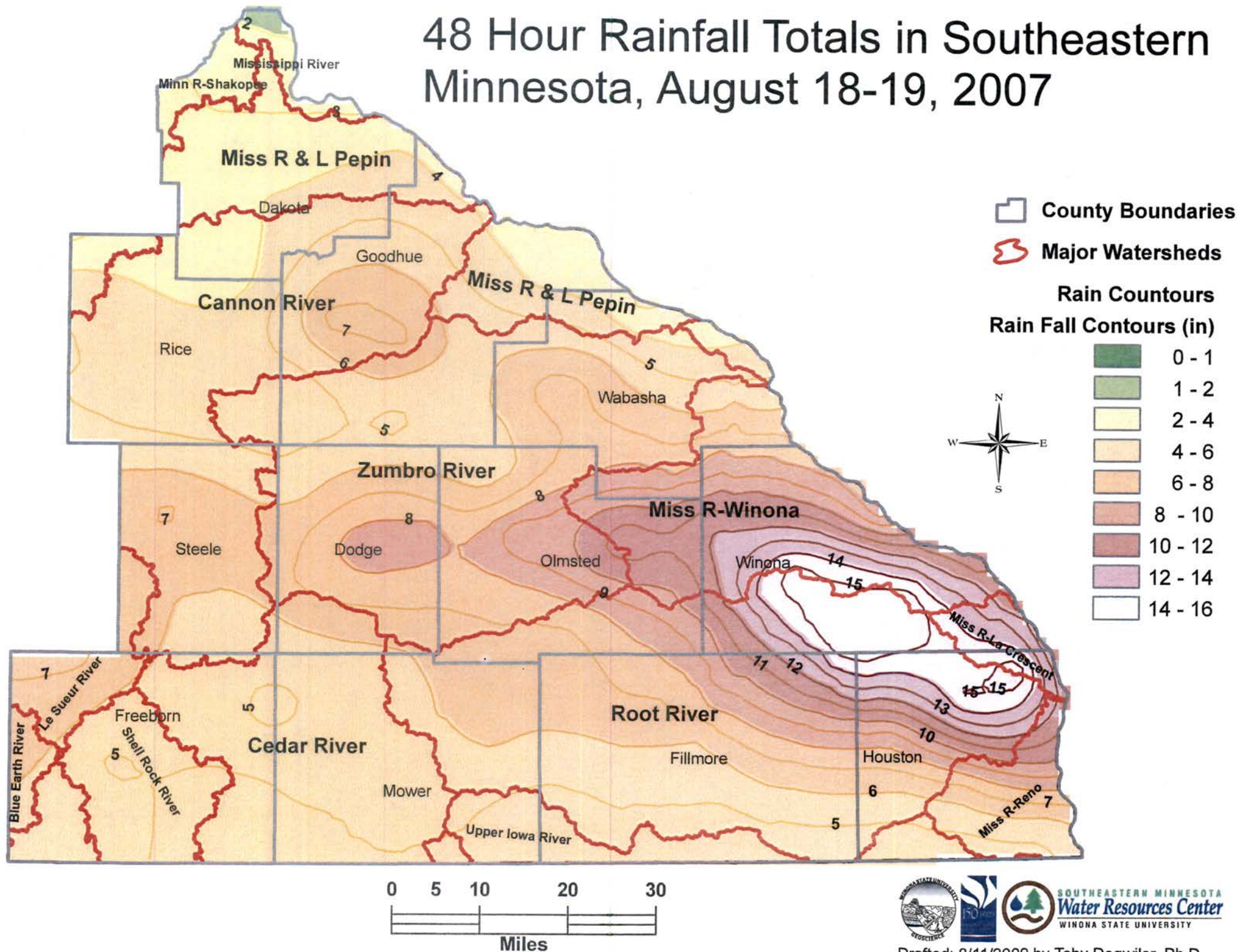
He said the slumping economy has made it more difficult to find money for these projects.

For more information, go to Postbulletin.com/weblinks.

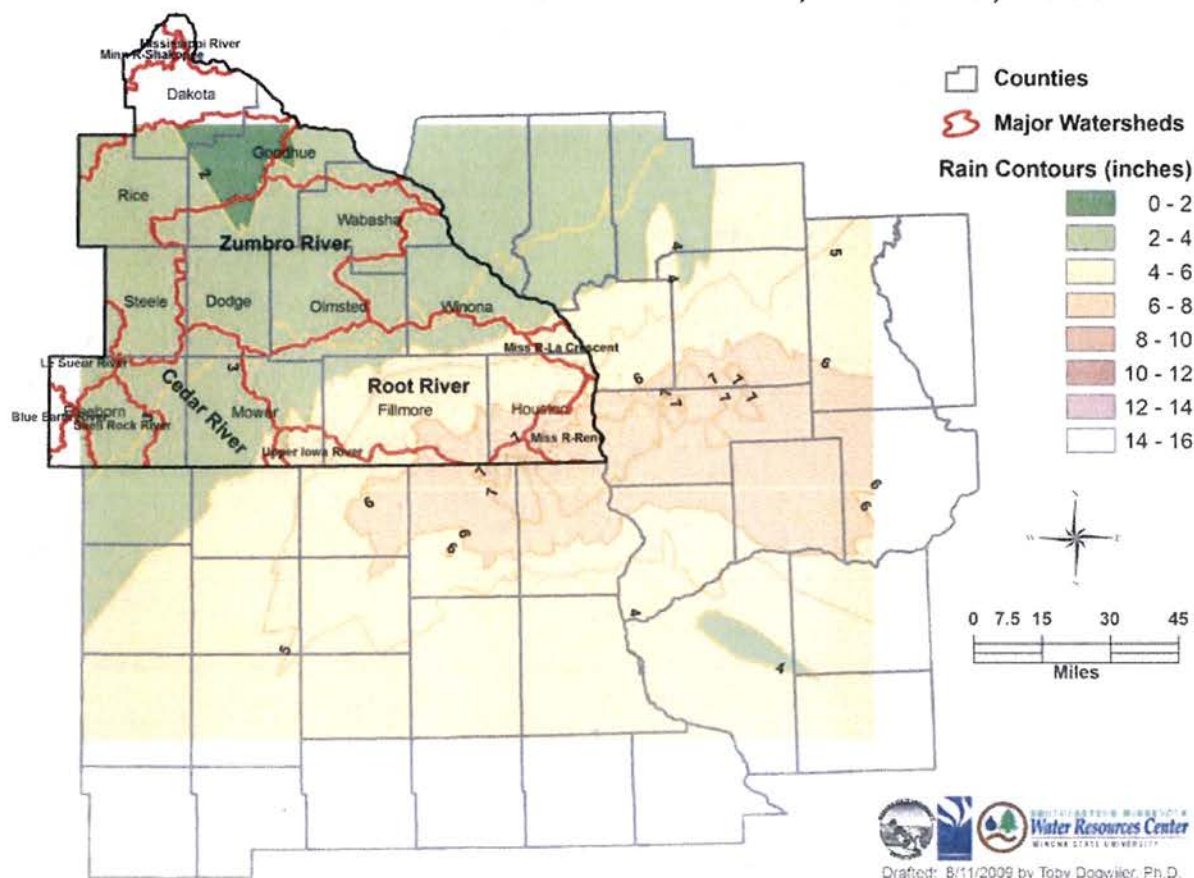
Federal Emergency Management Agency

<http://www.fema.gov>

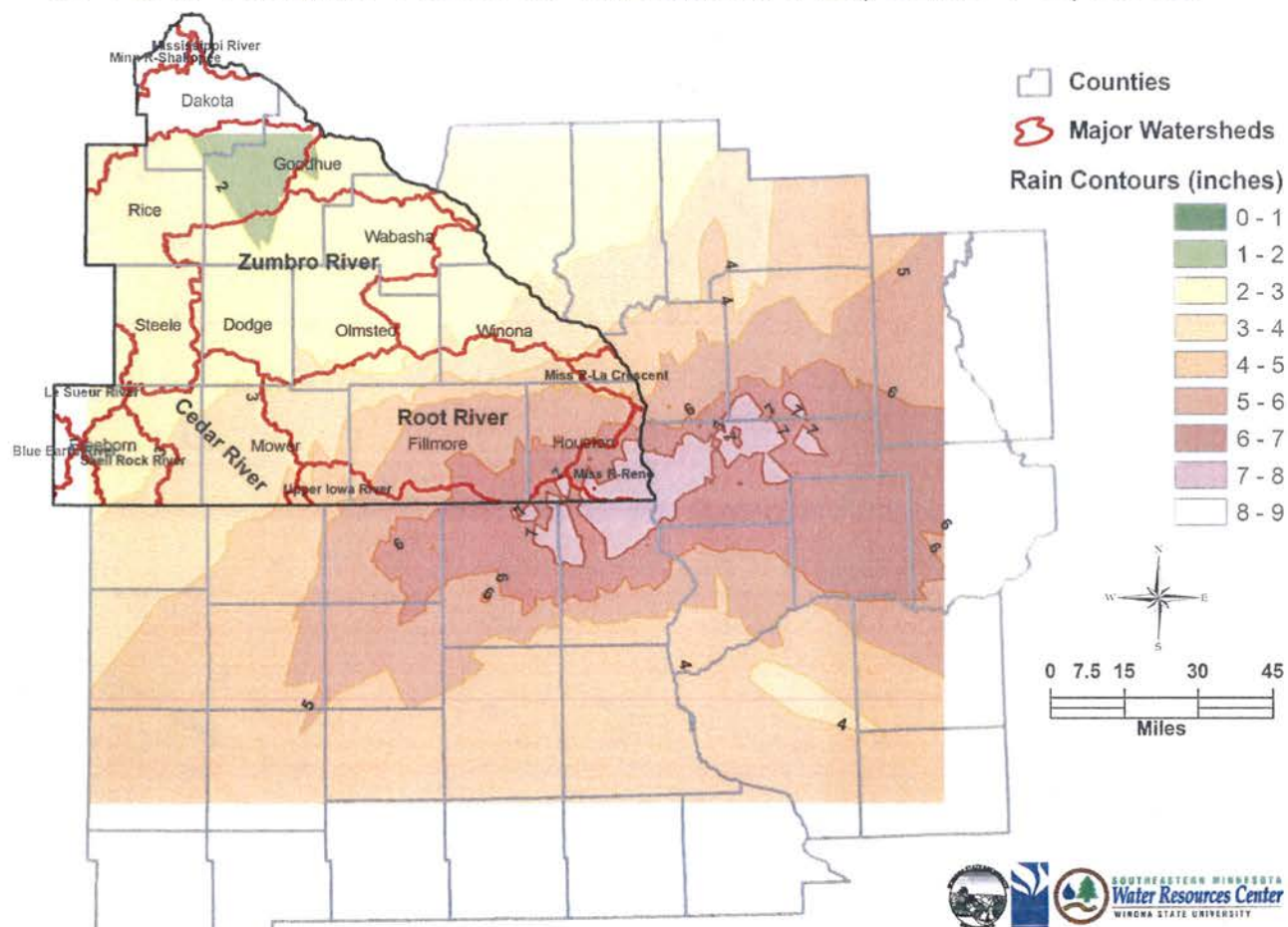
48 Hour Rainfall Totals in Southeastern Minnesota, August 18-19, 2007



48 Hour Rainfall Totals in Tri-State Area, June 7-8, 2008



48 Hour Rainfall Totals in Tri-State Area, June 7-8, 2008



Site #1

City of Goodview EWP

Area 1 – Rock Armoring

- 400 linear feet
- 2,000 cu. yd. excavation
- 1,250 cu. yd. class IV riprap
- 200 sq. yd. filter fabric

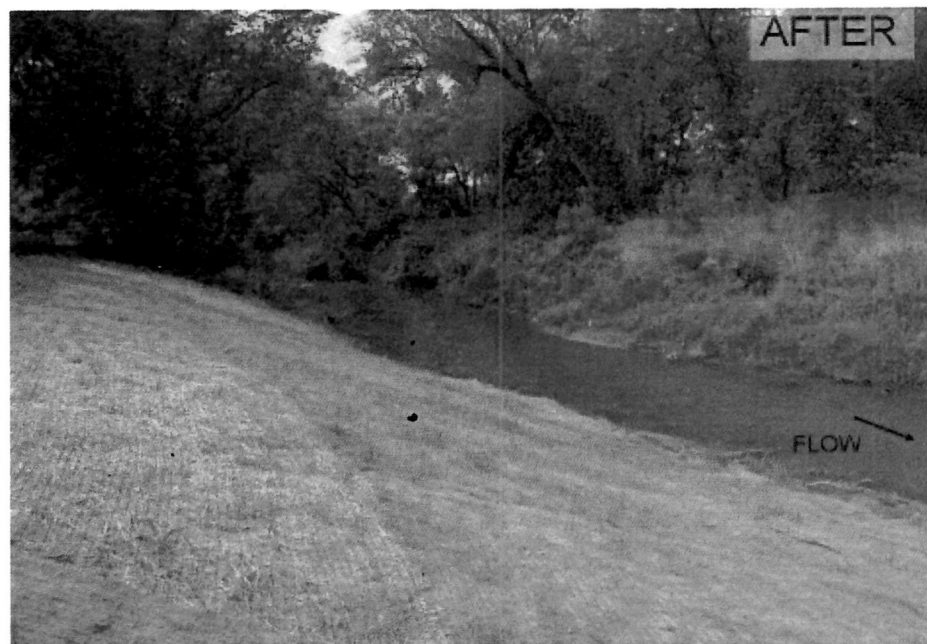
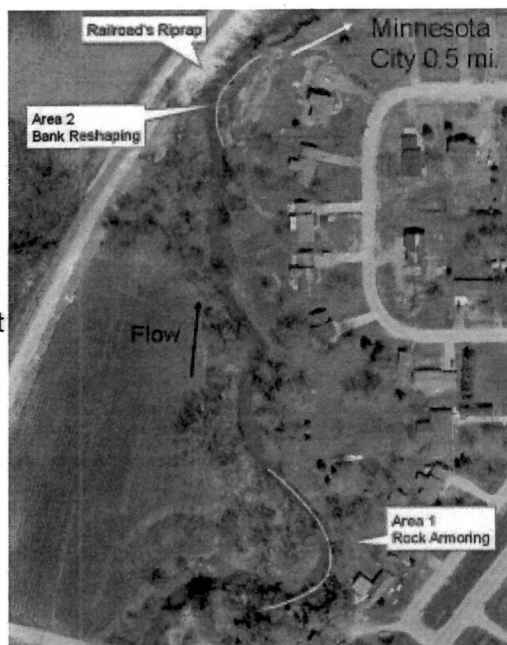
Area 2 – Bank Reshaping

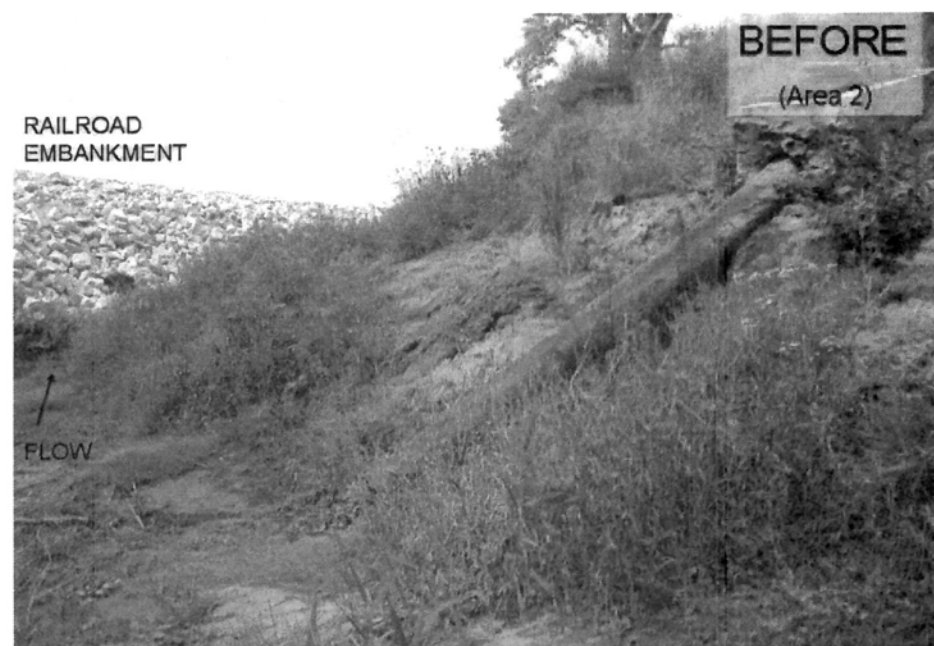
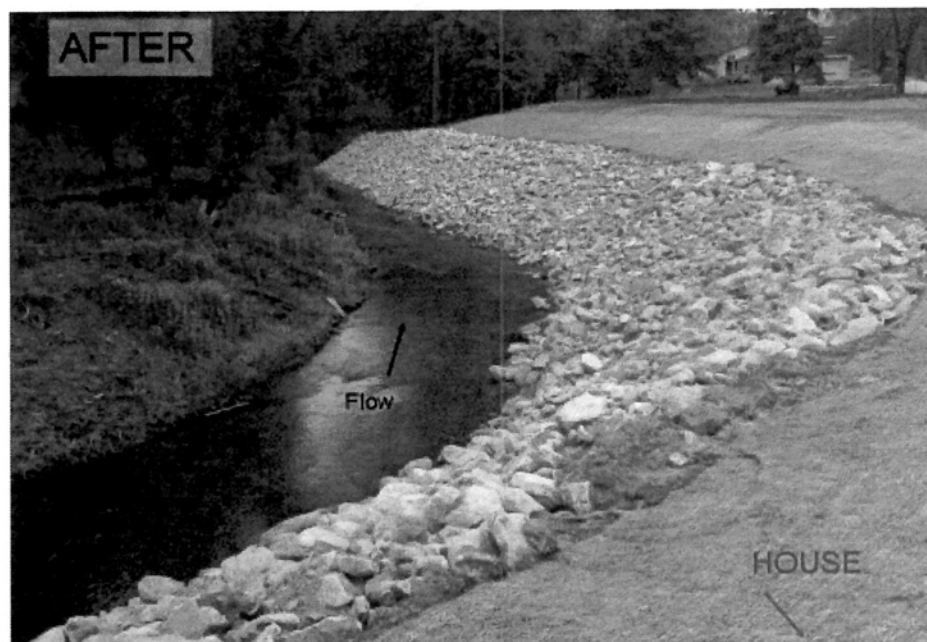
- 550 linear feet
- 1,533 sq. yd. wood fiber blanket
- 2.5:1 newly established bank slope

Total Construction Cost: ~\$69,971
(\$52,478 EWP; \$17,493 State)

Total Technical Assistance:
\$9,001 (5,598 EWP; \$3,403 State)

Design/Install provided by Yaggy
Colby Associates





Winona County Flooding-Gunderson Addition/Minnesota City area August 2007

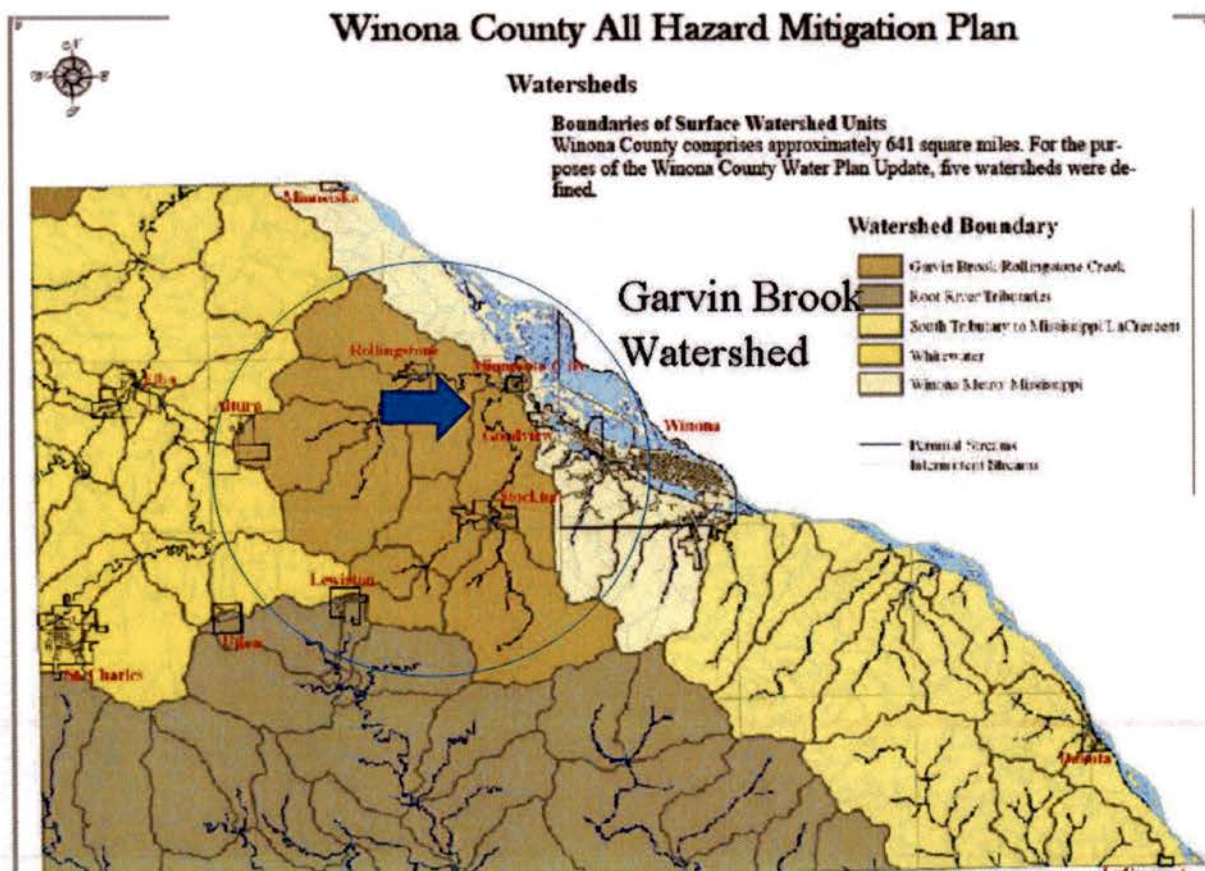
BWSR SE MN TOUR

August 26th 2009

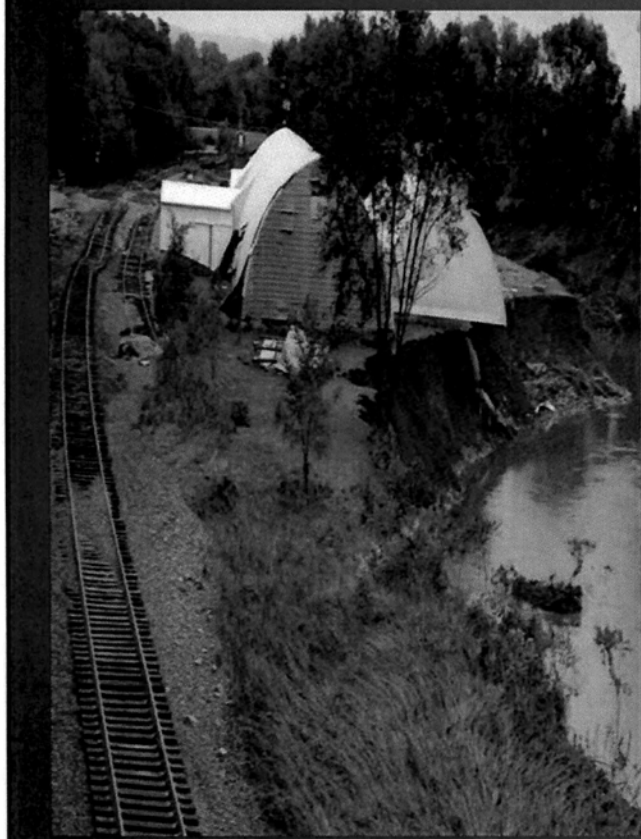
Eric Johnson

Zoning Administrator

Winona County Planning Department



Minnesota City (Cont.)



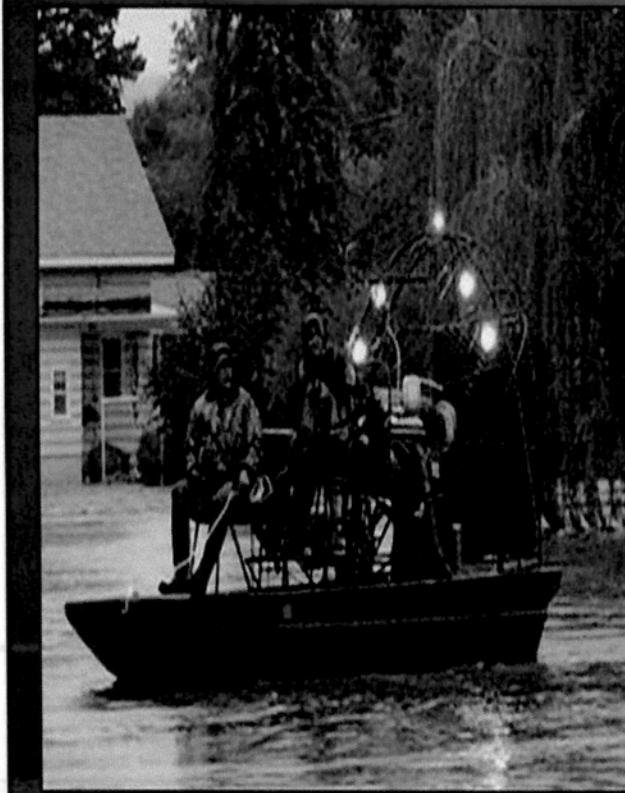
Minnesota City-Garvin Brook Diversion Point



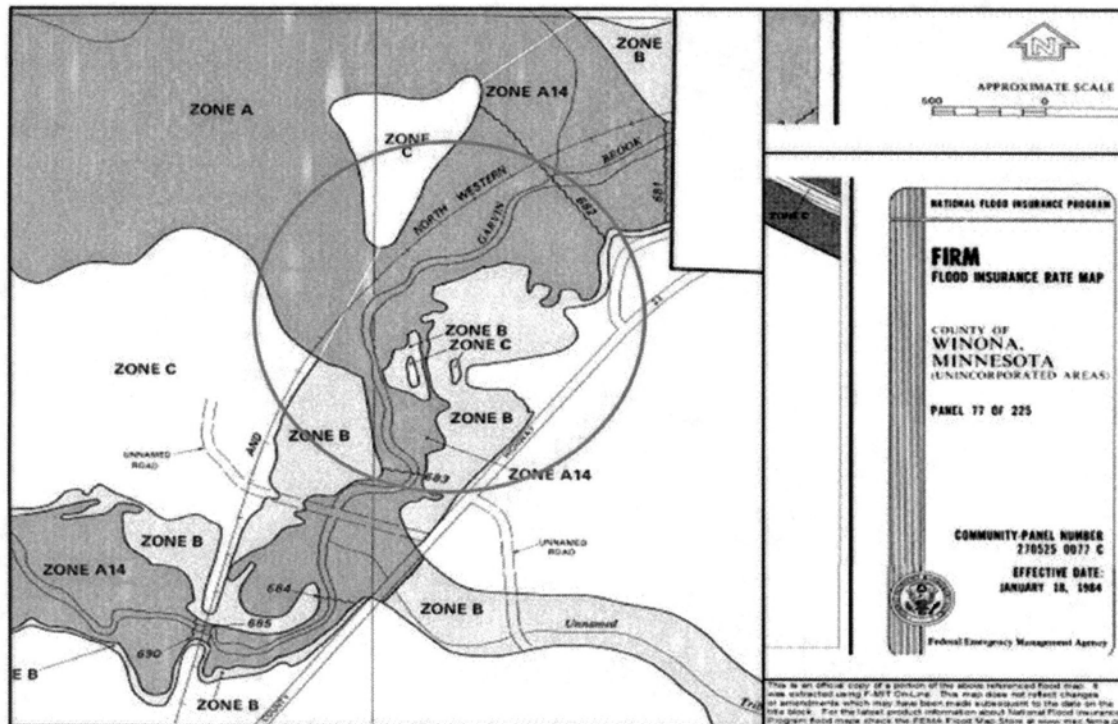
Minnesota City Area Flooding



Rescue-Air Boats initially



Case Example-Gunderson Sub.



Gunderson Addition-Township

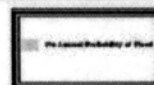
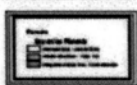


Gunderson Addition-Rollingstone Twp



Damage and Safety Assessment

Minnesota City & Gunderson Subdivision Area



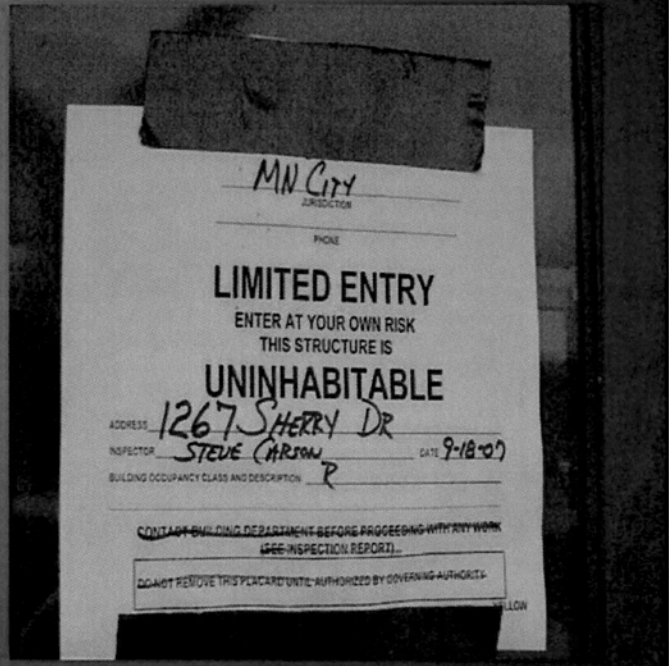
Inspection Placards

Orange- Unsafe-Keep Out

Red-Dangerous-Uninhabitable

Yellow-Limited Entry

Green-OK



High Water Mark



Foundations



Basements



Mud & Silt Deposits



Other Environmental Considerations

Septic Systems



Wells



Gunderson-Hazard Mitigation

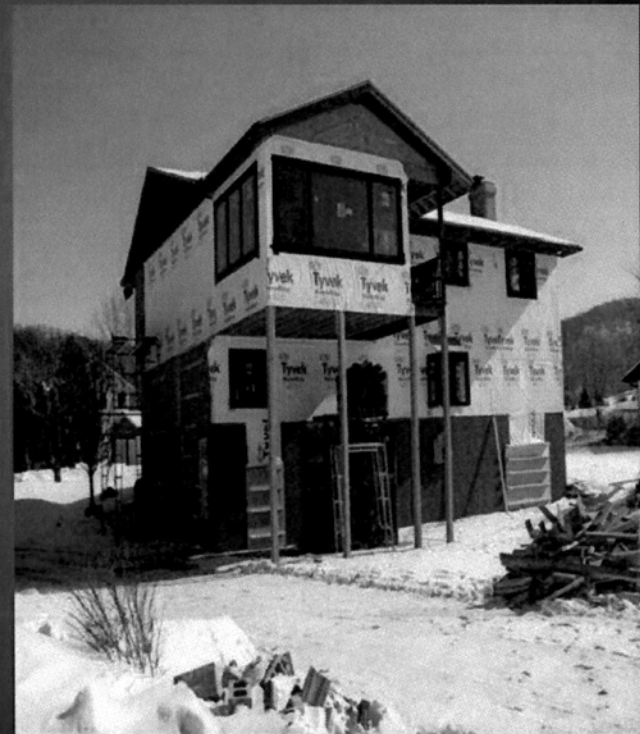
Acquisition/Buy-Out-Open Space



Elevation



Elevation- Flood Mitigation



Acquisition/Buy-Out-Time Table

- Flood Event – August 18-20, 2007
- Inspection & Determination of Substantial Damaged structures-data compiled in GIS mapping/spreadsheet format/photo records
- Review of FEMA floodplain maps. Structures located in Zone A-100 year floodplain prioritized
- Property Owners notified Elevation Certificates will be required to proceed with rebuilding

Time table-continued

- Elevation certificates (determined by surveying) establishes non-compliant structures that would not meet minimum Floodplain Regulations for restoration. Winona County commissioned the survey work for seven (7) suspect dwellings
- Communication/options presented to property owners (critical component within this process!)
- Flood insurance a major factor for property owner's decision in which way to proceed

Time table-continued

- County amends Hazard Mitigation plan to focus on project specificity in order to be eligible for grant funding
- Negotiations with property owners commence
- Appraisals conducted by both individual property owner's representatives, and one selected by Winona County
- Offers accepted, closings arranged with legal counsel and other parties
- Asbestos inspections conducted, arrangements for demolition, coordination with contractors
- Demolition, septic and well sealing
- Goal of returning to "Open Space" still on-going

Hazard Mitigation

In 2005, Winona County was approved for it's plan. This has been instrumental in the disaster recovery process. Considerable funding has come into play for mitigation measures to implement floodplain management strategies such as buyouts/ land acquisition and structure elevation and flood-proofing.

Purpose of Hazard Mitigation is determine how to reduce or eliminate the loss of life and property damage resulting from natural hazards.

Hazard mitigation could be viewed as an "opportunity to undue previous land-use mistakes, and reduce or lessen potential damages from future flooding events".

Hazard Mitigation Funding

- Grant obtained through the Division of Homeland Security and Emergency Management/Minnesota Department of Public Safety, and Minnesota Department of Natural Resources, pursuant to Presidential disaster declaration FEMA 1717-DR-MN.
- Grant provided 100% funding for certain activities related to projects in accordance with the County's All Hazard Mitigation Plan
- (75% Homeland Security, 25% MN DNR)

Questions??-please feel free to
contact me:

Eric Johnson

Zoning Administrator

Winona County Planning Department

Government Center- 177 Main Street

Winona, Minnesota 55987

(507) 457-6335

ejohnson@co.winona.mn.us

Web Site: www.co.winona.mn.us

City of Goodview EWP

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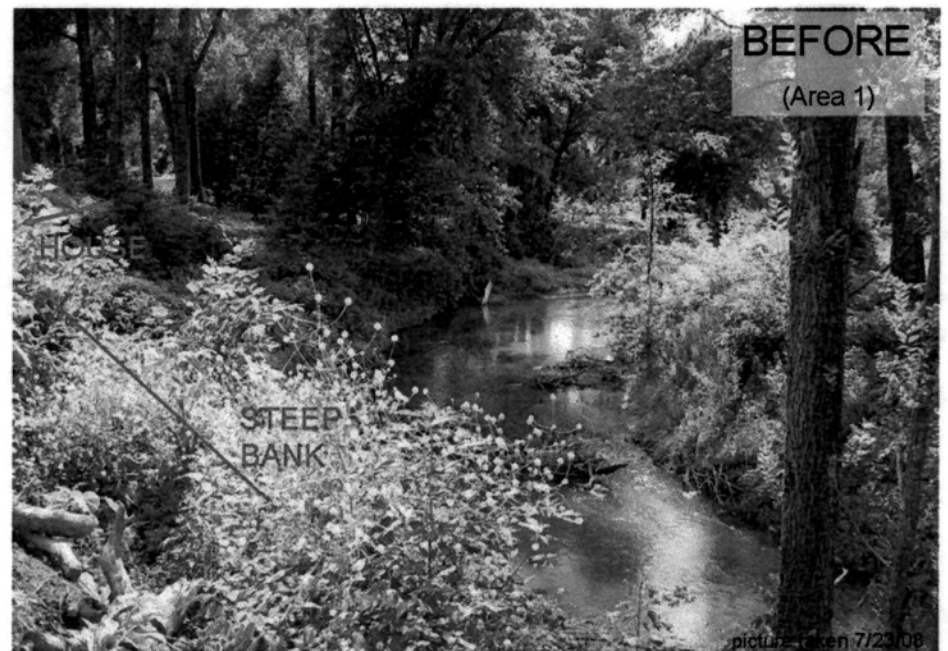
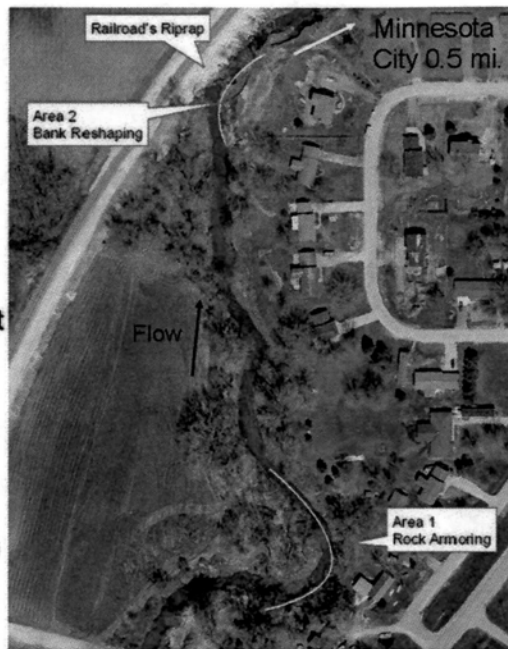
Area 2 – Bank Reshaping

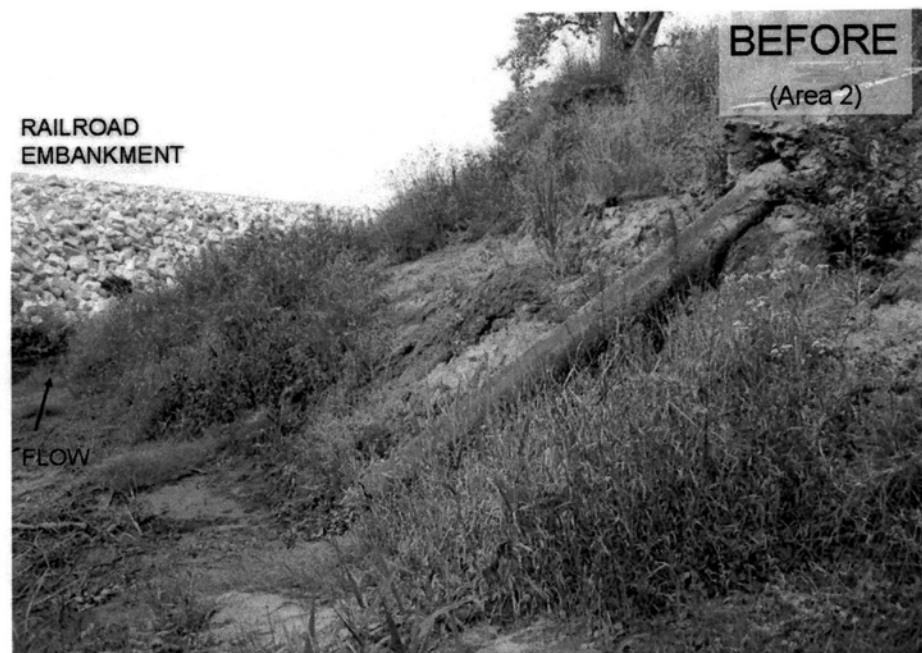
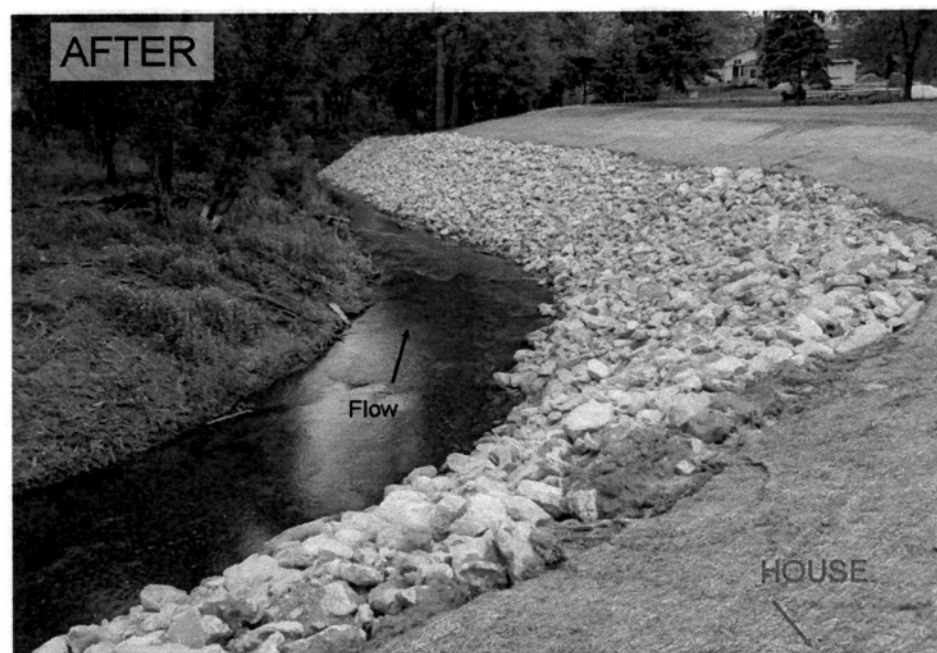
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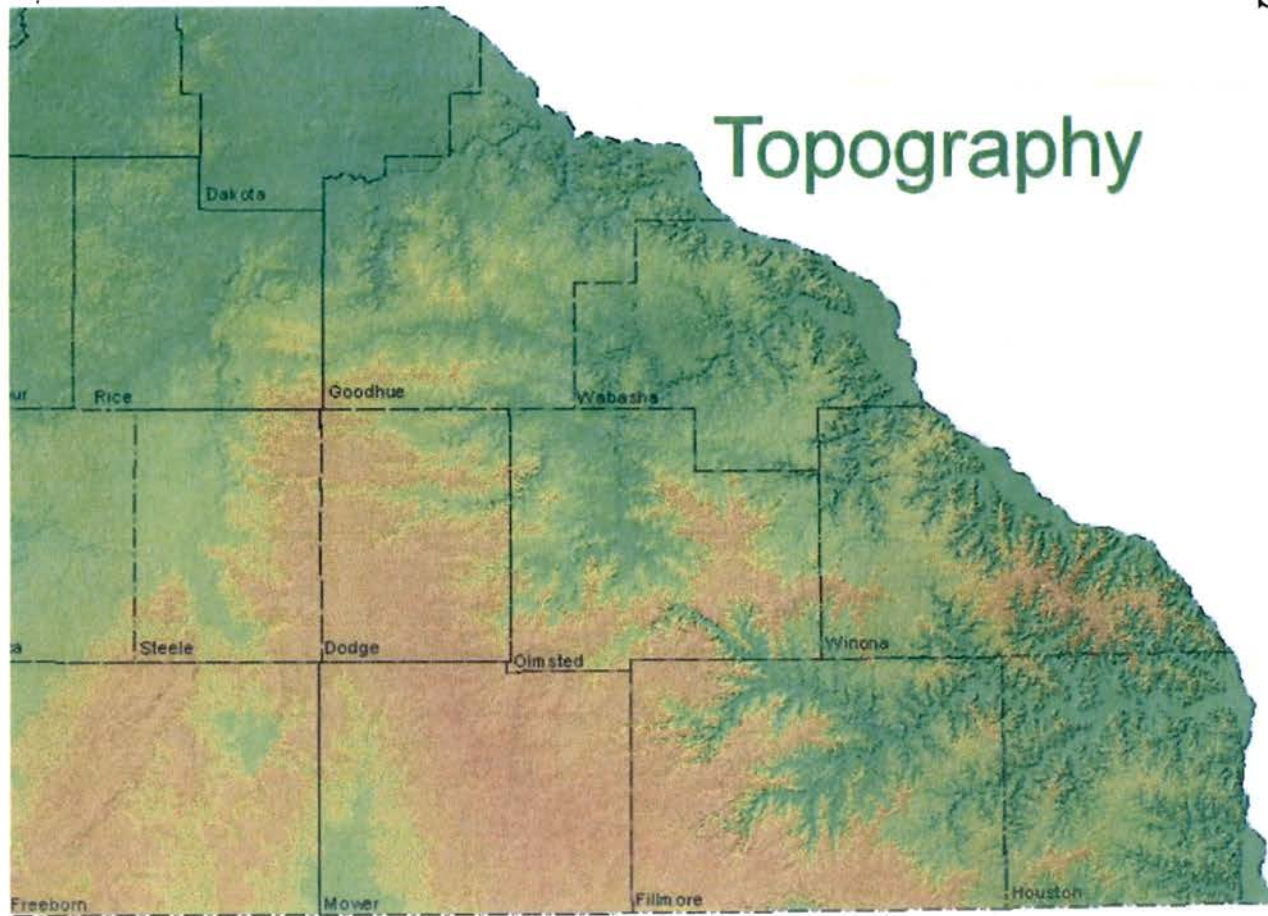
Total Construction Cost: ~\$69,971
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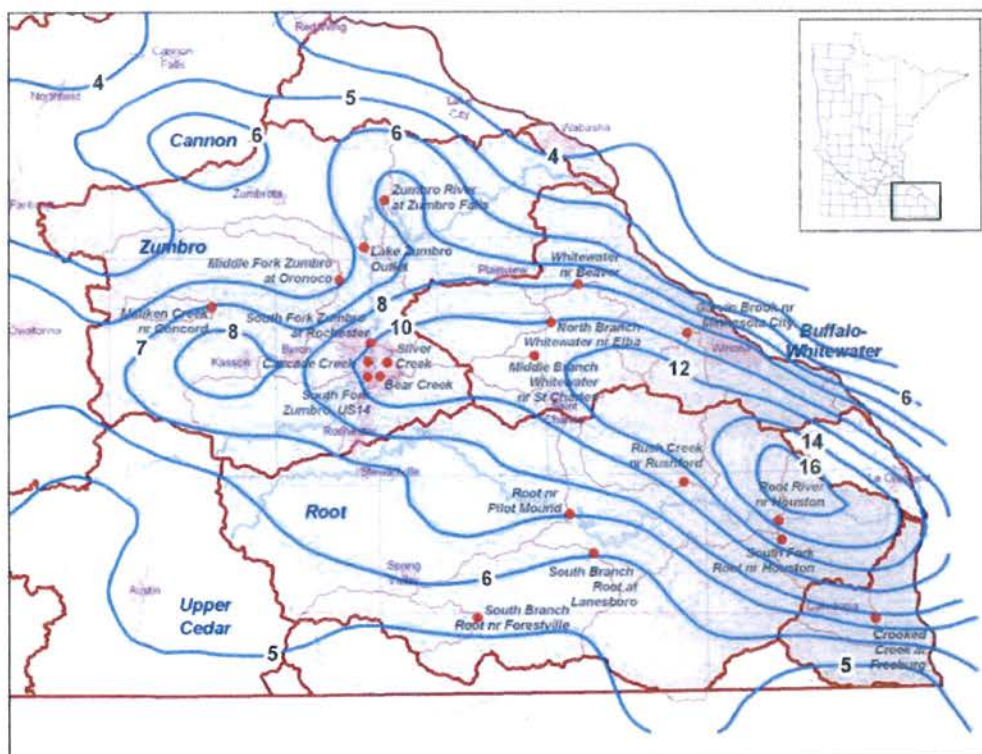
Design/Install provided by Yaggy
Colby Associates





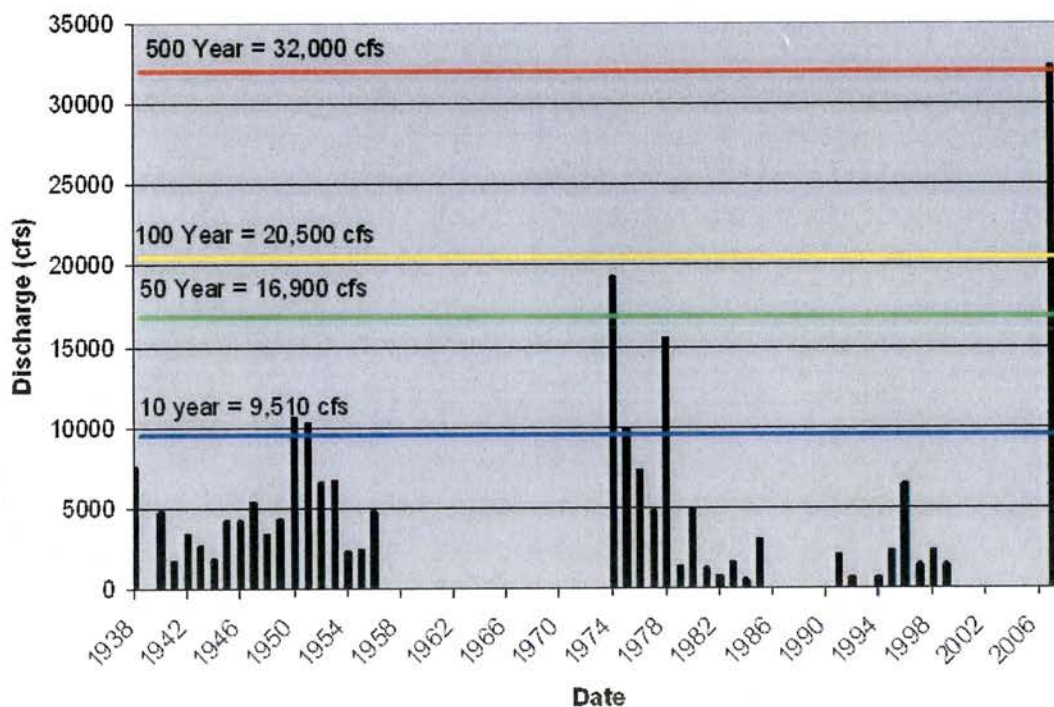


August 18-20, 2007

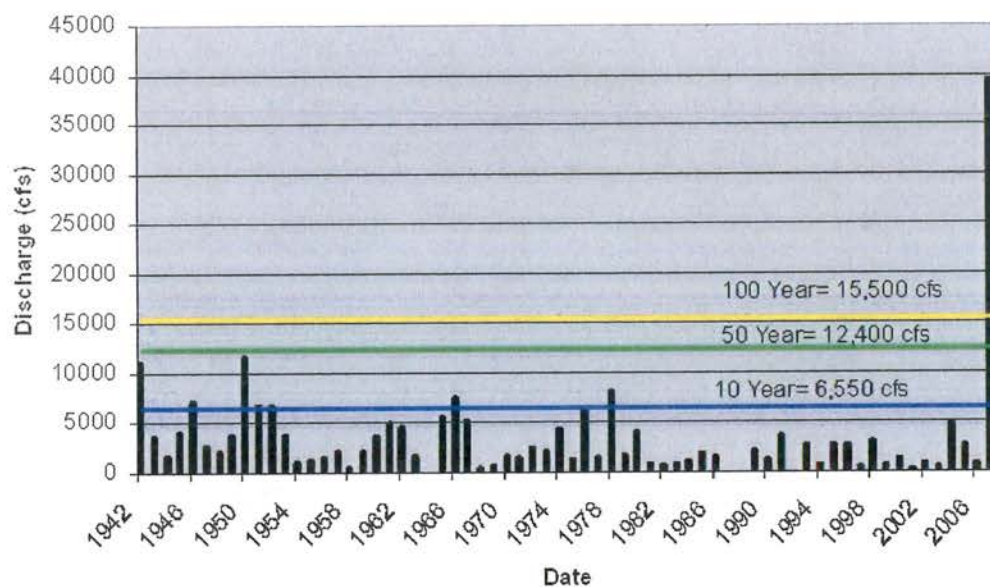


Source: State Climatology Office, DNR Waters

Whitewater R. near Beaver, MN
USGS 05376800 (Discontinued 1999)
Historical Peak Flows



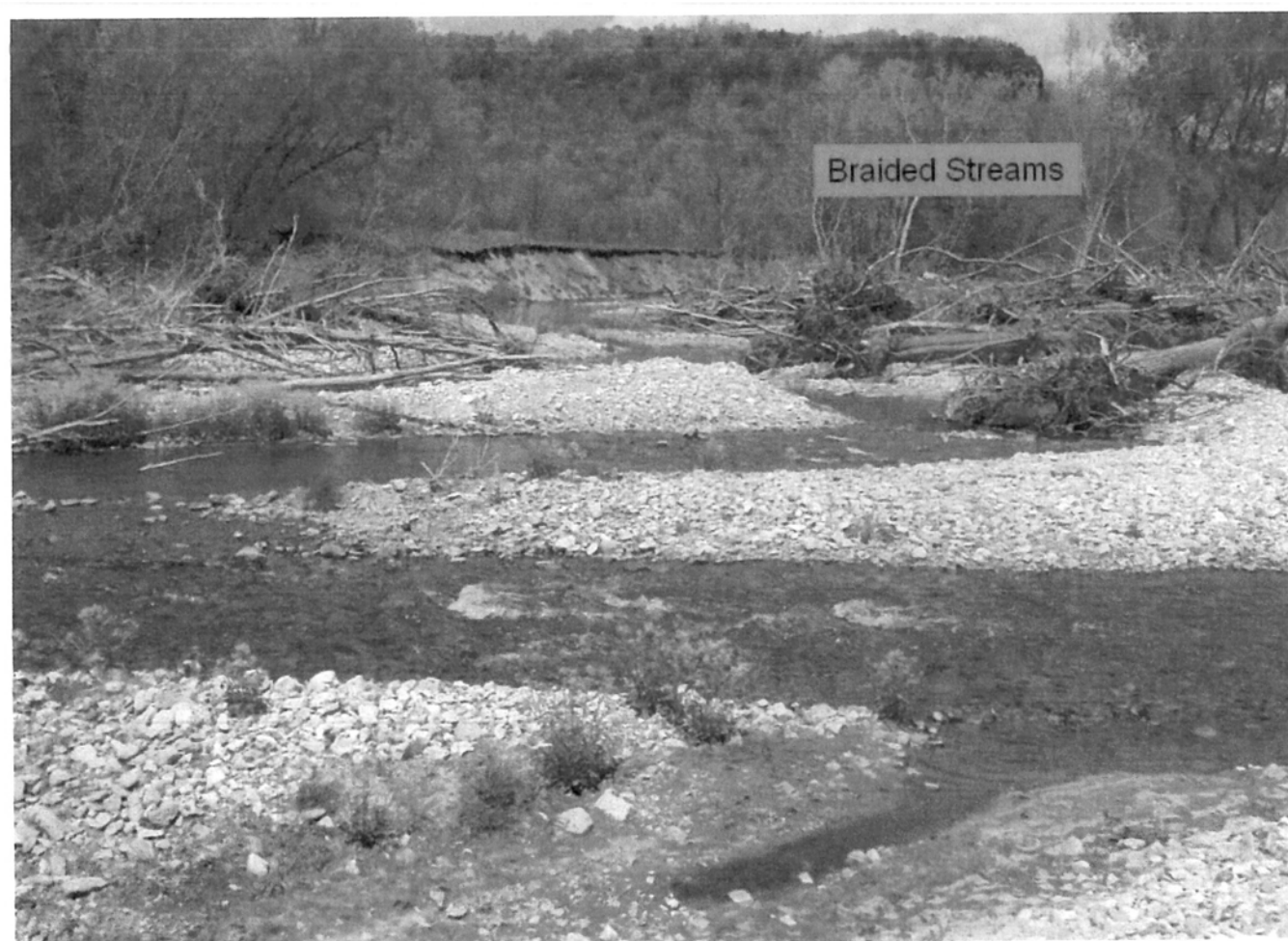
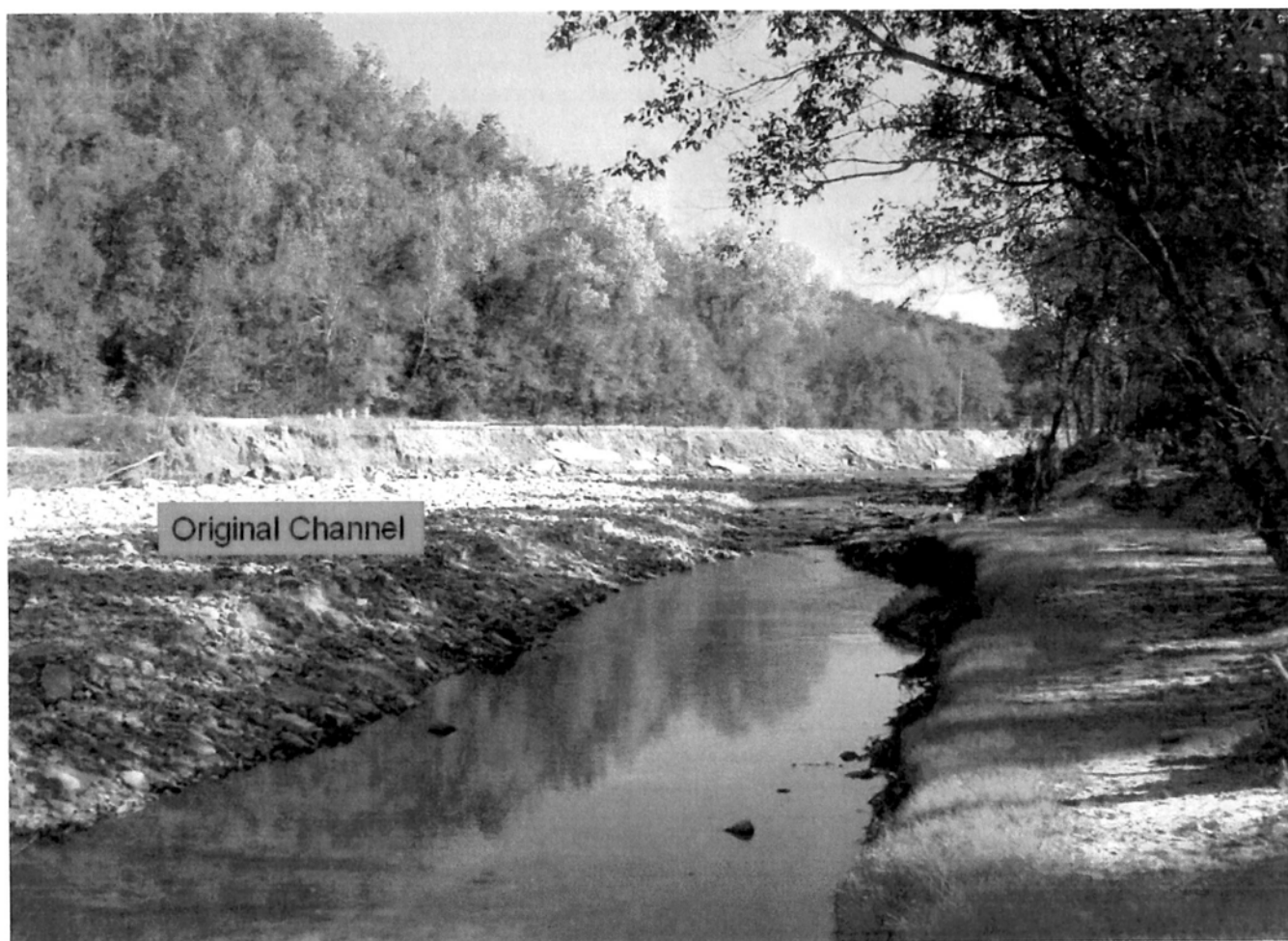
Rush Creek at Rushford, MN
USGS 05384500
Historical Annual Peak Flows

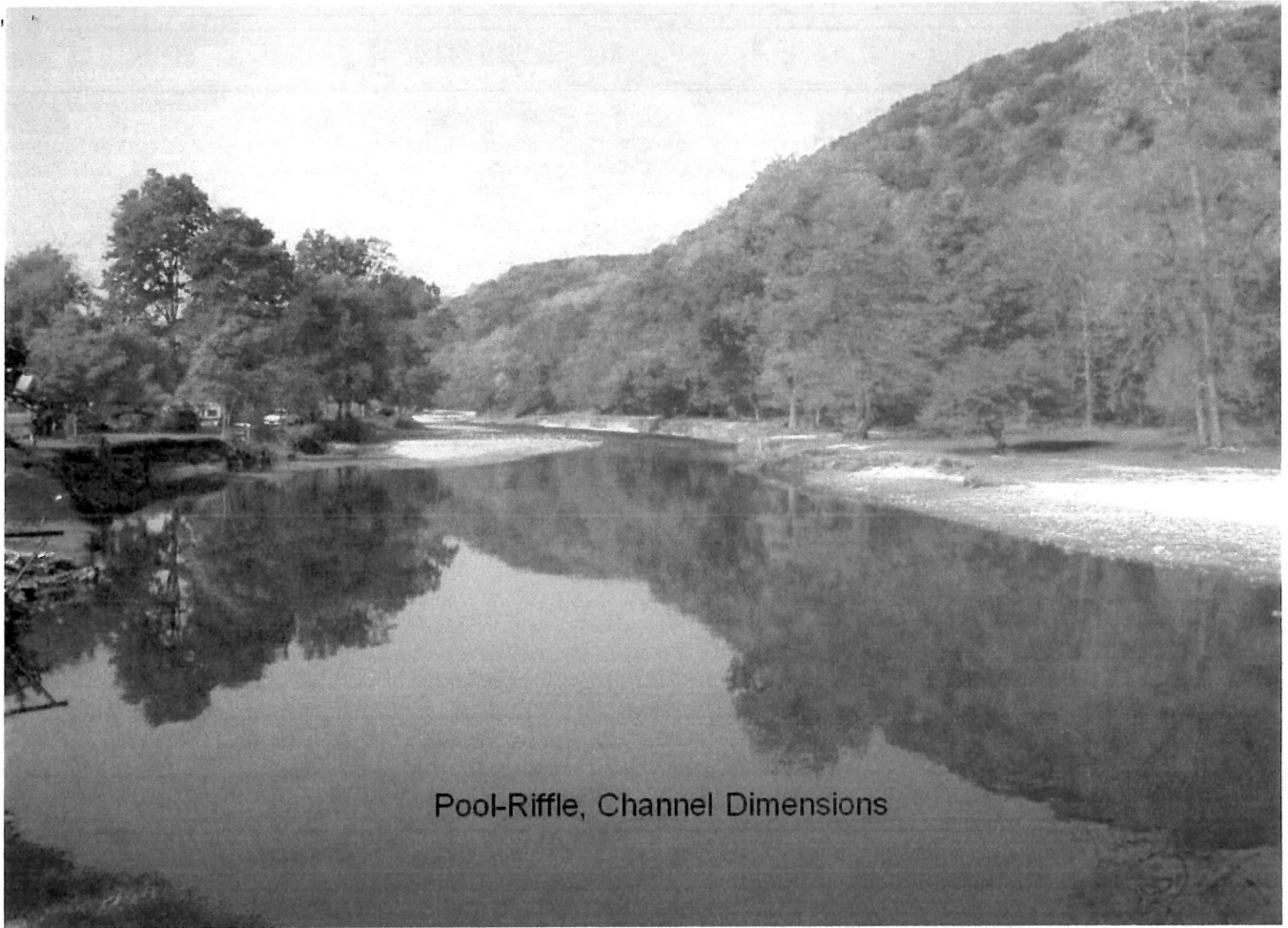




Woody and Rock Debris





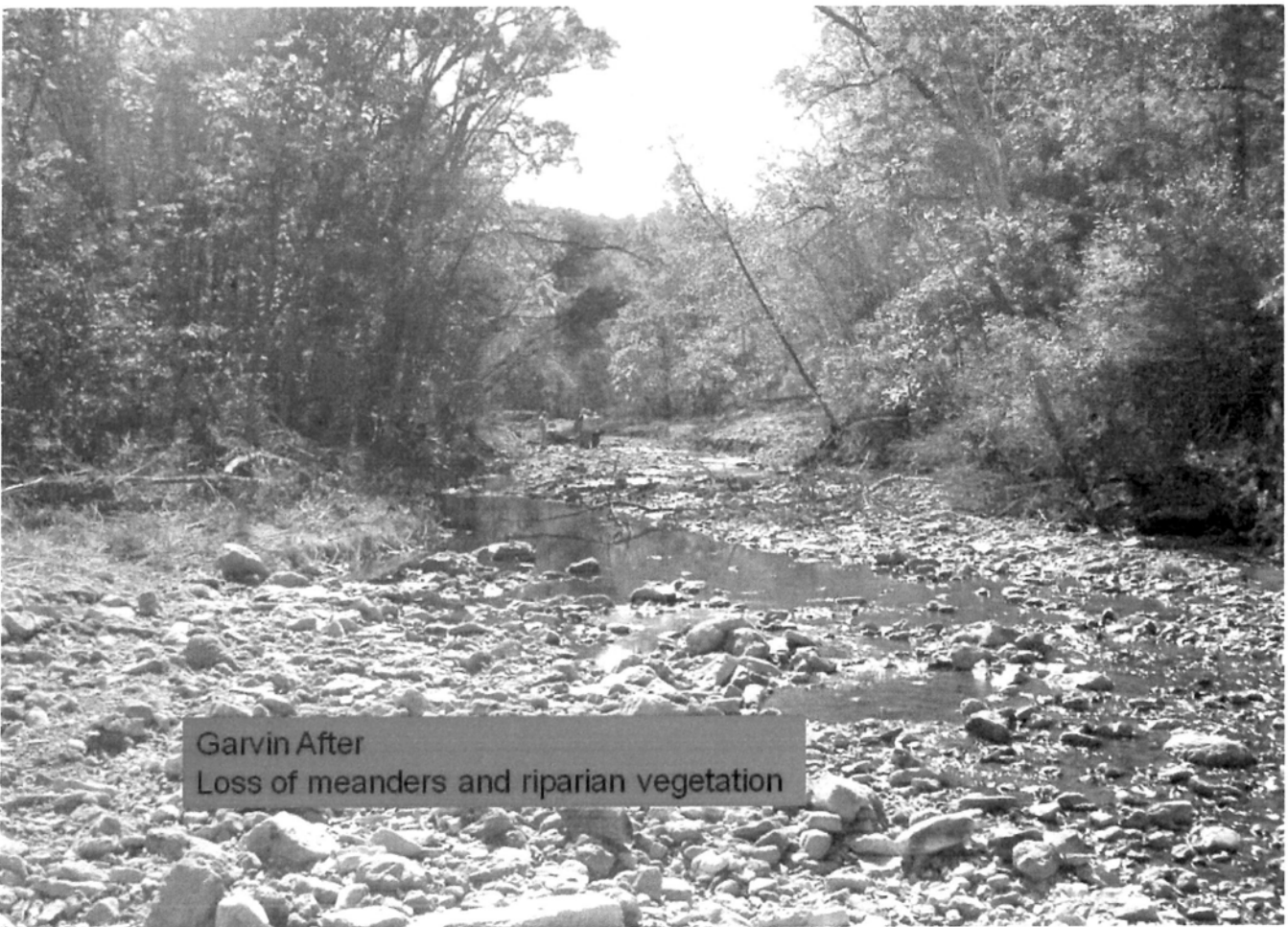


Pool-Riffle, Channel Dimensions





Garvin Before
Meanders and riparian vegetation



Garvin After
Loss of meanders and riparian vegetation

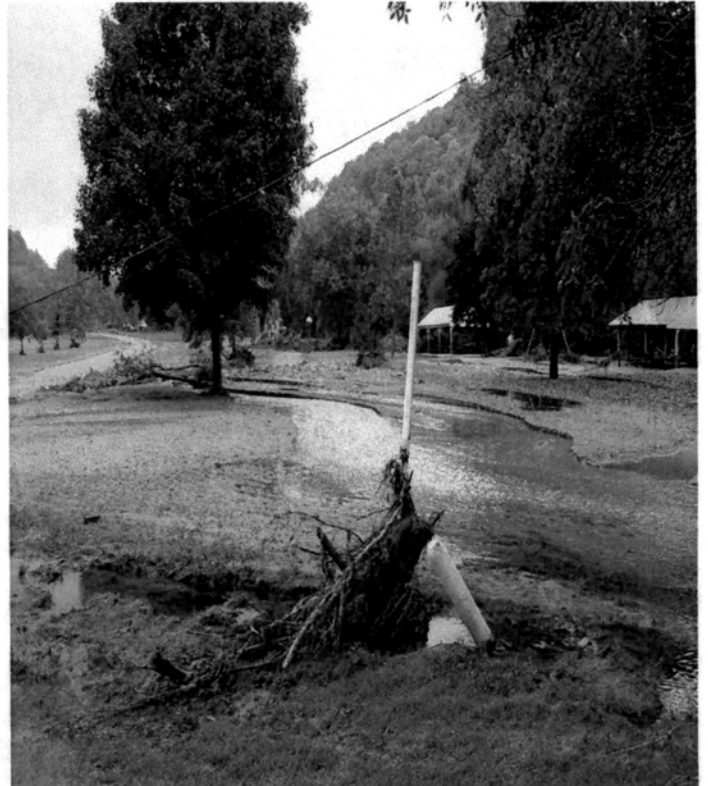


Site 2

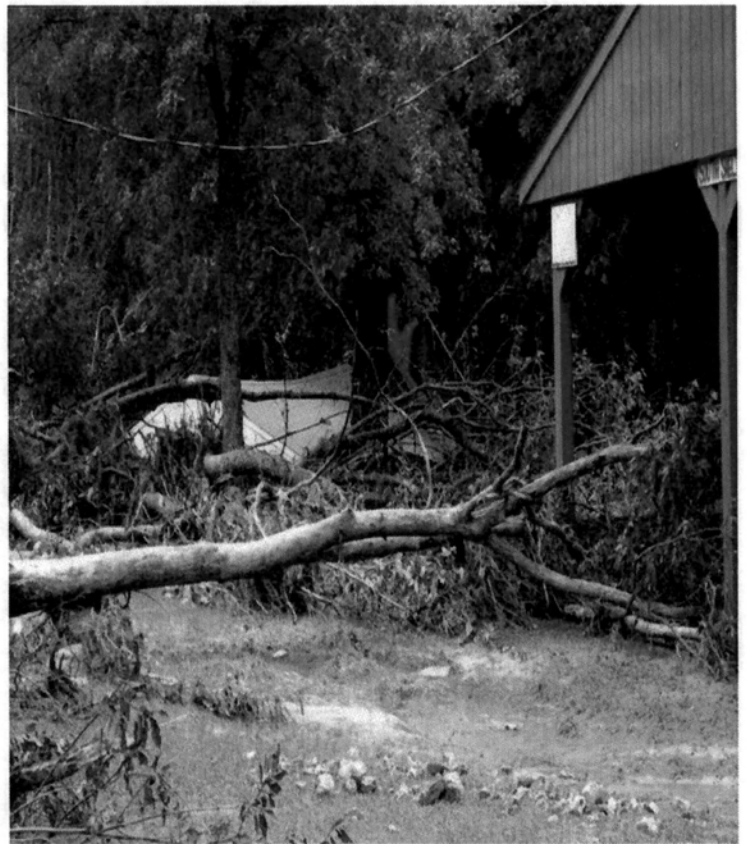
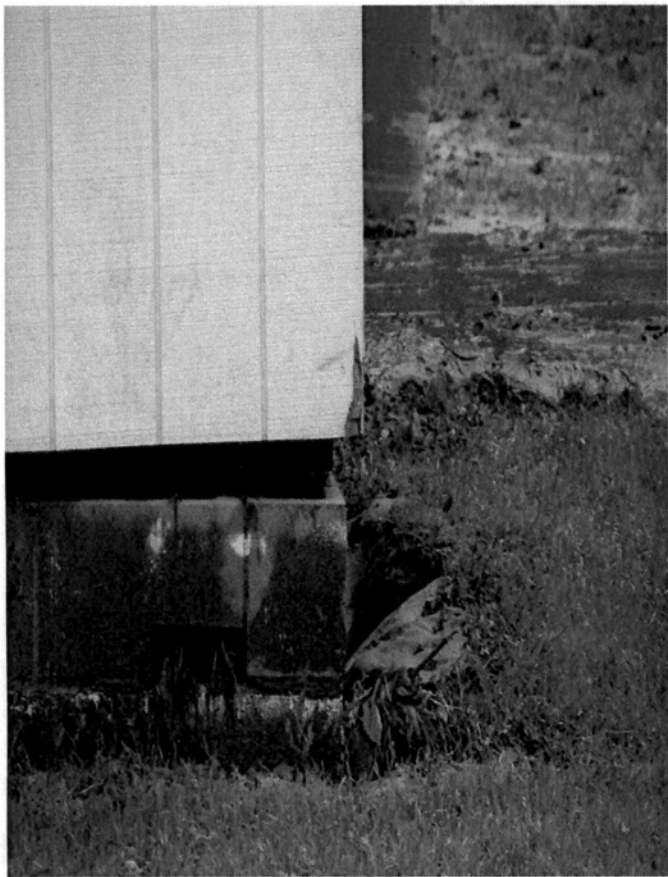
Farmer's Community Park



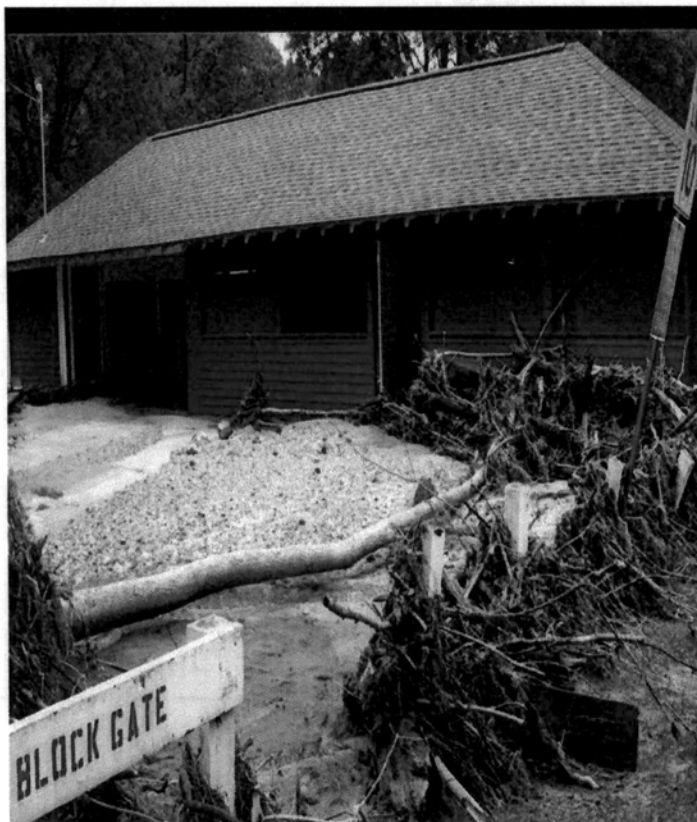
The flood of August 2007 caused considerable damage to Farmer's Park. Garvin Brook flooded the entire park, creating a new stream channel through the center of the park...



Damaged structures...



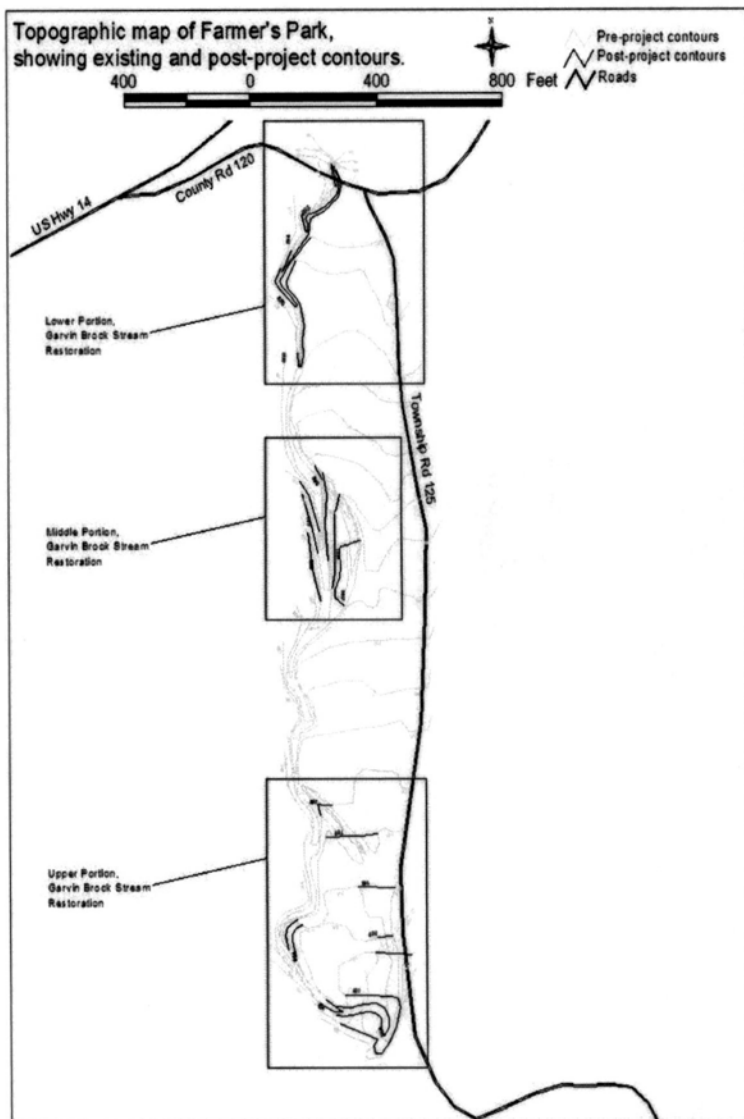
Deposited sediment.



Restoration of 1350 feet of stream channel



Stream bank stabilization



Native prairie and tree plantings ...



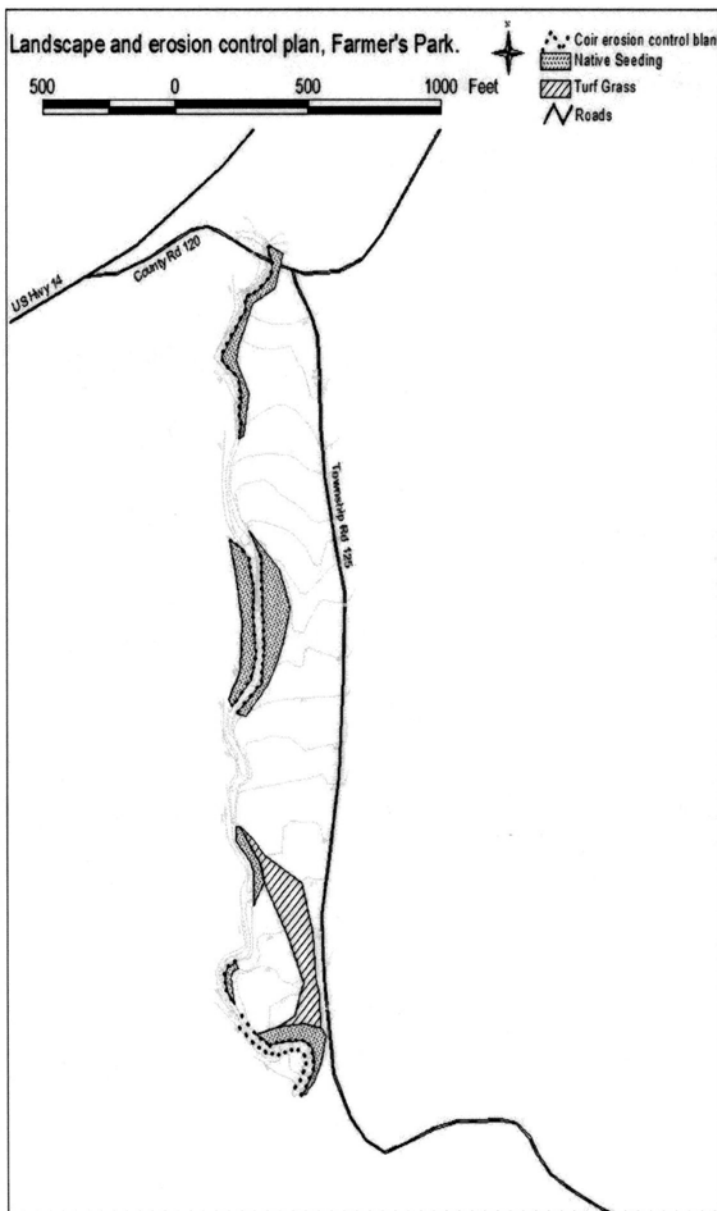
Project Costs:

FEMA > \$260,000

BWSR CWL-MCC grant
>\$23,800

Estimated Quantities:

Earthwork of onsite materials	2335 CY
Class IV riprap provided/placed	300 CY
Boulders not able to pass a 30" sieve	120 ea
Cross vanes built from boulders	4 ea
Coir erosion control blanket	13,200 SF
Straw mulch, grain stalk suitable to cover all disturbed areas	4.5 ac
Topsoil 4" deep on all areas where reestablishing turfgrass	1.5 ac
Turfgrass seeding using Ecograss fescue blend or equiv.	1.5 ac
Native seeding, streambanks with BWSR mix R1 (10lbs./ac)	.5 ac
Native seeding, uplands with BWSR mix U5 (15 lbs./ac)	2.5 ac



Project Partners

Farmer's Park Board, FEMA, MN HSEM, MN DNR Fisheries, Winona Co. Highway, Environmental Services, and Planning Dept., MDH Welling Sealing, Work Force Development, Inc., Winona SWCD, MCC, Thrivent Financial, Cedar Valley Nursery, Eagle Scouts, Ray Radatz, and many other volunteers.

YOUNG ADULT CONSERVATION CORPS

MCC
MINNESOTA CONSERVATION CORPS

2715 Upper Afton Road, Suite 100
Maplewood, MN 55119
(651) 209-9900

www.conservationcorps.org

WHAT CAN WE DO?

EROSION CONTROL

Bio-engineering
Slope stabilization
Cedar tree revetments
Coir blanket/roll installation

VEGETATION MANAGEMENT

Exotic species removal
Planting
Nursery activities
Seed collection
Shoreline & stream bank restoration
Rain garden installation
Restoration area maintenance
Fire suppression
Prescribed burning
Timber stand improvement

SURVEYING & DATA COLLECTION

GIS/GPS mapping
Tree & plant surveys
Fish & wildlife surveys
Man-made feature surveys
Water quality sampling
Water monitoring

CONSTRUCTION & CARPENTRY

Step, retaining wall, boardwalk or bridge construction
Trail clearing and maintenance
Basic carpentry
Natural resource area facility construction & maintenance



What is our mission?

The Minnesota Conservation Corps provides meaningful work for young people in conserving our natural resources.

How does it work?

- Each of the Young Adult Program's 20 crews include a leader and 3 to 4 members (all 18-25 years old). A District Manager is responsible for scheduling and oversight of the 4 to 5 crews within each district.
- Crews complete natural resource projects for the public good in Minnesota, Wisconsin, Iowa, North Dakota and South Dakota.
- Projects can range from one day to several months.
- Crew Members are enrolled in AmeriCorps, a national service movement to improve communities. Members serve a 10-month term, receive a monthly living stipend and are eligible for an education award upon program completion.

What is the crew's daily schedule?

- Crews work 10-hour days, including drive time to and from work, Monday through Thursday, mid-February to mid-December.
- Crews report to their crew office at 7 a.m. and return by 5:30 p.m.
- Equipment maintenance is included in the 10-hour day.
- Crews may camp on or near the work site if the project is far from a crew office.

How much training do crews have?

- The Corps trains members in technical skills needed to perform a wide range of natural resource projects (listed on left).
- 20% of the service term is dedicated to training.
- Project sponsors are encouraged to provide on-site education via site introductions, ecological impact, or project specific skills.



Not just skilled labor! MCC comes fully equipped...

LARGE EQUIPMENT:

- 4WD pick-up trucks with trailers to haul equipment or materials
- Slip-on firefighting units (water pumps, hoses, etc.)
- ATVs, snowmobiles, six-wheel Gators or Rangers, motorboats, canoes

SMALL EQUIPMENT:

- Hand & Power Tools: Chain saws, brush saws, power pole saws, drills, saws, routers, generators, shovels, rakes, picks, pulaskis, post-pounders, hammers, wheelbarrows, etc.
- GPS handheld units (typically Garmin 76)
- Backpack sprayers and daubers for herbicide application
- Prescribed burn gear: Nomex, bladder bags, drip torches, fire shelters
- Personal protective gear: steel toe boots, hard hats, gloves, chaps



How much does a crew cost?

Rates range from \$700 to \$925 per 10-hour day, depending on crew size and the nature of the project. Rate includes labor and all necessary equipment.

How do I hire a crew?

1. Visit www.conservationcorps.org to learn more about partnering or contact the District Manager (listed on right) closest to your project to discuss crew costs and other details.
2. Fill out a project request form (available on the web site).
3. E-mail or fax the project request form to the District Manager.
4. The District Manager will contact you with crew availability and negotiate the terms of the project.
5. A contract will be drafted and agreed upon by both parties.
6. The project will be scheduled and work can begin.

Once the project has begun:

- District Staff will provide project planning and logistical support if needed, including materials acquisition and project design.
- Project sponsor involvement will vary depending on the nature of the project. Initial oversight may be necessary to orient the crew.

CONTACT US

NORTHWEST DISTRICT

Bemidji (2)
Park Rapids
Brainerd

DISTRICT MANAGER:

Anna Lipenga
(218) 833-8606

Anna.Lipenga@conservationcorps.org

NORTHEAST DISTRICT

Duluth
Eveleth
Grand Rapids
Moose Lake

DISTRICT MANAGER:

Lisa Cassioppi
(218) 327-4139

Lisa.Cassioppi@conservationcorps.org

CENTRAL DISTRICT

St. Paul (5)
Hanover

DISTRICT MANAGER:

Brian Miller
(651) 209-9900 x19

Brian.Miller@conservationcorps.org

SOUTH DISTRICT

Rochester (3)
New Ulm

DISTRICT MANAGER:

Doug Ekstrom
(507) 359-6058

Doug.Ekstrom@conservationcorps.org

IOWA

Ames (2)

CREW MANAGER:

Chris Severson
(515) 233-1168

Chris.Severson@conservationcorps.org

RESOURCES RESTORED. LIVES CHANGED.

Project #3: Root River SWCD – Flood Damage Repair

LGU Contact: Ralph Tuck

Project Period: October 1, 2007 - November 15, 2007

Hours Accomplished: 680

Dollars Allocated: \$17,322.66

Project Description: The Root River is impaired for recreational use due to elevated levels of fecal coliform bacteria. The river is also impaired for sustaining aquatic life due to excess turbidity caused by sediment entering the river from soil erosion. Though this project was not directly tied to restoration of the impairment, the project assisted the SWCD with flood recovery activities focused on maintenance and repair of flood and sediment control structures. MCC crews removed debris from risers, pipes, and pool areas of structures to prevent further damage from spring runoff. Crews rehabilitated mechanisms for erosion control by removing debris and seeding eroded areas along stream banks with rye grass.

Project #30: Crooked Creek WD – Flood Control Structure Maintenance

LGU Contact: Rich Stemper

Project Period: September 16, 2007 – September 30, 2007

Hours Accomplished: 160

Dollars Allocated: \$4,217.22

Project Description: August flood waters brought a large amount of debris (trees, brush, snags, logs, trash, etc) into the flood control pool areas and around the pipe/riser outlets along Crooked Creek. MCC crews removed flood borne debris from the front slope of the dams and from around the intake pipes in order to return the structures to their full functioning ability. These control structures improve water quality in the pools themselves and in downstream tributaries.

Project #31: Winona SWCD – Conservation Structure GPS Data Collection

LGU Contact: Tim Terrill

Project Period: January 16, 2008 – January 31, 2008

Hours Accomplished: 160

Dollars Allocated: \$3,520

Project Description: The MCC crew used GPS computer software to locate and mark water control structures and seasonal waterways on digital aerial photograph images within Winona County. The data collected will provide a tool for SWCD staff to evaluate various watersheds in Winona County in order to prioritize work efforts.

Project #38: Winona SWCD – Streambank Delineation Project

LGU Contact: Tim Terrill

Project Period: January 15, 2008 – January 30, 2008 & May 15, 2008 – May 30, 2008

Hours Accomplished: 70

Dollars Allocated: \$1,540

Project Description: MCC crews located seasonal streams from aerial photos and plotted them using computer based software for use by SWCD staff to determine priority areas for streambank and watershed management such as shoreland ordinance zones, setbacks from streams, modeling for watershed management, and help with GIS planning for buffer strips. The area of focus was in impaired watersheds within Winona County, on streams that have moved or widened greatly due to recent flooding.

Project #50: Winona SWCD – Farmers Park Planting

LGU Contact: Tim Terrill

Project Period: July 1, 2008 – August 15, 2008

Hours Accomplished: 310

Dollars Allocated: \$6,820

Project Description: Farmer's Park in the Mississippi River watershed was ravaged by floods in 2007. Many trees were uprooted and shorelines along waterways eroded. MCC crews cleaned up debris and replanted large potted trees. The work helped to reduce pollutants and erosion.

Project #57: Crooked Creek WD – Flood Control Structure Maintenance

LGU Contact: Rich Stemper

Project Period: October 15, 2008 – October 31, 2008

Hours Accomplished: 280

Dollars Allocated: \$6,160

Project Description: Heavy rains and flooding during the first weekend of June (June 7-8, 2008) left a great deal of debris (logs, brush, rock and trash) in the pool area and shoreline of 4 flood control dams. MCC crews removed debris to ensure outlet pipes function properly and cleared flood borne material from the reservoir pools and shorelines to improve water quality discharging from those locations.

Project #58: Winona SWCD – Farmers Park Streambank Stabilization

LGU Contact: Tim Terrill

Project Period: September 1, 2008 – October 30, 2008

Hours Accomplished: 720

Dollars Allocated: \$17,034.75

Project Description: Farmer's Park in the Mississippi River watershed was ravaged by floods in 2007. Many trees were uprooted and shorelines along waterways eroded. MCC crews assisted in general grounds maintenance and repair, completing 280 hours of carpentry and minor construction in the park. Crews also planted 75 large trees to minimize erosion.

Project #61: Fillmore SWCD – Culvert Inventory

LGU Contact: Donna Rasmussen

Project Period: November 15, 2008 – December 15, 2008 & April 1, 2009 – April 30, 2009

Hours Accomplished: 774

Dollars Allocated: \$17,028

Project Description: The priority for this project is to have a complete inventory of all county and township road culverts that are less than ten feet wide as baseline information for future evaluation of sites for possible road retention areas. The project is coordinated with the County Highway Department's "5-year replacement plan" and provides information for the Root River Turbidity Clean Water Legacy Fund Use Report for July 1, 2007 – June 30, 2009 □ Minnesota Conservation Corps
- 22 -

TMDL and the Fillmore County Hazard Mitigation Plan to determine which sites hold the greatest potential for temporary flood. There are 11 impaired reaches in the Root River watershed in Fillmore County in which the affected use is aquatic life and the pollutant or stressor is turbidity. The culvert information is an important element in understanding factors affecting the hydrology in the watershed. Areas that can be used to temporarily store storm water will help reduce runoff and reduce peak flows, thus reducing the amount of sediment entering the Root River and its tributaries.

With the help of MCC crews, GPS data was collected for locations of culverts and their respective attribute information: size of structure, type (box, cement, CMP), condition (good, fair, poor), elevation of upstream and downstream (if possible), picture of the structure and upstream watershed, and notes pertaining to land use and watershed contributing to the structure. This information along with LiDAR and pictometry will be used to prioritize possible road retention practices. A GIS database will be created with photo hotlinks. This information could lay the groundwork to obtain special funding to provide cost-share and other incentives for retention easements and culvert replacements in the future. Cost-benefit analyses will also be completed to determine if county and township maintenance expenditures could be reduced by appropriately sizing the culverts. Models could be developed to calculate culvert sizing given the watershed contribution area, adjacent land use and temporary flood reduction goals.

Site 3

Phyllis Mussell: Pond Repair



Blowout of pipe and emergency spillway of Grade Stabilization structure:

- Replace pipe.
- Repair emergency spillway.

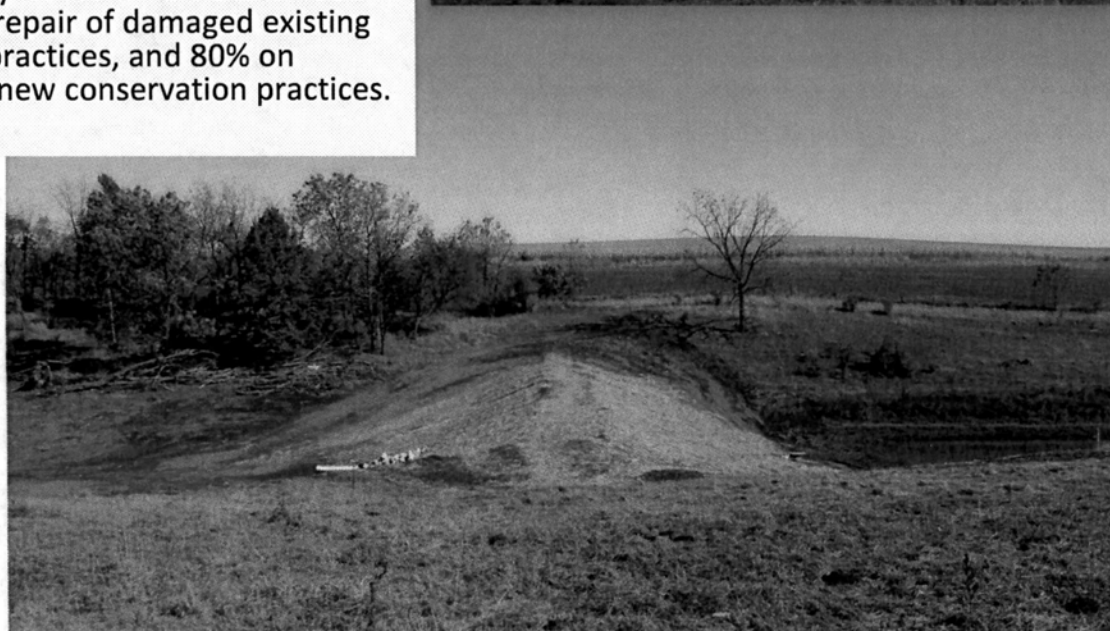
Engineering on this project provided by NRCS field office technician and area office engineers.

Total Cost: \$18,285

- State Cost-Share: \$10,738 (59%)
- Other Cost-Share: \$7,547 (41%)

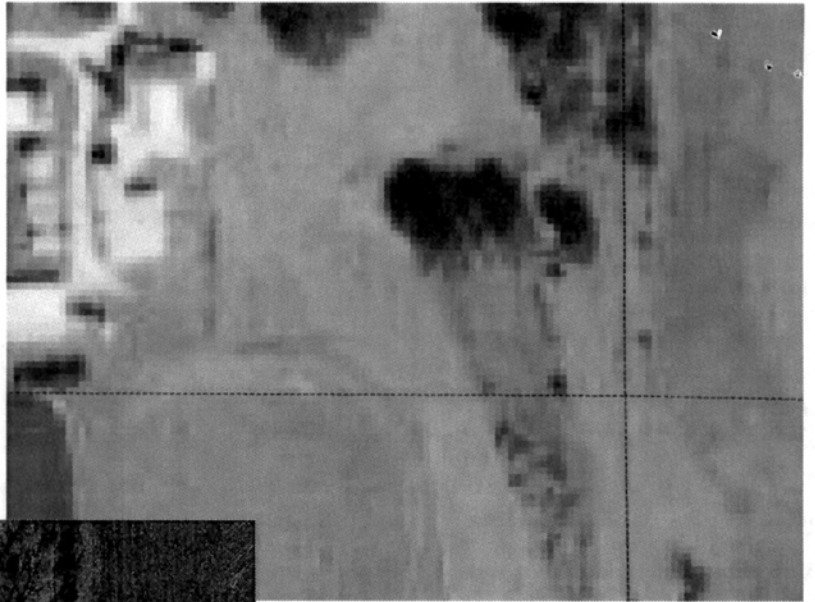
Cost-share percentages vary from 100% State C-S to 100% Other C-S and everything in-between.

Winona County SWCD offers 100% flood cost-share on repair of damaged existing conservation practices, and 80% on installation of new conservation practices.



**Phyllis Mussell:
Pond Repair cont.**

2003 FSA Slide:



**2006 High
Resolution Slide:**

**2008
Pictometry:**



Site 3

SE MN Flood Response Technical Assistance – A Partnership Effort



BWSR, SWCDs,
TSA 7 and NRCS
Area 7 coordinate
workload and
technical assistance
for flood response
projects.



Key Flood Response Funding Sources: Erosion/Sediment Control

Federal:

- Emergency Watershed Program (EWP) – NRCS (Exigency and Regular – NRCS provides TA for exigency only)
- Environmental Quality Incentives Program (EQIP) – NRCS
- Emergency Conservation Program (ECP) – FSA

Key Flood Response Funding Sources: Erosion/Sediment Control

State:

Sep. 2007 Special Session funding to BWSR – \$3M Cost-Share and \$1M RIM (20% Technical and Admin limit for Cost-Share) \$1.1M Regular RIM FY 08, \$1.8M Regular RIM FY 09, \$1.9M transfer from DEED to BWSR in FY 08, \$725K supplemental funding to BWSR for FY 09 and FY 10

Overall Funding Use Priorities as per Legislature and Governor

- Private Insurance
- Federal Programs - EWP, EQIP and ECP, which include cost-share limits
- State Programs
 - Authorized to fund up to 100% combined federal and state. Some SWCDs and projects have required private share
- Private cash or loan

Technical Needs Identification and Coordination

- Flood damaged sites were identified by landowners, SWCDs and NRCS after the August 2007 flood event and into 2008.
- BWSR / NRCS / SWCD partners have met regularly to coordinate needs, develop strategies for increased technical assistance, and to put flood response projects on the ground. SWCDs requested BWSR engineering assistance, due to high workload.

Technical Needs Identification and Coordination

- Additional state funding and authorization sought and received in 2008 enabling BWSR to hire temporary engineering staff to help maximize use of federal funding and accelerate project implementation.

BWSR Engineering Assistance

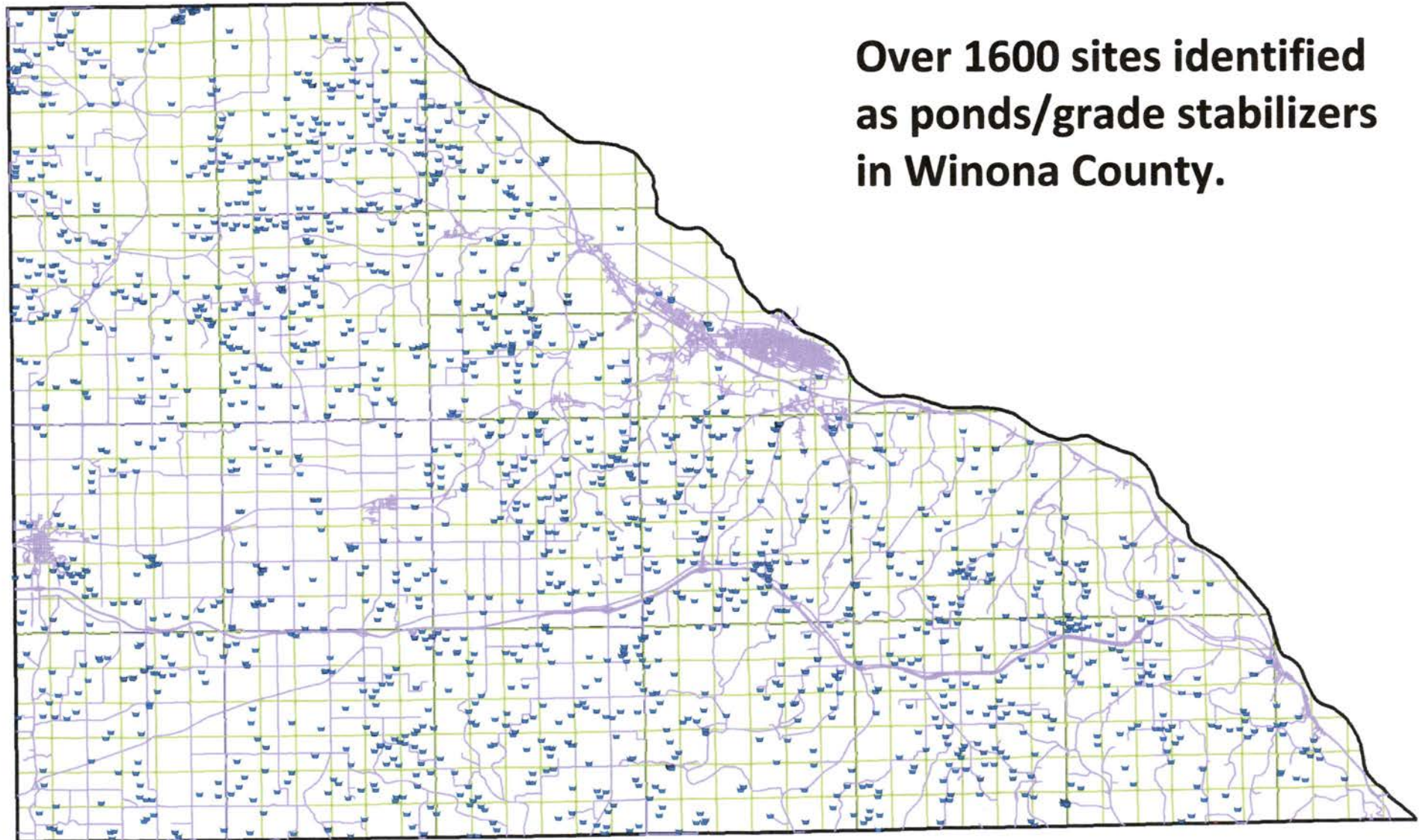
- Terry Ragan, PE, Project Engineer, located at Winona SWCD, Lewiston MN
- Jeff Larson, LSIT, Engineering Technician, located at Root River SWCD, Caledonia, MN
- Well equipped with electronic surveying and design equipment, vehicle, ATV and SWCD support services

BWSR Engineering Assistance

- Types of projects being assisted include water and sediment control basin repair, grade stabilization/gully repair, runoff diversion/terrace repair, grassed waterways, slope stabilization and stream bank stabilization
- Contribution Agreement with NRCS for 20 EQIP projects
- Assisted Homer Township to hire and manage private consultant to design and provide construction inspection for erosion repair at Pickwick Dam emergency spillway outlet

**Thanks to the coordinated
efforts of the Local-State-
Federal partners SE
Conservation Flood Recovery is
getting done!**

MCC Structure Inventory Map



**Over 1600 sites identified
as ponds/grade stabilizers
in Winona County.**

SE MN Flood Response Technical Assistance – A Partnership Effort



BWSR, SWCDs,
TSA 7 and NRCS
Area 7 coordinate
workload and
technical assistance
for flood response
projects.



NRCS

Key Flood Response Funding Sources: Erosion/Sediment Control

Federal:

- Emergency Watershed Program (EWP) – NRCS (Exigency and Regular – NRCS provides TA for exigency only)
- Environmental Quality Incentives Program (EQIP) – NRCS
- Emergency Conservation Program (ECP) – FSA

Key Flood Response Funding Sources: Erosion/Sediment Control

State:

Sep. 2007 Special Session funding to BWSR – \$3M Cost-Share and \$1M RIM (20% Technical and Admin limit for Cost-Share) \$1.1M Regular RIM FY 08, \$1.8M Regular RIM FY 09, \$1.9M transfer from DEED to BWSR in FY 08, \$725K supplemental funding to BWSR for FY 09 and FY 10

Overall Funding Use Priorities as per Legislature and Governor

- Private Insurance
- Federal Programs - EWP, EQIP and ECP, which include cost-share limits
- State Programs
Authorized to fund up to 100% combined federal and state. Some SWCDs and projects have required private share
- Private cash or loan

Technical Needs Identification and Coordination

- Flood damaged sites were identified by landowners, SWCDs and NRCS after the August 2007 flood event and into 2008.
- BWSR / NRCS / SWCD partners have met regularly to coordinate needs, develop strategies for increased technical assistance, and to put flood response projects on the ground. SWCDs requested BWSR engineering assistance, due to high workload.

Technical Needs Identification and Coordination

- Additional state funding and authorization sought and received in 2008 enabling BWSR to hire temporary engineering staff to help maximize use of federal funding and accelerate project implementation.

BWSR Engineering Assistance

- Terry Ragan, PE, Project Engineer, located at Winona SWCD, Lewiston MN
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Thanks to the coordinated efforts of the Local-State-Federal partners SE Conservation Flood Recovery is getting done!

BWSR BOARD TOUR SE FLOOD CONSERVATION RECOVERY

Wednesday, August 26, 2009

Winona, Fillmore and Houston/Root River SWCD and Counties

8:00 a.m. Holiday Inn Express in Winona

Registration, Introductions

Welcome: John Jaschke, BWSR Executive Director

Randy Kramer, BWSR Board Chair

Overview of SE Flood Conservation Recovery/Tour/Materials

Mary Kells, BWSR SE Flood Response Coordinator

8:30 a.m. Board Coach Bus, Depart from Holiday Inn Express

Right on Highway 43 2 blocks

Left on Highway 61 north – 7 miles

Left on county road 23 – 0.5 miles

Right on Sherry Drive

Site #1 - Gunderson Addition

(off the bus)

Winona County Flood Response, Recovery and Mitigation

(15 mins.)

Pat Bailey, Winona County Water Planner

Eric Johnson, Winona County Planning Dept

Jill Johnson, Winona County Environmental Services

NRCS EWP/BWSR C-S Flood Repair Project

(10 mins.)

Sue Glende, NRCS District Conservationist

Daryl Buck, Winona SWCD Technician

City of Goodview Annexation/Extended Utilities

(5 mins.)

Dan Matejka, City Administrator

Board Coach/Mini Bus

Left on County Road 23 – 4.5 miles

Right on Highway 14 – 3 miles

Left on County Road 120

On Bus: Emergency Warning Systems for Flash Flooding: Increasing Readiness For Future Floods and Reducing Impacts of Hazards.

Toby Dogwiler, Associate Professor of Geosciences and Director, SE MN Water
Resources Center, Winona State University

Site #2 – Farmers Community Park (Green Lodge)

Break (off the bus)

Understanding the August 2007 Flood Event, Magnitudes and Impacts

(10 mins.)

Bill Huber, DNR Area Hydrologist, Lake City

Farmers Park FEMA/State Funded Restoration and Partners

(10 mins.)

Carolyn Dingfelder, U of M Extension Educator and

Farmers Park Board

MN Conservation Corp Flood Recovery Work

(5 mins.)

Len Price, Executive Director MCC and Dustin Looman,

Assistant District Manager

Board Coach/Mini Bus

Tour Guides:

Daryl Buck, District Technician

Marlow Mielke, Conservation Specialist

Left on Highway 14 – 5.5 miles

Right on Cemetery Road – 1 mile

Site #3 – Mussell Structure Repair

(off the bus)

Assessment of flood damaged sites and project status, workload,
MCC structure inventory and typical repairs.

Daryl Buck, Winona SWCD Technician

(5 mins.)

Mussell structure repair (EQIP/State Cost-Share)

(5 mins.)

Dan Gunderson, Soil Conservation Tech, NRCS

Increased technical need and SE BWSR/SWCD/NRCS

(10 Mins)

Engineering Partnership

Al Kean, BWSR Chief Engineer

John Nicholson, Assistant State Conservationist, NRCS

Board Coach/Mini Bus:

Left on Cemetery Road – 1 mile

Right on Highway 43 – 3 miles

On Coach Bus: Community Involvement in Watershed Management

Tim Terrill, Winona SWCD Manager

Right on County Road 25 – 6.5 miles

Left on County Road 12 – 2.5 miles

Right on Highway 43 – 2.5 miles

Left on Hartwood Drive – 3 miles

Right on County Road 19 – 2 miles

Site #4 – Money Creek Corridor: Zephyr/Edgeweed/Heyer–SE Flood RIM Site

(stop on bus)

Money Creek Corridor

Daryl Buck, Winona SWCD Technician

Marlow Mielke, Winona SWCD Conservation Specialist

On Bus: Rush/Pine Watershed Management Activities

Michelle Schaefer, BWSR Board Conservationist

Follow county road 19 – 1 mile

Right on County road 4 – 2 miles

Left on Highway 43 – 4.5 miles

Depart Winona County via Hwy 43 into City of Rushford

11:30 a.m.

Site #5 Fillmore SWCD Well Sealing C-S Development

(off the bus)

Rick Grooters, Fillmore SWCD Technician,

Well Decommissioning Demonstration Project

Jeff Copely, Public Works Director for City of Rushford

Danny Nubbe, Mineral Services Plus, LLC

Board Coach/Mini Bus

Noon – 2:00 p.m. Lunch and Forum – Creamery Restaurant

Flood Response and Recovery in City of Rushford Windy Block, City Administrator	(25 mins.)
Fillmore SWCD/NRCS Flood Recovery/Protection Rick Grooters, District Resource Conservation Technician Bob Joachim, NRCS District Conservationist	(5 mins.)
Fillmore MCC culvert inventory, buffer initiative and MDA small watershed project Joe Magee, District TMDL/Water Planner	(10 mins.)
Root River TMDL Development/Partnerships Shaina Keseley, MPCA TMDL Coordinator Joe Magee, District TMDL/Water Planner	(10 mins.)
Questions/Discussions?	

2:00 p.m. Board Coach Bus, Depart for Tour of Houston County via Hwy 16

Tour Guides:

Ralph Tuck, Root River SWCD Manager
Ron Meiners, Resource Conservationist

Follow County Highway 16, 14 miles

Site #6 – Oak Forest Lane NRCS EWP/BWSR Project	(off the bus)
Assessment/EWP/County-SWCD sponsored Projects Gary Larson, NRCS District Conservationist	(10 mins.)
BWSR Engineered/NRCS EWP Oversight Al Kean/Terry Ragan/Jeff Larson, BWSR Engineering Section	(10 mins.)

Board Coach Bus
Follow County Highway 16, 1.5 miles
Left on County Road. 25, 2 miles to T
Right on County Road 21, 3 miles to Intersection of Bush Valley.

Site #7 – Bush Valley Watershed Implementation/Repairs	(stop on bus)
Ralph Tuck, RRSWCD Manager	

East on County Road 21, 3 miles

Site #8 – Barry EWP/State C-S Project Protecting House	(stop on bus)
Gary Larson, NRCS District Conservationist	

East on County Road 21 to State Highway 44, 1 mile

Site #9 – Cemetery Road State C-S Project (Under Construction)

(stop on bus)

Terry Ragan, SE BWSR Engineer

South on State Highway 44, 1 mile to Hokah Fire Station

Site #10 – City of Hokah Pool and Park

(off the bus)

Slope Failure-State C-S Project

(10 mins.)

Terry Ragan, SE BWSR Engineer

City Park Streambank/Debris Restoration

(5 mins.)

Hokah City Park and Partnerships

Board Coach Bus

On Bus: Winnebago Watershed FEMA/BWSR Funded Activities

Ralph Tuck, Root River District Manager

Left 3 blocks to County Road 18, 7 miles to Brownsville.

Left of County Road 3, 8 blocks to T

Right on State Highway 16, 1 mile

Arrive Wildcat Landing, Brownsville, MN

5:00 – 8:00 p.m.

Board Cruise Boat/Boxed Dinner

Mississippi Explorer Cruises - Capt. Eric Dykman

We will experience a guided tour of the Mighty Mississippi to observe island construction projects, management of channels and sediment, and water level management for habitat restoration in Pool 8. We will also observe the Root River delta connecting the purpose of the many watershed implementation efforts being addressed by partners, including the SE Flood Conservation Recovery activities you saw on the tour today.

Resource Guides:

Tim Schlagenhaft, MN DNR, Lake City

Jim Nissen, USFW Refuge Manager, LaCrosse

Paul Machajewski, CORPs of Engineers, Channels and Harbor

8:15 p.m.

Board Coach Bus, Depart for Winona

9:00 p.m.

Arrive at Holiday Inn Express, Winona

A special thank you to the SWCD/NRCS local staff, SWCD boards members and resource agency staff. Your continued leadership and tenacity in working with the partners and landowners in delivering these state and federal conservation programs is commendable. Thank you for all your hard work in getting these practices on the ground!

Dodge SWCD Staff:

James Hruska District Technician
Tom Johnston District Technician

Board Members:

Darrel Faulkner
Muriel French
Dave Livingston
Glenn Hahn
Larry Scherger

NRCS Staff:

Brian DeVetter District Conservationist
Jeffrey King Water Quality Specialist
Donna Klapperich Soil Conservationist

Fillmore SWCD Staff:

Donna Rasmussen District Administrator
Rick Grooters Resource Con. Tech
Doug Keene Resource Con. Tech
Joe Magee TMDL/Water Plan Coordinator
Jeanette Serfling Administrative Assistant
Anne Koliha Engineering Technician
Dawn Bernau Nutrient Mgmt Specialist
Dean Thomas Grazing Mgmt Specialist
Jason Carlson Conservation Technician

Board Members:

Timothy Gossman
Brian Hazel
Pamela Mensink
Leonard Leutink, Jr.
Travis Willford

NRCS Staff:

Robert Joachim District Conservationist
Lynette Harmon Soil Conservationist
Angela White Soil Conservation Tech

Olmsted SWCD Staff:

Dorothy Miller District Office Manager
Floyd Whitaker District Coordinator
Skip Langer District Technician
Scott Bennett District Technician
Jim Stannard Feedlot Technician

Board Members:

Paul Uecker
Steve Connelly
Andy Hart
George Poch
John Keefe

NRCS Staff:

Dave Copeland District Conservationist
Claron Krogness Soil Conservationist
Leslie Diaz Alvarez Soil Conservation Tech
Charlie Blackburn Soil Conservation Tech

Root River SWCD Staff:

Ralph Tuck District Manager
Ronald Meiners Soil Conservationist
Janice Messner Adm. Assistant
Richard Stemper District Technician
Dave Walter District Technician

Board Members:

Tony Becker
Vernon Fruechte
Glenn Kinneberg
Joe McManimon
Douglas Meyer

SE SWCD Technical Support JPB Staff

Jason Rochester JPB Feedlot Technician

MN BWSR Staff:

Jeff Larson Engineering Technician

NRCS Staff:

Gary Larson District Conservationist
Tim Weisbrod Soil Con Technician
Derrick Harmon Soil Conservationist

Steele SWCD Staff:

Dan Arndt District Manager
Sue Condon Adm. Assistant
Eric Gulbransen District Technician

Board Members:

Mark Ihlenfeld
Kyle Wolfe
James Klecker

Doug Pirk
Dan Hansen

NRCS Staff:

Noel Frank District Conservationist
James Smith Soil Conservation Tech

Wabasha SWCD Staff:

Jen Dankers	Water Plan Coordinator
Donald Sylvester	District Technician
Linda Wagner	Adm. Assistant

Board Members:

Nate Arendt
Chuck Fick
Ralph Breuer

Tom Gosse
Roland Wood

NRCS Staff:

Pat Schaefers	District Conservationist
Raelene Marquez	Soil Conservation Technician

Winona SWCD Staff:

Daryl Buck	District Technician
Brein Maki	Administrative Assistant
Marlow Mielke	Conservation Specialist
Tim Terrill	District Manager

Board Members:

Rudie Spitzer
John Bronk
Tom Choinski
Victor Ormsby
Arlene Nelson

SE SWCD Technical Support JPB Staff

Pete Fryer	JPB Engineer
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MN BWSR Staff:

Terry Ragan	Engineer
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Whitewater Watershed Joint Powers Board:

Megan McGuire	Project Coordinator
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NRCS Staff:

Sue Glende	District Conservationist
Desmond Glenn	Soil Con Tech
Dan Gunderson	Soil Conservation Technician

BWSR Central Office Staff**NRCS St. Paul Office Staff**

A special thank you goes to MaryJo Anderson, BWSR St. Paul, for providing her expertise and leadership to the SE planning committee.

BWSR – Rochester Office

Dorothy Erickson	Secretary
Mary Kells	Board Conservationist
Steve Lawler	Wetland Specialist
Michelle Schaefers	Board Conservationist

NRCS – Rochester Area Office

John T. Nicholson	Asst. State Conservationist
Doug Christianson	Construction Inspector
Amy J. Dessner	Civil Engineer
Willis R. Goll	Agricultural Engineer
Peter R. Hartman	Area Resource Soil Scientist
Mark A. Knable	Programs Specialist
Judy K. Lambert	Area Administrative Coord.
Christopher L. Nelson	Civil Engineering Tech
Elizabeth A. Oolman	Agricultural Engineer
Aaron Peter	Area Engineer
Larry W. Peterson	Civil Engineering Tech
Jayne K. Piepenburg	Accounting Technician
Christiane C. Roy	GIS Specialist
Lawrence J. Svien	Area Resource Con.
Mary K. Weis	Civil Engineering Tech
John Zinn	Grazing Specialist

ITS Support Staff

Lori Quinell
Robby Westrom

AND

Thank you to all the tour presenters, listed in the program, who helped with tour planning, provided resources and spoke today on the successes of conservation recovery and flood mitigation efforts.

City of Hokah Pool Site
State Cost Share Project

Engineer's Estimate = \$50,686
Ole's Excavating = \$23,731
State Cost = 93.75% or \$22,248
City Cost = \$1,483

1,980 Cu. Yards – Common Excavation
840 Tons – Rock Riprap
1,200 Sq Yards – Geotextile
18,020 Sq Ft - Seeding & Fertilizer
18,020 Sq Ft – Wood Fiber Blanket

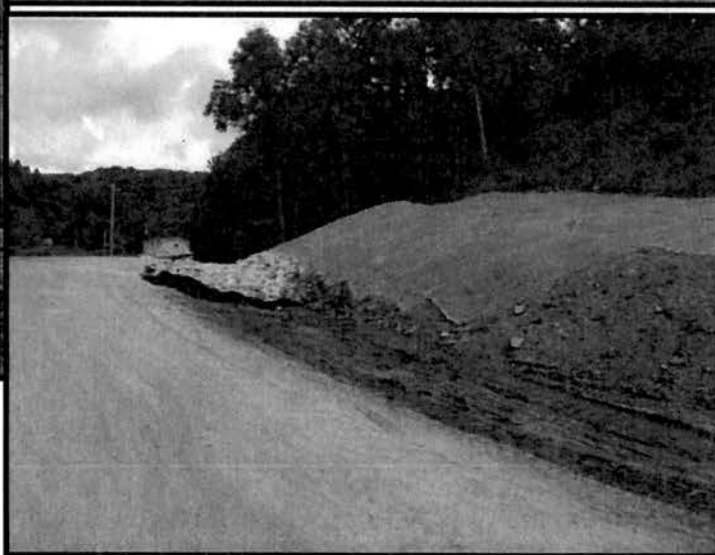
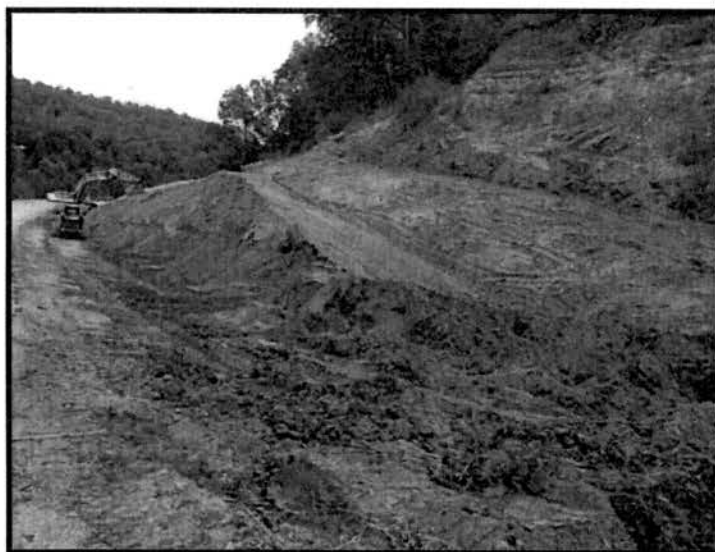
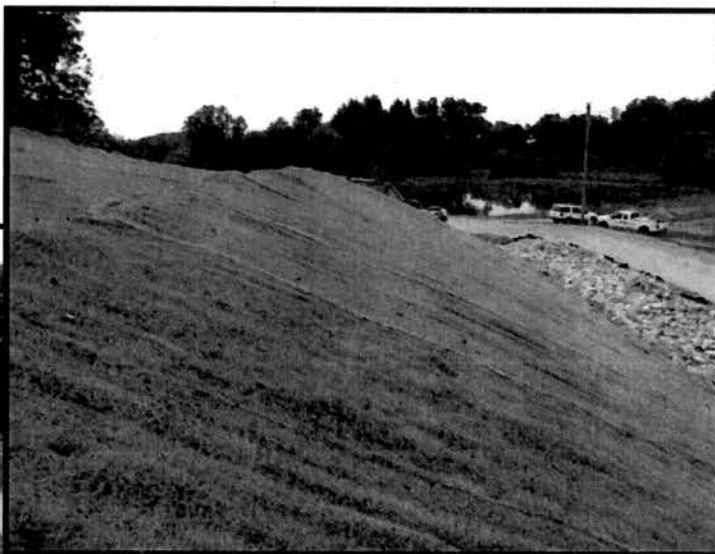
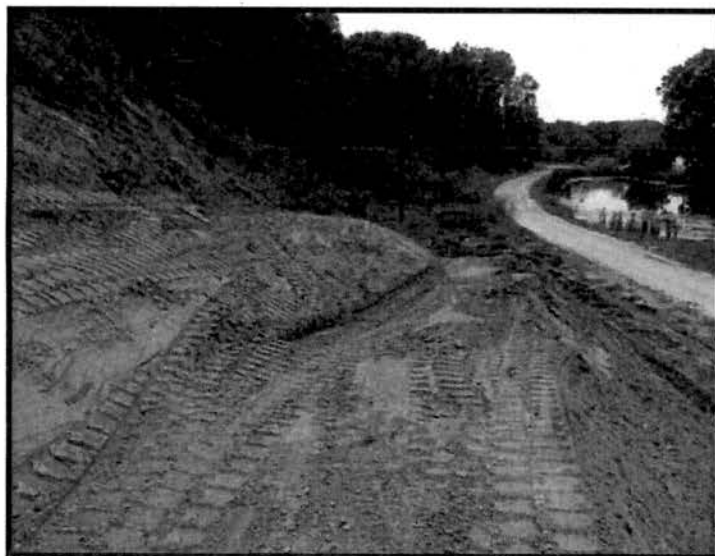
Projected completion date – August 21,
2009

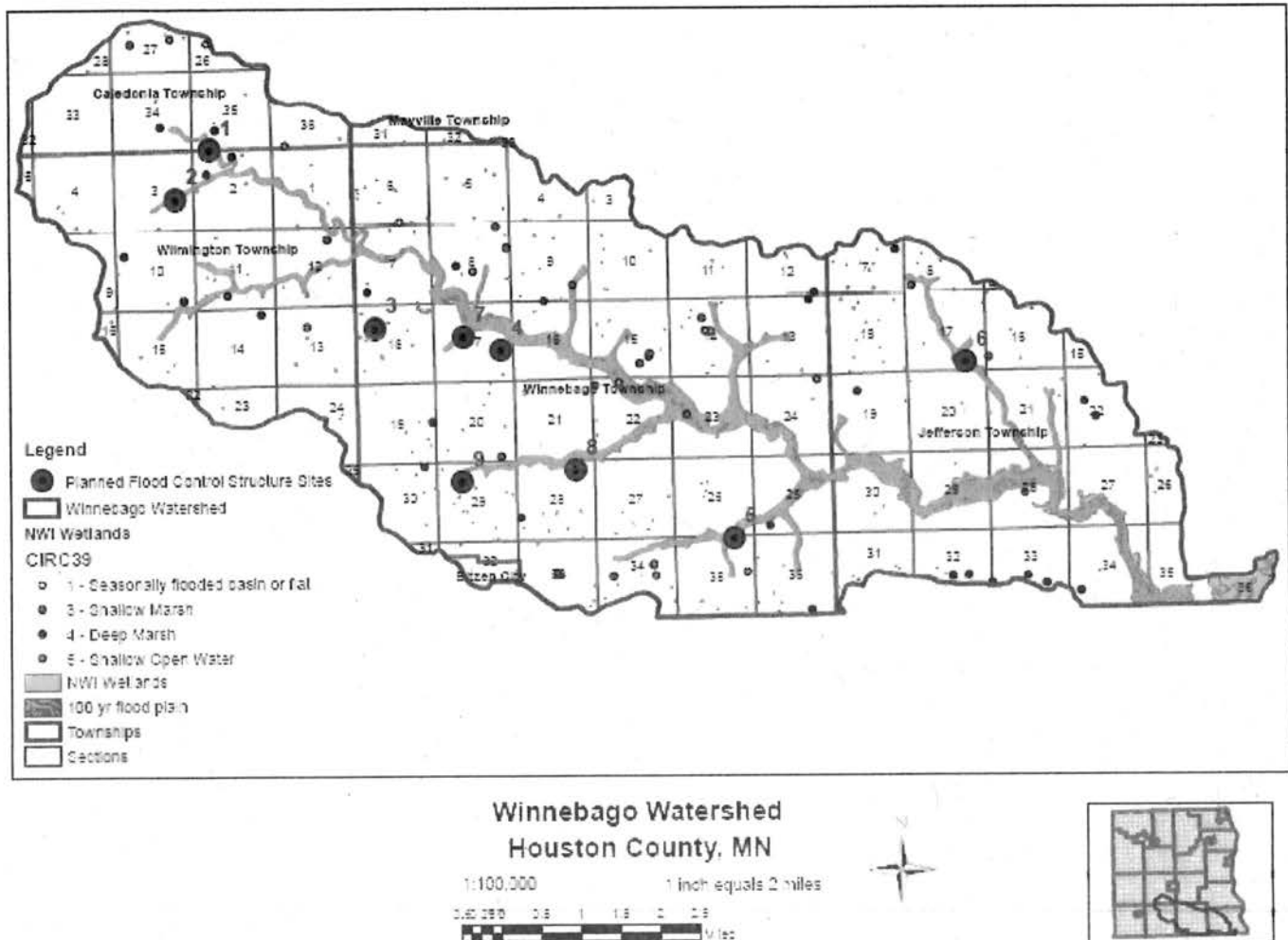
Design by MN-BWSR Staff



BEFORE

CONSTRUCTION





1. PROJECT DESCRIPTION

The proposed project is to install flood control structures ranging from 80 to 2600 Acre drainage area in the Winnebago Watershed to reduce peak flows. In conjunction with water retention facilities, riparian buffers will be established in select key areas to reduce future crop losses, improve water quality, provide wildlife habitat and improve fish habitat.

Preliminary engineering for each site has been complete including estimated drainage area, hydrology, site selection, soil survey and topographic data. Select projects have more comprehensive survey and design data. Final design will be completed once funding is secured. Preliminary engineering for Site 1 and 2 are included in attachments 2 and 3 are representative of the proposed projects.

2. PURPOSE OF PROJECT

Throughout recent past, frequent severe flooding has impacted public roads, businesses, cropland, recreational facilities, homes, fences, and the wastewater treatment facility in New Albin, IA. Severe bank erosion contributes to heavy sediment loads to the Mississippi River.

In 2008 catastrophic flooding forced evacuation of approximately 250 homes. Damages include \$2.5 million to township, county and private roads, \$396,600 to businesses and industry, \$600,000 to agriculture, and several miles of damage to stream banks.

Three major floods in the past 10 years have resulted in over \$5.5 million in damages. (See Attachment 6).

3. JUSTIFICATION FOR SELECTION OF THE PROJECT

How the project will solve the problem and why it is needed.

In 2003, USDA NRCS completed a PL-566 preapplication report on this watershed. According to that study, installation of small water control structures in 21% of the drainage area will reduce peak discharge downstream by approximately 21%. Control of 46% of the watershed will result in approximately 46% reduction in peak flows.

The proposed project will result in control of 25% of the watershed and will reduce peak discharge approximately 25%.

Cost of recent damages is summarized below.

	<u>2000</u>	<u>2007</u>	<u>2008</u>
Damage to County Roads	\$63,000.00	*	\$1,678,197.00
Damage to Township Roads	\$235,000.00	\$167,320.00	\$750,000.00
Damage to Private Roads - Thom, Esch, Sauer			\$ 60,000.00**
Damage to State Forest Land	\$12,650.00	\$10,000.00	\$29,000.00
Business and Industry	\$128,400.00	*	\$396,600.00
<i>Camp Winnebago</i>	\$10,000.00		\$91,600.00
<i>Dunromin</i>	\$23,400.00		\$305,000.00
<i>Stagemeyer Stave</i>	\$95,000.00	\$5,000.00	
Damage to Private Campers (6 total loss)			\$250,000.00
Debris Removal - Ag land	\$100,000.00*	\$80,000.00*	\$100,000.00
Crop Loss	\$200,000.00	\$100,000.00	\$500,000.00
Damage to Soil Erosion Control Practices			
Damage to Streambanks	\$30,000.00		
<i>Staggemeyer/Burg</i>			\$265,000.00***

Fillmore SWCD

• DNR Debris Removal Grant	\$ 37,000
• Cost Share Grant # 1	\$150,000
• Cost Share Grant # 2	\$ 50,000
• Cost Share Grant # 3	\$195,000
Total	\$432,000

Projects Completed

- Sand and debris removal
- Critical area seeding
- Heavy use area protection
- Pond clean out
- Structure repairs
- Terrace repairs
- Waterway repairs
- Well sealing



RIM

6 Participants = 100.4 acres
 Payment Rates
 Non Grazed — \$2,966.37 Per Acre
 Grazed — \$2,076.46 Per Acre

BWSR SE MN FLOOD TOUR



Joe Magee
 Water Plan/TMDL Coordinator
 Fillmore SWCD
 8/26/09



Outline

- Fillmore County Road Culvert Inventory
- Fillmore County Buffer Initiative
- Project to Evaluate Soil and Water Conservation Practices in the Root River Watershed

Fillmore County Road Culvert Inventory

- Board of Water and Soil Resources (BWSR) used 2007 Flood Money to contract the Minnesota Conservation Corps (MCC)
- Fillmore SWCD established initial contract with the MCC in August 2009 to complete a road culvert inventory of Fillmore County.
- About the MCC...
 - provides hands-on environmental stewardship and service learning opportunities to youth and young adults while addressing priority and effective conservation, natural resource management projects, and emergency technical work.
 - Formed on foundation of the Civilian Conservation Corps (CCC)
 - Was a Minnesota Department of Natural Resources (DNR) program from 1931-2003 and state funding was cut.
 - MCC transitioned to a non-profit organization.

Fillmore County Road Culvert Inventory

Purpose of project:

- Inventory road culverts less than 10 ft. wide in the county
- Township and County roads only
- Coordinate with Fillmore County Highway Department's 5-year replacement plan
- Provide information for the Root River TMDL
- Provide information for the Fillmore County Hazard Mitigation Plan
- Determine which sites held the greatest potential for temporary flood reduction

Fillmore County Road Culvert Inventory

Data Collected:

- Type (culvert, bridge, elliptical, box, round)
- Material (cement, cmp, plastic)
- Size
- Condition (poor, fair, good)
- Notes (sediment deposition, double culverts, flood damage, etc.)
- Flow
- Photo of culvert and upstream watershed
- GPS location



Fillmore County Road Culvert Inventory

Over 2,700 culverts inventoried

Took ~ 20 days

4 MCC crew members most days (2 crews of 2)

Averaged roughly 1 township a day between the 2 crews

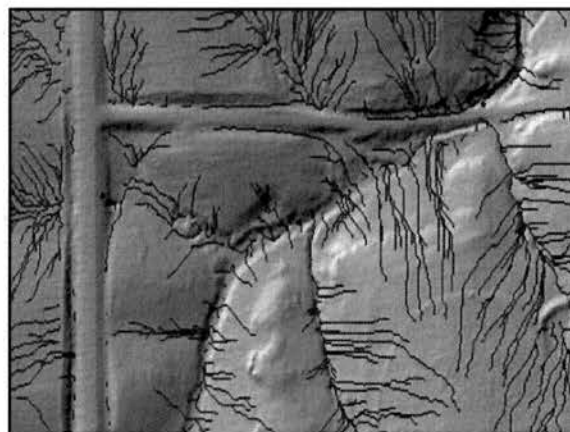
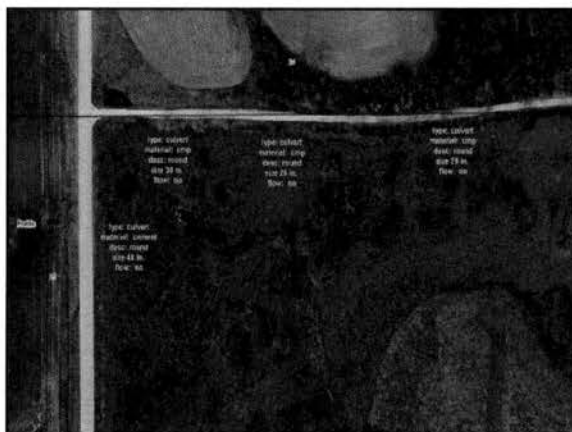
1 1/2 townships left to be inventoried



Fillmore County Road Culvert Inventory

Other benefits:

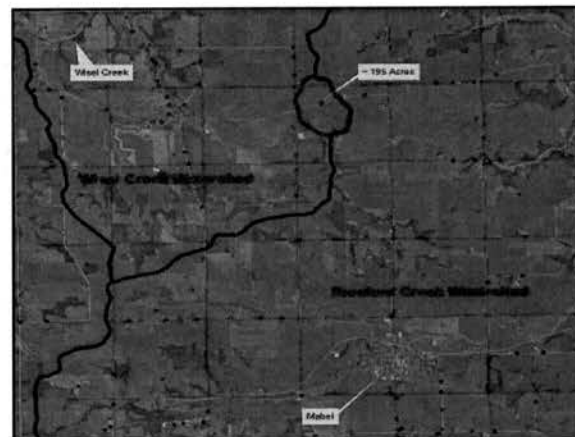
- Using this data along with LiDAR to prioritize possible road retention practices
- Gain better understanding of factors affecting hydrology in the watershed
- Show water flow/connectivity through roads (improve modeling tools/accuracy)
- Determining flooding potentials
- Reduced maintenance costs for the county and townships by reducing culvert size
- Water storage, sediment storage, reduced runoff and peak flows
- Could open the door for future cost share and incentives for retention easements and practices



Fillmore County Road Culvert Inventory

What's next??

- Determine sites for implementation (have a couple in mind)
- Get landowners, township officials, county commissioners, highway department, and other agency staff on board
- Line up funding source for implementation (Hazard Mitigation Grant?)



Fillmore County Buffer Initiative

- Fall 2008 - Sent out 284 Buffer Initiative letters to landowners with stream/rivers running through their property.
- Letter was endorsed by our County Board of Commissioners Chair, and our Soil and Water Conservation District Chair.



Fillmore County Buffer Initiative

Purpose of letter:

- Generate interest in buffers
- Inform landowners of benefits (sediment and nutrient reduction in streams, reduced flooding potential, wildlife habitat, etc.)
- Raise awareness of the Shoreland Ordinance (50 ft buffer of permanent vegetation is required along public waters)
- Enroll more CRP acres

Buffer Initiative

get the MOST out of your land!!
—economic —environmental —habitat

Fall 2008

To: Fillmore County Landowners

Re: Buffer Strips

This letter has been sent to encourage you to plant vegetated buffer strips along your waterways. Buffer strips are vegetated areas that protect water quality, reduce erosion, and provide wildlife habitat. They are a simple and effective way to improve your water quality and protect your investment in your land.

Planting vegetated buffer strips along your waterways can provide many benefits. They can help to reduce erosion, improve water quality, and provide wildlife habitat. They are a simple and effective way to improve your water quality and protect your investment in your land.

The Conservation Reserve Program (CRP) can provide financial assistance for planting buffer strips. CRP payments are based on the type of land being enrolled. Currently in Fillmore County, annual payments can range from \$100 to \$150 per acre for a 10 year or 15 year contract. For more information, contact the USDA Service Center at 507-742-3878 or the Fillmore County Board of Commissioners at 507-742-3878.

In summary, we hope you will consider the benefits to your land and the environment by planting buffer strips. For more information, contact the USDA Service Center at 507-742-3878 or the Fillmore County Board of Commissioners at 507-742-3878.



- Buffer strips can be planted with trees, shrubs, or grasses.
- Buffer strips can be planted along streams, rivers, or lakes.
- Buffer strips can be planted along roads or fields.
- Buffer strips can be planted along waterways.

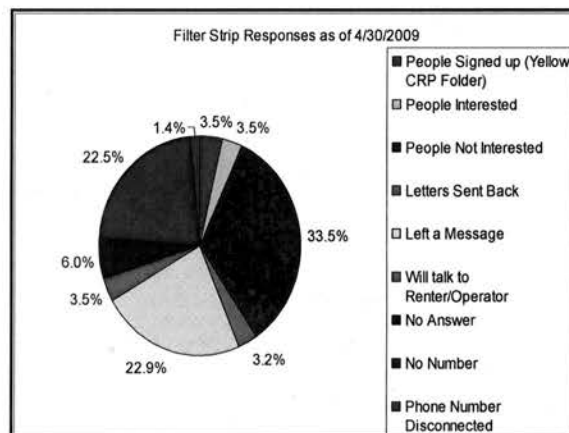
—SIGN UP TODAY—

CRP Buffer/Filter Strip Frequently Asked Questions

1. What is a CRP Buffer/Filter Strip? A CRP Buffer/Filter Strip is a vegetated area that protects water quality, reduces erosion, and provides wildlife habitat. They are a simple and effective way to improve your water quality and protect your investment in your land.
2. How much land do I need to enroll? You can enroll as little as 1/4 acre or as much as 100 acres. The minimum enrollment is 1/4 acre.
3. How long does it take to enroll? The enrollment process can take up to 30 days. You will need to provide a site visit and a plan for the buffer strip.
4. How much money will I receive? The CRP program provides up to \$150 per acre per year for a 10 year or 15 year contract. For more information, contact the USDA Service Center at 507-742-3878.
5. Can I enroll my land if I have a CRP contract? Yes, you can enroll your land if you have a CRP contract. You will need to provide a site visit and a plan for the buffer strip.
6. Can I enroll my land if I have a CRP contract? Yes, you can enroll your land if you have a CRP contract. You will need to provide a site visit and a plan for the buffer strip.
7. Can I enroll my land if I have a CRP contract? Yes, you can enroll your land if you have a CRP contract. You will need to provide a site visit and a plan for the buffer strip.
8. Can I enroll my land if I have a CRP contract? Yes, you can enroll your land if you have a CRP contract. You will need to provide a site visit and a plan for the buffer strip.



Fillmore County Buffer Initiative		
Filter Strip Responses as of 4/30/2009		
People Signed up (Yellow CRP Folder)	10	3.5%
People Interested	10	3.5%
Letters Sent Back	9	3.2%
Left a Message	65	22.9%
Will talk to Renter/Operator	10	3.5%
No Answer		
No Number		
Phone Number Disconnected		
Total Letters Sent Out	284	



Project to Evaluate Soil and Water Conservation Practices in the Root River Watershed

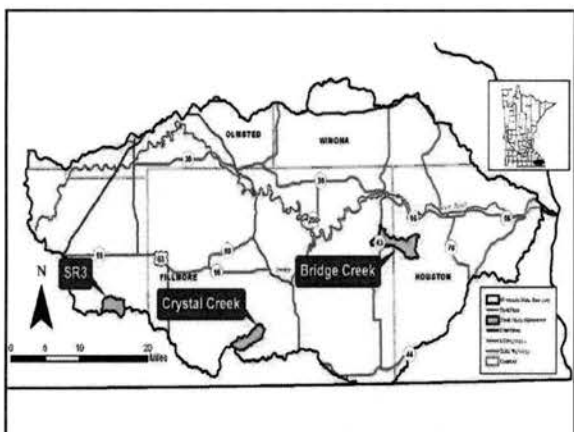
Quick Points

- The effects of conservation practices on water quality and soil quality will be studied in three SE MN watersheds.
- This project is the initial phase of a long-term (> 10 years) demonstration project.
- Science-based information will help refine management practices and technologies that are designed to help farmers operate profitably while protecting natural resources.
- Funding for this project is derived in part from Monsanto and Minnesota's Clean Water Fund.

Project to Evaluate Soil and Water Conservation Practices in the Root River Watershed

Primary Goals

- Characterize soil and water quality of several small watersheds that are representative of Southeast Minnesota.
- Evaluate new and existing conservation practices.
- Demonstrate innovative tools to help reduce risk while enhancing production agriculture.



Project to Evaluate Soil and Water Conservation Practices in the Root River Watershed

Partners

- Mower - Fillmore, Root River Soil and Water Conservation Districts
- Minnesota Department of Agriculture
- Minnesota Agricultural Water Resources Coalition
- Houston/Fillmore County Extension

Project to Evaluate Soil and Water Conservation Practices in the Root River Watershed

Water Quality Monitoring

> A goal of 6 water quality monitoring stations will be installed to monitor surface water runoff at the edge of small crop fields (less than 100 acres in size).

> After several years of monitoring, the effects of new and existing conservation practices will be studied.



Project to Evaluate Soil and Water Conservation Practices in the Root River Watershed

Water Quality Monitoring

> Monitoring sites will also be installed at the outlets of the watersheds (5,000 acres in size or less) to improve our understanding of how practices on the land affect water quality on a larger scale.

Project to Evaluate Soil and Water Conservation Practices in the Root River Watershed

Watershed Tools

- > Basal stalk nitrate test
- > Phosphorus index
- > Soil conditioning index (organic matter)
- > Sediment fingerprinting

Project to Evaluate Soil and Water Conservation Practices in the Root River Watershed

Where are we at now?

- > Talking with landowners and finalizing edge of field monitoring locations
- > Monitoring equipment has been ordered
- > Begin installing monitoring equipment this fall

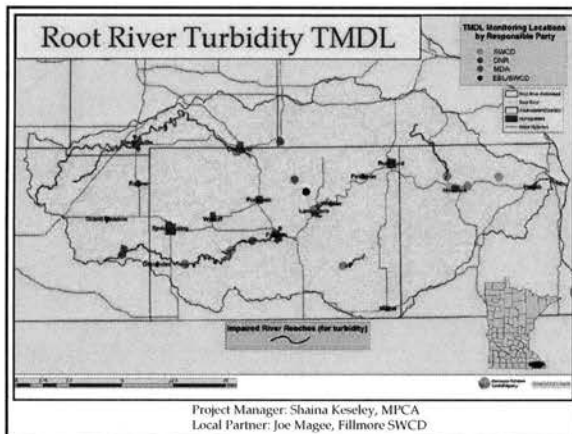
References

- http://www.oh.nrcs.usda.gov/programs/Lake_Erie_Buffer/images/grass_fs_allen_co.jpg
- <http://www.cnrp.net/agshoreland.html>
- Kevin Kuehner – Minnesota Department of Agriculture

Root River Turbidity TMDL

Shaina Keseley
MPCA – Project Manager
Shaina.Keseley@state.mn.us

Joe Magee
Fillmore SWCD – Water
Plan/TMDL Coordinator
joe.magee@fillmoreswcd.org



Root River Turbidity TMDL

- **Reason for TMDL Study:**
 - 11 impaired listings on 2008 303(d) list that involve turbidity
- **Goals of TMDL Study:**
 - Complete TMDL computations for each turbidity listing (load and waste load allocations) and give in report form
 - Source allocations of sediment on impaired reaches to aid in implementation planning
- **Other Study Details:**
 - Length: March 2008 to June 2011
 - Amount of Contract: \$300,000
 - Contracted with Fillmore County SWCD
 - subcontracts with DNR-DOW and DNR-Fisheries; potential contract with U of MN

Data Collection Phase

Data collection and storage	Transparency tube compared to stream
Turbidity sensor housed in PVC in stream	Flow measurement in stream cross section

Fillmore SWCD Involvement

Responsibilities:

1. Site install and up keep (11 locations)
2. Collect water quality samples twice per month and/or during rain events
3. Site data management and analysis
4. Coordinate technical advisory group and stakeholder advisory group meetings
5. Assist in writing TMDL study report
6. Coordinate TMDL implementation planning with county water plan

Thank You!

Rick Grooters
Fillmore SWCD – Resource Conservation Technician
(507) - 765 - 3878 x 107
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Joe Magee
Fillmore SWCD – Water Plan/TMDL Coordinator
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Shaina Keseley
MPCA – Project Manager
(507) – 206 - 2622

Site 6

Oak Forest Lane – Sites 2 & 4

EWP & State Cost Share Project

DSR Estimate = \$117,000

Engineer's Estimate = \$90,791

Ole's Excavating Bid = \$49,150

Actual Cost = \$52,116

NRCS Cost = \$39,087

State Cost = \$13,029

Owner Cost = \$0.00

1 Each – 18-Inch Dia. Inlet Basins

105 Lineal Feet – 12" HDPE Plastic Pipe

2,222 Tons – Rock Riprap

1,678 Square Yards – Geotextile

7,050 Square Feet - Seeding & Fertilizer

7,050 Square Feet – Erosion Blanket



Completed – June 2009

Surveyed by MN-BWSR, RR-SWCD & SE SWCD Tech. JPB Staff

Design by MN-BWSR Staff

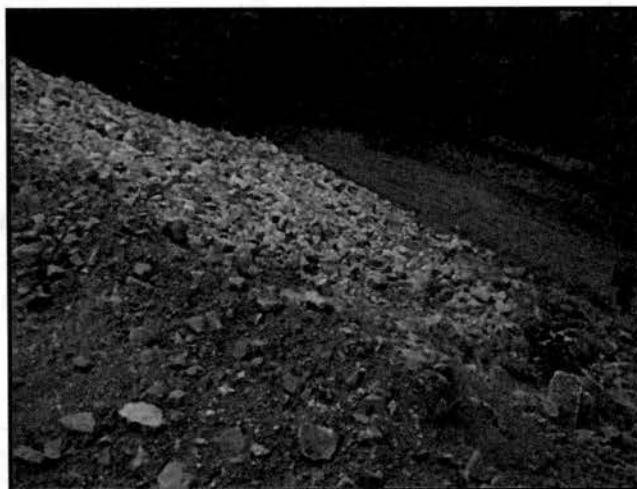
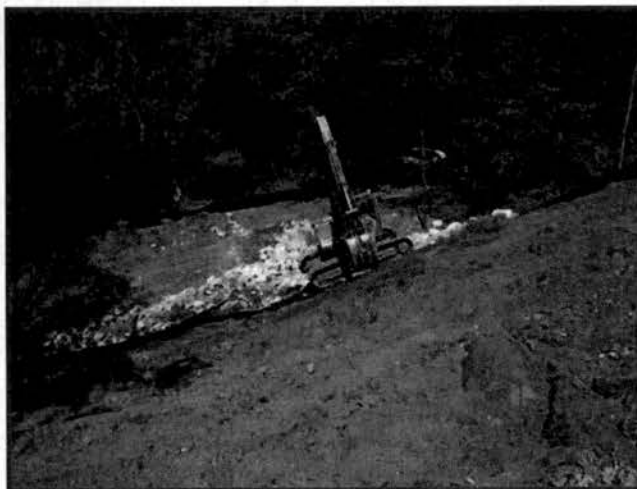
Constructed using RR SWCD & MN-BWSR Staff

BEFORE – SITE 4





DURING – SITE 4



AFTER – SITE 4



BEFORE – SITE 2



DURING – SITE 2





AFTER – SITE 2



Oak Forest Lane – Sites 1 & 3

EWP & State Cost Share Project

DSR Estimate = \$110,000

Engineer's Estimate = \$75,517

VanGundy Excavating LLP Bid = \$41,435

Actual Cost = \$46,087

NRCS Cost = \$34,564

State Cost = \$11,523

Owner Cost = \$0.00

3 Each – 18-Inch Dia. Inlet Basins

280 Lineal Feet – 12" HDPE Plastic Pipe

1,971 Tons – Rock Riprap

1,380 Square Yards – Geotextile

2,261 Square Feet - Seeding & Fertilizer

2,261 Square Feet – Erosion Blanket

Completed – June 2009

Surveyed by MN-BWSR, RR-SWCD & SE

SWCD Tech. JPB Staff

Design by MN-BWSR Staff

**Constructed using RR SWCD & MN-BWSR
Staff**

BEFORE – SITE 1

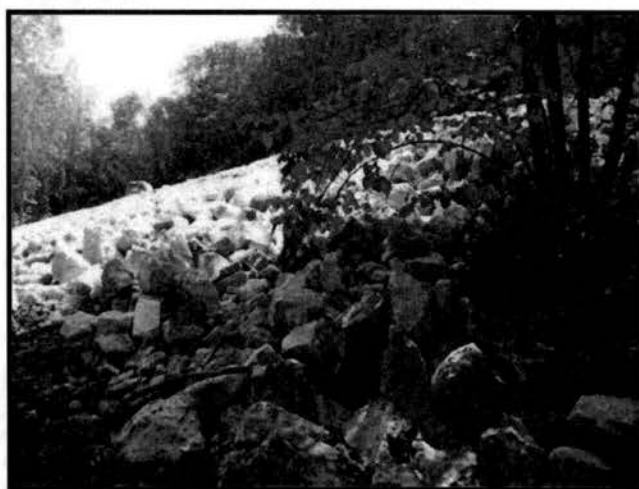
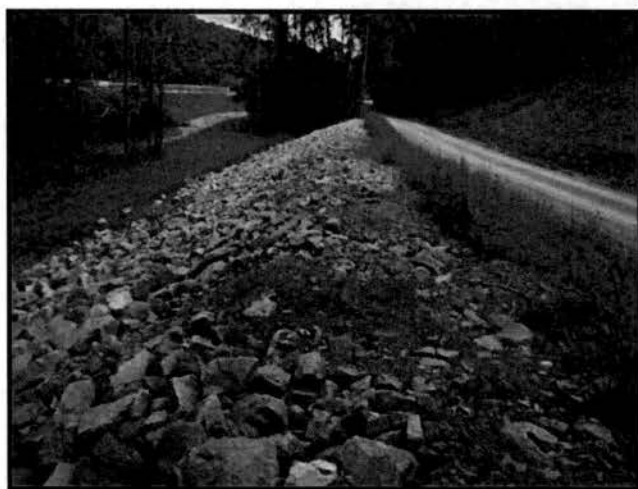




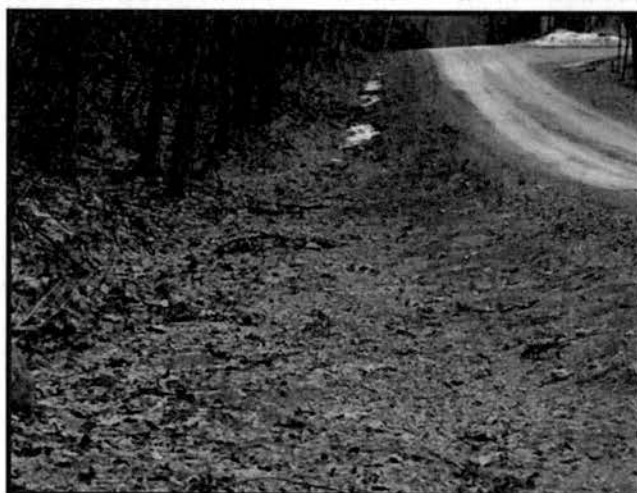
**DURING
CONSTRUCTION – SITE 1**



AFTER – SITE 1



BEFORE – SITE 3



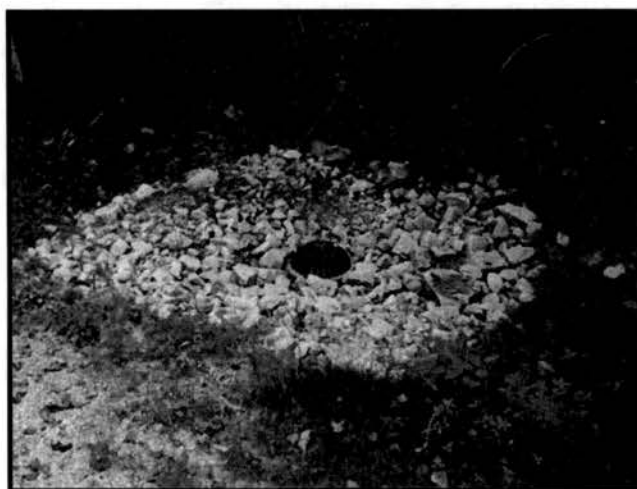
DURING – SITE 3



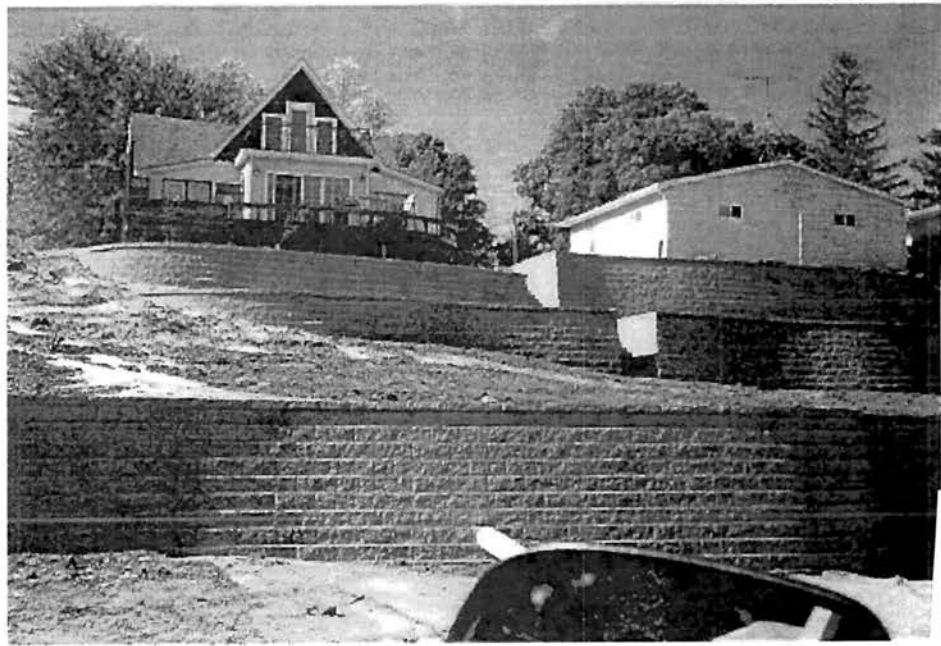
DURING – SITE 3



AFTER – SITE 3

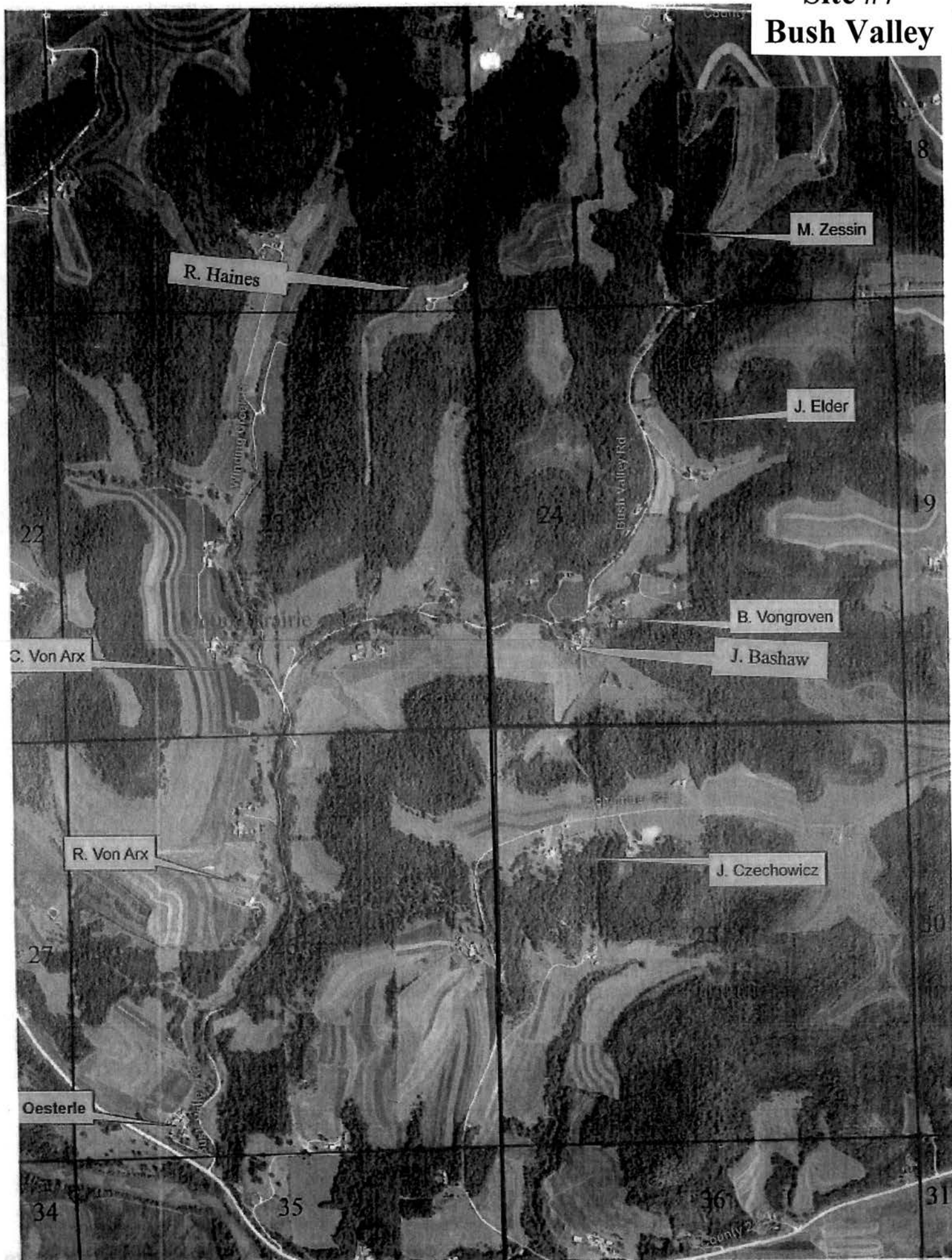


Gerri Pizzini



John Colsch

Site #7
Bush Valley

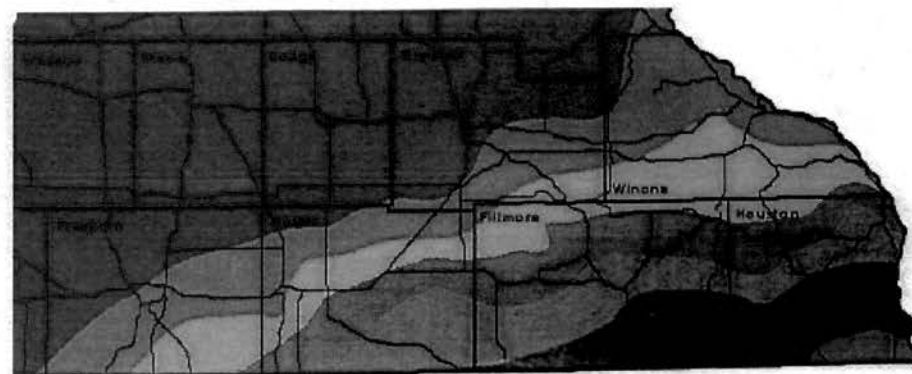


Thunderstorms blossomed over southeast Minnesota into southwest Wisconsin the night of the 18th. Storms continued to redevelop to the west, moving east along this same axis. With rainfall rates of 1 to 2 inches per hour common, this led to areas receiving as much as a foot of rain.



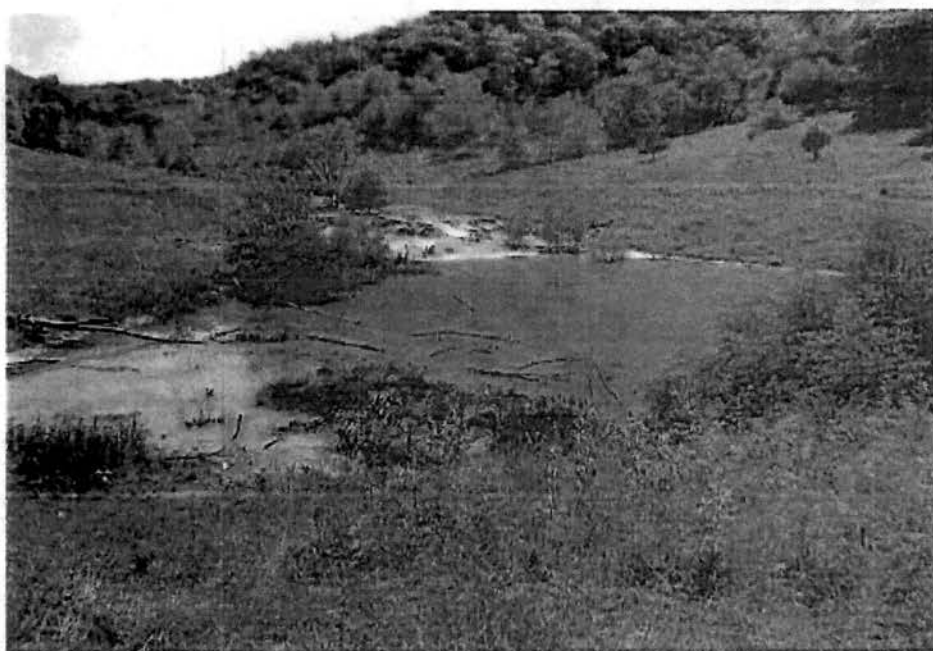
August 18-19, 2007

Rainfall Totals for Southeastern Minnesota June 7 and 8, 2008



1 2 3 4 5 6 7 8 9 10 inches

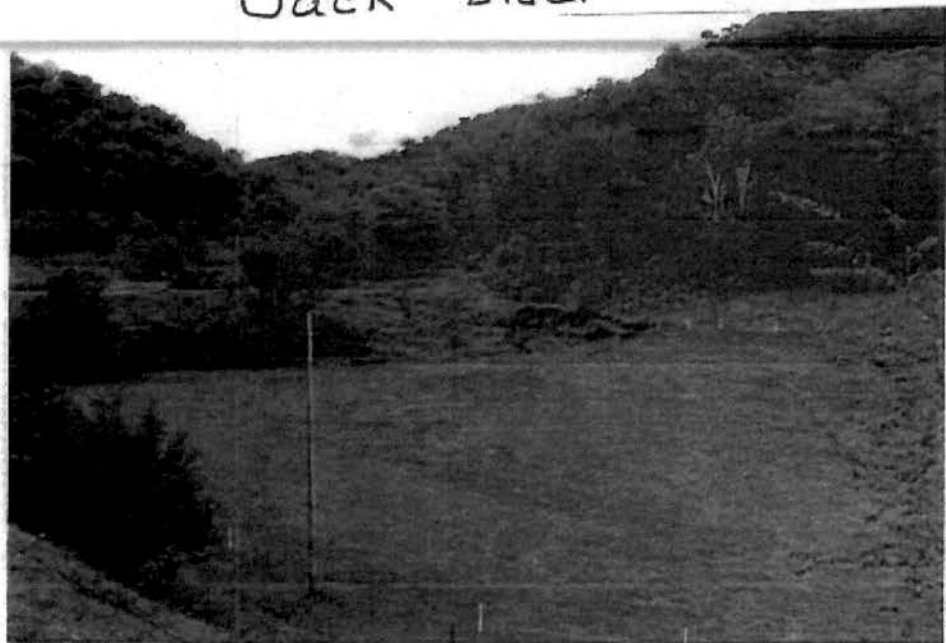
State Climatology Office - DNR Waters



John Bashaw

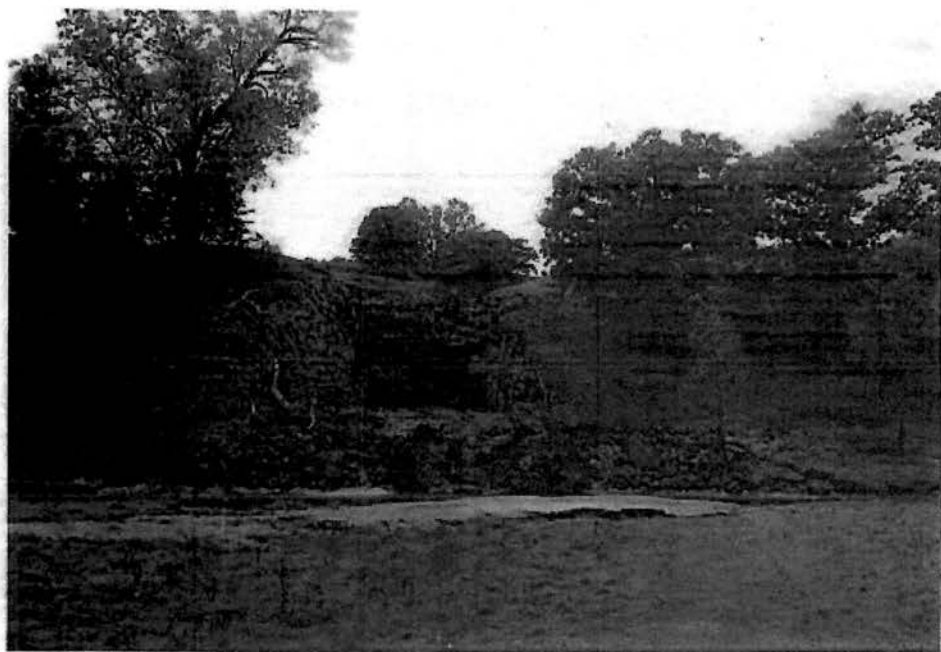


Jack Elder



Laverne Oesterle

Ron VonArx



Ron VonArx

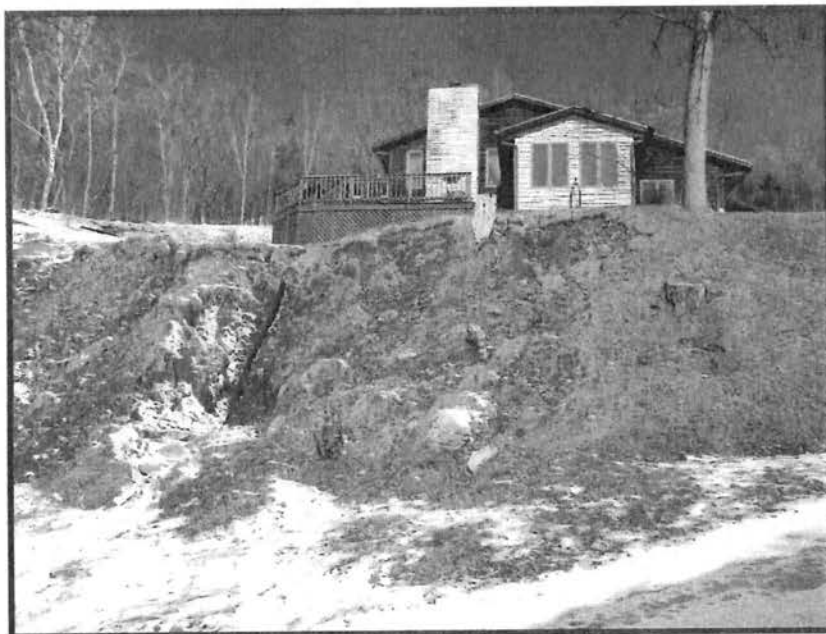
**Richard Berry
EWP & State Cost Share Project**

**DSR Estimate = \$64,000
Engineer's Estimate = \$40,825
Zenke, Inc. Bid = \$11,500
Actual Cost = \$29,481
NRCS Cost = \$9,412
State Cost = \$20,069
Berry Cost = \$0.00**

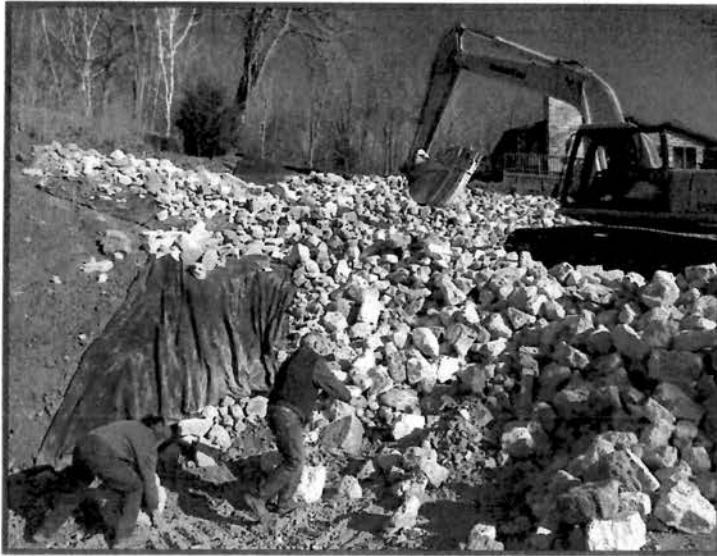
**11,534 Tons – Rock Riprap
14,850 Square Feet – Geotextile
2,277 Square Feet - Seeding &
Fertilizer
5,103 Square Feet – Erosion
Blanket**

Project Completed - April 2009

**Design by MN-BWSR Staff
Constructed using RR SWCD &
MN-BWSR Staff**



BEFORE



DURING CONSTRUCTION



AFTER

